



City Council Meeting

Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall

Please click the link below to join the webinar:

<https://zoom.us/j/93626680571>

Or Telephone: +1 305 224 1968 US

Webinar ID: 936 2668 0571

****CCTV link: https://www.youtube.com/playlist?list=PLIjLFn4BZd2PwCge7lNoKug676jIf_iUA ****

To participate in Public Forum in person, sign up at the meeting.

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<https://www.burlingtonvt.gov/citycouncil/publicforum>

****ONLINE closes one hour prior to the beginning of public forum****

Do not sign up in person and via Zoom - select one only

1. Agenda

Subject	1.1. Motion to amend/adopt agenda
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	1. Agenda
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to amend/adopt agenda as follows: remove from the consent agenda item 5.12. Ordinance: Chapter 18 Housing Article V. Regulation of Conversion of Rental Housing to Condominiums or Cooperatives (Councilors Shannon, Traverse, Brown McKnight) and place it on the Deliberative Agenda as item 6.6. (per City Council President Traverse per Councilor Grant)

2. Public Forum: Time Certain: 6:45 pm **See above for signup instructions**

Subject	2.1. Verbal Comments
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	2. Public Forum: Time Certain: 6:45 pm **See above for signup instructions**
Department	Council and Board
Type	Action Procedural
Recommended Action	open Public Forum close Public Forum

3. Climate Emergency Reports (5 - 10 mins.)

Subject	3.1. Verbal reports
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	3. Climate Emergency Reports (5 - 10 mins.)
Department	Council and Board
Type	Information

4. Public Health & Safety Emergency Updates (5-10 mins.)

Subject	4.1. Verbal reports
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	4. Public Health & Safety Emergency Updates (5-10 mins.)
Department	Council and Board
Type	Information

5. Consent Agenda

Subject	5.1. Motion to adopt the consent agenda (as amended) and take the actions indicated
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	5. Consent Agenda
Department	Council and Board
Type	Action (Consent) Procedural
Recommended Action	Motion to adopt the consent agenda (as emended) and take the actions indicated
Subject	5.2. Communication: C/T Office, re: Accountability List

Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information
Recommended Action	waive the reading, accept the communication and place it on file
Subject	5.3. 645 Pine Street Metal Siding Repair - BPRW
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	5. Consent Agenda
Department	Parks, Recreation, & Waterfront
Type	Action (Consent)
Recommended Action	to approve and authorize the execution of a contract with Polli Construction, Inc., for a price not to exceed \$233,775 for the 645 Pine Street Metal Siding Repair project, plus a project contingency of \$23,000 (total request including contingency not to exceed \$256,775), and to authorize Cindi Wight, Director of Parks, Recreation and Waterfront, to execute the contract and any related documents needed to carry out the project, subject to the review of the City Attorney's Office
Subject	5.4. Community Boathouse Conditions Assessment Study - BPRW
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	5. Consent Agenda
Department	Parks, Recreation, & Waterfront
Type	Action (Consent)
Recommended Action	to approve and authorize the execution of a contract with Freeman French Freeman, Inc. for a price not to exceed \$181,175.00 for the Community Boathouse Conditions Assessment, plus a project contingency of \$18,117.50, for a total authorized expenditure of \$199,292.50, and to authorize Cindi Wight, Director of Parks and Recreation, to execute the contract and any related documents needed to carry out the project, subject to the review of the City Attorney's Office
Subject	5.5. Business and Workforce Development - City Hall Park Kiosk - Authorization to Award Lease - BWD
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	5. Consent Agenda
Department	Business and Workforce Development

Type	Action (Consent)
Recommended Action	to authorize the Mayor to execute a three-year concession and license agreement with Sherpa Foods, LLC for food and beverage operations in the City Hall Park kiosk, subject to final review and approval by the City Attorney's Office
Subject	5.6. Recertification of the FY23 City of Burlington Waterfront TIF District Report to the Vermont Economic Progress Council (VEPC) - C/T
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Information Communication
Recommended Action	waive the reading, accept the communication and place it on file
Subject	5.7. Vermont Early Childhood Fund Opportunity Grant - BWD
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	5. Consent Agenda
Department	Business and Workforce Development
Type	Action (Consent)
Recommended Action	to authorize the Director of Business & Workforce Development to enter into an agreement with the State of Vermont, subject to final review from the City Attorney's Office, to accept a grant award of \$15,000 as part of the Early Learning Initiative Budget
Subject	5.8. Legislative Update May 28, 2024 - Jamie Feehan
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	5. Consent Agenda
Department	Council and Board
Type	Action (Consent) Information Communication
Recommended Action	waive the reading, accept the communication and place it on file
Subject	5.9. Pilot EV Charging Tariff for Pole-Mounted Chargers - BED
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall

Category	5. Consent Agenda
Department	Burlington Electric Department
Type	Action (Consent)
Recommended Action	to approve and authorize the General Manager of the Burlington Electric Department or their designee to file a pilot rate/tariff amendments with the Vermont Public Utility Commission creating a Community EV Charging Rate as described in this memo
Subject	5.10. Request for Approval of a \$671,122 Budget neutral Amendment to the FY 2024 Patrick Leahy Burlington International Airport - Airport
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	5. Consent Agenda
Department	Airport
Type	Action (Consent)
Recommended Action	to approve a budget neutral amendment to the Fiscal Year 2024 Patrick Leahy Burlington International Airport budget in the amount of \$671,122 by modifying the accounts as described in the affiliated memorandum
Subject	5.11. Ordinance: Chapter 18 Housing Article V. Regulation of Conversion of Rental Housing to Condominiums or Cooperatives (Councilors Shannon, Traverse, Brown McKnight) **NOW AGENDA ITEM 6.6**
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	5. Consent Agenda
Department	Council and Board
Type	Action (Consent) Ordinance - First Reading
Recommended Action	first reading, waive the reading, and refer to the Ordinance Committee
Subject	5.12. FIO Documents
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information
Recommended Action	for information only

Subject	5.13. BED Demonstration of Energy-Efficient Development and Energy Storage Access Program grants - BED
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	5. Consent Agenda
Department	Burlington Electric Department
Type	Action (Consent)
Recommended Action	to approve and authorize the BED General Manager or their designee, subject to final review and approval by the City Attorney's Office, to accept and execute grant agreements for Vermont DPS grants 02440-FY24-Act74G600-023

6. Deliberative Agenda

Subject	6.1. Communication: Mayor Emma Mulvaney-Stanak, re: Fiscal Year 2025 Mayoral Appointments (30 mins.)
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	6. Deliberative Agenda
Department	Mayor's Office
Type	Action
Recommended Action	confirm the FY25 Mayoral appointments as listed

Subject	6.2. Resolution: Authorization To Submit 2024-2028 Burlington Five-Year Consolidated Plan 2024 Burlington One-Year Action Plan (Board of Finance) (20 mins.)
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	6. Deliberative Agenda
Department	Community & Economic Development Office (CEDO)
Type	Action Resolution
Recommended Action	waive the reading and adopt the resolution

Subject	6.3. Annual Commission Report - BED (20 mins.)
Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	6. Deliberative Agenda
Department	Burlington Electric Department
Type	Action Information

Report

Recommended Action waive the reading, accept the report and place it on file

Subject 6.4. Presentation from Burlington Electric Department (45 mins.)

Meeting June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall

Category 6. Deliberative Agenda

Department Clerk/Treasurer's Office

Type Information
Presentation

Subject 6.4. BED FY25 Rate Change

Meeting June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall

Category 6. Deliberative Agenda

Department Burlington Electric Department

Type Action

Recommended Action to approve and authorize the General Manager of the Burlington Electric Department or their designee to file tariff amendments and supporting documents with the Vermont Public Utility Commission requesting an increase to Burlington Electric Department rates of 5.5 percent on bills rendered on or after September 1, 2024 as proposed

Subject 6.4. Resolution: Approving The Pledging Of The Credit Of The City In Anticipation Of The Receipt Of Revenue From The Electric Department (Board of Finance)

Meeting June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall

Category 6. Deliberative Agenda

Department Burlington Electric Department

Type Action
Resolution

Recommended Action waive the reading and adopt the resolution

Subject 6.4. Proposed Changes to BED Miscellaneous Service Fees

Meeting June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall

Category 6. Deliberative Agenda

Department Burlington Electric Department

Type	Action
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Recommended Action	to approve and authorize the General Manager of the Burlington Electric Department or their designee to file tariff amendments and supporting documents with the Vermont Public Utility Commission requesting changes in Burlington Electric Department's Miscellaneous Service Fees as proposed
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Subject	6.5. Resolution: Review And Update To Rental Weatherization Standards (Councilor Barlow)(20 mins.)
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Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
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Category	6. Deliberative Agenda
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Department	Council and Board
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Type	Action Resolution
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Recommended Action	waive the reading and adopt the resolution
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Subject	6.6. Ordinance: Chapter 18 Housing Article V. Regulation of Conversion of Rental Housing to Condominiums or Cooperatives (Councilors Shannon, Traverse, Brown McKnight)(20 mins.) **WAS CONSENT AGENDA ITEM 5.12.**
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Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
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Category	6. Deliberative Agenda
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Department	Council and Board
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Type	Action Ordinance - First Reading
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Recommended Action	first reading, waive the reading, and refer to the Ordinance Committee
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7. Committee Reports

Subject	7.1. Verbal reports
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Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
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Category	7. Committee Reports
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Department	Council and Board
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Type	Information
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8. City Council - General Affairs (up to 15 mins.)

Subject	8.1. Verbal reports
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Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
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Category	8. City Council - General Affairs (up to 15 mins.)
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Department Council and Board

Type Information

9. City Council President - Council Updates (up to 5 mins.)

Subject 9.1. Verbal reports

Meeting June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall

Category 9. City Council President - Council Updates (up to 5 mins.)

Department Council and Board

Type Information

10. Mayor - General Affairs (up to 10 mins.)

Subject 10.1. Verbal reports

Meeting June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall

Category 10. Mayor - General Affairs (up to 10 mins.)

Department Council and Board

Type Information

11. Adjournment

Subject 11.1. Motion to adjourn

Meeting June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall

Category 11. Adjournment

Department Council and Board

Type Action
Procedural

Recommended Action Motion to adjourn

12. Informational and Non-Discrimination Statements

Subject 12.1. This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (802-865-7136)(TTY 802-865-7142). Persons with disabilities who require assistance or special arrangements to participate are encouraged to contact 802-865-7000 (voice) or 802-865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will also air on Town Meeting TV the Wednesday after the meeting, starting at 8:00 pm and repeating at 1:00 am and 7:00 am the following day. The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age,

sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information.

Meeting	June 3, 2024 - Regular City Council Meeting - Monday, June 3, 2024, 6:30 PM, Contois Auditorium, 2nd Floor, City Hall
Category	12. Informational and Non-Discrimination Statements
Department	Council and Board
Type	Information

CITY COUNCIL ACCOUNTABILITY LIST

This list is a working document. It is a record of resolutions, ordinances, communications that have come to the Council and there is an action requested.

Prepared by: Lori Olberg, Licensing, Voting & Records Coordinator

5/30/2024

	Meeting Date	Type of Document and Title	Action Requested	Updated Next Steps in the Process
1	2/6/2023	Communication re Ward 2/3 NPA Resolution to Name the New Shelburne Street Roundabout After Tony Redington and Resolution in Support of Big Heavy World Teen Center Proposal for Memorial Auditorium	refer the communication to TEUC and CDNR Committees respectively for further review and engagement	TEUC Item was taken up at the March 2023 meeting. No further action taken
2	3/13/2023	Communication re Ward 5 NPA Steering Committee to Name the New Shelburne Street Roundabout after Tony Redington	refer the communication to TEUC for further review	TEUC Item was taken up at the March 2023 meeting. No further action taken
3	3/13/2023	Resolution: Supporting LGBTQIA+ Community Members and Condemning Transphobia	City Council will work in collaboration with community members and organizations and the City administration to develop a plan for ongoing activities to support and amplify the voices of the LGBTQIA+ community; City Council urges Burlington’s state legislative delegation to look at current state hate crime statute to look to extend protections for schools and organizations that advocate/support LGBTQ+ (and other minoritized communities) from hate motivated targeted crimes, examine Burlington’s graffiti ordinance and consider changes that address continued defacement of public property, and graffiti that spreads hateful and harmful messages.	There have been stakeholder meetings brought forward by the Administration to address the directives in the resolution. UPDATE: Work is being done in the Legislature, a former resident created a physical Burlington trans pride flag to fly in front of City Hall in recognition of Trans Day of Visibility; the flag will fly the flag from March 15 - April 15 to celebrate Trans Day of Visibility and reboot the Trans People Belong campaign.
4	6/5/2023	Resolution: Accepting Grant Funding from the Department of Mental Health for the Crisis Response Team and Exploring the Creation of a Burlington CAIP Department	The City Council requests an evaluation be done to explore Burlington CAIP becoming a department of the City , an evaluation be done to review the reporting and supervisory structure needed to support three public safety departments (police, fire and CAIP), that a report come to Public Safety Committee in October 2023, approval for the Chief of Police to accept the Department of Mental Health grant for Burlington CARES	A report was to come to Public Safety in late 2023. UPDATE: this was presented to the Public Safety Committee as per the resolution in March 2024, report to the full Council in April 2024.
5	7/24/2023	Resolution: The Climate Emergency and the Council Request to Count Vermont Air National Guard GHG Emissions and to Plan to Eliminate VTANG Aviation and Ground GHG Emissions in the Spirit of the City's 2030 Net Zero Goals	requests that the Vermont Air Force National Guard Adjutant General, beginning for the year 2023, calculate aviation and ground fuel usage at the VTANG base and to annually provide BTV Director and TEUC with a complete record of the calculated aviation and ground greenhouse gas emission; for VTANG to work collaboratively to draft a plan to adopt simulation and augmented reality training to substantially reduce or eliminate GHG with initial meeting on or before 12/31/23 and follow up at TUEC's March 2024 meeting	Initial meeting of the parties by 12/31/2023; UPDATE: parties met at March TEUC meeting
6	12/18/2023	Ordinance: Burlington Code of Ordinances-Sections 21-45 - 21-49 Trespass	refer the proposed to the ordinance committee for further review to include, but not be limited to, consideration of the list of parties authorized to issue no trespass orders, balancing no trespass orders with proactive harm reduction efforts and to evaluate expanding the ability to enforce the trespass ordinance on private property.	Work being done on this in the Ordinance Committee
7	1/16/2024	Proposed Charter Change: Articles 62, 63 and 65 regarding Police Oversight	Referred the proposed Charter change to the Police Commission for further consideration and a request for a report back to the Council by June 3, 2024.	Report back to the City Council in June 2024 from Police Commission
8	3/11/2024	City of Burlington, VT 2021-2023 Dog Task Force	To refer the recommendations of the 2021-2023 Dog Task Force Report to the following Committees, Commissions, and Departments for further review, study, and recommended action, and to request that such bodies report back to the full Council with their findings by the first Council meeting of September, 2024: Recommendation regarding updates and additions to Chapter 5 and Chapter 22 of the Burlington Code of Ordinances to the Ordinance Committee, with Council recommendation to engage the Clerk Treasurer’s Office and Parks, Recreation, and Waterfront Department regarding sharing of license revenues; and Recommendation regarding additional Animal Control staffing and improvements to include animal related concerns to the online police report system to the Public Safety Committee and Police Commission for concurrent review; and Recommendation regarding creation of additional off-leash areas to the Parks Commission; and Recommendation regarding standing up an Education Campaign with respect to licensing requirements to the Clerk Treasurer’s Office; and, best practices for animal ownership in the City to the Police Department and the Parks, Recreation, and Waterfront Department	first council meeting in September 2024
9	5/6/2024	Resolution Relating to The Relationship Between City Officials And The Neighborhood Planning Assemblies	to refer the resolution from the Ward 1 Neighborhood Planning Assembly Concerning the Relationship Between City Officials & the NPA to the Community Development and Neighborhood Revitalization Committee for further review and recommended action	no later than September 2024
10	5/20/2024	Resolution: A Building Emissions Reduction Ordinance	referred to TEUC	TEUC refer any working draft BERO and any related ballot language to the Ordinance Committee no later than the last City Council meeting in October of 2024

MEMO

Date: June 3, 2024

To: Board of Finance and City Council

From: Tina Lesem, Capital Project Coordinator, Department of Parks, Recreation & Waterfront

CC: Cindi Wight, Director; Deryk Roach, Parks and Central Facilities Superintendent; Kim Bleakley, Central Facilities Manager

Re: 645 Pine Street Metal Siding Repair

I. Purpose

This memo seeks approval to execute all necessary contracts and budget approvals to repair exterior metal siding on the garages at 645 Pine Street.

II. Background

The facilities at 645 Pine Street include two large garages. One is the Department of Public Works Equipment Maintenance Facility, where service is performed on city vehicles. The other is Department of Public Works Vehicle Storage. The garages have served these functions since Department of Public Works relocated to 645 Pine Street in 2001.

The garages are constructed of a corrugated metal panel system. Where the metal panels meet the ground, they have been exposed to road salts for more than twenty years, and over time have corroded to the point that the building envelope is no longer tight.

This project will replace the lower portion of the exterior metal siding to eliminate existing corrosion and close holes in the siding at ground level. To additionally protect the new metal siding from potential vehicle collision, new metal bollards will be installed at the north-end garage doors, to match existing bollards at other garage doors throughout the facility.

The full scope of work for this project will include: cutting away the corroded lower section of the exterior metal siding and door trim to a height of five-feet, where there is an existing framing member; installing new corrugated metal siding to a height of five feet; installing new metal door trim where removed; installing new bottom shelf and top flashing at new siding; removing and re-installing card readers in door trim as necessary; and installing six (6) new metal bollards at north-end garage doors.

III. PROCESS

On February 6, 2024, BPRW issued a Request for Proposals (RFP) for the above-referenced services, publicly advertising on the City webpage. Two companies attended the optional pre-bid site visit and one bid was received as shown in the following table:



	Contractor 1
	Polli Construction, Inc.
Base Bid (metal siding replacement)	\$209,625.00
Add Alternate 1 (install six (6) metal bollards)	\$24,150.00
Total Bid	\$233,775.00

Polli Construction, Inc. is a South Burlington based general contractor with over 30 years of experience. Polli has performed work satisfactorily for the City through BPRW on previous occasions. Their proposal and references were evaluated by BPRW staff and found to be satisfactory in terms of experience, qualifications, and clarity and completeness of their proposal.

BPRW seeks approval to proceed with both the Base bid and Add Alternate #1 for this project.

IV. PROJECT FUNDING SOURCES, BUDGET AND ESTIMATES

Funding for this project is coming from Capital Outlay Bond Expenditures and FY25 Facilities Capital Contingency. This budget was approved by the Capital Committee prior to the budget being approved by City Council.

Funding Sources & Budget	
Capital Outlay Bond Expenditures	\$211,000
FY25 Facilities Capital Contingency	\$45,775
Total Budget	\$256,775
Contractor bid	\$233,775
~10% Contingency (on above items)	\$23,000
Total Project Estimate	\$256,775

The contingency on the bid amount above is intended to cover any unanticipated costs that may come up as part of the project.

V. SCHEDULE

The anticipated project schedule is as follows:

- 02/06/2024: RFP issued for 645 Pine Street Metal Siding Repair project
- 6/3/2024: Board of Finance approval
- 6/3/2024: City Council approval
- 6/4/2024: Contract signed
- 7/2024: Construction begins



DEPARTMENT RECOMMENDATION

Board of Finance Motion:

To approve and recommend that the City Council approve and authorize the execution of a contract with Polli Construction, Inc., for a price not to exceed \$233,775 for the 645 Pine Street Metal Siding Repair project, plus a project contingency of \$23,000 (total request including contingency not to exceed \$256,775), and to authorize Cindi Wight, Director of Parks, Recreation and Waterfront, to execute the contract and any related documents needed to carry out the project, subject to the review of the City Attorney's Office.

City Council Motion:

To approve and authorize the execution of a contract with Polli Construction, Inc., for a price not to exceed \$233,775 for the 645 Pine Street Metal Siding Repair project, plus a project contingency of \$23,000 (total request including contingency not to exceed \$256,775), and to authorize Cindi Wight, Director of Parks, Recreation and Waterfront, to execute the contract and any related documents needed to carry out the project, subject to the review of the City Attorney's Office.

Board of Finance and City Council Submission ChecklistDepartment: BPRWSubmitter: Tina Lesem & Kim BleakleyTitle/Subject: 645 Pine Street Metal Siding Repair

	Approval:	Meeting Date:
☐	Board of Finance	Click or tap to enter a date.
☐	City Council	Click or tap to enter a date.
☒	Concurrent	6/3/2024

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	4/23/2024	Cindi Wight
Mayor's Office informed and approved memo	Yes	4/24/2024	Joe Magee
Board/Commission, if required	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A		
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	4/24/2024	Hayley McClenahan
CAO has reviewed budget, financing, and memo	Yes	5/3/2024	Katherine Schad and Ashley Parker
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Choose an item.	Click or tap here to enter text.
Contract Attached, if applicable?	Choose an item.	Click or tap here to enter text.
Additional Materials, if necessary	Choose an item.	Click or tap here to enter text.
Draft Resolution or Motion?	Choose an item.	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	Choose an item.	Click or tap here to enter text.

MEMO

Date: June 3, 2024

To: Board of Finance and City Council

From: Sophie Sauvé, Parks Comprehensive Planner,
Cindi Wight, Director, Department of Parks, Recreation & Waterfront

Re: Community Boathouse Conditions Assessment Study

I. Purpose

The Department of Parks, Recreation and Waterfront (BPRW) seeks approval and authorization to enter into an agreement with Freeman French Freeman, Inc. for a maximum limiting amount of \$181,175.00 for the Community Boathouse Conditions Assessment with a 10% contingency bringing the total project budget to \$199,292.50.

II. Background

The Burlington Community Boathouse and Marina is the hub of the city's waterfront, located on the eastern shore of Lake Champlain, where College Street intersects with the Burlington Greenway. The facility opened to the public during an era of significant development of public facilities on Burlington's decaying industrial waterfront under the leadership of Mayor Bernie Sanders.

The Community Boathouse ("Boathouse") Marina is a floating facility located in Burlington Harbor. The base is a floating steel work barge, brought to Burlington in 1987 after serving a full career in-water as a work barge. A wood frame facility was constructed in 1987-1988 on top of the floating metal barge, to serve as a public Marina and gathering place. The Boathouse opened to the public in the Summer of 1988.

Currently, the floating facility is still located in the original location and is home to the City's Marina operations, as well as a restaurant, leased to and operated by a third-party, and upstairs multi-functional space. Floating docks are anchored around the southern, western and northern sides of the Boathouse to serve recreational boaters, with fixed ramps to access the Boathouse by land on the eastern side and from the floating docks on the western side. This facility importantly allows for public access from the land of Waterfront Park to the water's edge of Lake Champlain.

The Boathouse facility is aged and showing wear due to weather, time and heavy use. The last major renovations to the boathouse were completed in 2012 which included: bathroom renovations, epoxy floor treatment and a front office redesign. An analysis of the boathouse hull completed in 2014 indicated several deficiencies and needed repairs which were not completed due to lack of funding and a desire to determine the long-range plan for the facility.

III. PROCESS

BPRW issued a publicly notified Request For Proposals (RFP) on March 19, 2024, advertising in the Vermont Business Registry, Works in Progress (a construction journal) and the City webpage, as well



as other electronic outlets. An optional on-site pre-bid meeting was held on March 28, 2024, attended by eight people representing four firms. A single addendum was issued on April 5th, 2024. Two complete proposals were received on April 16, 2024.

The proposals were reviewed and scored by three BPRW staff, with a fourth team member recusing themselves. The composite scoring of the proposals is below:

Consultant Team	Freeman French Freeman, Inc. (FFF)	SAS Architects
Proposal Score	88	84
Cost Proposal	\$115,570 (revised to \$181,175)	\$91,620

Freeman French Freeman (FFF) was ranked higher for their knowledge of the site and the history of the Boathouse facility, their well-rounded interdisciplinary team that focused not only as an aging physical structure in a challenging environment, but as a legacy municipal enterprise and cultural fixture on Burlington’s waterfront. While their cost proposal exceeded that of SAS Architects, the BPRW evaluation team agreed that the composition of the FFF team best corresponded to the needs of the project, as outlined in the RFP.

While both proposing teams included a visual analysis of the hull, FFF included the option of an in-depth study of the barge hull through ultrasonic testing, the inspection of the existing piers via a dive team and the inclusion of a naval surveyor as part of optional services. Combined with their experience, this additional scope was deemed invaluable to provide the City with the data and analysis necessary to make a responsible decision about the future viability of the existing Boathouse. Additionally, FFF’s presentation of the tasks in the scope as an ‘à la carte’ menu from which the City team can adjust during the project process will enable the BPRW team to identify efficiencies in the project, after the analysis of the hull and piers. In their proposal, SAS included working with a Marine Surveyor to undertake a vessel survey and to prepare a conditions assessment report, but noted that it did not include a diver analysis without the removal of marine growth from the vessel.

Upon consideration, the BPRW project team met with FFF to request a revised scope, which includes the in-depth barge, and pier analysis, which increased the total proposal by \$58,610 and reduced it by \$5,000 (removing a visual inspection of the barge) for a net increase of \$53,610 in their base proposal. Without this clear analysis, BPRW will not have the most accurate information on which to base the future of the boathouse.

At the end of this study, BPRW hopes to have clear, feasible options with high-level cost estimates for the facility. For now, the “Boathouse Improvements” project is included in the City’s 5-Year Capital Plan. It is tentatively showing up in FY26 at a cost of about \$2,000,000, but that estimate could be delayed and increased depending on the outcome of this study.

IV. PROJECT FUNDING SOURCES, BUDGET, AND ESTIMATES



The Burlington Community Boathouse Conditions Assessment project is funded by proceeds from the City's FY23 Annual Bond by Charter.

COMMUNITY BOATHOUSE CONDITIONS ASSESSMENT BUDGET	
Boathouse Study – Feasibility Study Revenues (FY23 Annual CIP Proceeds)	\$200,000.00
Total Budget	\$200,000.00
Community Boathouse Conditions Assessment Estimate	
Freeman French Freeman Inc. Proposal	\$181,175.00
Contingency – 10%	\$18,117.50
TOTAL	\$199,292.50

The contingency on the bid amount above is intended to cover any unanticipated costs that may come up as part of the Community Boathouse Conditions Assessment Study.

V. SCHEDULE

The anticipated project schedule is as follows:

- March 19, 2024: RFP issued
- April 16, 2024: Bids Received
- June 3, 2024: Concurrent: Board of Finance, City Council (contract approval)
- Week of June 10, 2024: Contract signing
- Late June 2024: Project Kick-off

DEPARTMENT RECOMMENDATION

Board of Finance Motion:

To approve and recommend that the City Council authorize the execution of a contract with Freeman French Freeman, Inc., for a price not to exceed \$181,175.00 for the Community Boathouse Conditions Assessment, plus a project contingency of \$18,117.50, for a total authorized expenditure of \$199,292.50, and to authorize Cindi Wight, Director of Parks and Recreation, to execute the contract and any related documents needed to carry out the project, subject to the review of the City Attorney's Office.

City Council Motion:

To approve and authorize the execution of a contract with Freeman French Freeman, Inc. for a price not to exceed \$181,175.00 for the Community Boathouse Conditions Assessment, plus a project contingency of \$18,117.50, for a total authorized expenditure of \$199,292.50, and to authorize Cindi Wight, Director of Parks and Recreation, to execute the contract and any related documents needed to carry out the project, subject to the review of the City Attorney's Office.

Board of Finance and City Council Submission ChecklistDepartment: Parks, Recreation & Waterfront Submitter: Sophie SauvéTitle/Subject: Community Boathouse Conditions Assessment Study Contract Approval

	Approval:	Meeting Date:
☐	Board of Finance	Click or tap to enter a date.
☐	City Council	Click or tap to enter a date.
☒	Concurrent	6/3/2024

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	5/28/2024	Cindi Wight
Mayor's Office informed and approved memo	Yes	5/29/2024	Joe Magee
Board/Commission, if required	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Yes	5/28/2024	Hayley McClenahan
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
CAO has reviewed budget, financing, and memo	Yes	5/28/2024	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	Choose an item.	Click or tap here to enter text.
Additional Materials, if necessary	Choose an item.	Click or tap here to enter text.
Draft Resolution or Motion?	Yes	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	N/A	Click or tap here to enter text.

MEMORANDUM

To: Board of Finance and City Council

From: Kara Alnasrawi, Director, Business & Workforce Development
Will Clavelle, Assistant Director, Business Development

Date: June 3, 2024

Re: Business and Workforce Development – City Hall Park Kiosk - Authorization to Award Lease

REQUEST

The Business and Workforce Development Department seeks Board of Finance recommendation and City Council authorization to enter into a three-year concession and license agreement, July 1, 2024 through June 30, 2027, with Sherpa Foods, LLC for food and beverage operations within the kiosk in City Hall Park.

BACKGROUND AND CONCESSIONAIRE SELECTION

In 2020, the City completed a historic reconstruction of the Park that prioritizes a healthy, functioning urban park, accessibility for all users in all seasons, and the enhancement of this historic space to meet the modern needs of the community. The design for this reconstructed park included a food and beverage kiosk located on the terrace west of the fountain.

In October 2023, the Business and Workforce Development Department issued a request for proposals (RFP) for entrepreneurs or a partnership of companies to provide food and beverage concessions at the kiosk in City Hall Park. Since creation of the Park, the City has realized that keeping it full of visitors helps to create a safer atmosphere where everyone can enjoy this important amenity. By offering the draw of refreshment in the Park, the City hopes to encourage more people to visit and those who come to stay longer. The RFP for concessions included a detailed scope of work requesting consistent year-round operations, affordable and varied offerings, and social support to the community.

In addition to posting on the City RFP webpage, the RFP was also sent to 104 local partners and food vendors. Only one proposal was received, and the bidder, Sherpa Foods LLC, owned by Nurbu Sherpa, was invited for two interviews, both a panel interview with department staff as well as a final interview with the department director.

Sherpa Foods met or exceeded all requirements of RFP and committed to serving a variety of foods to appeal to a wide audience at accessible price points. Their menu will not only include classic Nepali fare for which they are well-loved at the Burlington Farmers Market but will also include vegan options and ice cream treats and snacks for children. Given the strength of the proposal and interviews, Sherpa Foods, LLC was selected as the operator of the City Hall Park kiosk.

REVENUE

Lease of the kiosk in City Hall Park, for food and beverage operations, will generate revenue for the City. The concessionaire, Sherpa Foods, LLC will pay 10% of their gross receipts on a monthly basis, however, total annual

payment will not be less than \$10,000 for the first year. Minimum annual payments will increase yearly based on the following schedule:

Year	Annual Minimum
1	\$10,000
2	\$12,000
3	\$15,000

In addition to rent, the concessionaire, Sherpa Foods, LLC will contribute 3% of kiosk sales towards local organizations addressing houselessness and food insecurity.

ATTACHMENTS

1. Draft Concession and License Agreement

MOTIONS

The Business and Workforce Development Department respectfully requests that the Board of Finance and City Council approve the following motions:

Board of Finance:

To approve and recommend that the City Council authorize the Mayor to execute a three-year concession and license agreement with Sherpa Foods, LLC for food and beverage operations in the City Hall Park kiosk, subject to final review and approval by the City Attorney's Office.

City Council:

To authorize the Mayor to execute a three-year concession and license agreement with Sherpa Foods, LLC for food and beverage operations in the City Hall Park kiosk, subject to final review and approval by the City Attorney's Office.

CONCESSION AND LICENSE AGREEMENT
Between
THE CITY OF BURLINGTON
DEPARTMENT OF BUSINESS AND WORKFORCE DEVELOPMENT
And
SHERPA FOODS, LLC
FOR
OPERATION OF THE CITY HALL PARK KIOSK

THIS Concession and License Agreement (hereinafter "Agreement"), made and entered into this 5th day of June, 2024, by and between the City of Burlington, a municipal corporation of the State of Vermont, (hereinafter the "City"), and Sherpa Foods, LLC, a Vermont corporation qualified to do business in the State of Vermont, (hereinafter the "Concessionaire").

WITNESSETH:

WHEREAS, City owns and operates the City Hall Park Kiosk (hereinafter the "Kiosk"), located on the western side of City Hall Park in Burlington, Vermont; and

WHEREAS, Concessionaire is engaged in a food and beverage retail business including the operation of the Sherpa Foods; and

WHEREAS, Concessionaire wishes to conduct food and beverage retail operations out of the City Hall Park Kiosk pursuant to an Agreement with the City containing mutually satisfactory terms and conditions.

NOW, THEREFORE, for and in consideration of the mutual covenants, terms, conditions, privileges, obligations and agreements herein contained, the City and Concessionaire hereby mutually undertake, promise and agree, each for itself, and its successors and assigns, as follows:

1. DEFINITIONS

1.1 The "Kiosk" shall mean the City of Burlington's Kiosk located in City Hall Park, the land area associated therewith, as more precisely depicted on the map known as Attachment A. Attachment is incorporated by reference and made part of this agreement.

1.2 The "Burlington City Council" shall mean the body having the exclusive general management and control of the Kiosk, subject to any limitations or restrictions contained in its ordinances, resolutions and orders. Where this Agreement speaks of approval and consent by the City, such approval is understood to be manifested by act of the City Council.

1.3 "City of Burlington" and "City" shall include such public officials and public bodies as may, by operation of law, succeed to any or all of the rights, powers or duties which lawfully reside in the City Council of Burlington. For purposes of this Agreement, the City will be acting by and through the Burlington Department of Business and Workforce Development except for where the City is specifically referred to in the Agreement.

1.4 "Department" shall mean the Burlington Department of Business and Workforce Development.

1.5 "Assigned Area" is the area of the Kiosk designated by this Agreement as specified on Exhibit " A " attached hereto and made a part hereof as to the place or places where the business of Concessionaire may be conducted. If the Concessionaire wishes to conduct business outside of the "Assigned Area", Department permission is required.

2.RECITALS

2.1 Authority. Authority to enter into this Agreement exists in the City Charter. Required approvals, clearance, and coordination have been accomplished from and within each Party.

2.2 Consideration. The Parties acknowledge that the mutual promises and covenants contained herein and other good and valuable consideration are sufficient and adequate to support this Lease.

3. TERM

3.1 This Agreement is binding upon execution by the parties hereto. The term and fees hereunder shall be for a period of three years with the right to renew for an additional three-year term, commencing on the 1st day of July 2024. The Concessionaire shall have access to the kiosk and the assigned area for fit-up prior to the commencement date once a certificate of occupancy is issued. This Agreement shall terminate as of midnight on June 30, 2027.

4. GRANT OF LICENSE FOR CONCESSION

4.1 License. The City hereby leases the Assigned Area to the Concessionaire year-round, subject to the terms and conditions of this Agreement, with the privilege and obligation to provide food and beverages to patrons in City Hall Park. The Concessionaire is permitted to operate business within the current kiosk structure and the surrounding patio space. The location of this is identified in Exhibit A, map of the Assigned Area.

4.2 Permitted uses. The privilege granted herein is for the operation of food and beverage operations. Music, concert and promotional event schedules must be coordinated and approved in advance by the Department.

4.3 Signs. Concessionaire has the right to install and maintain appropriate signs advertising the concession on the City property provided that the design, installation and maintenance of such signs shall be consistent with the graphic standards of the City and that the Department grants written site and design approval prior to installation. The location and amount of signage must be pre-approved by the Director of the Department.

4.4 Utilities. Concessionaire is responsible for one hundred percent of actual utility costs including but not limited to waste disposal, water, wastewater, storm water, and electric charges.

4.5 Condition of Assigned Area. Concessionaire shall keep the Assigned Area in a sanitary, orderly, and clean condition acceptable for public use. The Assigned Area shall be regularly tidied, cleaned and sanitized in compliance with commercial food regulations and standards. Concessionaire shall promptly remove and properly dispose of all trash at the close of business each day.

4.6 Permits and Licenses. Concessionaire warrants and represents that it has obtained all licenses and permits necessary to carry on the business of food service in the State of Vermont.

5. IMPROVEMENTS BY CITY

5.1 In general. City will provide unimpeded access to the Assigned Area. The City makes no representation or warranty with respect to the condition of the Assigned Area or its fitness for any particular use and the City shall not be liable for any latent or patent defect therein. City is not responsible for weather events or natural disasters that impede access to the Assigned Area.

5.2 Improvements during term. The City and Concessionaire agree and acknowledge that improvements to the Assigned Area may be undertaken during the term of this Agreement. City will attempt to perform such improvements in a manner so as not to unreasonably interfere with the operations of Concessionaire. As for non-emergency improvements to the Assigned Area, the City will make reasonable efforts to schedule and perform such improvements between Labor Day and Memorial Day. Concessionaire hereby expressly waives any and all claims for damages occasioned by the loss of profits, if any, as a result of the interruption of business of Concessionaire that may arise as a result of such improvements undertaken by City. If as a result of such

improvements being undertaken by City, however, Concessionaire is reasonably unable to carry out its business activities at the Kiosk, it may suspend its rental payments to the City until such time as the business interruption ceases.

6. IMPROVEMENTS BY CONCESSIONAIRE

6.1 In general. Concessionaire shall, without cost to the City, provide and maintain the Assigned Area with all improvements necessary for the customary operation of food and beverage operations.

Concessionaire will not seek reimbursement from the Department or the City for any improvements made to the Assigned Area. Any substantial improvements to the Assigned Area shall be subject to City approval. Cost sharing for such improvement is permissible under this Agreement where mutually agreed upon by the parties. City shall have final discretion as to any improvement cost sharing. The Concessionaire is responsible for the warranty, maintenance, safety and liability of any equipment unless otherwise agreed herein.

When the Agreement expires, regardless of the cause, Concessionaire will ensure that the Assigned Areas are in a satisfactory condition, taking into account normal wear and tear. The Department will be the sole judge of whether Concessionaire has properly satisfied this term but will make the determination in a reasonable manner. In the event that the Assigned Areas are left in an unsatisfactory condition, City reserves the right to bill Concessionaire for the reasonable costs associated with restoration.

The City has an interest in both maintaining and improving this facility and enters into this Agreement with an understanding that Concessionaire will continue to make improvements to the facility that are mutually beneficial to the City and Concessionaire. All improvements must be approved by the Department prior to any contract or agreement for installation.

7. PRIVILEGES, FEES, CHARGES AND ACCOUNTABILITY

7.1 Gross Revenue payment. Concessionaire agrees to pay to the City ten (10) percent of gross receipts on a monthly basis not inferior or superior to an annual minimum and maximum payment based on the Compensation Chart below:

Compensation Chart

Year	Annual Minimum	Annual Maximum
1	\$10,000	\$12,000

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2	\$12,000	None
3	\$15,000	None

7.2 Payment Schedule. Payment of 10% of the gross receipts will be made on a monthly basis by the 15th of the month following the month in question. Any payment received after the 25th will be considered a late payment. There shall be a late payment fee of twenty-five dollars (\$25) incurred should the payment be received after the 25th of the month. After three (3) offenses the late payment fee will increase to \$50. Should the monthly payments not add up to the total minimum annual payment, the difference shall be paid along with the 12th monthly payment.

7.3 Other fees or charges. Fees and charges paid to the City shall not include any taxes, fees or license charges that may be levied, assessed or charged by any governmental entity. Concessionaire agrees to pay such taxes, fees or license charges directly to the appropriate taxing authority.

7.4 Interest. Without waiving any other right available to the City in the event of default in the payment of the amounts due hereunder, in the event that Concessionaire is delinquent for a period of fifteen (15) days or more in paying to City any fees payable to the City pursuant to this Agreement, Concessionaire shall pay to the City interest thereon at the rate of ten (10%) percent per annum from the date such item was due and payable until it is paid.

7.5 Inspection of books. City reserves the right to perform periodic inspections of Concessionaire's accounting records to confirm the accuracy of gross revenues reported by Concessionaire. City shall perform such inspections upon not less than 7 days written notice to Concessionaire at a time and place as agreed between the Parties.

7.6 Privileges. The City shall provide marketing of the Concessionaire through the Love Burlington social media accounts to include but not be limited to reels, social media posts, and a dedicated page on the Love Burlington website. Concessionaire shall not use the City of Burlington logo or endorsement in advertising without prior written authorization from the City.

8. OPERATIONAL STANDARDS

8.1 Dates and hours of operation. The Concessionaire agrees to operate and conduct its food and beverage operations year-round, six days a week, a minimum six hours a day. Operation outside of these times may be permissible with prior Department notification and agreement in writing.

Regular operations may be conducted at 8am to 10pm June through September and 8am to 5pm October through May. Operations outside of these times or on an alternate schedule may be permissible with prior Department notification and agreement in writing.

After notice to the Department, Concessionaire may temporarily cease operations due to inclement weather.

8.2 Concession offerings. The Concessionaire must, to the best of their ability provide offerings for all meal times and will ensure that child-friendly menu items are available at all times. These may include but are not limited to ice creams and popsicles. Furthermore, the Concessionaire will ensure water is available to customers at all times.

8.3 Payment. The Concessionaire is hereby authorized by the City of Burlington to run cashless business operations to promote the safety of their staff. However, Concessionaire shall comply with all present and future laws, ordinances, orders, directives, rules and regulations of the United States of America, the State of Vermont, and the City of Burlington regarding the acceptance of payment methods.

8.4 Social Support. The Concessionaire will donate 3% of kiosk sales to a local non-profit operating within the City of Burlington that addresses homelessness and food insecurity.

8.5 Condition of premises. Concessionaire agrees to operate and maintain the Assigned Area in a safe, clean, orderly and inviting condition. Concessionaire shall conduct its operations in an orderly and proper manner so as not to commit any nuisance or waste in the concession areas or annoy, disturb or be offensive to others in the Park.

8.6 Supervision. Concessionaire shall see to it that at all times it is open for the transaction of business; the Assigned Area shall be under the supervision of an active, qualified and competent manager or staff. Concessionaire shall meet on a regular basis with the City to mutually promote the Kiosk, its programs and its efficient and effective operation.

8.7 Conduct and dress of employees. The operation of Concessionaire, its employees, invitees, suppliers and contractors shall be conducted in an orderly and proper manner so as not to annoy, disturb or be offensive to others. All employees of Concessionaire must conduct themselves at all times in a courteous manner toward the public and in accordance with the rules, regulations and policies of the City. Employees shall dress neatly and their clothing shall identify them as employees of the Concessionaire.

9. MAINTENANCE

9.1 General repair

City shall not be required to make repairs or improvements of any kind to the Assigned Area on behalf of Concessionaire if said repairs are the result of any willful, careless or negligent act of Concessionaire, its employees, invitees or others under the control of Concessionaire. Further, City shall not be required to make repairs or improvements of any kind to the Concessionaire's Assigned Area.

The City will make those repairs for which it is responsible as promptly as reasonable under the circumstances and so as not to interfere in the operation of Concessionaire where possible.

If Concessionaire refuses or neglects to undertake the maintenance, repair or replacements requested by the City, or if the City is required to make any repairs necessitated by the negligent acts or omissions of Concessionaire, its employees, agents, servants or licensees, the City shall have the right to make such repairs on behalf of and for Concessionaire. Such work shall be paid for by Concessionaire within fifteen (15) days following demand by the City for said payment at the City's standard rates plus any overhead which may be incurred by the City.

9.2 Trash, recycling and composting. Concessionaire is responsible for the deposit of all such trash, recycling, compostables and other refuse to appropriate container or containers provided by the Concessionaire. The Concessionaire agrees to keep the Assigned Area tidy and place all refuse in the appropriate containers. Concessionaire agrees to provide and use suitable covered receptacles for all trash, recycling, compostables and other refuse in its Assigned Area. Piling of boxes, cartons, barrels or similar items shall not be permitted in a public area.

9.3 Snow removal. The Department will normally perform snow removal duties before 8:00 A.M on days Concessionaire is open for business.

9.4 Right of access to facility by Concessionaire and limitations. Concessionaire has the right of ingress and egress to and from its Assigned Area over City roadways and common use areas, subject to any rules or regulations which may have been established or shall be established in the future by the City or the Department. Such rights of ingress and egress shall apply to Concessionaire's employees, guests, patrons, invitees, suppliers and other authorized individuals.

The rights of ingress and egress likewise shall apply to the transport of equipment, material, and other property. All deliveries of merchandise, including but not limited to daily food and beverage inventory, shall be made at locations designated by the City.

The Assigned Area terrace shall be used by Concessionaire only for loading and unloading of supplies (including food) for the facility. Normal deliveries shall be made prior to 10:00 a.m. and

after 8:00 p.m. Delivery trucks are not permitted on the terrace or in City Hall Park and must remain on the surrounding paved streets. No parking of vehicles shall occur on the terrace. Occasional exceptions may be made to allow for vehicular traffic in City Hall Park that are necessary to the operations of the Kiosk but the Concessionaire must seek prior approval from the Department. No staff street parking will be reserved, the Concessionaire may seek free employee parking passes from the Downtown Employee Parking Program for the City garage while this program is available.

10. COMPLIANCE

10.1 In general. Concessionaire shall comply with all present and future laws, ordinances, orders, directives, rules and regulations of the United States of America, the State of Vermont, the City of Burlington and their respective agencies, departments, authorities or commissions which may either directly or indirectly affect Concessionaire or its operations at the Assigned Area including but not limited to the Burlington Livable Wage Ordinance if applicable.

10.2 Taxes. Concessionaire shall pay, on or before the due date, all Federal, State and local taxes and fees which are now or may hereafter be levied upon the premises, or upon Concessionaire, or upon the business conducted on the premises, or upon any of Concessionaire's property used in connection therewith, and shall maintain in current status all Federal, State and local licenses and permits required for the operation of the business conducted by Concessionaire.

11. INSURANCE AND INDEMNIFICATION

11.1 Concessionaire shall hold harmless, indemnify, and defend the City and its officers, employees, agents, successors, and assigns (collectively, the "Indemnitees") from and against all claims, causes of action, lawsuits, damages, liabilities, liens, penalties, fines, and costs (including attorneys' fees and costs) of every kind and nature whatsoever (collectively, "Claims") arising from or relating to this Agreement or Concessionaire's operations hereunder, excepting any Claims arising from the City's own gross negligence or willful misconduct. Concessionaire's indemnification and defense obligations shall survive termination of this Agreement, and Concessionaire shall ensure that any subcontract for work under this Agreement requires the subcontractor to satisfy the same indemnification and defense obligations in favor of the Indemnitees.

11.2 Prior to beginning any work, the Concessionaire shall obtain the following insurance coverage from an insurance company registered and licensed to do business in the State of Vermont and having an A.M. Best insurance rating of at least A-, financial size category VII or greater (www.ambest.com). The certificate of insurance coverage shall be documented on forms acceptable to the City. Compliance with minimum limits and coverage, evidenced by a certificate of insurance showing policies and carriers that are acceptable to the City, must be received prior to the Effective Date of the Agreement. Such certificate is appended to this Agreement as Attachment B, incorporated by reference, and made part of this Agreement. If this Agreement extends to more than one year, evidence of continuing coverage must be submitted to the City on an annual basis. Copies of any insurance policies may be required.

The Concessionaire is responsible to verify and confirm in writing to the City that: (i) all subcontractors must comply with the same insurance requirements as the Concessionaire; (ii) all work activities related to the Agreement shall meet minimum coverage and limits; and (iii) all coverage shall include adequate protection for activities involving hazardous materials.

No warranty is made that the coverage and limits listed herein are adequate to cover and protect the interests of the Concessionaire for the Concessionaire's operations. These are solely minimums that have been developed and must be met to protect the interests of the City.

General Liability & Property Damage:

(a) With respect to all operations performed by the respondent, agents or workers, it is the respondent's responsibility to insure that general liability insurance coverage provides all major divisions of coverage including, but not limited to:

1. Premises Operations
2. Independent Contractors' Protective
3. Products and Completed Operations
4. Personal Injury Liability
5. Contractual Liability
6. Broad Form Property Damage
7. Medical Expenses
8. Collapse, Underground and Explosion Hazards

(b) The policy shall be on an occurrence form with limits not less than:

1. General Aggregate: \$2,000,000

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CITY OF BURLINGTON

2. Products-Completed/Operations Aggregate:	\$2,000,000
3. Personal & Advertising Injury:	\$1,000,000
4. Each:	\$1,000,000
5. Fire Damage (any one fire):	\$ 250,000
6. Med. Expense (any one person):	\$5, 000

Workers Compensation (statutory coverage)

With respect to all operations performed, the Concessionaire shall carry workers compensation insurance in accordance with the laws of the State of Vermont and ensure that all subcontractors and sub-consultants carry the same workers' compensation insurance for all work performed by them under this contract. Minimum limits for Employer's Liability:

1. Bodily Injury by Accident: \$500,000 each accident
2. Bodily Injury by Disease: \$500,000 policy limit, \$500,000 each employee

Automobile Liability: The Contractor shall carry commercial automobile liability insurance covering all motor vehicles, including owned, non-owned and hired, used in connection with the Contract. Each policy shall provide coverage with a limit not less than: \$1,000,000 - Combined Single Limit for each occurrence.

Umbrella/Excess Liability:

\$_1_,000,000 Each Event Limit

\$_1_,000,000 General Aggregate Limit

Umbrella/Excess Liability is excess above Commercial General Liability, Automobile Liability, and Workers' Compensation/Employer Liability.

10.3

All policies shall be endorsed to provide the City thirty (30) days' notice of cancellation. Each policy (except workers compensation/employers' liability shall be endorsed to name the City and its officers, employees, agents, successors, and assigns as additional insureds on a primary, non-contributory basis. Each policy shall be endorsed to waive subrogation against the City.

12. DEFAULT BY CITY

12.1 The following contingencies shall constitute a condition of default by City:

- a. The permanent abandonment of the Assigned Area by City.
- b. The issuance by any court of competent jurisdiction of any injunction preventing or restraining the use of the Kiosk in such a manner as to substantially restrict Concessionaire from carrying out its activities pursuant to this Agreement and the remaining enforce of such injunction for a period of at least thirty (30) days.
- c. The breach by the City of any of the terms, covenants or conditions of this Agreement to be kept, performed and observed by the City and the failure of the City to remedy such breach for a period of sixty (60) days after written notice from Concessionaire of the existence of such breach has been received by City or, if more than sixty (60) days shall be required because of the nature of such breach, if City shall fail within said sixty (60) day period to commence and thereafter diligently proceed to cure such default.

13. DEFAULT BY CONCESSIONAIRE

13.1 Each of the following shall constitute an event of default by Concessionaire:

- a. A failure by Concessionaire to pay any rent or charges as provided for in this Agreement with such failure continuing for a period of fifteen (15) days after receipt by Concessionaire of written notice of such failure.
- b. The failure by Concessionaire to perform or observe any of the terms, provisions, conditions or covenants herein contained, and on Concessionaire's part to be performed or in any way observed, if such neglect or failure should continue for a period of thirty (30) days after receipt by Concessionaire of written notice of such neglect or failure, or if more than thirty (30) days shall be required because of the nature of the default, if Concessionaire shall fail within said thirty (30) day period to commence and thereafter diligently proceed without interruption to cure such default.
- c. If Concessionaire shall fail to take possession of its Assigned Area.
- d. If Concessionaire shall abandon all or any part of its Assigned Area or shall discontinue the conduct of its operations in all or any part of its Assigned Area.
- e. If Concessionaire shall fail to abide by all applicable criminal laws, including statutes, ordinances and rules and regulations of the United States, State of Vermont and the City.

13.2 In the event any condition of default shall occur (notwithstanding any waiver, license or indulgence granted by City with respect to any condition of default in any form or instance) City, then, or at any time thereafter, shall have the right, at its election, either to terminate this Agreement by giving at least five (5) days written notice to Concessionaire at which time Concessionaire will then quit and surrender the Assigned Area to City, but Concessionaire shall remain liable as hereinafter provided, or, to enter upon and take possession of the Assigned Area (or any part thereof in the name of the whole), without demand or notice, and repossess the same as of the City's former estate, expelling Concessionaire and those claiming under Concessionaire, forcibly, if necessary, without prejudice to any remedy for arrears of rent or proceedings for breach of covenant and without any liability to Concessionaire or those claiming under Concessionaire for such repossession.

13.3 City's repossession of the Assigned Area shall not be construed as an election to terminate this Agreement nor shall it cause a forfeiture of rents or other charges remaining to be paid during the balance of the term hereof, unless a written notice of such intention be given to Concessionaire, or unless such termination is decreed by a court of competent jurisdiction. Notwithstanding any reletting without termination by City because of any default by Concessionaire, City may at any time after such reletting elect to terminate this Agreement for any such default.

13.4 Upon repossession, City shall have the right (whether or not this Agreement shall be terminated) to relet the Assigned Area or any part thereof for such period or periods (which may extend beyond the term of this Agreement) at such rent or rents and upon such other terms and conditions as City may, in good faith, deem advisable. The City agrees that upon repossession it shall make a good faith effort to relet the concession.

13.5 In the event that City shall relet, then rentals received by City from such reletting shall be applied: first, to the payment of any indebtedness other than rent due hereunder from Concessionaire to City; second, to the payment of any reasonable cost of such reletting; third, to the payment of rent due and unpaid hereunder; and the residue, if any, shall be held by City and applied in payment of future rent as the same may become due and payable hereunder. Should that portion of such rentals received from such reletting during any month, which is applied to the payment of rent hereunder, be less than the rent payable during that month by Concessionaire hereunder, then Concessionaire shall pay such deficiency to City. Such deficiency shall be calculated and paid monthly. Concessionaire shall also pay to City, as soon as ascertained, any

costs and expenses incurred by City in such reletting not covered by the rentals received from such reletting of the Assigned Area.

13.6 If City shall terminate this Agreement or take possession of the Assigned Area by reason of a condition of default, Concessionaire and those holding under Concessionaire, shall no later than fourteen (14) days following such termination or possession remove its goods and effects from the Assigned Area. If Concessionaire or any such claimant shall fail to effect such removal such property shall become the property of the City without the payment of any amount to Concessionaire therefor.

13.7 If City shall enter into and repossess the Assigned Area for reason of the default of Concessionaire in the performance of any of the terms, covenants or conditions herein contained, then and in that event Concessionaire hereby covenants and agrees that Concessionaire will not claim the right to redeem or reenter the Assigned Area to restore its operations hereunder and Concessionaire hereby waives the right to such redemption and reentrance under any present or future law, and hereby further, for any party claiming through or under Concessionaire, expressly waives its rights, if any, to make payment of any sum or sums of rent, or otherwise, of which Concessionaire shall have made default under any of the covenants of this Agreement and to claim any subrogation of the rights of Concessionaire under these presents, or any of the covenants thereof, by reason of such payment.

13.8 All rights and remedies of City herein created or otherwise existing at law are cumulative, and the exercise of one or more rights or remedies shall not be taken to exclude or waive the right to the exercise of any other. All such rights and remedies may be exercised and enforced concurrently and whenever and as often as deemed advisable.

13.9 If proceedings shall at any time be commenced for recovery of possession as aforesaid and compromise or settlement shall be effected either before or after judgment whereby Concessionaire shall be permitted to retain possession of the Assigned Area, then such proceeding shall not constitute a waiver of any condition or agreement contained herein or of any subsequent breach thereof or to this Agreement.

13.10 If the Concessionaire shall fail to make any payment or perform any act required to be made or performed by it hereunder, City, without waiving or releasing any obligation or default, may (but shall be under no obligation to) at any time thereafter make payment or perform such reasonable act on account of and at the expense of the Concessionaire, and may enter upon the Premises or any part thereof at reasonable times for such purpose and take all such action thereon

as, in the opinion of City, may be necessary or appropriate therefore. All payments so made by City and all cost and expenses (including, without limitation, attorney's fees and expenses) incurred in connection therewith or in connection with the performance by the City of any such act shall constitute Additional Rent hereunder and the same may, at the option of the City, be added to any rent then due or thereafter falling due hereunder.

14. HOLDING OVER

14.1 It is agreed and understood that any holding over of Concessionaire after the termination of this Agreement shall not renew and extend the same but shall operate and be construed as a tenancy from month to month and, unless otherwise agreed in writing, Concessionaire agrees to pay to the City the agreed upon rate during such time. Concessionaire shall be liable to the City for all loss or damage on account of any such holding over against the City's will after the termination of this Agreement, whether such loss or damage may be contemplated at this time or not. It is expressly agreed that acceptance of the foregoing payment by the City in the event that Concessionaire fails or refuses to surrender possession shall not operate to give Concessionaire any right to remain in possession nor shall its constitute a waiver by the City of its right to immediate possession.

15. FIRE AND OTHER DAMAGE

15.1 In the event that structural or permanent portions of the building within the Assigned Area shall be partially damaged by fire or other casualty, Concessionaire shall give immediate notice thereof to the Department and the same shall be repaired at the expense of the City without unreasonable delay unless City determines that (1) the damage is so extensive that repair or rebuilding is not feasible, or (2) the damage resulted from a negligent act or omission of Concessionaire, its officers, agents, employees, contractors, visitors or licensees in which case there shall be no suspension or termination of this Agreement or of Concessionaire's obligation to pay in full all charges, notwithstanding any other provisions hereunder to the contrary. Concessionaire acknowledges that if it is found that the damage resulted from a negligent act or omission of Concessionaire, its officers, agents, employees, contractors, visitors or licensees the City's insurer may elect to exercise its subrogation rights.

From the date of such casualty until said area is repaired, monthly payments hereunder shall, except as hereinabove provided, abate in such proportion as the part of the area thus

destroyed or rendered untenable bears to the areas assigned and the Minimum Annual Guarantee owed by Concessionaire shall be adjusted accordingly.

However, if an area shall be so slightly injured in any such casualty as not to be rendered unfit for occupancy, the rent hereunder shall not cease or be abated during any repair period. In the event that the damage to an area should be so extensive as to render it untenable, the rent for such area shall, except as hereinabove provided, cease until such time it shall again be put in repair, but in the event of the area being damaged by fire or other casualty to such an extent as to render it necessary in the exclusive judgment of the City not to rebuild the same, then, at the option of the City, and upon notice to Concessionaire, this Agreement as it applies to said area shall cease and come to an end, and the rent hereunder shall be apportioned and paid up to date of such damage. If the City elects to rebuild said areas, the City shall notify Concessionaire of such intention within thirty (30) days of the date of the damage, otherwise, the Agreement as it applies to said area shall be deemed canceled and of no further force or effect.

15.2 The City's obligations to rebuild or repair under this Article shall in any event be limited to restoring said area to substantially the condition that existed prior to the commencement of improvements by Concessionaire and shall further be limited to the extent of the insurance proceeds available to City for such restoration. Concessionaire agrees that if the City elects to repair or rebuild as provided in this Article, then Concessionaire will proceed with reasonable diligence and at its sole cost and expense to rebuild, repair and restore its signs and fixtures provided or installed by Concessionaire, in or about the Assigned Area in a manner and to a condition at least equal to that which existed prior to its damage or destruction.

15.3 In the event City elects not to repair or rebuild as provided in this Article, and in the event that the damage or loss is covered by insurance secured by Concessionaire under Article 10, Concessionaire shall immediately pay over to City the portion of the insurance proceeds as described below and this Agreement shall then be terminated. Concessionaire's obligation to remit insurance proceeds to City shall be limited to the value of the fixtures and equipment owned by the City, except where damages resulted from the act omission or negligence of Concessionaire in which case proceeds will be paid over to City in accordance with provisions of Section 14.1.

16. AMENDMENT

16.1 This Agreement constitutes the entire agreement between the parties. No amendment, modification, or alteration of the terms of this Agreement shall be binding unless the same be in writing, dated subsequent to the date hereof and duly executed by the parties hereto.

17. RELATIONSHIP OF PARTIES

17.1 Nothing contained herein shall be deemed or construed by the parties hereto, or by any third party, as creating the relationship of principal and agent, partners, joint venturers, or any other similar such relationship, between the parties hereto. It is understood and agreed that neither the method of computation of rent, nor any other provision contained herein, nor any acts of the parties hereto creates a relationship other than the relationship of City and Concessionaire.

18. NON-DISCRIMINATION

18.1 Concessionaire, as a part of the consideration hereof, does hereby covenant and agree, as a covenant running with the land, that (1) no person on the grounds of race, color, sex, sexual orientation or national origin or other protected classification or characteristic shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, and (2) that in the construction of any improvements on, over or under said land and the furnishings of services hereon, no person on the grounds of race, color, sex, sexual orientation or national origin or other protected classification or characteristic shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination.

18.2 The parties hereto covenant not to discriminate against any employee or member applicant for employment, or membership to be employed in the performance of this Agreement with respect to his/her hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of his/her race, religion, national origin or sex or other protected classification or characteristic.

That in the event of breach of any of the above non-discrimination covenants, the City shall have the right to terminate this Agreement and to re-enter and repossess said premises and facilities thereon, and hold the same as if said Agreement had never been made or issued.

19. GENERAL PROVISIONS

19.1 Acceptance of Fees - No acceptance by City of rentals, fees, charges or other payments in whole or in part, for any period or periods after a default of any of the terms,

covenants, and conditions hereof to be performed, kept or observed by Concessionaire, shall be deemed a waiver of any right on the part of the City to terminate this Agreement for any subsequent violation by Concessionaire.

19.2 Non-waiver of Rights - No waiver of default by either party of any of the terms, covenants, and conditions hereof to be performed, kept, and observed by the other party shall be construed as, or shall operate as, a waiver of any subsequent default of any of the terms, covenants, or conditions herein contained, to be performed, kept, and observed by the other party.

19.3 Notices - Notices required herein may be given by registered or certified mail by depositing the same in the United States mail in the continental United States, postage prepaid. Any such notice so mailed shall be presumed to have been received by the addressee seventy-two (72) hours after deposit of same in the mail. Either party shall have the right, by giving written notice to the other, to change the address at which its notices are to be received. Until any such change is made, notices to the parties shall be delivered as follows:

City of Burlington
c/o Director, Business and Workforce Development
131 Church Street, Suite 209
Burlington, VT 05401

Nurbu Sherpa
Sherpa Foods
238 Two Brothers Drive
South Burlington, VT, 05403

19.4 Captions - The headings of this Agreement are inserted only as a matter of convenience and for reference and in no way define, limit, or describe the scope or intent of any provisions of this Agreement and shall not be construed to affect in any manner the terms and provisions hereof or the interpretation or construction thereof.

19.5 Severability - If one or more clauses, sections, or provisions of this Agreement shall be held to be unlawful, invalid or unenforceable, it is agreed that the remainder of the Agreement shall not be affected thereby.

19.6 Incorporation of Exhibits - All exhibits referred to in this Agreement are intended to be and hereby are specifically made a part of this Agreement.

19.7 Force Majeure - Neither the City nor the Concessionaire shall be deemed in violation of this Agreement if it is prevented from performing any of the obligations hereunder by reason of strikes, boycotts, labor disputes, embargoes, shortage of material, act of God, acts of the public enemy, acts of superior governmental authority, weather conditions, riots, rebellion, sabotage, or any other circumstances for which it is not responsible or which is not within its control, and the party experiencing force majeure shall give immediate notice to the other party identifying the nature of such force majeure and when it began. The party experiencing force majeure shall take immediate action to attempt to remove such causes of force majeure as may occur from time to time and its operations under this Agreement shall be resumed immediately after such cause has been removed, provided that neither party shall be required to settle any labor dispute except upon terms that party deems acceptable. The suspension of any obligations under this section shall not cause the term of this Agreement to be extended and shall not affect any rights accrued under this Agreement prior to the commencement of the force majeure. The party giving notice of the force majeure shall also give notice of its cessation.

19.8 Interpretation - The language in all parts of this Agreement shall in all cases be construed simply according to its fair meaning and not strictly construed against the City.

The individuals executing this Agreement warrant that they have full authority to execute this lease on behalf of the entity for whom they are acting herein.

The parties to this Agreement do hereby execute this document on this 5th day of June, 2024:

CITY OF BURLINGTON

Sherpa Foods, LLC

BY _____

Emma Mulvaney-Stanak, Mayor

City of Burlington

BY _____

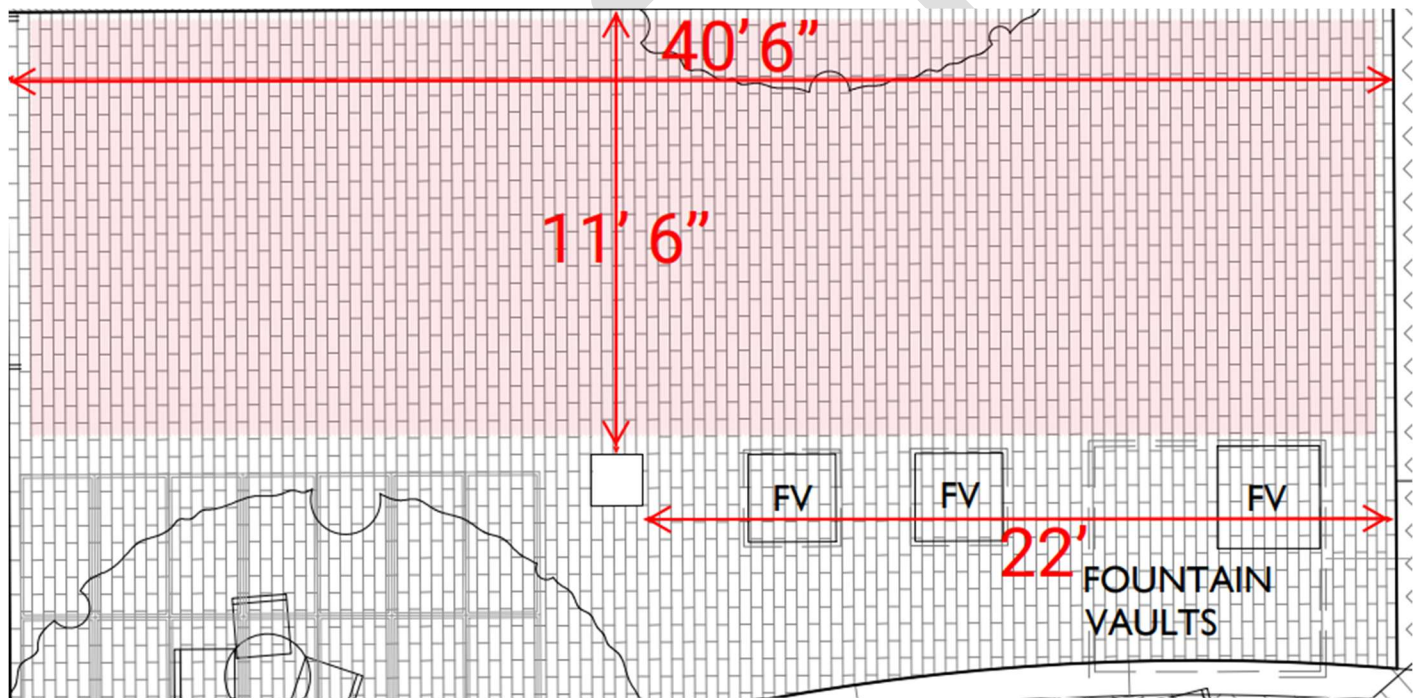
Nurba Sherpa, Owner

Sherpa Foods, LLC

Date _____

Date _____

Attachment A. Map of Assigned Area



Attachment B: Concessionaire's Certificate of Insurance

DRAFT

Board of Finance and City Council Submission Checklist

Department: Business & Workforce Development Submitter: Kara Alnasrawi

Title/Subject: 3 Year Lease for City Hall Park Kiosk

	Approval:	Meeting Date:
☐	Board of Finance	Click or tap to enter a date.
☐	City Council	Click or tap to enter a date.
☒	Concurrent	6/3/2024

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	5/8/2024	Kara Alnasrawi
Mayor's Office informed and approved memo	Yes	5/29/2024	Joe Magee
Board/Commission, if required	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Yes	5/29/2024	Hayley McClenahan
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	5/29/2024	Hayley McClenahan
CAO has reviewed budget, financing, and memo	Yes	5/29/2024	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	Yes	Click or tap here to enter text.
Additional Materials, if necessary	Choose an item.	Click or tap here to enter text.
Draft Resolution or Motion?	Yes	Language in memo
If for submission to Council, are sponsors identified?	Yes	Board of Finance

City of Burlington Capital Program

CT Office | DPW | BPRW | I&T | BCA | CEDO | Public Safety



MEMORANDUM

To: Board of Finance & City Council

Fr: Ashley Parker, Capital Program Director

Cc: Brian Pine, CEDO Director
Joseph Turner, City Assessor
Katherine Schad, CAO

Re: Recertification of the FY23 City of Burlington Waterfront TIF District Report to the Vermont Economic Progress Council (VEPC)

Date: June 3, 2024

Under state law, the City is required to report annually on the status of its two Tax Increment Financing (TIF) districts. City staff have worked interdepartmentally, with VEPC and the Vermont Department of Taxes to compile these reports. We are now recertifying to the municipal legislative body (City Council) the amount by which the value within the stated fiscal year within our Waterfront tax increment financing (TIF) district has increased or decreased relative to the original taxable value (OTV) for each of the respective districts and that the information provided in the reports represent true and accurate statements. This report was originally certified before May 1, 2024; but the City's internal audit found an issue with the final increment number for this district. These numbers have been adjusted and are now correct. Having thus certified and presented these reports to Burlington's municipal legislative body as required by law, we will then execute the certification forms which are included in the materials provided with the attached Waterfront TIF District report for FY23. This report will next be certified and submitted by Mayor Mulvaney-Stanak to VEPC on or before June 14, 2024. Please do not hesitate to contact us with any questions or concerns.



Tax Increment Financing District
Vermont Economic Progress Council
Vermont Department of Taxes

VEPC Staff Contact Information:
Angie Farrington, (802) 461-6421, angela.farrington@vermont.gov

Reports are due on or before January 1, 2024
Please submit reports to accd.vepctifannualreport@vermont.gov
Please submit GL22 TIF Proceeds Report with the District Annual Report

I. District Information:

Municipality & District **Burlington: Waterfront TIF District**

Reporting Period: **July 1, 2022 - June 30, 2023**

Name of Person Completing Report **Ashley Parker**
Title **Capital Program Director**
Email Address **aparker@burlingtonvt.gov**
Telephone **802-734-0292**
Date Report Completed **12/29/2023**

Grand List Year: **2022**

NOTE: All information reported on this form by the municipality must be for the Reporting Period and Grand List Year identified above.

II. TIF District Data:

Base Data (Original Taxable Value)		1996 Value	2010 Value	2 Parcels	All Others
Municipal		\$ 42,412,900	\$ 122,127,620	OTV Total Acres 0.31	104.91
Homestead- Education		\$ 1,728,200	\$ 18,908,100	OTV Total Parcels 2	111
Non Residential- Education		\$ 40,684,700	\$ 103,219,520	Parcel Information (All Parcels)	
Total Education		\$ 42,412,900	\$ 122,127,620		
Taxable Values as of April 1		Cherry St - 2 Parcels	Full District	Current Acres	104.47
Municipal		\$ 30,297,700	\$ 151,817,800	Current Parcels	109
Commercial 120% Surcharge		\$ 2,805,800	\$ 12,324,860	Tax Rates Applied to the April 1 Grand List	
Homestead- Education			\$ 25,439,100		
Non Residential- Education		\$ 30,297,700	\$ 126,095,732		
Total			\$ 151,534,832		
Increase (Decrease) in Taxable Values (auto-calculated)		From 1996 Value	From 2010 Value	List Special Municipal Tax Rates	
Municipal		\$ 79,714,720	\$ 59,987,880		
Homestead- Education		\$ 17,179,900	\$ 6,531,000		
Non Residential- Education		\$ 62,534,820	\$ 22,876,212		
Total Education		\$ 79,714,720	\$ 29,407,212		
TIF Increment Revenue Retained for Reporting Year*					
Municipal		\$ 775,134			
Commercial 120% Surcharge		\$ 87,285			
DID Lump Sum		\$20,880.33			
Homestead- Education		\$ 306,688		Total Special Municipal Tax Rates	
Non Residential- Education		\$ 1,168,200			
Total Education		\$ 1,474,888		Total Municipal (General Fund) & Special Rates	
Total TIF Revenue		\$ 2,358,187			

***Provide VEPC with documentation of the calculation of increment.**

Other TIF Fund Income				
	Source	Education	Municipal	Total
1		\$ -	\$ -	\$ -
2				\$ -
3			\$ -	\$ -
4			\$ -	\$ -
5			\$ -	\$ -
Total:		\$ -	\$ -	\$ -

Changes to Individual Parcels		
	SPAN Number	Describe Change
1	114-035-14455	Added and elevator that was not previously accounted for
2	114-035-14861	Valuation methodology was changed due to property use
3	114-035-20755	Rental and vacancy rates were adjusted
4	114-035-20792	Small adjustment due to a calculation error
5	114-035-20808	Small adjustment due to a calculation error
6	114-035-52634	Rental and vacancy rates were adjusted

Additional Information

III. Votes and Financing:

Public Vote Information. Check the appropriate box. Make sure to provide the date if information has been submitted to VEPC.

- ☐ No public votes or debt obligations occurred during this reporting period.
- ☒ Yes there were public votes and/or debt obligations during this reporting period.
- ☒ Vote and debt obligation documents were submitted to VEPC. (Enter date submitted)
- ☐ Vote and debt obligation documents are uploaded with this report.

Date Submitted: 9/11/2023

Debt Instruments									
Infrastructure and Debt	Term in Years	Period (ie. 1/1/2016-12/31/2026)	Interest Rate	Principal	Interest	Total	Total Payment for Reporting Period	Remaining Principal Balance	Date Approved by Voters
Existing Debt:									
1 Waterfront Renovation Project (Interfund Transfer - Bike Path & Waterfront North)	10	2014 Series B (2014-2024)	4.28%	\$ 7,800,000	\$ 1,143,738	\$ 8,943,738	\$ 840,743	\$ 1,560,000	11/6/2012 + 3/4/2014
2 Moran Redevelopment	10	2014 HUD Sec 108 10 Years (2015-2025)	5.00%	\$ 2,091,000	\$ 185,694	\$ 2,276,694	\$ 208,484	\$ 563,000	3/4/2014
3 Waterfront Fishing Pier	5	2016B COPS 5 Years (2015-2021)	5.00%	\$ 143,489	\$ 17,959	\$ 161,448			2006
4 Lakeview , College, Westlake Garage	9	2016A COPS 9 Years (2016-2024)	5.00%	\$ 5,145,000	\$ 1,098,078	\$ 6,243,078	\$ 594,375	\$ 1,125,000	2006
General Obligation Waterfront Tax Increment Bond Series 2018E	8	11/28/2018-5/1/2025	5.00%	\$ 745,000	\$ 119,180	\$ 864,180	\$ 130,480	\$ 245,000	3/4/2014
5 Series 2018C - Burlington Harbor Marina, ECHO	8	11/28/2018-5/1/2025	5.00%	\$ 405,000	\$ 76,106	\$ 481,106	\$ 75,000	\$ 135,000	3/4/2014
6 New Moran Inc. \$3,559,000; BTC Public Improvement \$801,000	6	Series 2019 12/20/2019-06/30/2025	2.61%	\$ 4,360,000	\$ 573,369	\$ 4,933,369	\$ 248,690	\$ 3,850,273	3/4/2014
New Debt:									
Example: Main Street Lights - General Obligation Bond	11	1/1/2016-12/31/2025	5.60%	\$ 3,250,000	\$ 500,000	\$ 3,750,000	\$ 340,909	\$ 2,950,000	
7 City Place Burlington, \$18,840,000; Series 2023									11/1/2016
8									
Total				\$ 20,689,489	\$ 3,214,124	\$ 23,903,613	\$ 2,097,772	\$ 7,478,273	

Annual Debt Service

Principal Paid	\$ 1,821,636
Interest Paid	\$ 276,135
Fees/Other Costs Paid	\$ -
Total Paid	\$ 2,097,772

Refinancing. Was any portion of TIF District debt refinanced during this reporting period?

- ☐ No
- ☐ Yes, please provide details.

Direct Payments: Enter the total amount of any TIF direct payments made during this period.

\$ -

Date Approved by Voters:

Additional Information

The City closed on financing in the form of a Note in June 2023. As a result, the City does not have an amortization schedule as of yet. Attached to this report is a Memo from the City's Bond Counsel that details this financing tool, including how it serves as an indebtedness tool and which types of expenses are eligible for reimbursement. Also attached to this memo is another memo that was provided to VEPC in March 2023 to describe this financing tool and the City's overall financing plan for the remaining projects in this District.

IV. Improvements and Funding:

Improvement Expenditures				
Name of Improvement	Of the Total Expenditure listed:		Total Improvement Expenditure for this report period	
	The amount paid with TIF Revenues	The amount paid with Non-TIF Revenues		
1 Bike Path				
Completed in FY17.	\$ -	\$ -	\$ -	
2 Waterfront Access North				
Completed in FY19.	\$ -	\$ -	\$ -	
3 Waterfront Park Upgrades				
Completed in FY19.	\$ -	\$ -	\$ -	
4 Moran Building				
The City cut the Ribbon on the Moran Frame project in November 2022, opening this new park, anchored by the distinctive tiered-shape of the Moran structure, to the public for the first time and completing the transformation of the northern waterfront. Completion of construction included final site work with a network of gravel paths and grassy areas, distinctive lighting, safety signage, the return of the original, "City of Burlington" letters and interpretive panels available in the City's top ten languages via a QR code. There is a small amount of remaining work for FY24 to close out the Environmental Reporting.	\$ 71,288	\$ -	\$ 71,288	
5 Lake Champlain Community Sailing Center				
Completed in FY18.	\$ -	\$ -	\$ -	
6 Burlington Harbor Marina				
Completed in FY19.	\$ -	\$ -	\$ -	
7 ECHO Sustainability Park				
Completed in FY19.	\$ -	\$ -	\$ -	
8 Cherry & Bank Street Streetscape Improvements (Street improvements to the City's "Great Streets" standards for six blocks of public rights of way on Cherry Street (from Battery to Church Street) and Bank Street (from Pine to Church Street))				
In FY 22 an Amended Development Agreement executed. Design advancement for the Streetscape improvements has resumed. Construction to start FY 2024 (see additional comments in Current TIF Activity at the end of Section V of this report)	\$ -	\$ -	\$ -	
9 St. Paul Street Extension (Acquisition and construction of St. Paul Street, creating new blocks of City Public rights of way).				
In FY 22 an Amended Development Agreement executed. Design advancement for the Streetscape improvements has resumed. Construction to start FY 2024 (see additional comments in Current TIF Activity at the end of Section V of this report)	\$ -	\$ -	\$ -	
10 Pine Street Extension (Acquisition and construction of Pine Street, creating new blocks of City Public rights of way).				
In FY 22 an Amended Development Agreement executed. Design advancement for the Streetscape improvements has resumed. Construction to start FY 2024 (see additional comments in Current TIF Activity at the end of Section V of this report)	\$ -	\$ -	\$ -	

Total	\$	71,288	\$	-	\$	71,288
				Check	\$	71,288

Sources of Non-TIF Revenues		Total Amount Secured for Each Source	Total Amount Spent to Date	Total Amount Spent this Period	Closed
1	VT Trans Revenue	\$ 2,500,000	\$ 2,500,000	\$ -	X
2	VT Sales Tax Reallocation	\$ 229,498	\$ 229,498	\$ -	X
3	Developer's Payment	\$ 144,037	\$ 144,037	\$ -	X
4		\$ -	\$ -	\$ -	☐
5		\$ -	\$ -	\$ -	☐
6		\$ -	\$ -	\$ -	☐
7		\$ -	\$ -	\$ -	☐
8		\$ -	\$ -	\$ -	☐
Total		\$ 2,873,535	\$ 2,873,535	\$ -	
Non-TIF Revenues Reported under Improvement Expenditures				\$ -	

Related Costs					
	List and describe the related cost(s)	Vendor	The amount paid with Education Revenue	The amount paid with Municipal Revenue	Total Cost for this report period
1	Municipal Staff Time and Benefits	Community & Economic Development Office (CEDO)	\$ -	\$ 74,074	\$ 74,074
2	Professional Consultant Services	See attached Prof & Consult Vendor Breakdown	\$ 189,965	\$ 117,707	\$ 307,672
3	State Audit Expenses	State Auditor's Office	\$ 147,402	\$ 91,334	\$ 238,736
4			\$ -	\$ -	\$ -
5			\$ -	\$ -	\$ -
Total			\$ 337,367	\$ 283,115	\$ 620,482
				Check	\$ 620,482
				Check	\$ -

V. Performance Indicators:

Standard

Real Property Development		
1	Burlington Harbor Marina	
	Burlington Harbor Marina (75 Penny Lane) - public parking improvements and public infrastructure were built in support of this private development project - the property became taxable for the April 1, 2020 Grand List	\$786,900
2	ECHO	
	ECHO (1 College St) - tax exempt property - project completed and reported FY 2020	\$15,200,600
3	Lake Champlain Community Sailing Center	
	Lake Champlain Community Sailing Center (505 Lake St) - tax exempt property - project completed and reported FY 2018	\$2,563,500
4	Moran Frame	
	Moran Frame (475 Lake St) Phase 1A completed its finishing touches in FY 2023 - a tax exempt City property, operated by the Department of Parks and Recreation - Benefit to the City and the State come in the form of increased enhancement of the City's Waterfront - translating to tourist dollars (tax revenues to include Rooms and Meals tax, etcetera), and increased property values throughout the City and the County by virtue of the vitality of the City's Waterfront	\$2,262,400
CityPlace Real Property Development		
5	Phase 1: CityPlace, Retail, Parking, & Storage:	
	(130 Cherry St) During this reporting period, CityPlace Partners began site work and construction of the foundation/podium for the South Tower. As part of this scope of work, the subsurface utilities and footings were installed and the foundation/podium was completed. Just after this reporting period closed, the steel was erected and vertical construction on the South Tower got underway.	

6	Phase 1: CityPlace Residential/ Housing:	
	(130 Cherry St) During this reporting period, CityPlace Partners began site work and construction of the foundation/podium for the South Tower. As part of this scope of work, the subsurface utilities and footings were installed and the foundation/podium was completed. Just after this reporting period closed, the steel was erected and vertical construction on the South Tower got underway. CPP has shifted the uses on this site to include about 30 housing units and a hotel along with ground floor retail and a portion of the public parking to be located in the public parking garage. Exact housing unit and hotel room counts are yet to be determined.	\$10,970,200
7	Phase 2: Hotel:	
8	Phase 2: Residential/ Housing:	
9	Phase 2: Retail & Parking:	
Total		\$31,783,600

Employment Opportunities	
Completion of the City's 2012 and 2014 TIF projects has directly spurred activity and vibrancy at Burlington's Waterfront (now one of the State's top tourist destinations). New businesses along Lake Street, Battery Street and Cherry Street now thrive in locations where previously no economic activity was occurring at all (potentially next years report will provide actual data updates for this project).	

Additional Information	
The above reported properties constitute active development of the Waterfront TIF District which has taken place (and/or will potentially take place) under the City's Waterfront TIF District Reconciliation Plan. Development activity which took place within the Waterfront TIF District during the years prior to the adoption of the reconciliation plan has been otherwise documented in other sources and reports. Further details concerning the advancement of the CityPlace Partners project is provided in Current TIF Activity at the end of Section V of this report. That project commenced construction midway through FY 2023 and projects a Grand List assessment of \$120 million on the main parcel (with an additional future phase of development projected for the two smaller parcels). Further details will be provided as part of the City's upcoming Substantial Change Request for the Waterfront TIF District in early 2024.	

Mandated

Jobs at June 30, 2021						
	NAICS Code	Increase or (Decrease)	Previous Location (if known)		NAICS Code	Increase or (Decrease)
1	11			11	53	
2	21			12	54	
3	22			13	55	
4	23			14	56	
5	31-33			15	61	
6	42			16	62	
7	44-45			17	71	

8	48-49	6	
9	51		
10	52		

18	72		
19	81		
20	92		
Total Jobs Increase (Decrease)			6

Identify Source/Method for Obtaining Jobs Information

See the attached report. Burlington staff used State data-bases to generate district-wide estimates - thereby offering employment numbers with high and low estimates for each entity in the various sectors. We then utilize the median each sector to populate this table and gauge total growth.

Vermont Firms						
Name of Vermont Firm		Total amount of work performed		Name of Vermont Firm		Total amount of work performed
1	White & Burke	\$ 149,948		11		\$ -
2	Downs Rachlin Martin	\$ 90,356		12		\$ -
3	Paul Frank & Collins, Inc.	\$ 10,139		13		\$ -
4	State of Vermont	\$ 238,736		14		\$ -
5	VEPC	\$ 4,930		15		\$ -
6	DEW	\$ 52,642		16		\$ -
7	Freeman French Freeman	\$ 8,702		17		\$ -
8	VHB	\$ 8,949		18		\$ -
9	Sammel Group Inc.	\$ 995		19		\$ -
10		\$ -		20		\$ -
				Total Amount of Work Performed		\$ 565,396

Additional Information

TIF District Specific

Transportation Enhancements: proposed new transportation enhancements for the district are under construction as the CityPlace project moves forward. Over \$30M in federal grant funds were secured by the City to augment the TIF-funded improvements. All together, over \$50M in transportation enhancements will be completed as a result of the CityPlace project along with related efforts to upgrade the surrounding public infrastructure.

Affordable Housing Development: CityPlace Partners have chosen to meet the requirements of both the State of VT Priority Housing for Act 250 exemption and the City's Inclusionary Zoning with affordable housing incorporated into the same residential buildings as the market-rate housing.

Moran Frame involves the City addressing removal of decommissioned Generating plant with Brownfields remediation, and creation of a new City Park public facility as the final element of redeveloping the City's northern waterfront. This new public asset will serve as an attraction for locals and tourists.

Housing Changes (optional)			
	Affordable Housing	Market Rate Housing	Total
New	0	0	0
Eliminated	0	0	0

Net Total	0	0	0
-----------	---	---	---

Unforeseen Events: Please describe any unforeseen events (such as flooding) that have impacted the TIF District, its improvement projects, or private developments. Also detail how the municipality is working through those challenges.

An unforeseen event with respect to the affordable housing aspect of CityPlace has required significant effort by the City. As noted in this report, CityPlace Partners shifted their plans for creating the required affordable housing in a fairly major way: they will meet the requirements of both the State of VT Priority Housing for Act 250 exemption and the City's Inclusionary Zoning with affordable housing incorporated into the same residential buildings as the market-rate housing. In addition, the program has evolved to include the development of at least one and very possibly two hotels. This requires amendments to both the zoning permit and the Amended and Restated Development Agreement (ARDA) 2.0.

Current TIF District Activity: Please provide details regarding FY24 activities. This can include updates regarding specific projects, potential substantial change requests, etc.

Transportation Enhancements: proposed new transportation enhancements for the district are under construction as the CityPlace project moves forward. Over \$30M in federal grant funds were secured by the City to augment the TIF-funded improvements. All together, over \$50M in transportation enhancements will be completed as a result of the CityPlace project along with related efforts to upgrade the surrounding public infrastructure.

Affordable Housing Development: CityPlace Partners have chosen to meet the requirements of both the State of VT Priority Housing for Act 250 exemption and the City's Inclusionary Zoning with affordable housing incorporated into the same residential buildings as the market-rate housing.

Moran Frame involves the City addressing removal of decommissioned Generating plant with Brownfields remediation, and creation of a new City Park public facility as the final element of redeveloping the City's northern waterfront. This new public asset will serve as an attraction for locals and tourists.



Tax Increment Financing District
Vermont Economic Progress Council
Vermont Department of Taxes

[illegible]

10/14



Tax Increment Financing District
Vermont Economic Progress Council
Vermont Department of Taxes

NOT APPLICABLE AT THIS TIME FOR BURLINGTON WATERFRONT TIF DISTRICT.



COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

149 CHURCH STREET • ROOM 32 • CITY HALL • BURLINGTON, VT 05401
(802) 865-7144 • (802) 865-7024 (FAX)
www.burlingtonvt.gov/cedo

TO: Jessica Hertblen, Executive Director, Vermont Economic Progress Council (VEPC)

FROM: Brian Pine, CEDO Director

DATE: March 27, 2024

RE: Waterfront TIF District 2023 Annual Report supplemental materials

This memo and the attached file is in response to your request for more information about the history and outcomes of the Waterfront TIF (WTF TIF) District since it was created in 1996.

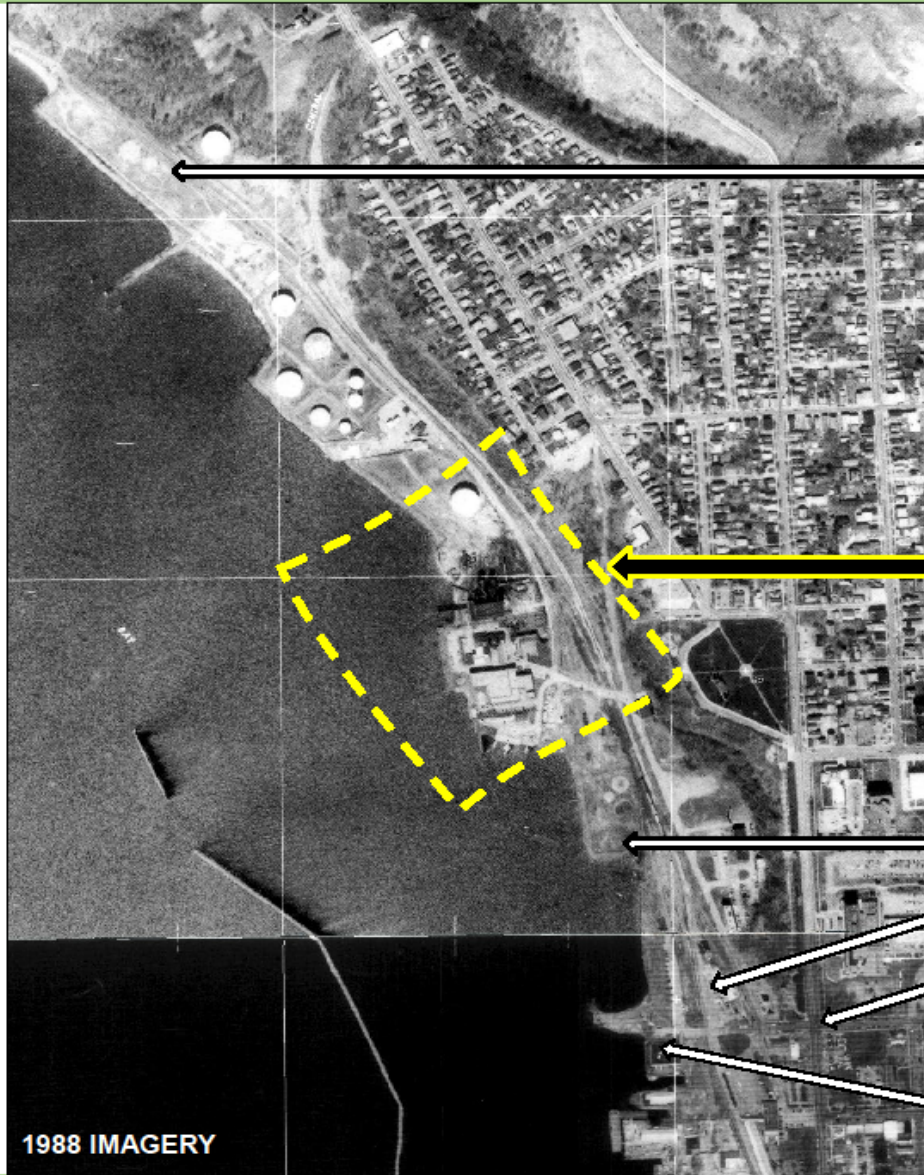
As Vermont's first TIF District, since 1996 the City has made strategic investments in the Waterfront District including public infrastructure upgrades and parking garage additions to stimulate the market for residential development, along with commercial, retail and office market segments. The Original Taxable Value of this District in 1996 was \$42,412,900 and is projected to reach \$146,311,032 when the main portion of the District closes in 2025.

With the passage of Act 134 (effective May 25, 2016), the General Assembly amended § 18 of Act 134 (2013) for three specific parcels within the Burlington WTF TIF District, extending the periods for the District to incur debt to June 30, 2021 and retain municipal and education property taxes to June 30, 2035, subject to meeting certain benchmarks which were met. This extended District is expected to generate an additional \$115,000,000 in taxable value from the redevelopment of CityPlace and an additional \$60,000,000 from so-called Phase 2 expected on the remaining land from the three parcels that were extended by the legislature. This is expected to bring the total value in the district to \$320 million by 2029. All together, the City has invested \$28,127,135 in public improvements to stimulate growth and development described in this material.

The infrastructure improvements to Lake Street, the Westlake Garage, and the Lakeside Parking Garage have encouraged business growth. Private "anchor projects" include the Courtyard Marriot Hotel, Westlake Residential (34 condos), Hotel Vermont, a major new office and retail building on Lake Street, and 16 residential condos and 40 residential units of affordable housing also along Lake Street. The massive TIF-funded public improvement project linked to City Place, represents a once-in-a-generation investment to reconnect the heart of our downtown 50 years after the devastating impacts of Urban Renewal.

Other TIF District outcomes include:

- Acquisition and upgrade of Urban Reserve (North 40)
- 29 units of market rate housing at 200 and 216 Lake Street



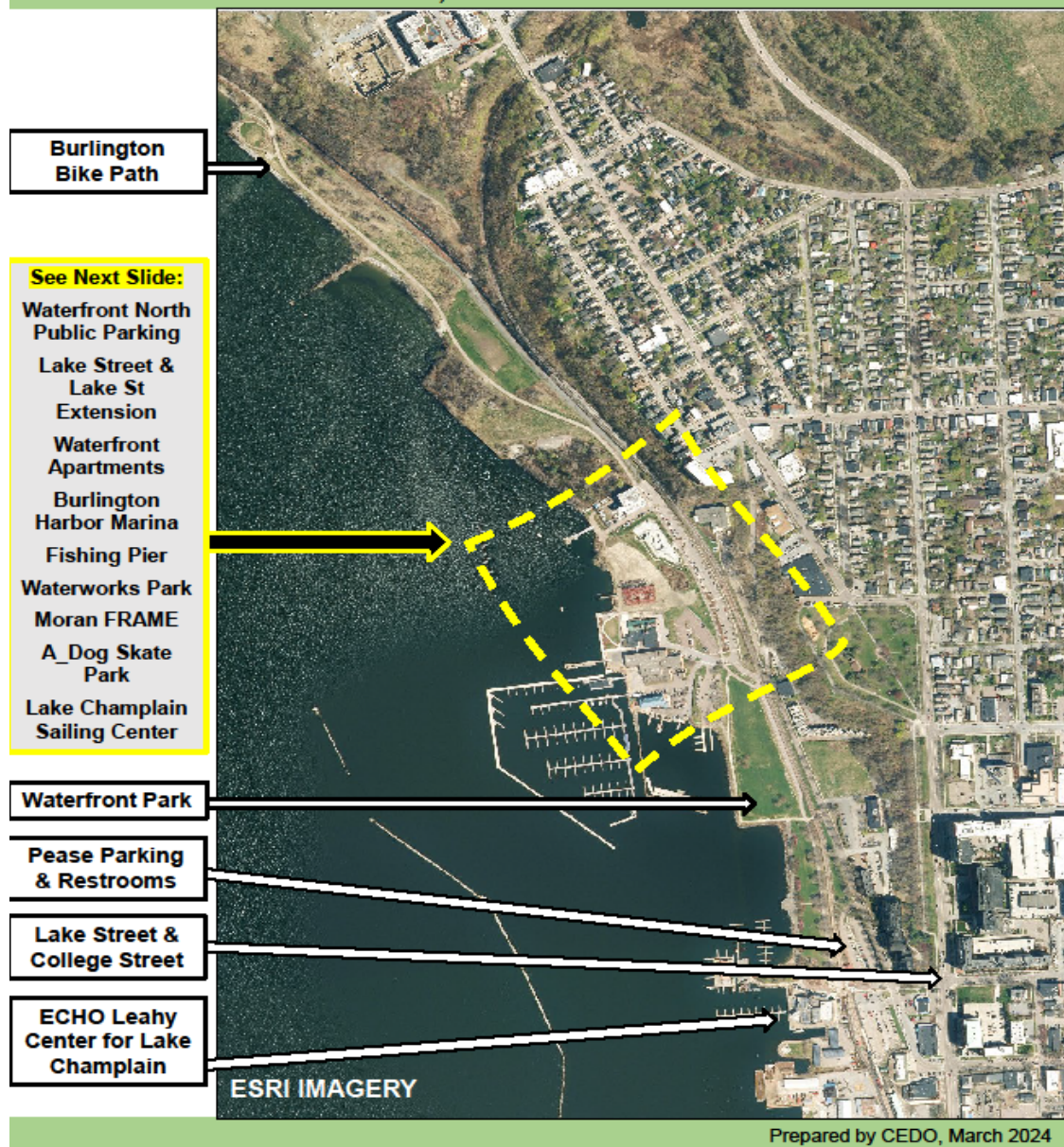
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C IMPROVEMENTS PROJECTS, 1988 TO PRESENT



CERTIFICATION OF INCREMENT AND ANNUAL REPORT

STATUTORY REQUIREMENT: (24 VSA §1895) "As of the date the district is created, the lister or assessor for the municipality shall certify the original taxable value and shall certify to the legislative body in each year thereafter during the life of the district the amount by which the total valuation as determined in accordance with 32 VSA Chapter 129 of all taxable real property located within the tax increment financing district has increased or decreased relative to the original taxable value."

RULE REQUIREMENT: (SECTION 903) "Increase/Decrease in Assessed Valuation: Each year following the year of creation, the listers or assessor shall certify to the municipal legislative body the amount by which the total assessed valuation of taxable properties within the TIF District has increased or decreased compared to the municipal and education OTV. Prior to providing the certification to the municipal legislative body, the listers or assessor shall have the calculation of the increase or decrease, including an examination of the disposition and tax status of each parcel within the District, verified by a second party. Selection of the second party is up to the municipality and may be an individual within or outside of the municipal government. However, the individual should be familiar with parcel listings and valuation, property tax status, and the concepts of OTV and District increment. A copy of the certification of the value and the increase or decrease must be included in the Annual Report required by Section 1004.2 of this Rule along with a certification that a second party reviewed the information. The Council will provide a form on which to provide this certification."

SECTION 1: Certification of Increment by Assessor or Lister and 2nd Party Reviewer

Check both certification boxes and sign this form. If the boxes or signatures are not completed, this form will be considered incomplete. The second party reviewer should be familiar with parcel listings and valuation, property tax status, and the concepts of OTV and District increment.

- ☐ We certify that, per TIF Rule Sections 903 and 1004.2, we have examined and verified the current value, the calculation of the increase or decrease in property values, the disposition and tax status of each parcel within the District, and any other issues relevant to the parcels listed in the Certified OTV Property Report.
- ☐ We have certified to the municipal legislative body, at a regular or duly warned meeting that the information provided in this report represent true and accurate statements.

Signature of Assessor or Lister

><

Name: _____

_____ Title

_____ Date

Signature of 2nd Party Reviewer

><

Name: _____

_____ Title

_____ Date

SECTION 2: Certification of Annual Report

Provide the date the annual report was presented to the municipal legislative body. Check both certification boxes and sign this form. If the boxes or signatures are not completed, this form will be considered incomplete.

Date report presented to the municipal legislative body: _____

- ☐ I certify that I am an official of the reporting municipality with the authority to report on this TIF District on behalf of the municipality.
- ☐ I certify that the annual report data entered and all documents attached in support of this annual report are true, correct and complete to the best of my knowledge.

Signature of Authorizing Official*

><

Name: _____

_____ Title

_____ Date

* Authorizing Official is the Chief Executive Officer of the municipality as defined by 10 VSA § 683(8) such as a Select Board or City Council Member, Town or City Manager, or Town Administrator.

Board of Finance and City Council Submission ChecklistDepartment: CT Office Submitter: Ashley ParkerTitle/Subject: Recertification of FY23 WTF TIF District Annual Report to VEPC

	Approval:	Meeting Date:
☐	Board of Finance	Click or tap to enter a date.
☐	City Council	Click or tap to enter a date.
☒	Concurrent	6/3/2024

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	5/28/2024	Katherine Schad
Mayor's Office informed and approved memo	Yes	5/29/2024	Erin Jacobsen
Board/Commission, if required	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	5/28/2024	Erik Ramakrishnan
CAO has reviewed budget, financing, and memo	Yes	5/28/2024	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	Choose an item.	Click or tap here to enter text.
Additional Materials, if necessary	Yes	District Certification Form & Final Annual report for certification from VEPC
Draft Resolution or Motion?	N/A	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	Choose an item.	Click or tap here to enter text.



To: Burlington Board of Finance
Burlington City Council

From: Kara Alnasrawi, Director of Business and Workforce Development
Alexandra Bacheller, Workforce Development Manager

CC: Katherine Schad, CAO

Date: June 3, 2024

Re: **Vermont Early Childhood Fund Opportunity Grant**

Background:

The Office of Business and Workforce Development has run two cohorts through the early childhood educator training program, First Steps Training Program, with 29 participants completing. This program is currently funded through the City's Early Learning Initiative. The training program includes Fundamentals for Early Childhood Professionals, pediatric first aid and CPR, diversity and equity training, and observation placement at area childcare centers. The goals of the First Steps Training Program are:

- Increase capacity in the childcare industry by training workforce
 - Support area childcare centers seeking to employ by connecting them directly with cohorts
- Reach underserved populations (BIPOC, immigrant/refugee) interested in careers in early education
- Reduce barriers for individuals looking to enter the workforce or upskill
 - No cost to participants, completion bonus available, advising hours, workforce development manager support

Overall, of the 29 participants who completed the fall 2023 and spring 2024 iterations of First Steps Training, 35% identify as BIPOC, 42% speak English as a second language, and 77% found employment in childcare upon completion.

Vermont Early Childhood Fund (VECF) Opportunity Grant:

The Office of Business & Workforce Development has been chosen as a recipient of the spring 2024 grant award of \$15,000. Grantees awarded the VECF grant met requirements outlined in the 2020 Early Childhood Needs Assessment in alignment with the goals put forth in the Vermont Early Childhood Action Plan. These goals are:

- All children have a healthy start.
- Family and community play a leading role in children's well-being.
- All children and families have access to high-quality opportunities that meet their needs.
- The early childhood system will be integrated, well-resourced, and data informed.

In this round of grants, the focus areas include:

- Increase access/provide equitable access to early childhood services and programs.
- Improve the quality of existing services and programs.
- Develop the early childhood workforce.
- Engage families and connect them to services.

VECF in partnership with Building Bright Futures (BBF) received 70 applications statewide for the spring 2024 round of grants. Applications were evaluated by 32 reviewers including BBF staff members, parents, nonprofit leaders, and state agency representatives from the Office of Racial Equity, Vermont Department for Children and Families – Child Development Division, Vermont Department of Health, and Department of Mental Health. A total of \$1.6 million has been awarded to 24 organizations throughout the state to increase equitable access to services and programs, improve program quality, develop workforce, and engage families and connect them to services.

This is BWD's second application to the VECF grant, and first acceptance. This grant funding will help expand First Steps Training Program access to residents in the greater Burlington area. We've accepted 31 people into cohorts over the past two rounds of First Steps. Each application cycle, there are a number of applications from people outside of Burlington. Though they can access the program, they must find funding for their spot if they are not Burlington residents. Securing independent funding often poses a barrier. As a result, the City has turned away seven individuals. The goal of the First Steps Training Program is to support the industry by developing the workforce and putting more teachers in childcare centers thus increasing high-quality spots for children. With more childcare spots available, more parents are able to enter the workforce.

Allowing non-residents into the First Steps Training Program with this funding will directly support Burlington childcare centers because their observation hours placements are within Burlington. As a result, educators in the First Steps cohorts are hired within the systems in Burlington, directly supporting the capacity for care for the Burlington workforce. This helps to build out childcare to make more workforce available for labor-strapped Burlington businesses. With this funding, we will be able to accept an additional 10-12 people from the greater Burlington area.

See Award Letter (Attachment A), Grant Application (Attachment B), and Draft Grant Agreement (Attachment C).

Board of Finance Motion:

To approve and recommend that the City Council authorize the Director of Business & Workforce Development to enter into an agreement with the State of Vermont, subject to final review from the City Attorney's Office, to accept a grant award of \$15,000 as part of the Early Learning Initiative Budget.

City Council Motion:

To authorize the Director of Business & Workforce Development to enter into an agreement with the State of Vermont, subject to final review from the City Attorney's Office, to accept a grant award of \$15,000 as part of the Early Learning Initiative Budget.

BUILDING
BRIGHT
FUTURES

2024-05-06

Alex Bacheller

Business and Workforce Development of the City of Burlington

131 Church Street Suite 209

Burlington, US-VT 05401

Dear Alex,

It is my pleasure to inform you that Business and Workforce Development of the City of Burlington has been awarded a Vermont Early Childhood Fund Opportunity Grant in the amount of \$15,000.00 to support your project, "First Steps Training Program", as submitted to Building Bright Futures (BBF) in your application dated 2024-03-07. Congratulations!

In the next few days, BBF will be sending a Grant Award Agreement through DocuSign that describes the terms and conditions of this grant.

If you are not an authorized signer for your organization, please email the name, title, and email address of an authorized signer to the VECF

Grants Manager, Michelle Kersey, at mkersey@buildingbrightfutures.org. Please review the Grant Award Agreement carefully and use the DocuSign feature to submit a signed copy of the agreement by May 17, 2024. By accepting this grant, you agree to work with BBF staff to develop a budget spending timeline as well as a plan to measure the impact of funds from this grant by June 7, and provide BBF with updates on your project including a mid-year report by January 31, 2025 and a final report by July 31, 2025. If you do not have a SAM.Gov Unique Entity ID (UEI), please apply at <https://sam.gov/content/duns> right away. It can take several months to receive your ID and you must have one to receive reimbursement. As soon as you receive your UEI, please email it to Michelle.

One of Building Bright Futures' goals is to maintain connection with VECF grantees to grow the early childhood network, share achievements and lessons learned, and make progress toward addressing key issues. To do this, we ask that you or a representative from the project team attend the BBF Regional Council Meetings in your area (6-8 times a year). When attending Council meetings is not possible, have a phone call or email exchange with the identified BBF Regional Manager as an alternative.

If you have any questions regarding this grant, please contact Michelle, she is happy to help. We're excited to be building a stronger early childhood system with you!

Sincerely,



Morgan K. Crossman, PhD, MA

Executive Director

Building Bright Futures

Attachment B - VECF Grant Application

Opportunity Grant Application

When you are finished with this section, please click the blue "Save" button at the bottom of the page

- You can save this form as a draft at any time by clicking "Save Draft" at the bottom of the page
- When you have completed all required items in this section, please click the "Mark Complete" button at the bottom of the page.

NOTE: When you have completed all required steps, be sure to click "Submit" on the next pages:

Organization name

Business and Workforce Development of the City of Burlington

Primary Contact

First name Alex

Last name Bacheller

Primary contact email abacheller@burlingtonvt.gov

Program/Project Information

Please share details about your funding request

Project title

First Steps Training Program

Amount of request

\$15,000

County where your project will take place (select all that apply)

Chittenden

In a few sentences, share what need(s), gap(s), and/or disparities your project is trying to address.

The First Steps Training Program was created in the fall of 2023 in direct response to the desperate need for more early childhood educators. This program is sponsored by the Early Learning Initiative of the City of Burlington. The program is 15 weeks long and includes Fundamentals for Early Childhood Professionals, pediatric first aid and CPR, diversity training, and observation hours placement in local child care centers. We aim to upskills teachers already working in the field and certify those who are interested in a career in early childhood. This program is FREE to Burlington residents in an attempt to remove barriers to accessing quality training.

Please share a brief description of your request and the program/project being funded, including the program/project goal(s).

Though this program has been successful so far, serving 12 people in the fall of 2023 and currently 19 people in the spring of 2024, our funding source only allows for Burlington residents to join at no cost. One of the goals of the program is to reduce barriers to entry into the field, and paying for professional development is definitely a barrier. With this additional funding, we will be able to secure spots in the program's fall 2024 cohort for 7-8 students from outside of Burlington. This funding provides Fundamentals for Early Childhood Professionals

through Northern Lights at CCV, diversity training with a focus on culturally responsive care, pediatric first aid and CPR, observation placement in area child care centers, and advising time/office hours with our Fundamentals instructor.

The next section of the application asks questions relating to areas of focus in the early childhood system. These questions will help us understand the impact of potential funding. You will choose a primary goal, but can include information about additional areas of focus in the questions that follow. If you are unsure if these questions apply to your project/program, you can view some examples at <https://buildingbrightfutures.org/vecf/>
(<https://buildingbrightfutures.org/vecf/>)

What is the primary goal of your project? (select one)

Develop workforce

If awarded, how will this funding help increase access or create more equitable access to your program? Please include details about how your project will reach families with historically marginalized identities if applicable.

If awarded, First Steps Training Program will increase access to quality care for families because we train teachers for available positions. As we know, most child care centers are hiring right now, and many have waitlists due to the lack of workforce. This program builds the workforce directly so that centers may fill gaps in their staff and increase spaces for children in need of care. This, of course, has a larger impact on the workforce in general as many parents can return to work once they have care for their children.

Will your program/project improve the quality of an existing program?

Yes

If awarded, how will this funding help improve the quality of your program?

If awarded, this program allows trained, certified individuals to enter the workforce. This enables programs to open additional classrooms where highly-qualified professionals will educate and care for children.

Workforce Innovations

Will your program/project develop workforce innovations and strategies that will help ensure that the early childhood system is well-resourced, and that the early childhood workforce is robust and stable?

Yes

If awarded, how will your project develop the workforce? What strategies will you use to promote an inclusive and welcoming workforce?

The First Steps Training Program is a low-barrier training program that includes all the professional development necessary for students to seek employment in the early childhood field. We've worked with folks at Hire Ability and AAI-V. We recruit at the Family Room, and currently have some participants from the immigrant/refugee community. This is important, especially in and around Burlington because of our diverse population following the Refugee Resettlement program.

Regional Priorities

You can view Regional Council Priorities and descriptions at
<https://buildingbrightfutures.org/annual-regional-council-priority-setting/>
(<https://buildingbrightfutures.org/annual-regional-council-priority-setting/>)

Will your program/project address one of BBF's Regional Council Priorities for your area?

Yes

Please select your Regional Priority

Chittenden: Early childhood workforce

If awarded funding, you will be required to work with Building Bright Futures staff to develop a monthly spending plan as well as a plan to measure the impact of funding.

Enter your full name to acknowledge agreement

Alexandra Bacheller



Attachment C – Draft Agreement *pending attorney review
Vermont Early Childhood Fund
Federal Grant Subaward
Grant Agreement

GRANT AGREEMENT

Part 1 - Grant Award Detail

Grantee Name	Grantee UEI Number	Grantee Address
Business and Workforce Development of the City of Burlington	pending	131 Church Street Suite 209 Burlington, VT 05401

Grant Number

VECF-S240G-020

(must match registered name in SAM)

Amount Previously Awarded:	Amount Awarded This Action:	Total Award Amount:
\$0	\$15,000.00	\$15,000.00

Subaward Start Date	Subaward End Date
07/01/2024	06/30/2025

If this action is an amendment, the following is amended: **Amount:** ☐ **Funding Allocation:** ☐ **Performance Period:** ☐
Scope of Work: ☐ **Other:** ☐

FEDERAL AWARD INFORMATION

Federal Awarding Agency	Federal Award Project Description		
Department of Health and Human Services	Preschool Development Grants Birth to Five (PDG B-5) Renewal Grant — Vermont		
Federal Award Identification Number (FAIN)	Federal Award Date	Total Federal Award	
90TP0098	12/09/2022	\$7,744,080	
CFDA Number and CFDA Name	Awarded Previously	Award This Action	Total Cumulative Award
(xi) 93.434 ESSA Preschool Development Grants Birth through Five	\$0	\$15,000.00	\$15,000.00
Pass-Through Entity & Awarding Official	State Granting Agency		
Building Bright Futures Morgan Crossman Executive Director 802-876-5010	AHS/VDH/Division of Family and Child Health Ilisa Stalberg Family & Child Health Director 802-951-4026		

PART 2 - GRANT AGREEMENT

1. Parties: This is a Grant Agreement between Building Bright Futures State Advisory Council, Inc. with principal place of business in Williston, VT (hereinafter called "BBF") and Business and Workforce Development of the City of Burlington with principal place of business in Burlington, US-VT (herinafter called "Grantee").
2. Subject Matter: The subject matter of this Grant Agreement is Business and Workforce Development of the City of Burlington will be performing the following scope of work: First Steps Training Program
Detailed services to be provided by the Subrecipient are described in Attachment A.

3. Award Details: Amounts, dates and other award details are as shown in the attached Grant Agreement Part 1 – Grant Award Detail.
4. Amendment: No changes, modifications, or amendments in the terms and conditions of this Grant shall be effective unless reduced to writing, numbered, and signed by the duly authorized representative of BBF and Subrecipient.
5. Cancellation: This Grant Agreement may be suspended or cancelled by either party by giving written notice at least 30 days in advance.
6. Attachments: This Grant consists of 16 pages including the following attachments which are incorporated herein:
 - Grant Agreement – Part 1 – Grant Award Detail Sheet
 - Grant Agreement – Part 2 – Grant Agreement
 - Attachment A – Grant Requirements
 - Attachment B – Payment Provisions
 - Attachment C – Standard State Provisions for Contracts and Grants
 - Attachment D – AHS Customary Contract/Grant Provisions
 - Attachment E – Electronic Record and Signature Disclosure

The order of precedence of these documents shall be as follows:

- Grant Agreement – Part 1
- Grant Agreement – Part 2
- Attachment C – Standard State Provisions for Contracts and Grants
- Attachment A – Grant Requirements
- Attachment B – Payment Provisions
- Attachment D – AHS Customary Contract/Grant Provisions
- Attachment E – Electronic Record and Signature Disclosure

WE, THE UNDERSIGNED PARTIES, AGREE TO BE BOUND BY THIS GRANT.



BUILDING BRIGHT FUTURES By:

Business and Workforce Development of the City of Burlington By:

/sn1/

/sd1/

2024-05-13

Morgan Crossman

Executive Director

Kara Alnasrawi

Director of Business and Workforce

Development

ATTACHMENT A GRANT REQUIREMENTS AND SCOPE OF WORK TO BE PERFORMED

Grant Requirements

Once the grant agreement has been executed, Grantee will be required to complete the following:

- Work with BBF to develop a budget and spending timeline by 6/7/24
- Work with BBF to develop a plan to measure the impact of funds from this grant by 6/7/24.
- Submit a monthly reimbursement invoice and supporting documents to BBF using a template provided by BBF no later than the 5th of each month for the prior month's expenses. Invoices must be submitted through the online grant portal at https://webportalapp.com/sp/bbf_vecf_opportunity_grant_2024.

- Submit a six-month progress report and a final report to BBF. Reports may be submitted through the online grant portal at https://webportalapp.com/sp/bbf_vecf_opportunity_grant_2024 or verbally during a meeting at a mutually agreed upon meeting place and time. Reports will include a brief summary of major activities and accomplishments as well as the impact measurements developed prior to the start of the grant period.

Required Activities, Tasks, and Services

Grantee will complete the following activities:

Though this program has been successful so far, serving 12 people in the fall of 2023 and currently 19 people in the spring of 2024, our funding source only allows for Burlington residents to join at no cost. One of the goals of the program is to reduce barriers to entry into the field, and paying for professional development is definitely a barrier. With this additional funding, we will be able to secure spots in the program's fall 2024 cohort for 7-8 students from outside of Burlington. This funding provides Fundamentals for Early Childhood Professionals through Northern Lights at CCV, diversity training with a focus on culturally responsive care, pediatric first aid and CPR, observation placement in area child care centers, and advising time/office hours with our Fundamentals instructor.

ATTACHMENT B PAYMENT PROVISIONS

1. The maximum dollar amount payable under this agreement is not intended as any form of a guaranteed amount. Payment is contingent upon approval by BBF and will be made to the Grantee after approval of an invoice and any reporting requirements listed in Attachment A: Grant Requirements. BBF may withhold payment in whole or in part in the event of the Grantee's failure to comply with the terms of this agreement.
2. Total expenditures for this grant will not exceed \$15,000.00.
The Grantee will be paid for products or services specified in Part 2 - Grant Agreement, or services actually performed, up to the maximum allowable amount specified in this agreement. The payment schedule for delivered products, or rates for services performed, and any additional reimbursements, are included in this attachment.
3. All invoices must be submitted with monthly expenditure totals for the performance period being billed.
4. A final report on program activities and a final expense and revenue report for this agreement will be due no later than 30 days after the end date of the Grant.
5. Invoices and required financial and grant progress reports should be submitted on or before the following due dates:

Period Covered:	Amount: (Cap amount: \$15,000.00)	Date Due:	Required Deliverables:
7/1/2024 – 7/31/2024	Reimbursement based on actual expenditures for this grant.	8/5/2024	Narrative reporting and performance measures as outlined in Attachment A
8/1/2024 – 8/31/2024	Reimbursement based on actual expenditures for this grant.	9/5/2024	Narrative reporting and performance measures as outlined in Attachment A
9/1/2024 – 9/30/2024	Reimbursement based on actual expenditures for this grant.	10/5/2024	Narrative reporting and performance measures as outlined in Attachment A
10/1/2024 – 10/31/2024	Reimbursement based on actual expenditures for this grant.	11/5/2024	Narrative reporting and performance measures as outlined in Attachment A
11/1/2024 – 11/30/2024	Reimbursement based on actual expenditures for this grant.	12/5/2024	Narrative reporting and performance measures as outlined in Attachment A
12/1/2024 – 12/31/2024	Reimbursement based on actual expenditures for this grant.	1/5/2025	Narrative reporting and performance measures as outlined in Attachment A
1/1/2025 – 1/31/2025	Reimbursement based on actual	2/5/2025	Narrative reporting and performance measures as outlined in

	expenditures for this grant.		Attachment A
2/1/2025 – 2/28/2025	Reimbursement based on actual expenditures for this grant.	3/5/2025	Narrative reporting and performance measures as outlined in Attachment A
3/1/2025 – 3/31/2025	Reimbursement based on actual expenditures for this grant.	4/5/2025	Narrative reporting and performance measures as outlined in Attachment A
4/1/2025 – 4/30/2025	Reimbursement based on actual expenditures for this grant.	5/5/2025	Narrative reporting and performance measures as outlined in Attachment A
5/1/2025 – 5/31/2025	Reimbursement based on actual expenditures for this grant.	6/5/2025	Narrative reporting and performance measures as outlined in Attachment A
6/1/2025 – 6/30/2025	Reimbursement based on actual expenditures for this grant.	7/5/2025	Narrative reporting and performance measures as outlined in Attachment A

6. The subrecipient may request payment under this agreement by submitting an error-free invoice and reporting requirements described above and in Attachment A. Invoices must be signed and dated by the Grantee, and include the following:

- Grantee's name
- Grantee's mailing address (that matches W-9 on file)
- Grant number
- Invoice date
- Invoice period
- Description of activities performed
- Amount due per actual expense

Required deliverables and reporting materials

Invoices, receipts and supporting documentation related to a request for reimbursement

Electronic submission of invoices is preferred at https://webportalapp.com/sp/bbf_vecf_opportunity_grant

7. The Grantee accepts responsibility for any federal disallowance which results from Grantee's failure to abide by the terms of this agreement or from failure to properly document or account for expenditures. The Grantee also agrees to return to BBF any funds that are deferred and/or ultimately disallowed.

8. BBF will consider poor performance or non-performance when awarding future grants.

9. Payment after the conclusion of the State of Vermont's fiscal year that ends during the term is contingent on the appropriation of funds by the Vermont State Legislature for the Grant.

**ATTACHMENT C BBF PROVISIONS FOR GRANTS IN ACCORDANCE WITH
STANDARD STATE PROVISIONS FOR CONTRACTS OR GRANTS (REVISED
DECEMBER 15, 2017)**

1. **Definitions:** For purposes of this Attachment, “Party” shall mean the Contractor, Grantee or Subrecipient, with whom Building Bright Futures is executing this Agreement and consistent with the form of the Agreement. “BBF” shall mean Building Bright Futures. “State” shall mean the State of Vermont. “Agreement” shall mean the specific contract or grant to which this form is attached.
2. **Entire Agreement:** This Agreement, whether in the form of a contract, BBF-funded grant, State-funded grant, or Federally-funded grant, represents the entire agreement between the parties on the subject matter. All prior agreements, representations, statements, negotiations, and understandings shall have no effect.
3. **Governing Law, Jurisdiction and Venue; No Waiver of Jury Trial:** This Agreement will be governed by the laws of the State of Vermont. Any action or proceeding brought by either BBF, the State or the Party in connection with this Agreement shall be brought and enforced in the Superior Court of the State of Vermont, Civil Division, Washington Unit. The Party irrevocably submits to the jurisdiction of this court for any action or proceeding regarding this Agreement. The Party agrees that it must first exhaust any applicable administrative remedies with respect to any cause of action that it may have against BBF and/or the State with regard to its performance under this Agreement. Party agrees that BBF and/or the State shall not be required to submit to binding arbitration or waive its right to a jury trial.
4. **Sovereign Immunity:** The State reserves all immunities, defenses, rights or actions arising out of the State’s sovereign status or under the Eleventh Amendment to the United States Constitution. No waiver of the State’s immunities, defenses, rights or actions shall be implied or otherwise deemed to exist by reason of the State’s entry into this Agreement.
5. **No Employee Benefits For Party:** The Party understands that BBF and/or the State will not provide any individual retirement benefits, group life insurance, group health and dental insurance, vacation or sick leave, workers compensation or other benefits or services available to BBF and/or State employees, nor will BBF and/or the State withhold any State or Federal taxes except as required under applicable tax laws, which shall be determined in advance of execution of the Agreement. The Party understands that all tax returns required by the Internal Revenue Code and the State of Vermont, including but not limited to income, withholding, sales and use, and rooms and meals, must be filed by the Party, and information as to Agreement income will be provided by BBF to the Internal Revenue Service and the Vermont Department of Taxes.
6. **Independence:** The Party will act in an independent capacity and not as officers or employees of BBF and/or the State.
7. **Defense and Indemnity:** The Party shall indemnify, defend and hold BBF and the State and their officers and employees harmless from and against all third party claims or suits arising in whole or in part from any act or omission of the Party or of any agent of the Party in connection with the performance of this Agreement. BBF shall notify the Party in the event of any such claim or suit, and the Party shall immediately retain counsel and otherwise provide a complete defense against the entire claim or suit. BBF and the State retains the right to participate at its own expense in the defense of any claim. BBF and the State shall have the right to approve all proposed settlements of such claims or suits.

After a final judgment or settlement, the Party may request recoupment of specific defense costs and may file suit in Washington Superior Court requesting recoupment. The Party shall be entitled to recoup costs only upon a showing that such costs were entirely unrelated to the defense of any claim arising from an act or omission of the Party in connection with the performance of this Agreement.

The Party shall indemnify and hold BBF and the State and their officers and employees harmless if BBF or the State, their officers or employees become legally obligated to pay any damages or losses arising from any act or omission of the Party or an agent of the Party in connection with the performance of this Agreement.

Notwithstanding any contrary language anywhere, in no event shall the terms of this Agreement or any document furnished by the Party in connection with its performance under this Agreement obligate BBF or the State to (1) defend or indemnify the Party or any third party, or (2) otherwise be liable for the expenses or reimbursement, including attorneys' fees, collection costs or other costs of the Party or any third party.

8. **Insurance:** Before commencing work on this Agreement the Party must provide certificates of insurance to show that the following minimum coverages are in effect. It is the responsibility of the Party to maintain current certificates of insurance on file with the State through the term of this Agreement. No warranty is made that the coverages and limits listed herein are adequate to cover and protect the interests of the Party for the Party's operations. These are solely minimums that have been established to protect the interests of BBF and the State.

Workers Compensation. With respect to all operations performed, the Party shall carry workers' compensation insurance in accordance with the laws of the State of Vermont. Vermont will accept an out-of-state employer's workers' compensation coverage while operating in Vermont provided that the insurance carrier is licensed to write insurance in Vermont and an amendatory endorsement is added to the policy adding Vermont for coverage purposes. Otherwise, the party shall secure a Vermont workers' compensation policy, if necessary to comply with Vermont law.

General Liability and Property Damage. With respect to all operations performed under this Agreement, the Party shall carry general liability insurance having all major divisions of coverage including, but not limited to:

Premises - Operations

Products and Completed Operations

Personal Injury Liability

Contractual Liability

The policy shall be on an occurrence form and limits shall not be less than:

\$1,000,000 Each Occurrence

\$2,000,000 General Aggregate

\$1,000,000 Products/Completed Operations Aggregate

\$1,000,000 Personal & Advertising Injury

Automotive Liability. The Party shall carry automotive liability insurance covering all motor vehicles, including hired and non-owned coverage, used in connection with the Agreement. Limits of coverage shall not be less than \$500,000 combined single limit. If performance of this Agreement involves construction, or the transport of persons or hazardous materials, limits of coverage shall not be less than \$1,000,000 combined single limit.

Additional Insured. The General Liability and Property Damage coverages required for performance of this Agreement shall include

BBF, the State of Vermont and its agencies, departments, officers and employees as Additional Insureds. If performance of this Agreement involves construction, or the transport of persons or hazardous materials, then the required Automotive Liability coverage shall include BBF, the State of Vermont and its agencies, departments, officers and employees as Additional Insureds. Coverage shall be primary and non-contributory with any other insurance and self-insurance.

Notice of Cancellation or Change. There shall be no cancellation, change, potential exhaustion of aggregate limits or non-renewal of insurance coverage(s) without thirty (30) days prior written notice to BBF.

9. **Reliance by BBF on Representations:** All payments by BBF under this Agreement will be made in reliance upon the accuracy of all representations made by the Party in accordance with this Agreement, including but not limited to bills, invoices, progress reports and other proofs of work.
10. **False Claims Act:** The Party acknowledges that it is subject to the Vermont False Claims Act as set forth in 32 V.S.A. § 630 et seq. If the Party violates the Vermont False Claims Act it shall be liable to the State for civil penalties, treble damages and the costs of the investigation and prosecution of such violation, including attorney's fees, except as the same may be reduced by a court of competent jurisdiction. The Party's liability to the State under the False Claims Act shall not be limited notwithstanding any agreement of BBF and/or the State to otherwise limit Party's liability.
11. **Whistleblower Protections:** The Party shall not discriminate or retaliate against one of its employees or agents for disclosing information concerning a violation of law, fraud, waste, abuse of authority or acts threatening health or safety, including but not limited to allegations concerning the False Claims Act. Further, the Party shall not require such employees or agents to forego monetary awards as a result of such disclosures, nor should they be required to report misconduct to the Party or its agents prior to reporting to any governmental entity and/or the public.
12. **Location of State Data:** No State data received, obtained, or generated by the Party in connection with performance under this Agreement shall be processed, transmitted, stored, or transferred by any means outside the continental United States, except with the express written permission of the State.
13. **Records Available for Audit:** The Party shall maintain all records pertaining to performance under this agreement. "Records" means any written or recorded information, regardless of physical form or characteristics, which is produced or acquired by the Party in the performance of this agreement. Records produced or acquired in a machine readable electronic format shall be maintained in that format. The records described shall be made available at reasonable times during the period of the Agreement and for three years thereafter or for any period required by law for inspection by any authorized representatives of BBF, the State, or Federal Government. If any litigation, claim, or audit is started before the expiration of the three-year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved.
14. **Fair Employment Practices and Americans with Disabilities Act:** Party agrees to comply with the requirement of 21 V.S.A. Chapter 5, Subchapter 6, relating to fair employment practices, to the full extent applicable. Party shall also ensure, to the full extent required by the Americans with Disabilities Act of 1990, as amended, that qualified individuals with disabilities receive equitable access to the services, programs, and activities provided by the Party under this Agreement.
15. **Set Off:** The State may set off any sums which the Party owes the State against any sums due the Party under this Agreement; provided, however, that any set off of amounts due the State of Vermont as taxes shall be in accordance with the procedures more specifically provided hereinafter.
16. **Taxes Due to the State:**
 - A. Party understands and acknowledges responsibility, if applicable, for compliance with State tax laws, including income tax withholding for employees performing services within the State, payment of use tax on property used within the State, corporate and/or personal income tax on income earned within the State.
 - B. Party certifies under the pains and penalties of perjury that, as of the date this Agreement is signed, the Party is in good standing with respect to, or in full compliance with, a plan to pay any and all taxes due the State of Vermont.
 - C. Party understands that final payment under this Agreement may be withheld if the Commissioner of Taxes determines that the Party is not in good standing with respect to or in full compliance with a plan to pay any and all taxes due to the State of Vermont.

D. Party also understands the State may set off taxes (and related penalties, interest and fees) due to the State of Vermont, but only if the Party has failed to make an appeal within the time allowed by law, or an appeal has been taken and finally determined and the Party has no further legal recourse to contest the amounts due.

17. **Taxation of Purchases:** All State purchases must be invoiced tax free. An exemption certificate will be furnished upon request with respect to otherwise taxable items.
18. **Child Support:** (Only applicable if the Party is a natural person, not a corporation or partnership.) Party states that, as of the date this Agreement is signed, he/she:
- A. is not under any obligation to pay child support; or
 - B. is under such an obligation and is in good standing with respect to that obligation; or
 - C. has agreed to a payment plan with the Vermont Office of Child Support Services and is in full compliance with that plan.

Party makes this statement with regard to support owed to any and all children residing in Vermont. In addition, if the Party is a resident of Vermont, Party makes this statement with regard to support owed to any and all children residing in any other state or territory of the United States.

19. **Sub-Agreements:** Party shall not assign, subcontract or subgrant the performance of this Agreement or any portion thereof to any other Party without the prior written approval of BBF. Party shall be responsible and liable to the State for all acts or omissions of subcontractors and any other person performing work under this Agreement pursuant to an agreement with Party or any subcontractor.

In the case this Agreement is a contract with a total cost in excess of \$250,000, the Party shall provide to BBF a list of all proposed subcontractors and subcontractors' subcontractors, together with the identity of those subcontractors' workers compensation insurance providers, and additional required or requested information, as applicable, in accordance with Section 32 of The Vermont Recovery and Reinvestment Act of 2009 (Act No. 54).

Party shall include the following provisions of this Attachment C in all subcontracts for work performed solely for the State of

Vermont and subcontracts for work performed in the State of Vermont: Section 10 ("False Claims Act"); Section 11 ("Whistleblower Protections"); Section 12 ("Location of State Data"); Section 14 ("Fair Employment Practices and Americans with Disabilities Act"); Section 16 ("Taxes Due the State"); Section 18 ("Child Support"); Section 20 ("No Gifts or Gratuities"); Section 22 ("Certification Regarding Debarment"); Section 30 ("State Facilities"); and Section 32.A ("Certification Regarding Use of State Funds").

20. **No Gifts or Gratuities:** Party shall not give title or possession of anything of substantial value (including property, currency, travel and/or education programs) to any officer or employee of the State or of BBF during the term of this Agreement.
21. **Copies:** Party shall use reasonable best efforts to ensure that all written reports prepared under this Agreement are printed using both sides of the paper.
22. **Certification Regarding Debarment:** Party certifies under pains and penalties of perjury that, as of the date that this Agreement is signed, neither Party nor Party's principals (officers, directors, owners, or partners) are presently debarred, suspended, proposed for debarment, declared ineligible or excluded from participation in Federal programs, or programs supported in whole or in part by Federal funds.

Party further certifies under pains and penalties of perjury that, as of the date that this Agreement is signed, Party is not presently debarred, suspended, nor named on the State's debarment list at:
<http://bgs.vermont.gov/purchasing/debarment>

23. **Conflict of Interest:** Party shall fully disclose, in writing, any conflicts of interest or potential conflicts of interest.
24. **Confidentiality:** Party acknowledges and agrees that this Agreement and any and all information obtained by BBF or the State from the Party in connection with this Agreement are subject to the State of Vermont Access to Public Records Act, 1 V.S.A. § 315 et seq.
25. **Force Majeure:** Neither BBF nor the State nor the Party shall be liable to the other for any failure or delay of performance of any obligations under this Agreement to the extent such failure or delay shall have been wholly or principally caused by acts or events beyond its reasonable control rendering performance illegal or impossible (excluding strikes or lock-outs) ("Force Majeure"). Where Force Majeure is asserted, the nonperforming party must prove that it made all reasonable efforts to remove, eliminate or minimize such cause of delay or damages, diligently pursued performance of its obligations under this Agreement, substantially fulfilled all nonexcused obligations, and timely notified the other party of the likelihood or actual occurrence of an event described in this paragraph.
26. **Marketing:** Party shall not refer to BBF and/or the State in any publicity materials, information pamphlets, press releases, research reports, advertising, sales promotions, trade shows, or marketing materials or similar communications to third parties except with the prior written consent of BBF and/or the State.
27. **Termination:**
- A. **Non-Appropriation:** If this Agreement extends into more than one fiscal year of the State (July 1 to June 30), and if appropriations are insufficient to support this Agreement, BBF may cancel at the end of the fiscal year, or otherwise upon the expiration of existing appropriation authority. In the case that this Agreement is a Grant that is funded in whole or in part by Federal funds, and in the event Federal funds become unavailable or reduced, BBF may suspend or cancel this Grant immediately, and BBF shall have no obligation to pay Subrecipient from BBF revenues.
 - B. **Termination for Cause:** Either party may terminate this Agreement if a party materially breaches its obligations under this Agreement, and such breach is not cured within thirty (30) days after delivery of the non-breaching party's notice or such longer time as the nonbreaching party may specify in the notice.
 - C. **Termination Assistance:** Upon nearing the end of the final term or termination of this Agreement, without respect to cause, the Party shall take all reasonable and prudent measures to facilitate any transition required by BBF. All BBF and/or State property, tangible and intangible, shall be returned to BBF upon demand at no additional cost to BBF and/or the State in a format acceptable to BBF and/or the State.
28. **Continuity of Performance:** In the event of a dispute between the Party and BBF, each party will continue to perform its obligations under this Agreement during the resolution of the dispute until this Agreement is terminated in accordance with its terms.
29. **No Implied Waiver of Remedies:** Either party's delay or failure to exercise any right, power or remedy under this Agreement shall not impair any such right, power or remedy, or be construed as a waiver of any such right, power or remedy. All waivers must be in writing.
30. **State Facilities:** If the State makes space available to the Party in any State facility during the term of this Agreement for purposes of the Party's performance under this Agreement, the Party shall only use the space in accordance with all policies and procedures governing access to and use of State facilities which shall be made available upon request. State facilities will be made available to Party on an "AS IS, WHERE IS" basis, with no warranties whatsoever.
31. **Requirements Pertaining Only to Federal Grants and Subrecipient Agreements:** If this Agreement is a grant that is funded in whole or in part by Federal funds:

- A. Requirement to Have a Single Audit: The Subrecipient will complete the Subrecipient Annual Report annually within 45 days after its fiscal year end, informing the State of Vermont whether or not a Single Audit is required for the prior fiscal year. If a Single Audit is required, the Subrecipient will submit a copy of the audit report to the granting Party within 9 months. If a single audit is not required, only the Subrecipient Annual Report is required.

For fiscal years ending before December 25, 2015, a Single Audit is required if the subrecipient expends \$500,000 or more in

Federal assistance during its fiscal year and must be conducted in accordance with OMB Circular A-133. For fiscal years ending

on or after December 25, 2015, a Single Audit is required if the subrecipient expends \$750,000 or more in Federal assistance during its fiscal year and must be conducted in accordance with 2 CFR Chapter I, Chapter II, Part 200, Subpart F. The Subrecipient Annual Report is required to be submitted within 45 days, whether or not a Single Audit is required.

- B. Internal Controls: In accordance with 2 CFR Part II, §200.303, the Party must establish and maintain effective internal control over the Federal award to provide reasonable assurance that the Party is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the award. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- C. Mandatory Disclosures: In accordance with 2 CFR Part II, §200.113, Party must disclose, in a timely manner, in writing to the State, all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Failure to make required disclosures may result in the imposition of sanctions which may include disallowance of costs incurred, withholding of payments, termination of the Agreement, suspension/debarment, etc.

32. Requirements Pertaining Only to State-Funded Grants:

- A. Certification Regarding Use of State Funds: If Party is an employer and this Agreement is a State-funded grant in excess of \$1,001, Party certifies that none of these State funds will be used to interfere with or restrain the exercise of Party’s employee’s rights with respect to unionization.
- B. Good Standing Certification (Act 154 of 2016): If this Agreement is a State-funded grant, Party hereby represents: (i) that it has signed and provided to the State the form prescribed by the Secretary of Administration for purposes of certifying that it is in good standing (as provided in Section 13(a)(2) of Act 154) with the Agency of Natural Resources and the Agency of Agriculture, Food and Markets, or otherwise explaining the circumstances surrounding the inability to so certify, and (ii) that it will comply with the requirements stated therein.

(End of Standard Provisions)

ATTACHMENT D

BBF PROVISIONS FOR GRANTS IN ACCORDANCE WITH AGENCY OF HUMAN SERVICES' CUSTOMARY CONTRACT/GRANT PROVISIONS

1. **Definitions:** For purposes of this Attachment D, the term "Agreement" shall mean the form of the contract or grant, with all of its parts, into which this Attachment D is incorporated. The meaning of the term "Party" when used in this Attachment D shall mean any named party to this Agreement other than the State of Vermont, the Agency of Human Services (AHS) and any of the departments, boards, offices and business units named in this Agreement. As such, the term "Party" shall mean, when used in this Attachment D, the Contractor or Grantee with whom Building Bright Futures is executing this Agreement. If Party, when permitted to do so under this Agreement, seeks by way of any subcontract, sub-grant or other form of provider agreement to employ any other person or entity to perform any of the obligations of Party under this Agreement, Party shall be obligated to ensure that all terms of this Attachment D are followed. As such, the term "Party" as used herein shall also be construed as applicable to, and describing the obligations of, any subcontractor, sub-recipient or subgrantee of this Agreement. Any such use or construction of the term "Party" shall not, however, give any subcontractor, sub-recipient or sub-grantee any substantive right in this Agreement without an express written agreement to that effect by the State of Vermont.
2. **Agency of Human Services:** The Agency of Human Services is responsible for overseeing all contracts and grants entered by any of its departments, boards, offices and business units, however denominated. The Agency of Human Services, through the business office of the Office of the Secretary, and through its Field Services Directors, will share with any named AHS-associated party to this Agreement oversight, monitoring and enforcement responsibilities. Party agrees to cooperate with both the named AHS-associated party to this contract and with the Agency of Human Services itself with respect to the resolution of any issues relating to the performance and interpretation of this Agreement, payment matters and legal compliance.
3. **Medicaid Program Parties** (*applicable to any Party providing services and supports paid for under Vermont's Medicaid program and Vermont's Global Commitment to Health Waiver*):

Inspection and Retention of Records: In addition to any other requirement under this Agreement or at law, Party must fulfill all state and federal legal requirements, and will comply with all requests appropriate to enable the Agency of Human Services, the U.S. Department of Health and Human Services (along with its Inspector General and the Centers for Medicare and Medicaid Services), the Comptroller General, the Government Accounting Office, or any of their designees: (i) to evaluate through inspection or other means the quality, appropriateness, and timeliness of services performed under this Agreement; and (ii) to inspect and audit any records, financial data, contracts, computer or other electronic systems of Party relating to the performance of services under Vermont's Medicaid program and Vermont's Global Commitment to Health Waiver. Party will retain for ten years all documents required to be retained pursuant to 42 CFR 438.3(u).

Subcontracting for Medicaid Services: Notwithstanding any permitted subcontracting of services to be performed under this

Agreement, Party shall remain responsible for ensuring that this Agreement is fully performed according to its terms, that subcontractor remains in compliance with the terms hereof, and that subcontractor complies with all state and federal laws and regulations relating to the Medicaid program in Vermont. Subcontracts, and any service provider agreements entered into by Party in connection with the performance of this Agreement, must clearly specify in writing the responsibilities of the subcontractor or other service provider and Party must retain the authority to revoke its subcontract or service provider agreement or to impose other sanctions if the performance of the subcontractor or service provider is inadequate or if its performance deviates from any requirement of this Agreement. Party shall make available on request all contracts, subcontracts and service provider agreements between the Party, subcontractors and other service providers to the Agency of Human Services and any of its departments as well as to the Center for Medicare and Medicaid Services.

Medicaid Notification of Termination Requirements: Party shall follow the Department of Vermont Health Access Managed-Care Organization enrollee notification requirements, to include the requirement that Party provide timely notice of any termination of its practice.

Encounter Data: Party shall provide encounter data to the Agency of Human Services and/or its departments and ensure further that the data and services provided can be linked to and supported by enrollee eligibility files maintained by the State.

Federal Medicaid System Security Requirements Compliance: Party shall provide a security plan, risk assessment, and security controls review document within three months of the start date of this Agreement (and update it annually thereafter) in order to support audit compliance with 45 CFR 95.621 subpart F, ADP System Security Requirements and Review Process.

4. **Workplace Violence Prevention and Crisis Response** (*applicable to any Party and any subcontractors and sub-grantees whose employees or other service providers deliver social or mental health services directly to individual recipients of such services*):

Party shall establish a written workplace violence prevention and crisis response policy meeting the requirements of Act 109 (2016), 33 VSA §8201(b), for the benefit of employees delivering direct social or mental health services. Party shall, in preparing its policy, consult with the guidelines promulgated by the U.S. Occupational Safety and Health Administration for Preventing Workplace Violence for Healthcare and Social Services Workers, as those guidelines may from time to time be amended.

Party, through its violence protection and crisis response committee, shall evaluate the efficacy of its policy, and update the policy as appropriate, at least annually. The policy and any written evaluations thereof shall be provided to employees delivering direct social or mental health services.

Party will ensure that any subcontractor and sub-grantee who hires employees (or contracts with service providers) who deliver social or mental health services directly to individual recipients of such services, complies with all requirements of this Section.

5. **Non-Discrimination:**

Party shall not discriminate, and will prohibit its employees, agents, subcontractors, sub-grantees and other service providers from discrimination, on the basis of age under the Age Discrimination Act of 1975, on the basis of handicap under section 504 of the Rehabilitation Act of 1973, on the basis of sex under Title IX of the Education Amendments of 1972, and on the basis of race, color or national origin under Title VI of the Civil Rights Act of 1964. Party shall not refuse, withhold from or deny to any person the benefit of services, facilities, goods, privileges, advantages, or benefits of public accommodation on the basis of disability, race, creed, color, national origin, marital status, sex, sexual orientation or gender identity as provided by Title 9 V.S.A. Chapter 139.

No person shall on the grounds of religion or on the grounds of sex (including, on the grounds that a woman is pregnant), be excluded from participation in, be denied the benefits of, or be subjected to discrimination, to include sexual harassment, under any program or activity supported by State of Vermont and/or federal funds.

No person shall on the grounds of religion or on the grounds of sex (including, on the grounds that a woman is pregnant), be excluded from participation in, be denied the benefits of, or be subjected to discrimination, to include sexual harassment, under any program or activity supported by State of Vermont and/or federal funds.

6. **Employees and Independent Contractors:**

Party agrees that it shall comply with the laws of the State of Vermont with respect to the appropriate classification of its workers and service providers as “employees” and “independent contractors” for all purposes, to include for purposes related to unemployment compensation insurance and workers compensation coverage, and proper payment and reporting of wages. Party agrees to ensure that

all of its subcontractors or sub-grantees also remain in legal compliance as to the appropriate classification of “workers” and “independent contractors” relating to unemployment compensation insurance and workers compensation coverage, and proper payment and reporting of wages. Party will on request provide to BBF and/or the Agency of Human Services information pertaining to the classification of its employees to include the basis for the classification. Failure to comply with these obligations may result in termination of this Agreement.

7. Data Protection and Privacy:

Protected Health Information: Party shall maintain the privacy and security of all individually identifiable health information acquired by or provided to it as a part of the performance of this Agreement. Party shall follow federal and state law relating to privacy and security of individually identifiable health information as applicable, including the Health Insurance Portability and Accountability Act (HIPAA) and its federal regulations.

Substance Abuse Treatment Information: Substance abuse treatment information shall be maintained in compliance with 42 C.F.R. Part 2 if the Party or subcontractor(s) are Part 2 covered programs, or if substance abuse treatment information is received from a Part 2 covered program by the Party or subcontractor(s).

Protection of Personal Information: Party agrees to comply with all applicable state and federal statutes to assure protection and security of personal information, or of any personally identifiable information (PII), including the Security Breach Notice Act, 9 V.S.A. § 2435, the Social Security Number Protection Act, 9 V.S.A. § 2440, the Document Safe Destruction Act, 9 V.S.A. § 2445 and 45 CFR 155.260. As used here, PII shall include any information, in any medium, including electronic, which can be used to distinguish or trace an individual’s identity, such as his/her name, social security number, biometric records, etc., either alone or when combined with any other personal or identifiable information that is linked or linkable to a specific person, such as date and place or birth, mother’s maiden name, etc.

Other Confidential Consumer Information: Party agrees to comply with the requirements of AHS Rule No. 08-048 concerning access to and uses of personal information relating to any beneficiary or recipient of goods, services or other forms of support. Party further agrees to comply with any applicable Vermont State Statute and other regulations respecting the right to individual privacy. Party shall ensure that all of its employees, subcontractors and other service providers performing services under this agreement understand and preserve the sensitive, confidential and non-public nature of information to which they may have access.

Data Breaches: Party shall report to AHS, through its Chief Information Officer (CIO), any impermissible use or disclosure that compromises the security, confidentiality or privacy of any form of protected personal information identified above within 24 hours of the discovery of the breach. Party shall in addition comply with any other data breach notification requirements required under federal or state law.

8. Abuse and Neglect of Children and Vulnerable Adults:

Abuse Registry: Party agrees not to employ any individual, to use any volunteer or other service provider, or to otherwise provide reimbursement to any individual who in the performance of services connected with this agreement provides care, custody, treatment, transportation, or supervision to children or to vulnerable adults if there has been a substantiation of abuse or neglect or exploitation involving that individual. Party is responsible for confirming as to each individual having such contact with children or vulnerable adults the non-existence of a substantiated allegation of abuse, neglect or exploitation by verifying that fact through (a) as to vulnerable adults, the Adult Abuse Registry maintained by the Department of Disabilities, Aging and Independent Living and (b) as to children, the Central Child Protection Registry (unless the Party holds a valid child care license or registration from the Division of Child Development, Department for Children and Families). See 33 V.S.A. §4919(a)(3) and 33 V.S.A. §6911(c)(3).

Reporting of Abuse, Neglect, or Exploitation: Consistent with provisions of 33 V.S.A. §4913(a) and §6903, Party and any of its agents or employees who, in the performance of services connected with this agreement, (a) is a caregiver or has any other contact with clients and (b) has reasonable cause to believe that a child or vulnerable adult has been abused or neglected as defined in Chapter 49 or abused, neglected, or exploited as defined in Chapter 69 of Title 33 V.S.A. shall: as to children, make a report containing the information required by 33 V.S.A. §4914 to the Commissioner of the Department for Children and Families within 24 hours; or, as to a vulnerable adult, make a report containing the information required by 33 V.S.A. §6904 to the Division of Licensing and Protection at the Department of Disabilities, Aging, and Independent Living within 48 hours. Party will ensure that its agents or employees receive training on the reporting of abuse or neglect to children and abuse, neglect or exploitation of vulnerable adults.

9. Information Technology Systems:

Computing and Communication: Party shall select, in consultation with the Agency of Human Services' Information Technology unit, one of the approved methods for secure access to the State's systems and data, if required. Approved methods are based on the type of work performed by the Party as part of this agreement. Options include, but are not limited to:

1. Party's provision of certified computing equipment, peripherals and mobile devices, on a separate Party's network with separate internet access. The Agency of Human Services' accounts may or may not be provided.
2. State supplied and managed equipment and accounts to access state applications and data, including State issued active directory accounts and application specific accounts, which follow the National Institutes of Standards and Technology (NIST) security and the Health Insurance Portability & Accountability Act (HIPAA) standards.

Intellectual Property/Work Product Ownership: All data, technical information, materials first gathered, originated, developed, prepared, or obtained as a condition of this agreement and used in the performance of this agreement -- including, but not limited to all reports, surveys, plans, charts, literature, brochures, mailings, recordings (video or audio), pictures, drawings, analyses, graphic representations, software computer programs and accompanying documentation and printouts, notes and memoranda, written procedures and documents, which are prepared for or obtained specifically for this agreement, or are a result of the services required under this grant -- shall be considered "work for hire" and remain the property of the State of Vermont, regardless of the state of completion unless otherwise specified in this agreement. Such items shall be delivered to the State of Vermont upon 30-days notice by the State. With respect to software computer programs and/or source codes first developed for the State, all the work shall be considered "work for hire," i.e., the State, not the Party (or subcontractor or sub-grantee), shall have full and complete ownership of all software computer programs, documentation and/or source codes developed.

Party shall not sell or copyright a work product or item produced under this agreement without explicit permission from the State of Vermont.

If Party is operating a system or application on behalf of BBF and/or the State of Vermont, Party shall not make information entered into the system or application available for uses by any other party than BBF and/or the State of Vermont, without prior authorization by BBF and/or the State. Nothing herein shall entitle BBF and/or the State to pre-existing Party's materials.

Party acknowledges and agrees that should this agreement be in support of the State's implementation of the Patient Protection and Affordable Care Act of 2010, Party is subject to the certain property rights provisions of the Code of Federal Regulations and a Grant from the Department of Health and Human Services, Centers for Medicare & Medicaid Services. Such agreement will be subject to, and incorporates here by reference, 45 CFR 74.36, 45 CFR 92.34 and 45 CFR 95.617 governing rights to intangible property.

Security and Data Transfers: Party shall comply with all applicable State and Agency of Human Services' policies and standards, especially those related to privacy security. BBF and/or the State will advise the Party of any new policies, procedures, or protocols developed during the term of this agreement as they are issued and will work with the Party to implement any required.

Party will ensure the physical and data security associated with computer equipment, including desktops, notebooks, and other portable devices, used in connection with this Agreement. Party will also assure that any media or mechanism used to store or transfer data to or from BBF and/or the State includes industry standard security mechanisms such as continually up-to-date malware protection and encryption. Party will make every reasonable effort to ensure media or data files transferred to BBF and/or the State are virus and spyware free. At the conclusion of this agreement and after successful delivery of the data to BBF and/or the State, Party shall securely delete data (including archival backups) from Party's equipment that contains individually identifiable records, in accordance with standards adopted by the Agency of Human Services.

Party, in the event of a data breach, shall comply with the terms of Section 7 above.

10. Other Provisions:

Environmental Tobacco Smoke: Public Law 103-227 (also known as the Pro-Children Act of 1994) and Vermont's Act 135 (2014) (An act relating to smoking in lodging establishments, hospitals, and child care facilities, and on State lands) restrict the use of tobacco products in certain settings. Party shall ensure that no person is permitted: (i) to use tobacco products or tobacco substitutes as defined in 7 V.S.A. § 1001 on the premises, both indoor and outdoor, of any licensed child care center or afterschool program at any time; (ii) to use tobacco products or tobacco substitutes on the premises, both indoor and in any outdoor area designated for child care, health or day care services, kindergarten, pre-kindergarten, elementary, or secondary education or library services; and (iii) to use tobacco products or tobacco substitutes on the premises of a licensed or registered family child care home while children are present and in care. Party will refrain from promoting the use of tobacco products for all clients and from making tobacco products available to minors.

Failure to comply with the provisions of the federal law may result in the imposition of a civil monetary penalty of up to \$1,000 for each violation and/or the imposition of an administrative compliance order on the responsible entity. The federal Pro-Children Act of 1994, however, does not apply to portions of facilities used for inpatient drug or alcohol treatment; service providers whose sole source of applicable federal funds is Medicare or Medicaid; or facilities where Women, Infants, & Children (WIC) coupons are redeemed.

2-1-1 Database: If Party provides health or human services within Vermont, or if Party provides such services near the Vermont border readily accessible to residents of Vermont, Party shall adhere to the "Inclusion/Exclusion" policy of Vermont's United Way/Vermont 211 (Vermont 211), and will provide to Vermont 211 its agency, programs and/or contact information as well as accurate and up to date information to its database as requested. The "Inclusion/Exclusion" policy can be found at www.vermont211.org.

Voter Registration: When designated by the Secretary of State, Party agrees to become a voter registration agency as defined by 17 V.S.A. §2103 (41), and to comply with the requirements of state and federal law pertaining to such agencies.

Drug Free Workplace Act: Party will assure a drug-free workplace in accordance with 45 CFR Part 76.

Lobbying: No federal funds under this agreement may be used to influence or attempt to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, continuation, renewal, amendments other than federal appropriated funds.

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, BBF and/or AHS - VDH Vermont Department of Health (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.10 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Electronic Record and Signature Disclosure created on: /sd1/

Parties agreed to: Dr. Morgan Crossman, /nn1/

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact BBF:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and

disclosures electronically as follows: To contact BBF by email send messages to:
mkersey@buildingbrightfutures.org

To advise BBF of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at mkersey@buildingbrightfutures.org and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from BBF

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to mkersey@buildingbrightfutures.org and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with BBF

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to mkersey@buildingbrightfutures.org and in the body of such request indicate that you no longer wish to receive future notices and disclosures in electronic format, and you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process.

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system. By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
 - You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify BBF as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by BBF during the course of your relationship with BBF

Attachment D
Draft Agreement
*Pending attorney approval

Board of Finance and City Council Submission Checklist

Department: Business & Workforce Development Submitter: Kara Alnasrawi

Title/Subject: Acceptance of \$15,000 VECF Grant for Early Childhood Workforce Training

	Approval:	Meeting Date:
☐	Board of Finance	Click or tap to enter a date.
☐	City Council	Click or tap to enter a date.
☒	Concurrent	6/3/2024

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	5/7/2024	Kara Alnasrawi
Mayor's Office informed and approved memo	Yes	5/29/2024	Joe Magee
Board/Commission, if required	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Yes	5/28/2024	Hayley McClenahan
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	5/28/2024	Hayley McClenahan
CAO has reviewed budget, financing, and memo	Yes	5/28/2024	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	Choose an item.	Click or tap here to enter text.
Additional Materials, if necessary	Yes	Click or tap here to enter text.
Draft Resolution or Motion?	Yes	Language in memo
If for submission to Council, are sponsors identified?	Yes	Board of Finance

City of Burlington

2024 Legislative Summary

Volume 20-2024

May 28, 2024

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Copies of Bills: Hyperlinked Below or Access the Legislative Website at www.leg.state.vt.us

The Vermont General Assembly adjourned in the early morning hours of Saturday, May 11, capping a busy and challenging session to a close. The Legislature will, however, reconvene on June 17 and 18 to address bills vetoed by Governor Scott, of which we are expecting several. Once reconvened, the Legislature is free to take up any issue, including any of those left on the Calendars before time ran out. Recent history has shown, however, that veto sessions tend to be narrow and focused on the bills subject to veto override. Those bills facing potential vetoes include the following:

- [H.72](#) that creates an overdose prevention center PILOT in Burlington for individuals to take illegal drugs but under the presence of trained professionals.
- [H.289](#) that increases the amount of total renewable energy required of the State's electric utilities pursuant to the Renewable Energy Standard. (Vetoed)
- [H.887](#) that sets the annual property tax rates and yields necessary to support K-12 education across the State but that does so through a property tax increase of just under 14% on average across all properties despite infusion of new revenues through, in part, applying a 6% sales tax to purchases of prewritten software and a 3.0% surcharge on short-term rentals.

The Governor has not been hesitant to exercise his veto authority in years past on bills likely to be vetoed, but also a few unexpected vetoes. This year he may also return:

- [H.121](#) that creates a new Vermont Data Privacy Act that will govern the scope of nonpublic personal information collected by various entities, the use of that information consistent with permitted purposes, the use beyond those permitted purposes absent consumer permission, and enforcement measures, including a limited private right of action for individuals claiming violations of their privacy under the new Act.
- H.687 that addresses housing development and Act 250 reform or exemptions related to the same that may be returned not for what is in the bill but that the Governor feels may not go far enough to address the current housing crisis.

- [H.706](#) that provides a person shall not sell, offer for sale or use, distribute, or use any neonicotinoid treated article seed for soybeans or for any crop in the cereal grains crop group, and further bans the use of neonicotinoid pesticides. (Vetoed)
- [S.213](#) that represents one of several bills passed in response to last year's flooding and amends provisions related to wetlands, river corridor development, and dam safety, but that also imposes new responsibilities on the Agency of Natural Resources.

The supermajorities held by Democrats in both the House and Senate provide the capacity for leadership to override those bills returned, provided leadership is able to hold their caucuses together as a bloc. We need to look only to last year when the Legislature overrode five vetoes in a single day as evidence they are able to do so. Each bill is different, however, and the political calculus is always a factor, particularly in an election year.

Gov. Scott referenced these supermajorities in his recent announcement to seek a fifth term as Governor, saying to the public more moderation in the Legislature is needed. His voter favorability numbers remain among the highest, if not the highest, in the nation in recent polling. No serious opponent to the Governor has yet to emerge though candidates have until the end of the month to file their petitions.

We could still see some surprises among candidates or incumbent legislators between now and then, as evidenced by the recent announcement by Sen. Jane Kitchel (D-Caledonia), arguably the most influential lawmaker in the Legislature, saying she will retire after twenty years in the Senate. Her announcement, along with others in the Senate and House, portend an active campaign season and a different General Assembly next year.

Here is a summary of bills and issues relevant to the City that passed this session. We will also provide additional updates as we approach the veto session, and its outcome.

BILLS THAT PASSED

HOUSING

Budget Bill/Emergency Housing – Effective Date: July 1, 2024 - The FY25 Budget Bill, [H.883](#), contains a number of housing and emergency housing appropriations. The bill includes:

- \$7.5M GF for Emergency Housing in addition to a \$16.5M GF one-time appropriation and a \$20M GF contingent appropriation
- \$7.2M GF to the Department for Children and Families' (DCF) Office of Economic Opportunity for shelter bed expansion
- An additional \$753K to support programs for homeless youth
- A \$10M contingent appropriation for shelter beds and permanent supportive housing
- \$25.8M to DCF for the Housing Opportunity Grant Program (HOP)
- \$900K GF for the State Refugee Office to support transitional housing for refugees

The Budget Bill also contains language related to the General Assistance Emergency Housing program, including eligibility and conditions or parameters, continued use of hotels/motels, use in adverse weather, and more. There is also a Task Force created to study a number of related issues, including household eligibility, maximum days of eligibility, application, notice, and appeals processes, participant requirements, annual reporting requirements, and the process to establish a single, statewide, unified coordinated entry system. A report is due back to the Legislature by January 15, 2025, with findings and any recommendations. The

complete language for all can be found beginning in Sec. E.321 found on page 192 of the link above. A Senate proposal to cap the number of eligible for assistance during the winter months did not pass, but the eligibility criteria was tightened.

Housing/Act 250 – Effective Date: Varies - H.687 is the main bill addressing housing development and Act 250 reform or exemptions related to the same. The bill contains new designations that are intended to provide flexibility and remove duplicative review; municipal zoning amendments provided for the same purpose; revisions to the Act 250 appeals process to address scope and cost; enhanced funding for housing programs; revising information a landlord is required to provide on rentals and short-term rentals with new disclosures; requiring certain flood risk disclosures in property conveyances; and requiring rent increase notices to tenants by owners of privately-owned age restricted residential property. The bill contains new, tiered designations that are intended to provide flexibility and remove duplicative review. Tier 1A provides such an exemption for designated areas in municipalities that have such infrastructure and local zoning review. The bill also contains interim exemptions over the next three years to facilitate immediate housing construction, and includes one that provides until July 1, 2027, no permit or permit amendment is required for the construction of housing projects such as cooperatives, condominiums, dwellings, or mobile homes, with 50 or fewer units, constructed or maintained on a tract or tracts of land of 10 acres or less, located entirely within a designated village center with permanent zoning and subdivision bylaws or within one-quarter mile of its boundary provided it is located within the same municipality or located entirely within areas of municipalities that are within a census-designated urbanized area with over 50,000 residents and within one-quarter mile of a transit route. The bill also contains several [tax provisions](#) aimed at new construction and rehabilitating properties for certain qualifying properties, allowing a temporary freeze of certain flood-impacted properties, property transfer tax amendments, and more.

Property Transfer Tax – Effective Date: August 1, 2024 – As referenced above, H.687 contains amendments to the property transfer tax. Those include increases in the minimum threshold before a tax is imposed, and a new 3.4% rate on transfers of: residential property that is fit for habitation on a year-round basis; will not be used as the principal residence of the transferee; and for which the transferee will not be required to provide a landlord certificate. Additional proceeds from the tax are used to support certain housing programs.

Education Finance/Property Taxes/Cloud Tax/Short-Term Rental Tax – Effective Date: Varies - [H.887](#) is an education funding bill that sets the annual property tax rates and yields necessary to support K-12 education across the State. The bill also contains a new tax that assesses a sales tax to purchases of prewritten software (the so-called “cloud tax”) raising about \$15 million; and another assessing 3.0% surcharge on short-term rentals raising about \$12 million. These taxes, fund transfers and a one-time infusion of \$25 million in General Funds, are intended to help to buy down the looming property tax increase needed to support education spending to just under 14% on average across all properties. The bill also contains a one-time increase in the property tax credit for certain taxpayers intended to mitigate the pending increase. Lastly, the bill creates the Commission on the Future of Public Education in Vermont to study and report back on education governance, funding needs, potential cost containment, and more.

PUBLIC SAFETY

Retail Theft – Effective Date: July 1, 2024 - [H.534](#) contains a schedule of escalating penalties for retail theft and repeated violations, but with exceptions if a subsequent offense occurs beyond six months for the first offense, and more than two years after the subsequent offenses.

Drug Crimes/Public Safety – Effective Date: Varies – [S.58](#) is an omnibus public safety bill that amends the drug laws related to, for example, dispensing or selling a regulated drug with death resulting, and adding xylazine to the list of regulated drugs and subject to such penalties. The bill also includes so-called Raise the Age

provisions that address when an individual is subject to the jurisdiction of the Family Division of Superior Court to the Criminal Division, and applies certain of the so-called Big 12 crimes to 16-18 year olds.

Bail and Conditions of Release – Effective Date: Upon Passage – [S.195](#) makes a series of amendments to bail, release prior to trial, electronic monitoring, home detention, and other matters related to conditions of release.

Expungement and Sealing of Criminal History Records – Effective Date: Upon Passage – [H.655](#) was revised to only direct the Chief Superior Judge, in consultation with the Attorney General, the Department of State’s Attorneys and Sheriffs, the Office of the Defender General, and the Department of Corrections, to examine and report back on the laws and procedures of other states regarding petitionless sealing of criminal history records and provide a recommendation to establish a mechanism for petitionless sealing and any resources required for the recommendation to be implemented. The House-passed version was more ambitious and proposed to expand the list of offenses that may qualify for sealing upon petition, shift offenses that are currently expungable to sealable, and make amendments to who may access sealed criminal history records and under what circumstances.

Restorative Justice – Effective Date: Varies – [H.645](#) looks to alternative approaches to restorative justice, including juvenile and adult court diversion programs and barriers to access such programs. The bill also creates the Post-Adjudication Reparative Program Working Group to create a Post-Adjudication Reparative Program (the Program) that promotes uniform access to the appropriate community-based service providers for individuals sentenced to reparative boards and probation. The Working Group shall also study establishing a stable and reliable funding structure to support the operation of the appropriate community-based service providers. Reports on progress are due back at staggered intervals to the Legislature and other oversight committees.

Auto Theft – Effective Date: July 1, 2024 - [H.563](#) contains violations and penalties for entering a motor vehicle of another without authorization or consent of the owner, and operating a motor vehicle without the consent of the owner. The amendments close loopholes in the underlying statute.

Unserialized or “Ghost” Weapons – Effective Date: Varies – [S.209](#) prohibits a person to possess, transfer, or offer to transfer an unfinished frame or receiver, or firearm, unless they have been imprinted with a serial number by a federal firearms licensee, or manufacture a firearm or frame or receiver of a firearm, including by a three-dimensional printer, that is not imprinted with a serial number by a federal firearms licensee. The bill also prohibits firearms at polling places, and contains a study of whether or not a municipality may adopt an ordinance that prohibits the possession of a firearm within a municipal building or portion of a municipal building.

Law Enforcement Officers’ Code of Conduct – Effective Date: Varies – [H.872](#) directs the Vermont Criminal Justice Training Council by December 31, 2024, to create, implement, and modify by rule a statewide policy known as the Law Enforcement Officers’ Code of Conduct. Each law enforcement officer, as a condition for obtaining and maintaining certification, shall then comply with the provisions of the Code of Conduct.

SUBSTANCE USE< PREVENTION AND TREATMENT

Overdose Prevention Centers – Effective Date: Upon signature of the Governor, though a veto is anticipated. - [H.72](#) authorizes one overdose prevention center in Burlington and \$1.1 million in funding to come from opioid settlement funds with additional intent language that says continued funding for the PILOT will continue to come from the opioid settlement fund. It also includes language that requires trained professionals on site. Lastly, the bill contains immunity provisions for the center and its staff, and from individuals for possession of drugs, but such immunity is limited for that purpose and does not extend further, such as to civil violations outside of the center.

Budget Bill – Effective Date: July 1, 2024 - The FY25 Budget Bill, [H.883](#), contains a number of appropriations related to public health, including:

- \$2M from the Evidence Based Education Fund for naloxone distribution
- \$6.1M of Opioid Settlement Fund for substance use prevention and treatment directed as follows:
 - \$1,060,000 Opioid Abatement Special Fund for a program administered by Vermont’s 13 recovery centers in collaboration with the Department of Corrections to provide recovery support to those in correctional facilities, post-incarceration, and involved in probation and parole;
 - \$1,000,000 Opioid Abatement Special Fund for grants to providers to establish community-based stabilization beds for individuals transitioning between substance use disorder residential treatment and the recovery system;
 - \$800,000 Opioid Abatement Special Fund for grants to providers for ongoing support for contingency management;
 - \$795,000 Opioid Abatement Special Fund for prevention coalitions;
 - \$714,481 Opioid Abatement Special Fund to expand Student Assistance Professional and school-based services;
 - \$325,000 Opioid Abatement Special Fund for recovery housing supports;
 - \$300,000 Opioid Abatement Special Fund for a grant to Johnson Health Center and Vermonters for Criminal Justice Reform to establish a managed medical response partnership for individuals with substance use disorder;
 - \$835,073 General Fund for the Bridges to Health program; and
 - \$400,000 General Fund for the Vermont Household Health Insurance Survey.

Recovery Residences – Effective Date: July 1, 2024 – [S.186](#) contains several amendments related to recovery residences, including: directing the Department of Health, in consultation with State agencies and community partners, to develop and recommend a certification program for recovery residences operating in the State that choose to obtain certification, and which shall incorporate those elements of the existing certification program operated by the Vermont Alliance for Recovery Residences; directing the Department of Health to complete an assessment of certified and noncertified recovery residences in the State; providing authority to a recovery residence may immediately exit or transfer a resident if certain conditions are met; and a series of reports, findings, and recommendations due back to the Legislature.

TRANSPORTATION/PUBLIC TRANSIT

FY25 Transportation Budget Bill – Effective Date: July 1, 2024 – [H.868](#) passed in the final days of the session and will next be sent to the Governor for consideration. The annual transportation appropriation bill contains appropriations for transportation infrastructure, programs, administration, and modes of transportation, including public transit, aviation and rail. Specific provisions include:

- Directs VTrans, through the use of a hired consultant, to conduct a study of broader transportation revenues and alternatives to the existing sources of revenue. The consultant shall consider and evaluate issues related to transportation funding in order to identify mechanisms to sufficiently fund transportation projects and operations.
- Another study directing the Agency of Natural Resources, specifically the Climate Action Office, and the Agency of Transportation, in consultation with the State Treasurer; the Departments of Finance and Management, of Motor Vehicles, and of Taxes; and the Vermont Climate Council, shall prepare a written analysis of policy and investment scenarios to reduce emissions in the transportation sector in Vermont and meet the greenhouse gas reduction requirements set forth in Vermont law in the Global Warming Solutions Act.

- Appropriates \$5,416,614.00 in FY25, including local funds, which will fund 28 transportation alternatives construction projects; 28 transportation alternatives design, right-of-way, or design and right-of-way projects; and three studies, including scoping, historic preservation, and connectivity.
- Appropriates \$4,833,828.00 FY25 to increase the presence of EVSE in Vermont in accordance with the State's federally approved National Electric Vehicle Infrastructure (NEVI) Plan. And further, authorizes \$1,700,000.00 to be distributed to the Agency of Commerce and Community Development for grants to increase Vermonters' access to level 1 and 2 EVSE charging ports at workplaces or multiunit dwellings, or both.
- Reaffirms prior appropriations of the following amounts that will be available for the State's vehicle incentive programs in fiscal year 2025:
 - (A) \$2,600,000.00 for the Incentive Program for New PEVs;
 - (B) \$200,000.00 for MileageSmart; and
 - (C) \$900,000.00 for the Replace Your Ride Program.
- Provides for a fiscal year expenditure, including local match, of \$11,648,752.00, which will fund 28 bike and pedestrian construction projects; 21 bike and pedestrian design, right-of-way, or design and right-of-way projects for construction in future fiscal years; and eight scoping studies.
- Creates the Better Connections Grant Program to be administered and staffed by the Policy, Planning and Research Bureau of the Agency in collaboration with the Agency of Commerce and Community Development and the Agency of Natural Resources. The Program shall be funded through appropriations to the Agency for policy, planning, and research. The Program shall provide planning grants to aid municipalities to coordinate municipal land use decisions with transportation investments that build community resilience.

FY25 Public Transit Budget – Effective Date: July 1, 2024 - The TBill referenced above contains funding for public transit and related programs. With respect to public transit, the bill contains the following:

- Appropriates a total of \$56,170,225.00 in FY25 for public transit uses throughout the State.
- Redirects \$1.1 million from transit in federal carbon reduction moneys to be used for EV infrastructure. The remaining \$5.9 million in carbon reduction funds remains in transit for Mobility and Transportation Initiatives (MTI) capital purposes.
- MTI grant awards are now capped at not more than \$250,000.00 per recipient for capital or operational costs, or both, and may be used to create new or expand existing programs for one or more of the following: matching funds for other grant awards, program delivery costs, or the extension of existing programs.

GMT Funding – Effective Date: July 1, 2024 – H.868 appropriates \$630,000 in one-time funds to Green Mountain Transit to address expected financial deficits. The funding is conditioned on the following:

- (1) that GMT begin collecting fares for urban and commuter transit service not later than June 1, 2024;
- (2) in coordination with the Agency of Transportation, Special Service Transportation Agency, Rural Community Transportation, and Tri-Valley Transit, evaluate alternative options for delivering cost-effective urban fixed-route transit service, rural transit service, commuter service, and any other specialized services currently provided, and prepare a proposed implementation plan, including a three-year cost and revenue plan, for recommended service transitions; and
- (3) submit to the House and Senate Committees on Transportation an interim report on or before November 15, 2024 and a final report on or before February 1, 2025, detailing the findings, recommendations, and implementation plan

Medicaid Transportation – Effective Date: July 1, 2024 - The FY25 Budget Bill, [H.883](#), contains appropriations related to Medicaid transportation services. The bill includes:

- an additional \$1.3 million in FY25 funding to address shortfalls in the FY24 budget experienced by transit agencies providing Non-Emergency Medicaid Transportation (NEMT) services,
- language accompanying the appropriation makes clear the intent of the money is to go directly to entities providing the service.
- In addition, the language directs DVHA to report on its new payment methodology for NEMT and the estimated costs of providing NEMT to Medicaid beneficiaries in fiscal year 2026 under that methodology as part of the Department's FY25 budget adjustment presentation.
- Finally, the bill appropriates an additional \$1.3 million in FY25 base appropriations and beyond for NEMT services.

CLIMATE

Renewable Energy Standard – PASSED BUT VETOED. The Legislature is expected to attempt an override of the veto in June. Effective Date: July 1, 2024 if overridden– [H.289](#) proposes to increase the amount of total renewable energy required of the State's electric utilities pursuant to the Renewable Energy Standard. This [outline](#) from Legislative Counsel provides more description on the bill's elements.

Climate Change Cost Recovery – Effective Date: July 1, 2024 with liability retroactive to January 1, 1995, though a VETO is anticipated – [S.259](#) creates the Climate Superfund Cost Recovery Program administered by the Climate Action Office of the Agency of Natural Resources. The purposes of the Program are:

- (1) to secure compensatory payments from responsible parties based on a standard of strict liability to provide a source of revenue for climate change adaptation projects within the State;
- (2) to determine proportional liability of responsible parties;
- (3) to impose cost recovery demands on responsible parties and issue notices of cost recovery demands;
- (4) to accept and collect payment from responsible parties;
- (5) to develop, adopt, implement, and update the Strategy that will identify and prioritize climate change adaptation projects; and
- (6) to disperse funds to implement climate change adaptation projects identified in the Strategy.

Natural Disaster Government Response, Recovery, and Resiliency – Effective Date: Upon Passage - [S.310](#) passed the House and Senate and will now be sent to the Governor for consideration. It is an omnibus bill related to government response to floods and other hazards caused by a changing climate. Among the provisions is to create a Community Resilience and Disaster Mitigation Fund with funding to come in part from the use of a credit facility established by the State Treasurer of up to two and one-half percent of the State's average cash balance which is then accessible to municipalities for climate infrastructure purposes. The FY25 budget also contains one-time funds to be used to match for federal climate related funding.

Regulation of Wetlands, River Corridor Development, and Dam Safety – Effective Date: Varies, though a VETO is anticipated - [S.213](#) is an omnibus bill developed in response to recent climate events and looks to the future by proposing to amend provisions related to wetlands, river corridor development, and dam safety.

MUNICIPAL GOVERNMENT

Burlington Charter Change – Effective Date: Upon Passage - [H.881](#) contains the lone change to the City's charter: to double from \$5 to \$10 million the line of credit available to the Burlington Electric Department for potential working capital and liquidity.

Emergency Medical Services – Effective Date: Varies – [H.622](#) contains several amendments related to emergency medical services, including reimbursing for medical services provided to Medicaid individuals for which transport to a different location occurred, an additional \$150,000 toward emergency medical services

training bringing the total, annual amount for this purpose to \$450,000 from the Fire Service Training Fund, and revisions to the EMS Advisory Committee along with a new charge to collect data necessary to conduct a complete inventory and assessment of the EMS services currently available in Vermont.

Miscellaneous Tax Bill/Municipal Revenue – Effective Date: Varies - [H.546](#) is this year's miscellaneous tax bill originating from the Tax Department that contained mostly technical changes. A negotiated amendment allows a municipality to enact a local option sales, meals and alcohol, or rooms tax by vote of the legislative body of the municipality without a charter change, but subject to five per year at the discretion of the Tax Department. A House proposal creating the Local Government Revenue Working Group to evaluate municipal revenue sources and to make recommendations for State authorization of new revenue generation for municipalities DID NOT PASS. A House proposed study of taxation of assets also DID NOT PASS.

Municipal Tax Abatement and Tax Sales – Effective Date: May 13, 2024 – [H.629](#) contains revisions to the processes for municipal tax abatement and tax sales, including when abatement is considered and the factors in the decision, and notices provided to taxpayers. The bill also creates a Working Group on Vermont's abatement and tax sales processes to look further into the issues and make a report and any recommendations to the Legislature.

Electronic Meetings – Effective Date: July 1, 2024, though the training requirement is effective July 1, 2025 - [S.55](#) requires any public body of the State, except advisory bodies, to:

- hold all regular and special meetings in a hybrid fashion, which shall include both a designated physical meeting location and a designated electronic meeting platform;
- electronically record all meetings; and
- for a minimum of 30 days following the approval and posting of the official minutes for a meeting, retain the audiovisual recording and post the recording in a designated electronic location.

A quorum or more of the members of an advisory body may attend any meeting of the advisory body by electronic or other means without being physically present at or staffing a designated meeting location.

A resident of the geographic area in which the public body has jurisdiction, a member of a public body, or a member of the press may request that a public body designate a physical meeting location or provide electronic or telephonic access to a regular meeting or series of regular meetings. The request shall be made in writing not less than two business days before the date of the meeting. In addition, certain municipal officers are required to participate in a professional training that addresses the procedures and requirements of the law, and those officers include the chair of the legislative body, town manager, and mayor. The Secretary of State is directed to develop the training and make it available to municipalities.

Study of County Government – Effective Date: Upon Passage - [S.159](#) creates a study committee relative to county government. It also creates a County and Regional Governance Technical Advisory Group to analyze the subject matter being considered by the County and Regional Governance Study Committee and advise, assist, and provide recommendations to the Study Committee, specifically on the structure and organization of county and regional government.

Miscellaneous Alcohol Bill – Effective Date: Varies – [H.867](#) is an omnibus alcohol bill and has several provisions, including those that: relate to special venue serving permits and permitted establishments; relate to sampling event permits; increase the number of special events permit to a manufacturer or rectifier; relate to liquor liability and last year's reform, and extends the provision requiring every licensee of the Department to acquire liquor liability insurance and extends the effective date of mandate to July 1, 2026; and studies a new fee for a retail master license, which is a person that acts as the parent corporation for licensed retail dealers or manufacturers that have merged.

Miscellaneous Cannabis Bill – Effective Date: Varies – [H.612](#) is an omnibus cannabis bill that contains several amendments to the cannabis laws, including: a revised definition of “hemp products” and “hemp-infused products”; repeal of a prohibition on advertising related to offering of a prize, award or inducement for purchase; revisions to the rules concerning retailers to include location or siting requirements, requirements for medical-use endorsements, training for employees, and access for persons under age 21; a series of amendments related to medical-use endorsements; and a revision of fees charged and taxes assessed.

State and Municipal Code of Ethics – Effective Date: Varies – [H.875](#) creates a State Ethics Code and Municipal Ethics Code. The municipal portion of the bill also repeals redundant municipal ethics law and requires municipal officers currently in office to complete initial ethics training. Municipal officers include members of legislative and quasi-judicial bodies, as well as individuals who, as part of their official municipal duties, exercise authority and discretion in performing any governmental action or function, other than in a solely clerical, secretarial, or ministerial capacity. Members of advisory bodies are not considered municipal officers.



MEMORANDUM

To: Burlington Board of Finance and City Council

From: Darren Springer, General Manager
Emily Stebbins-Wheelock, CFO and Manager of Strategy & Innovation
James Gibbons, Director of Policy and Planning

Date: 6/3/2024

Subject: **Pilot EV Charging Tariff for Pole-Mounted Chargers**

Burlington Electric Department (BED) requests that the City Council approve its filing of a Pilot “Community EV Charging Rate” with the Vermont Public Utility Commission to expand access to off-peak beneficial charging rates for residential customers who lack access to off-street parking/charging.

Background

In May-June of 2024, BED is installing five level 2 electric vehicle (EV) chargers located on utility poles in residential neighborhoods to help increase access to EV charging in areas where many residents do not have access to off-street parking or “at-home” charging. As a pilot effort funded by a State of Vermont grant, BED is installing three pole-mounted chargers in the Old North End and two in the South End at unregulated (non-metered) parking spaces in residential areas with higher densities of multi-family housing and income-eligible customers. BED worked with the Department of Public Works (DPW) to identify locations that met the State grant’s requirements, conduct community outreach, and change parking regulations to support EV-only use of these spaces.

Proposed Pilot Tariff

To help incentivize community use of these new chargers, BED is proposing a pilot EV charging tariff tentatively titled the “Community EV Charging Rate.” that would apply to these five pole-mounted chargers with the following criteria:

- Applicable to BED-owned public EV chargers in residential areas at streetside locations, where the parking is not metered by DPW;
- Regular rate: the same as the then-prevailing rate for all other BED-owned public EV charging stations (currently \$0.21 per kWh inclusive of energy efficiency charge and franchise fees); and
- Off-peak rate: for charging from 10:00pm until 12 noon the following day the rate will be \$0.13 per kWh, inclusive of energy efficiency charge and franchise fees. (This equates to a discount of \$0.08/kWh off the then-prevailing rate for all other BED-owned public EV charging stations, similar to the \$0.08/kWh credit that customers receive under BED’s EV Rate for at-home charging.

The intent of this pilot is to provide residential customers (including renters and income-eligible customers) who might use the pole-mounted chargers with rates more comparable to those enjoyed by customers charging at off-street/residential locations under BED's Residential EV Rate. In addition, the pilot will help with gathering data to inform future rates that might apply to these and other similar chargers that could be deployed. The off-peak rate of \$0.130 cents per kWh would be slightly higher than the residential EV rate (which is \$0.106 cents inclusive of franchise fee and energy efficiency charge), but that also accounts for the pole-mounted chargers being purchased, maintained, and operated by BED, whereas the residential EV rate requires hardware to be purchased and maintained by the customer. The State grant funding the chargers has no restrictions related to the charging rate.

BED staff will be present at the Board of Finance meeting and City Council meetings on June 3, 2024 to answer any questions Councilors may have.

Motions

Board of Finance:

To approve and recommend the City Council authorize the General Manager of the Burlington Electric Department or their designee to file a pilot rate/tariff with the Vermont Public Utility Commission creating a Community EV Charging Rate as described in this memo.

City Council:

To approve and authorize the General Manager of the Burlington Electric Department or their designee to file a pilot rate/tariff amendments with the Vermont Public Utility Commission creating a Community EV Charging Rate as described in this memo.

Board of Finance and City Council Submission Checklist

Department: BED Submitter: Darren Springer

Title/Subject: EV Tariff Update

	Approval:	Meeting Date:
☐	Board of Finance	Click or tap to enter a date.
☐	City Council	Click or tap to enter a date.
☒	Concurrent	6/3/2024

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	5/22/2024	Darren Springer
Mayor's Office informed and approved memo	Yes	5/29/2024	Erin Jacobsen
Board/Commission, if required	Yes	5/8/2024	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	5/30/2024	Kim Sturtevant
CAO has reviewed budget, financing, and memo	Yes	5/29/2024	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	Choose an item.	Click or tap here to enter text.
Additional Materials, if necessary	N/A	Click or tap here to enter text.
Draft Resolution or Motion?	Yes	Motions in Memo
If for submission to Council, are sponsors identified?	Yes	Board of Finance

To: City of Burlington, Board of Finance
City of Burlington, City Council

From: Marie Friedman, CPA, Director of Finance
Nicolas Longo C.M., Director of Aviation

Date: June 3, 2024

Subject: Request for Approval of a \$671,122 Budget Neutral Amendment to the FY 2024
Patrick Leahy Burlington International Airport

Request

The Patrick Leahy Burlington International Airport (Airport) seeks approval and authorization for a Budget neutral amendment in the amount of \$671,122 to the Fiscal Year 2024 BTV budget.

Summary

Background:

Airport Expenditures

The Airport is seeking to amend the following expenditure accounts. During the fiscal year, there is periodically the need to adjust the approved budget. These changes are described below:

Capital project for Runway 15-33 Mill & Overlay expense and revenue: The Airport is expecting an FAA grant to rehabilitate runway 15-33. In August 2023 the City Council approved a contract with Stantec Consulting Services for the design, permitting, and bidding of the existing runway. This project rehabilitation will begin in FY 2025. The amount budgeted for design during FY 2024 needs to be amended to reflect the actual work of the Stantec contract. Therefore, a budget amendment of \$400,000 is requested. 90% of this work will be reimbursed from the FAA when the grant is issued

(during Calendar Year 2024). 10% is the local share covered by both State of Vermont revenues with the remainder to be reimbursed under Passenger Facility Charges (PFC). *Expense and related revenue request is \$400,000.*

Other Personnel Services – Allowance Taxable & On call: The airport has seen an increase in expenses for allowance taxable services and needs to the on-call budget line item. The airport utilizes “on-call” pay for many of our employees who need to be available and called in for critical work outside of normally scheduled hours. An example is during inclement winter weather. These employees provide tremendous service to the airport to keep the runway and terminal safe and open. The airport under budgeted for this expense and now seeks to amend this budget expense line. *Increase request is \$25,000*

Specialized Equipment: The Airport was renting a lift to use in the terminal. We were able to apply to monthly rental fee toward the cost and purchase the unit directly. This will save the Airport money on an on-going basis. *Increase request is \$9,750*

Repairs & Maintenance – Sign, Vehicle Maintenance Supply and Equipment Parts: The airport needs to add additional budget funds to the Terminal cost center Signage. We continue to improve our wayfinding signs around the terminal building. The Airport has also seen increases in cost of vehicle parts and other equipment parts. Additional funds are needed in Airfield and the QTA cost center accounts. *Increase request for this item is \$130,000.*

Professional Marketing and Promotion: The airport needs additional budget funds for marketing and promotion. The Airport hosted an eclipse event on April 8th. Additionally, marketing and promotion costs increased due to promoting new airlines and service. *Increase request for this item is \$100,000.*

Capital Outlay Expenditures: Purchases of capital in the Airfield cost center is slightly overbudget. This will correct the budget. *Increase request for this item is \$6,372.*

Expenditure budgets to reduce and offset increases: The airport seeks to provide a budget neutral amendment. Therefore, the following account budgets can be reduced:

- 1) Repairs and Maintenance – Runway De-icing, Salt, Construction accounts are being reduced to reallocate to other areas. The actual expenses in these accounts are lower than budgeted. Therefore, we are re-allocating these budgeted funds to other areas. *Decrease expense item request is \$230,000.*
- 2) Utilities Gas –The Airport anticipates the annual gas expense in the terminal cost center to be less than budgeted. Therefore, these funds are being re-allocated. *Decrease expense account by \$11,122.*
- 3) Energy Efficiency expense line – The Airport is making significant investments in energy efficiency purchases and upgrades during fiscal year 2024. These expenditures are being charged to other budget line items (not energy efficiency expense). For example, the Airport just purchased three new fully electric vehicles using the capital budget line items. Additionally, the airport is replacing all the lighting in the garage with energy efficient fixtures. This multi-year \$2 Million project is being charged to the repairs and maintenance budget account. Therefore, the energy efficiency expense line item needs to be modified to better reflect actual spending at the airport. The airport is requesting to reallocate budgeted funds from this account. *Decrease expense account request is \$30,000.*

Budget Amendment

The Summary on the following pages show all expenditure accounts in this proposed airport budget amendment.

Org Set	GL Account	Account Name	Increase / (Decrease)
Expense - Increases			
427-35-700-928	9500_110	Capital expenditures for RW 15-33 mill & overlay	\$ 400,000
400-35-430	5200_110	Other Personnel Services On-Call	\$ 25,000
400-35-430	6211	Specialized Equipment	\$ 9,750
400-35-430	6300_115	Repairs & Maintenance Signs	\$ 15,000
400-35-431	6300_105	Repairs and Maintenance Vehicle Maint Supply	\$ 15,000
400-35-431	6300_100	Repairs and Maintenance Equipment Parts	\$ 50,000
400-35-433-602	6300_100	Repairs and Maintenance Equipment Parts	\$ 50,000
		Sub-total Repairs and Maintenance	\$ 130,000
400-35-430	6500_142	Professional Marketing & Promotion	\$ 100,000
400-35-431	9500_110	Capital Outlay Expenditures	\$ 6,372
		Increases to Expenses	\$ 671,122

Expense - decreases			
400-35-431	6222	Repair & Maintenance - Runway De-icing	\$ (100,000)
400-35-430	6300_140	Repair & Maintenance - Salt	\$ (10,000)
400-35-433-600	6300_130	Repair & Maintenance - Construction	\$ (50,000)
400-35-430	6300_130	Repair & Maintenance - Construction	\$ (30,000)
400-35-430	6300_170	Repair & Maintenance - Building	\$ (40,000)
		Sub-total Repairs and Maintenance	\$ (230,000)
400-35-430	6400_105	Utilites - Gas	\$ (11,122)
400-35-430	6247	Energy Efficient	\$ (30,000)
		Decreases to Expenses	\$ (271,122)

Revenues Increases			
427-35-700-928	4875_125	Federal Grant Revenue	\$ 360,000
427-35-700-928	4875_135	State Grant Revenue	\$ 24,000
427-35-700-928	4990_400	Interfund Transfer Proceeds (local share)	\$ 16,000
		Total Revenues Increases	\$ 400,000

Motions

The Airport respectfully request the Board of Finance to approve the following motion:

Board of Finance:

1. "To approve and recommend that the City Council approve a budget neutral amendment in the amount of \$671,122 to the Fiscal Year 2024 Patrick Leahy Burlington International Airport budget by modifying the accounts as described in the affiliated memorandum."

City Council:

1. "To approve a budget neutral amendment to the Fiscal Year 2024 Patrick Leahy Burlington International Airport budget in the amount of \$671,122 by modifying the accounts as described in the affiliated memorandum."

Board of Finance and City Council Submission ChecklistDepartment: Airport Submitter: H. DusablonTitle/Subject: Airport Budget Amendment

	Approval:	Meeting Date:
☐	Board of Finance	
☐	City Council	
☒	Concurrent	6/3/24

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	5/17/2024	N. Longo
Mayor's Office informed and approved memo	Yes	5/30/2024	E. Jacobsen
Board/Commission, if required	Yes	4/3/2024	
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	5/29/2024	K. Sturtevant
CAO has reviewed budget, financing, and memo	Yes	5/28/2024	K. Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	N/A	Click or tap here to enter text.
Additional Materials, if necessary	N/A	Click or tap here to enter text.
Draft Resolution or Motion?	N/A	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	N/A	Click or tap here to enter text.

CITY OF BURLINGTON

ORDINANCE _____

Sponsor: Councilors Shannon,
Traverse, Brown McKnight
Public Hearing Dates: _____

First reading: _____

Referred to: _____

Rules suspended and placed in all
stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

In the Year Two Thousand Twenty-Four

An Ordinance in Relation to

CHAPTER 18 HOUSING ARTICLE V. REGULATION OF
CONVERSION OF RENTAL HOUSING TO CONDOMINIUMS
OR COOPERATIVES

It is hereby Ordained by the City Council of the City of Burlington as follows:

That Chapter 18, Article V, of the Code of Ordinances of the City of Burlington be and hereby is amended
by amending Section 18-300, Statement of purpose; 18-303, Definitions; 18-304, Notice to tenants; deleting
Section 18-306, Application fee; and Section 18-307, Condominium conversion fee, thereof to read as
follows:

18-300 Statement of purpose.

The intent and purpose of this article is as follows:

- (1) To support the retention of rental housing in the city;
- (2) To prevent large scale displacement of low-and moderate-income persons;
- (3) To mitigate the impact on tenants displaced or threatened by displacement by the conversion of rental housing to condominiums or cooperatives;
- (4) To mitigate the impact of such displacement on the city's housing market;
- (5) To provide opportunities for tenants and/or public entities to purchase rental housing in order to maintain perpetual affordability of that housing;
- (6) To provide broad opportunities for persons to rent or own housing that will be perpetually affordable;
- ~~(7) To provide funds to replace low and moderate income housing lost through conversion of rental housing to condominiums and cooperatives;~~
- ~~(78)~~ To promote the rehabilitation and construction of housing for low-and moderate-income persons; and
- ~~(98)~~ To follow recommendations of the Burlington Affordable Housing Task Force regarding the problems created by the conversion of rental housing to condominiums or cooperatives; and
- ~~(940)~~ To expand on existing Vermont law related to conversions to address specific concerns of the city and its citizens and provide special benefits to existing tenants, especially elderly and disabled people.

(Ord. of 3-30-87)

18-301 Authority and applicability.

This article is enacted under the specific authority granted to Vermont towns and cities by 24 V.S.A. § 2293 and is applicable to the conversion of rental housing in the City of Burlington.

(Ord. of 3-30-87)

18-302 Exemptions.

(a) This article shall not be applicable to single-family homes and duplexes.

(b) This article shall not be applicable to properties that meet all of the following requirements:

(1) land tract with ten (10) or fewer housing units;

(2) a deed restriction making at least twenty-five (25) per cent of the housing units affordable to low income tenant households; and

(3) located in United States Census Bureau tract that contains less than fifty (50) per cent home ownership.

(c) This article shall not be applicable to short term rentals.

(Ord. of 3-30-87; Amend. of 1-8-07, eff. 2-14-07; Ord. of 6-27-22)

18-303 Definitions.

The following definitions shall apply in the interpretation and enforcement of this article:

~~Application fee means a fee of twenty five dollars (\$25.00) per residential rental unit proposed to be converted to a condominium or cooperative. The application fee shall be paid to the city, and the proceeds from this fee shall be used by the city for the specific purpose of administering this article. The amount paid as the application fee shall be deductible from the amount due as the impact fee if the conversion actually takes place.~~

Certified tenant organization means a bona fide association of resident tenants of a rental property, as certified by the community and economic development office. To receive such certification, the tenant organization of a property having three (3) to ten (10) rental units must represent at least fifty (50) per cent of the units occupied by tenants who have lived in their unit for more than ninety (90) days; the tenant organization of a property having more than ten (10) units must represent at least thirty (30) per cent of the units occupied by tenants who have lived in their unit for more than ninety (90) days.

~~Condominium conversion fee means a four (4) per cent fee on the actual sale price of residential units converted from rental housing to condominium or cooperative ownership. The condominium conversion fee is due at the time of property transfer of each individual residential unit prior to the recording of the deed or the proprietary lease for the transfer with the city clerk. The condominium conversion fee applies only at the time of the original conversion of the residential unit to a condominium or cooperative and not to any subsequent sale or transfer of the condominium or cooperative unit.~~

Conversion means a change in character of residential real property from a rental to an ownership basis. A condominium, stock cooperative or similar arrangement shall be deemed such a change in character of ownership.

Designated housing agency means a public entity or a 501 (c)(3) tax-exempt, nonprofit corporation whose purpose is creating or preserving housing for low-and moderate-income persons. The city's designated housing agency or agencies shall be designated by the city council.

Disabled tenant means a tenant who has a physical or mental impairment which restricts one or more major life activities, including functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning or working.

Elderly tenant means a tenant who is sixty-two (62) years of age or older or the surviving spouse of such a tenant who is at least fifty (50) years of age.

Low-income tenant household means a household having an income not exceeding eighty (80) per cent of median income for area of residence as set forth in regulations promulgated from time-to-time by the United States Department of Housing and Urban Development pursuant to 42 U.S.C. section 1437 et seq.

Moderate-income tenant household means a household having an income not exceeding one hundred ten (110) per cent of median income for area of residence as set forth in regulations promulgated from time-to-time by the United States Department of Housing and Urban Development pursuant to 42 U.S.C. section 1437 et seq.

Notice to tenants means the written notice to vacate or purchase a residential unit that a landlord is required to send by certified and regular mail to the current tenants of any rental property that is slated for conversion.

(Ord. of 3-30-87; Amend. of 1-8-07, eff. 2-14-07)

18-304 Notice to tenants.

(a) When an owner of rental housing decides to convert that housing to condominium or cooperative ownership, the owner shall give to each tenant the following minimum written notice to vacate or purchase the unit: ~~Four-Two (24)~~ years to elderly and disabled tenants; ~~two-one (12)~~ years to all other tenants. The burden shall be on the tenant to prove that ~~he or she~~ they ~~qualifies~~ qualify as meeting the definition of "elderly" or "disabled" as defined in this article.

(b) The notice shall state that the rental housing is to be converted to condominium or cooperative ownership. It shall set forth generally the rights of tenants and certified tenant organizations under this article and the Vermont statute related to conversions (27 V.S.A. section 1331 et seq.). The notice shall be given by certified mail, return receipt requested, at the address of the housing unit or any other mailing address provided by the tenant. A copy of the notice shall also be sent by regular mail to the address of the housing unit or any other mailing address provided by the tenant. Failure to give notice as required by this article and the Vermont statute is a defense to an action for possession.

(c) During the notice period, a tenancy ~~may not be required to vacate~~ terminated except for a reason specified in subsection (a) or (b) of Section 4467 of Title 9 of Vermont Statutes Annotated.

(d) During the notice period, rent increases shall be limited to an amount which reflects reasonable profits, actual increased costs of maintenance and operation of the housing unit subject to conversion. Costs associated with the proposed conversion are not a permissible basis for a rent increase.

(e) After receipt of the notice, prescribed in paragraph (a) above, a tenant may terminate the rental agreement upon thirty (30) days' written notice to the owner.

(f) Nothing in this section permits termination of a written lease by an owner in violation of its terms.

(g) The notice requirements imposed by this article shall not affect the right of an owner to transfer ownership interests in housing units which are not subject to those requirements or as to which the notice period has expired.

(h) The notice period shall end ~~four-two (24)~~ years after the receipt of the written notice for elderly tenants, or ~~two-one (12)~~ years after the receipt of the notice for all other tenants, or when the existing lease ends, whichever is later.

(Ord. of 3-30-87; Amend. of 1-8-07, eff. 2-14-07)

18-305 Right of tenant organizations, public entities, nonprofit corporations, and individual tenants to purchase.

(a) A certified tenant organization or the City of Burlington or the city's designated housing agency shall have the first right to purchase any rental housing that is proposed to be converted to condominium or cooperative ownership.

(b) This first right to purchase in a certified tenant organization, the city or its designee goes into effect at the time the first notice to tenants required by this article is issued by the owner. A copy of all such notices shall be sent to the certified tenant organization, the city and the city's designated housing agency or agencies. This first right to purchase shall be a prior right to the right of an individual tenant to purchase his or her individual unit described in paragraph (i) below.

- 103 (c) At the request of the certified tenant organization, the city or the city's designated housing agency, the owner shall provide
104 within seven (7) working days of the request the following materials:
- 105 (1) A copy of any bona fide contract for sale which already exists between the owner and a third party;
- 106 (2) A rent schedule for the housing units;
- 107 (3) Operating expenses and income for the property for the previous two (2) years;
- 108 (4) List of capital expenditures for the previous five (5) years;
- 109 (5) Floor plans of the housing units and any common areas, if available; and
- 110 (6) A list of any outstanding mortgages or liens against the property.
- 111 (d) The parties which have a first right to purchase the property have ninety (90) days to sign a purchase and sale agreement with
112 the owner, contingent upon the prospective buyer's ability to obtain financing. If the owner has not provided the information listed
113 in paragraph (c) above to the certified tenant organization, the city or the city's designated housing agency within the specified
114 seven (7) working days, each day's delay shall be added to this ninety-day period. The city or its designated housing agency may
115 enter into such an agreement if and only if a certified tenant organization does not choose to do so.
- 116 (e) The sale price of the property shall be set either by a bona fide contract of sale which already exists with a third party at the
117 time of the notice to tenants or by an appraisal process which has both the owner and prospective buyer commissioning an
118 independent appraisal and a third appraiser reviewing the two (2) appraisals if the two (2) parties cannot agree on a price or the
119 two (2) original appraisals are more than ten (10) per cent apart.
- 120 (f) As part of a purchase and sale agreement, an owner may require a deposit of earnest money by the certified tenant
121 organization, the city or its designated housing agency. The owner shall not require an earnest money deposit which is more than
122 five (5) per cent of the total purchase price, nor can the owner require this deposit to be nonrefundable.
- 123 (g) After signing the purchase and sale agreement, the prospective buyer shall have an additional one hundred eighty (180) days
124 to obtain financing and to settle.
- 125 (h) If the first right to purchase the rental housing is not exercised by the certified tenant organization, the city or the city's
126 designated housing agency, the owner is free to proceed with the conversion of the property to condominium or cooperative
127 ownership subject to the provisions of this article, the city's zoning ordinance and Vermont statutes.
- 128 (i) After the time period for the certified tenant organization, the city or the city's designated housing agency to exercise its first
129 right to purchase expires, individual tenants in housing units proposed to be converted to condominiums or cooperatives shall have
130 the ninety-day exclusive right to purchase their individual unit, the right to be offered and to accept comparable housing, and the
131 right to receive relocation costs as provided in 27 V.S.A. sections 1334, 1335 and 1336. The additional protections offered to
132 tenants by 27 V.S.A. sections 1337, 1338 and 1339 are also specifically protected by this article.
- 133 (Ord. of 3-30-87)
- 134 **~~18-306 Application fee.~~**
- 135 ~~(a) —An application fee of twenty-five dollars (\$25.00) per rental unit proposed to be converted by an owner to condominium or~~
- 136 ~~cooperative ownership shall be payable to the city at the time the original notices to tenants are issued by the owner. The amount~~
- 137 ~~of the application fee may be adjusted as necessary by the city council.~~
- 138 ~~(b) —This fee is for the specific purpose of covering the cost of administering this article by the city.~~
- 139 ~~(c) —The application fee shall be nonrefundable, but shall be deductible from any impact fee which shall be due if the conversion~~
- 140 ~~takes place.~~
- 141 ~~(Ord. of 3-30-87)~~

~~18-307~~ **Condominium conversion fee.**

~~(a) — If a conversion of rental housing to condominium or cooperative ownership occurs, the seller of the units shall pay to the city a condominium conversion fee of four (4) per cent of the actual purchase price of each unit, assuming this purchase price is based upon the fair market value of the unit as determined by a certified appraiser. There shall be no reduction in this fee for closing or rehabilitation costs.~~

~~(b) — The condominium conversion fee shall be paid prior to the recording of the deeds or proprietary leases for the transfer of the housing units.~~

~~(c) — Prior to the recording of the deeds or proprietary leases for any transfer of the housing units, the seller shall provide documentation to the city that the notice requirements have been met, and that the first right of purchase processes set out in this article have been followed.~~

~~(d) — The city shall certify that the article has been complied with and that the condominium conversion fee has been received prior to the recording of the deed or proprietary lease for the transfer of the property.~~

~~(e) — The condominium conversion fee applies to the conversion from rental housing to condominium or cooperative ownership only and not to any subsequent sale(s) of the condominium or cooperative unit.~~

~~(f) — The proceeds from the condominium conversion fee shall be paid into a trust fund established by the city council for the promotion, retention and creation of low and moderate income housing in the city and for the accomplishment of the goals set out in the statement of purpose of this article.~~

~~(g) — The condominium conversion fee provision shall not apply to the acquisition of and conversion to condominium or cooperative ownership of rental housing by the certified tenant association, the city or the city's designated housing agency. Also, the condominium conversion fee provision shall not apply to sales of individual condominium or cooperative units to the tenant who resided in such unit at the time that the notice required by section 18-304(a) was given.~~

~~(Ord. of 3-30-87; Amend. of 1-8-07, eff. 2-14-07)~~

18-3068 Circumventing of this article.

An owner shall not attempt to circumvent the provisions of this article; nor shall any person willfully cause a tenant to vacate a dwelling unit or to be evicted from the unit without good cause in contemplation of conversion before the issuance of the notice prescribed in section 18-304(a).

(Ord. of 3-30-87)

18-3079 Penalty; civil remedies.

(a) It is hereby declared that any person who is found guilty of violating any provision of this article shall be deemed to have committed a civil ordinance violation which shall be punishable by a fine of not less than two hundred (\$200.00) dollars and not more than five hundred (\$500.00) dollars, and such violation shall be abated as a nuisance. Each day of such violation shall constitute a separate offense.

(b) In addition, any person who is injured as a result of a violation of this article may seek to recover damages and other just relief as contemplated by Section 54 of the Charter of the City of Burlington. Also, the City of Burlington may bring an action for equitable relief in the Chittenden Superior Court to restrain actual or threatened violations of this article as contemplated by Section 49 of the Charter of the City of Burlington.

(Ord. of 3-30-87; Amend. of 1-8-07, eff. 2-14-07)

18-30810 Severability.

The provisions of this article shall be regarded as severable and should any portion thereof be held invalid, such invalidity shall not affect any other portion of such article.

(Ord. of 3-30-87)

18-30911 Additional regulations to administer this article.

The city council shall have the authority to promulgate additional regulations if necessary to administer the provisions of this article.

(Ord. of 3-30-87)

18-3102 Relocation costs.

(a) The owner shall pay the actual documented cost of relocation, not to exceed ~~one-two~~ thousand dollars (\$21,000.00), to any tenant entitled to receive notice under section 18-304 who does not purchase the unit which he or she occupies or another unit in the same building or buildings.

(b) Relocation costs shall be payable within ten days after the date the tenant vacates the unit; provided, however, that no tenant is eligible for relocation costs unless:

(1) all rent due and payable has been paid by the tenant prior to the date on which the unit is vacated; and

(2) the tenant has voluntarily vacated the unit on or before the expiration of half the applicable notice period.

(Amend. of 1-8-07, eff. 2-14-07)

18-3113—18-399 Reserved.

* Material stricken out deleted.

** Material underlined added.

FOR INFORMATION ONLY

Lori Olberg

From: NRB - Act250 Essex <NRB.Act250Essex@vermont.gov>
Sent: Friday, May 17, 2024 3:40 PM
To: NRB - Act250 Essex; lsmith@bsdvt.org; Brent Rakowski; anna@greenprintpartners.com; NRB - Legal; NRB - Act 250 Agenda; Benjamin Traverse; Andrew Montroll; permitting@ccrpcvt.org; NRB - Act250 Essex; burlingtontownclerk; Sarah Montgomery; Lori Olberg; ANR - Act 250; Murphy, Barry; PSD - VTDPs; AOT - Act 250; AGR - Act 250; ACCD - Project Review; Anderson, Kevin
Subject: RE: JO 4-408 Jurisdictional Opinion - J.J. Flynn Elementary School - Corrected
Attachments: JO 4-408.pdf

[WARNING]: This email was sent from someone outside of the City of Burlington.

Hello,

Please see attached corrected Jurisdictional Opinion for JO 4-408. Service List accidentally included the Seven Days, now removed.

Thank you,
Adriene



Adriene Katz

Technician, Natural Resources Board

Natural Resources Board
District 4 Environmental Commission
111 West Street
Essex Junction, VT 05452

Phone: 802-879-5614

Email: adriene.katz@vermont.gov

Website: <https://nrb.vermont.gov/>

For emergency information,
contact the City Clerk's Office

From: NRB.Act250Essex@vermont.gov <NRB.Act250Essex@vermont.gov>
Sent: Friday, May 17, 2024 11:00 AM
To: lsmith@bsdvt.org; Brent Rakowski <rakowski@ottercrk.com>; anna@greenprintpartners.com; NRB - Legal <NRB.Legal@vermont.gov>; NRB - Act 250 Agenda <NRB.Act250Agenda@vermont.gov>; btraverse@burlingtonvt.gov; amontroll@burlingtonvt.gov; permitting@ccrpcvt.org; NRB - Act250 Essex <NRB.Act250Essex@vermont.gov>; burlingtontownclerk@burlingtonvt.gov; smontgomery@burlingtonvt.gov; lolberg@burlingtonvt.gov; ANR - Act 250 <ANR.Act250@vermont.gov>; Murphy, Barry <Barry.Murphy@vermont.gov>; PSD - VTDPs <PSD.VTDPs@vermont.gov>; AOT - Act 250 <AOT.Act250@vermont.gov>; AGR - Act 250 <AGR.Act250@vermont.gov>; ACCD - Project Review <ACCD.ProjectReview@vermont.gov>; Anderson, Kevin <Kevin.Anderson@vermont.gov>
Subject: JO 4-408 Jurisdictional Opinion - J.J. Flynn Elementary School

Hello,

Stephen Schoeffel

FOR INFORMATION ONLY

From: Lori Olberg
Sent: Tuesday, May 28, 2024 8:57 AM
To: Stephen Schoeffel
Subject: FW: E-CoS Regarding Monthly Information for LUP 4C1043-1A for May 2024
Attachments: 240507_0508_0509_ACT250 Counts.pdf; CoS_UVM_LUP_4C1043-1A_2024.05.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Please print the email and attachments out, date stamp and place in my mailbox.

For additional information,
Additional text, please
contact the City Clerk's Office.

From: Lani Ravin <Lani.Ravin@uvm.edu>
Sent: Friday, May 24, 2024 2:22 PM
To: Lani Ravin <Lani.Ravin@uvm.edu>; Lisa Kingsbury (she/her) <Lisa.Kingsbury@uvm.edu>; NRB - Act250 Essex <NRB.Act250Essex@vermont.gov>; Kaitlin.Hayes@vermont.gov; Lisa McNaney <Lisa.McNaney@uvm.edu>; burlingtontownclerk <burlingtontownclerk@burlingtonvt.gov>; Lori Olberg <lolberg@burlingtonvt.gov>; Andrew Montroll <amontroll@burlingtonvt.gov>; permitting@ccrpcvt.org; ANR - Act 250 <ANR.Act250@vermont.gov>; barry.murphy@vermont.gov; psd.vtdps@vermont.gov; aot.act250@vermont.gov; agr.act250@vermont.gov; Dillon, Scott <Scott.Dillon@vermont.gov>; greg.socinski@vermont.gov; ACCD - Project Review <ACCD.ProjectReview@vermont.gov>; Benjamin Traverse <btraverse@burlingtonvt.gov>
Cc: Scott Gustin <SGustin@burlingtonvt.gov>; Lani Ravin <Lani.Ravin@uvm.edu>
Subject: RE: E-CoS Regarding Monthly Information for LUP 4C1043-1A for May 2024

You don't often get email from lani.ravin@uvm.edu. [Learn why this is important](#)

[WARNING]: This email was sent from someone outside of the City of Burlington.

I hereby certify that I, Lani Ravin, Associate Planner, at the University of Vermont & State Agricultural College, sent a copy of documents, dated May 9th, 2024, for the University of Vermont, regarding LUP# 4C1043-1A, regarding temporary suspension of a 200 space off-campus parking lot for May 2024, by electronic mail to those with email addresses as indicated above, as attached.

Thank you,

Lani Ravin, AICP

Planning, Design and Construction

University of Vermont

31 Spear Street, Marsh Hall Suite 10

Burlington, VT 05405

Stephen Schoeffel

FOR INFORMATION ONLY

From: Lori Olberg
Sent: Tuesday, May 28, 2024 9:07 AM
To: Stephen Schoeffel
Subject: FW: 4C0419-5A Schedule G - Burlington School District/Trustees of the Diocese of Vermont, Inc.
Attachments: Schedule_G 4C0419-5A.pdf

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05/28/2024 BY 60322
CONTACT THE CITY CLERK'S OFFICE

This one as well, print out the email and attachment, date stamp and place in my mailbox.

From: NRB.Act250Essex@vermont.gov <NRB.Act250Essex@vermont.gov>
Sent: Thursday, May 23, 2024 2:25 PM
To: kkimball@diovermont.org; lsmith@bsdvt.org; dmarshall@cea-vt.com; chris@lclt.org; Benjamin Traverse <btraverse@burlingtonvt.gov>; Andrew Montroll <amontroll@burlingtonvt.gov>; permitting@ccrpcvt.org; NRB.Act250Essex@vermont.gov; burlingtontownclerk <burlingtontownclerk@burlingtonvt.gov>; Sarah Montgomery <smontgomery@burlingtonvt.gov>; Lori Olberg <lolberg@burlingtonvt.gov>; anr.act250@vermont.gov; kaitlin.hayes@vermont.gov
Subject: 4C0419-5A Schedule G - Burlington School District/Trustees of the Diocese of Vermont, Inc.

[WARNING]: This email was sent from someone outside of the City of Burlington.

Attached is Schedule G.

Act 250 District Office - Essex (District 4 Environmental Commission)
111 West Street
Essex Junction, VT 05452

Christine Commo NRB Technician
Tel.802-879-5614 | NRB.Act250Essex@vermont.gov
<https://nrb.vermont.gov>

Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act.

FOR INFORMATION ONLY

Lori Olberg

From: NRB.Act250Essex@vermont.gov
Sent: Tuesday, May 28, 2024 1:36 PM
To: bpaxton@rhinofoods.com; gserke@rhinofoods.com; tcastle@rhinofoods.com;
rcastle@rhinofoods.com; mcourcelle@champlainconsulting.net;
teustace@gravelshea.com; joe@josepharchitects.com; drhoffer@comcast.net;
redosier@comcast.net; Will Clavelle; alex.demoly@vermont.org; sam@vermont.org;
Burns, Chris; Yanulavich, Jake; making-05-hacksaw@icloud.com; zukeeper@gmail.com;
susy.mason@me.com; robbykilgore@gmail.com; fraharp@yahoo.com;
derekmzipprich@gmail.com; mazkessler@gmail.com; Benjamin Traverse; Andrew
Montroll; permitting@ccrpcvt.org; NRB.Act250Essex@vermont.gov;
burlingtontownclerk; Sarah Montgomery; Lori Olberg; anr.act250@vermont.gov;
barry.murphy@vermont.gov; PSD.VTDPS@vermont.gov; AOT.Act250@vermont.gov;
AGR.Act250@vermont.gov; ACCD.ProjectReview@vermont.gov;
kaitlin.hayes@vermont.gov
Subject: 4C0325-5 Hearing Recess Order - Extension
Attachments: Extension_HRO 4C0325-5.pdf

[WARNING]: This email was sent from someone outside of the City of Burlington.

Hello,

Please see attached Memorandum of Decision and Order on Hearing Recess Order Extension.

Thank you,

Act 250 District Office - Essex (District 4 Environmental Commission)

111 West Street

Essex Junction, VT 05452

Adriene Katz NRB Technician

Tel.802-879-5614 | NRB.Act250Essex@vermont.gov

<https://nrb.vermont.gov>

Lori Olberg

From: Brackin, Stephanie <Stephanie.Brackin@vermont.gov>
Sent: Wednesday, May 29, 2024 10:15 AM
Subject: FPR Press Release - \$6.3 Million in VOREC Grants Boost Outdoor Recreation Across Vermont, Supporting 51 Projects

[WARNING] : This email was sent from someone outside of the City of Burlington.

PRESS RELEASE

For Immediate Release – May 29, 2024

For immediate information,
additional text, please
contact the City Clerk's Office

Contact:

Jackie Dagger, VOREC Program Manager
Department of Forests, Parks, and Recreation
jackie.dagger@vermont.gov, 802-636-7410

\$6.3 Million in VOREC Grants Boost Outdoor Recreation Across Vermont, Supporting 51 Projects

Montpelier, VT – Agency of Natural Resources Secretary Julie Moore and the Vermont Outdoor Recreation Economic Collaborative (VOREC) today announced 51 new recipients of the VOREC Community Grant Program. These projects mark an investment of over \$6 million into Vermont's outdoor recreation economy.

"These grants are an investment in Vermont," said Secretary Moore. "They will help communities revitalize their outdoor recreation assets, create jobs, improve access to nature for Vermonters and visitors alike, and build stronger, more resilient communities for years to come."

Projects awarded in this year's announcement fall into one of four tracks – Implementation, Project Development, Outdoor Equity, and Flood Recovery. Awarded projects will enhance recreation economies in rural, mid-size, and urban communities, lay the groundwork for future community-based projects, expand access to outdoor recreation for all people, and help communities and trail organizations recover from the flooding of summer 2023.

"We are pleased to support so many amazing projects across Vermont," said Becca Washburn, Chair of the VOREC Steering Committee and Director of Lands Administration and Recreation for the Department of Forests, Parks, and Recreation. "The interest in the program, as well as the strength of the applications demonstrates the opportunity communities from Grand Isle to Brattleboro see in investing in the connection between outdoor recreation and economic benefits."

Awarded projects will support communities in 13 of Vermont's counties, along with eight statewide projects. Notable projects include:

Vermont Association of Snow Travelers (VAST) for opening almost the entire VAST system after suffering damage during the 2023 flooding.

A coalition of partners led by the Vermont Trails and Greenways Council will be building an accessibility hub for trail users and managers.

Cochran's Ski Area in Richmond for engineering and design for a new surface lift.

Franklin County Trails Alliance to plan connections from the Lamoille Valley Rail Trail to the St. Albans region.

For the first time, the grant program also encouraged projects focused on outdoor equity to apply to a dedicated funding track. Grant recipient, Arwen Turner, Executive Director of Come Alive Outside, said:



MEMORANDUM

To: Burlington Board of Finance and City Council

From: Darren Springer, General Manager
Emily Stebbins-Wheelock, CFO and Manager of Strategy & Innovation
James Gibbons, Director of Policy & Planning
Jennifer Green, Director of Sustainability & Workforce Development

Date: June 3, 2024

Subject: BED Demonstration of Energy-Efficient Developments and Energy Storage Access Program grants

Burlington Electric Department (BED) respectfully requests that the Board of Finance approve BED's acceptance of three recently awarded grants:

- 1) An American Public Power Association Demonstration of Energy-Efficient Developments (DEED) program grant in the amount of \$44,000 to support the creation and translation of four videos related to energy efficiency and electrification. The intent of this project is to empower Burlington's diverse community, particularly those who speak a language other than English at home, with energy-related news and information. In addition to DEED funding, this project is being supported by BED's Energy Efficiency Utility, VGS, and Efficiency Vermont with a cost share of \$8,000 each. BED's EEU match is provided for in BED's FY25 budget.
- 2) A State of Vermont Department of Public Service (DPS) Energy Storage Access Program Grant in the amount of \$1,157,000. In conjunction with Washington Electric Cooperative (WEC) and Vermont Public Power Authority (VPPSA), BED will use the grant to research and procure a distributed energy resource management system (DERMS), a software platform that will enable management of flexible electric loads. BED is the lead recipient of this grant and a BED match of \$289,200 is required, with much of this coming from in-kind labor/personnel time. BED's match is provided for in BED's FY25 budget.
- 3) A State of Vermont DPS Energy Storage Access Program Grant in the amount of \$2,954,000 awarded to VPPSA. Along with WEC, BED will be a program entity participating in the program to deploy energy storage systems serving low- or moderate-income Vermont residences and municipal buildings. No City or BED match is required.

Burlington Electric Department
585 Pine Street Burlington, VT 05401
burlingtonelectric.com
Phone 802.658.0300

Please see the attached grant agreements for more information. Please do not hesitate to contact us with any questions.

Motions:

Board of Finance

To approve and authorize the BED General Manager or their designee, subject to final review and approval by the City Attorney's Office, to accept and execute grant agreements for DEED grant CG-2701 and to recommend to the City Council to approve and authorize the BED General Manager or their designee, subject to final review and approval by the City Attorney's Office, to accept and execute grant agreements for Vermont DPS grants 02440-FY24-Act74G600-023.

City Council

To approve and authorize the BED General Manager or their designee, subject to final review and approval by the City Attorney's Office, to accept and execute grant agreements for Vermont DPS grants 02440-FY24-Act74G600-023.

STATE OF VERMONT GRANT AGREEMENT				Part 1-Grant Award Detail			
SECTION I - GENERAL GRANT INFORMATION							
1 Grant #: XXXXXXXXXX				2 Original ☒		Amendment # ☐	
3 Grant Title:BED Energy Storage Access Program							
4 Amount Previously Awarded: \$0.00		5 Amount Awarded This Action: \$1,157,000.00		6 Total Award Amount: \$1,157,000.00			
7 Award Start Date: 05/01/2024		8 Award End Date: 12/31/2026		9 Subrecipient Award: YES ☒ NO ☐			
10 Vendor #:		11 Grantee Name:Burlington Electric Department					
12 Grantee Address: 585 Pine St							
13 City: Burlington			14 State: VT		15 Zip Code: 05401		
16 State Granting Agency: Department of Public Service					17 Business Unit:		
18 Performance Measures: YES ☒ NO ☐		19 Match/In-Kind: \$289,290.00		Description: 20% of total project cost, consisting of Personnel/Fringe and Vendor Services			
20 If this action is an amendment, the following is amended: Amount: ☐ Funding Allocation: ☐ Performance Period: ☐ Scope of Work: ☐ Other: ☐							
SECTION II - SUBRECIPIENT AWARD INFORMATION							
21 Grantee Identifier [UEI] #: VBNEZKMNXB3			22 Indirect Rate: %		23 FFATA: YES ☐ NO ☒		
24 Grantee Fiscal Year End Month (MM format):			(Approved rate or de minimis 10%)		25 R&D: ☐		
26 Entity Identifier [UEI] Name (if different than VISION Vendor Name in Box 11):							
SECTION III - FUNDING ALLOCATION							
STATE FUNDS							
Fund Type		27 Awarded Previously	28 Award This Action	29 Cumulative Award	30 Special & Other Fund Descriptions		
General Fund				\$0.00			
Special Fund				\$0.00			
Global Commitment (non-subrecipient funds)				\$0.00			
Other State Funds				\$0.00			
FEDERAL FUNDS (includes subrecipient Global Commitment funds)					Required Federal Award Information		
31 CFDA#	32 Program Title	33 Awarded Previously	34 Award This Action	35 Cumulative Award	36 FAIN	37 Fed Award Date	38 Total Federal Award
	State Fiscal Recovery		\$1,157,000.00	\$1,157,000.00			
39 Federal Awarding Agency:		40 Federal Award Project Descr:					
			\$0.00				
Federal Awarding Agency:		Federal Award Project Descr:					
			\$0.00				
Federal Awarding Agency:		Federal Award Project Descr:					
			\$0.00				
Federal Awarding Agency:		Federal Award Project Descr:					
			\$0.00				
Federal Awarding Agency:		Federal Award Project Descr:					
			\$0.00				
Federal Awarding Agency:		Federal Award Project Descr:					
Total Awarded - All Funds		\$0.00	\$1,157,000.00	\$1,157,000.00			
SECTION IV - CONTACT INFORMATION							
41 STATE GRANTING AGENCY				42 GRANTEE			
NAME: Philip Picotte				NAME: Emily Stebbins-Wheelock			
TITLE: Utilities Economic Analyst				TITLE: CFO and Manager of Strategy & Innovation			
PHONE: (802) 828-5872				PHONE: (802) 865-7466			
EMAIL: philip.picotte@vermont.gov				EMAIL: EStebbins-Wheelock@burlingtonelectric.com			

State of Vermont Grant Agreement Part 1

Instructions

Section I – General Grant Information

1. Grant number: The grant number should begin with a five-digit business unit number prefix. Grant numbers may contain alpha-numeric characters and are limited to 30 total characters.
2. Check the Original box if the award is the original grant award. If it is an amendment, indicate the number of the amendment.
3. Grant title: This is the title of the award or project. It will usually correspond with the Grant Description entered in the Grant Tracking module.
4. Previously Awarded: If this is the original award, it will be \$0. Otherwise, it is the value of Box 6 in the previous grant agreement for this award. It should equal the cumulative total of all previous awards for this grant number.
5. Amount Awarded This Action: For the original award document, this will be the total grant award. If this award is an amendment, it is the current amendment amount. If this award is an amendment that does not affect the amount, it will be \$0.
6. Total Award Amount: This is the total funds obligated for this grant award to-date. If this award is an amendment, it is the new total authorized amount, including the current amendment. For the original award, this amount will be the same as the amount in Box 5.
7. Start Date: This is the beginning date of the performance period covered by this award.
8. End Date: This is the ending date of the performance period covered by this award.
9. Subrecipient Award: Check Yes or No to indicate whether or not this award is considered a subrecipient agreement. If No is checked, the Subrecipient Award Information section may be left blank. Check No for grants funded only with State funds. **Note:** Only one box may be checked. *A grant agreement cannot be both a subrecipient award and a contractual relationship.*
10. Vendor number: The VISION vendor number for the grantee.
11. Grantee Name: The name of the grantee. This should correspond with the name of the VISION vendor entered in Box 10.
12. – 15. Grantee address information: If the Grantee has multiple addresses, this should be the address associated with the performance of the award. Enter the Zip+4 if available and if required for FFATA reporting.
16. State Granting Agency: This is the name of the State of Vermont Department that is granting the funds. The Division name may also be included, if desired.
17. Business Unit: This is the five-digit VISION General Ledger Business Unit associated with the Granting Agency.
18. Performance Measures: Check Yes or No to indicate whether or not the award contains performance measures.
19. Match/In-Kind \$ and Description: Enter the amount of match/in-kind required, or enter \$0. If a dollar value has been entered, enter a brief description of what is required. The narrative sections of the award may also contain additional information pertaining to required match or in-kind. If desired, this box may also be used to identify funding from other sources involved in the project that will not be covered by this award, such as projects where multiple organizations are contributing funding.
20. Amendment Information: If the award is an amendment, check Yes or No to each type of amendment in this box. If the award is not an amendment, this box may be left blank.

Section II – Subrecipient Award Information

This section is only required to be completed for Subrecipient awards.

21. Grantee Identifier [UEI] #: This is the subrecipient's Universal Entity Identification number.
22. Indirect Rate: Enter the approved indirect rate, or the de minimis rate of 10%. If the subrecipient chooses not to request indirect costs for this award, enter 0%.
23. FFATA: Check Yes or No to indicate if the award is subject to FFATA reporting.
24. Grantee Fiscal Year End Month: Enter the two-digit month in which the subrecipient's fiscal year ends.
25. R&D: Check this box if the award is a Research and Development award.
26. Entity Identifier [UEI] Name: If the UEI registered name is different than the VISION vendor name in Box 11, enter the official UEI registered name here; otherwise, this box may be left blank

Section III – Funding Allocation

Detailed funding information is divided into two sections: State funds and Federal funds. The shaded boxes contain required information for subawards which comes from the original award from the Federal Granting Agency to the State Granting Agency. The funding allocation should correspond to the funding entered in the VISION Grant Tracking module. The totals will automatically be displayed in boxes 4 through 6 in Section I.

Global Commitment Funds: Global Commitment funds that are not being awarded as subrecipient funds may be reported in the State Funds section. Global Commitment funds that are being awarded as subrecipient funds should be reported in the Federal Funds section using the appropriate CFDA information. If an award with Global Commitment funds is being split between Federal and State, the State share should be entered in the State Funds section and the Federal share in the Federal Funds section with the appropriate CFDA information.

27. Awarded Previously: Enter the amount previously awarded for each fund type in the State Funds section. If this is the original grant agreement, enter \$0. The total of this column (State and Federal) will appear in Box 4.
28. Award This Action: Enter the amount of the current award. If this is the original award, enter the full amount of the award. If this is an amendment, enter the amount of the amendment. Negative amendments are allowed. If the amendment does not affect the funding, enter \$0. The total of this column (State and Federal) will appear in Box 5.
29. Cumulative Award: Enter the total of the award, including all amendments. The total of this column (State and Federal) must tie to Box 6.
30. Special and Other Fund Descriptions: If the award contains Special or Other funds, enter a brief description of the funding source.
31. CFDA #: Enter the CFDA number for all Federally funded awards.
32. Program Title: Enter the CFDA program title.
33. Awarded Previously: Enter the amount previously awarded for each CFDA #. If this is the original grant agreement, enter \$0 or leave this column blank. The total of this column (State and Federal) will appear in Box 4.
34. Award This Action: Enter the amount of the current award for each CFDA #. If this is the original award, enter the full amount of the award. If this is an amendment, enter the amount of the amendment. If the amendment does not affect the funding of this CFDA #, enter \$0 on that row. The total of this column (State and Federal) will appear in Box 5.
35. Cumulative Award: Enter the total of the award, including all amendments for each CFDA #. The total of this column (State and Federal) must tie to Box 6.

The following information is required *only for federal subrecipient awards*. The information recorded in Boxes 36 through 40 is found on the Federal grant award to the State Granting Agency from which funds are being subawarded. If an award is being issued from multiple Federal awards to the State under the same CFDA #, it may be necessary to enter multiple rows in this section in order to enter the appropriate information in Boxes 36 through 40.

36. FAIN: This is the Federal Award Identification Number assigned by the Federal granting agency.
37. Federal Award Date: This is the date that the Federal Granting Agency official signed the award to the State Granting Agency.
38. Total Federal Award: This is the total amount of the Federal award to the State Granting Agency.
39. Federal Awarding Agency: This is the Federal Agency that issued the award to the State Granting Agency.
40. Federal Award Project Description: This is the title/description of the Federal award to the State Granting Agency.

Section IV – Contact Information

- Enter a contact person for the State Granting Agency. This individual should be the State's main point of contact for the award and is not required to be the Appointing Authority.
- Enter a contact person for the Grantee. This individual should be the Grantee's main point of contact for the award and is not required to be the official who signed the award.

Part 2

1. Parties: This is a Grant Agreement between the Vermont Department of Public Service (hereafter called “State”) and **Burlington Electric Department** (hereinafter called “Grantee”), with a principal place of business at 585 Pine Street in Burlington, Vermont 05401. It is the Grantee’s responsibility to contact the Vermont Department of Taxes to determine if, by law, the Grantee is required to have a Vermont Department of Taxes Business Account Number.
2. Subject Matter: The subject matter of this Grant Agreement is the development, implementation and administration of the BED-VPPSA-WEC Platform Energy Storage Access Program (“Project”) to serve Vermont households with low- or moderate-income.
3. Award Details: Amounts, dates and other award details are as shown in the attached *Grant Agreement Part 1-Grant Award Detail*. A detailed scope of work covered by this award is described in Attachment A. This award is conditioned upon the Grantee securing all necessary state and local permits and the Grantee securing funding to meet the program fund matching requirement in Attachment B. Reporting is **REQUIRED** under this agreement (see Attachment E for details on required reporting). This award is made available through the Energy Storage Access Program which has been funded through the American Rescue Plan Act (“ARPA”) State Fiscal Recovery Funds (“SFRF”) for which all assurances in Attachment F are applicable.
4. Amendment: No changes, modifications, or amendments in the terms and conditions of this Grant Agreement shall be effective unless reduced to writing, numbered, and signed by the duly authorized representative of the State and Grantee.
5. Cancellation: This Grant Agreement may be suspended or cancelled by either party by giving written notice at least 15 days in advance.
6. Attachments: This Grant consists of 26 pages including the following attachments that are incorporated herein:
 - Grant Agreement-Part 1 – Grant Award Detail
 - Grant Agreement Part 2 – Grant Agreement
 - Attachment A – Scope of Work To Be Performed
 - Attachment B – Payment Provisions
 - Attachment C – Customary State Grant Provisions
 - Attachment D – Other Provisions
 - Attachment E – Reporting Details
 - Attachment F – State Fiscal Recovery Fund Program Assurances
 - Attachment I – Anti-Lobbying
7. Order of Precedence: Any ambiguity, conflict or inconsistency in the Grant Documents shall be resolved according to the following order of precedence:
 - 1) Grant Agreement Part 1 and Part 2
 - 2) Attachment C – Customary State Grant Provisions
 - 3) Attachment F – State Fiscal Recovery Fund Program Assurances
 - 4) Attachment D – Other Provisions
 - 5) Attachment A – Scope of Work to Be Performed
 - 6) Attachment B – Payment Provisions
 - 7) Attachment E – Reporting Details
 - 8) Attachment I – Anti-Lobbying

WE THE UNDERSIGNED PARTIES AGREE TO BE BOUND BY THIS GRANT AGREEMENT.

By the State of Vermont:

Date: _____

Signature: _____

Name: June E. Tierney

Title: Commissioner, Vermont Department of Public Service

By the Grantee:

Date: _____

Signature: _____

Name: Emily Stebbins-Wheelock

Title: Chief Financial Officer, Burlington Electric Department

ATTACHMENT A
Specifications of Work to be Performed and
Monitoring/Reporting Requirements

This Grant Agreement provides funding for a Project that supports the grantee in researching and procuring a software platform or service to manage flexible electric loads, including energy storage systems (“ESS”) serving low- or moderate-income Vermont residences funded under a separate grant. All Project work must be completed on or before December 31, 2026.

Funding for this grant will be from federal ARPA SFR and provided through the State of Vermont Department of Public Service. The Grantee will coordinate efforts among other “project entities” participating in the Project, consisting of the Grantee, Vermont Public Power Supply Authority, and Washington Electric Cooperative. A separate grant agreement addresses installation of battery energy storage systems, and those activities are not included herein.

The Grantee agrees to undertake, perform, and complete the following activities:

- A. [DISCOVERY] Conduct product research and discovery to identify software and/or platform requirements
 - 1. Identify suitable commercially-available software, platform, or similar services (“services”) that manage, battery energy storage devices and/or flexible loads, such as electric vehicle charging technologies, heat pumps, heating/ventilation/air-conditioning (HVAC) systems, and/or other energy management technologies
 - 2. This potentially includes software-as-a-service or platform-as-a-service options to monitor, control, and measure distributed energy resources (DERs)
 - 3. The services will have capability to communicate with and integrate with utility meter data management system, customer information system, geographic information system, and/or advanced distribution management system
- B. [RFP ISSUANCE] Solicit bids or proposals
 - 1. Issue an RFP, or conduct a similar process, to identify one or more services capable of meeting the requirements identified in Task 1
- C. [SELECTION/NEGOTIATION] Conduct vendor selection and negotiation
 - 1. Maintain awareness of expandability across resource type and device characteristics, and of financial scalability that is prudent for each project entity
 - 2. Ensure that shared-value and/or shared-cost programs (including rates) deliver benefits to customers by rewarding load flexibility and systems benefits provided by participating devices
 - 3. Ensure that each project entity has the autonomy to select the most effective service in the context of other investments and structures, and ensure each project entity has control over device management in their service territory while producing similar capabilities across all project entities
- D. [IMPLEMENTATION/INTEGRATION] Implement and Integrated Chosen Service(s) with Utility Systems
 - 1. Ensure integration includes bidirectional data flows and signals among each utility, platform provider, and the respective utility’s core software system
 - 2. Ensure vendor and other parties incorporate cybersecurity best practices
- E. [PROGRAM/DEVICE DEPLOYMENT] Deploy Service(s) and Generate Customer Benefits Through Device Management
 - 1. Test and deploy chosen service(s) with customer DERs to deliver benefits identified in Task 3b.

2. Test and deploy chosen service(s) with battery energy storage systems deployed under separate grant agreement.

F. [PROJECT MANAGEMENT] Meet All Grant Administrative Requirements

1. Once program parameters are determined, provide the Department with the RFP or solicitation for vendor selection, as well as the written Agreement or contract once drafted. Grantee will share this program information by email and receive prompt approval or request for revision from the State by email.
2. Recruit customer participants with direct marketing and/or through community partnerships to generate interest in the program and customer participation. Program promotion shall include a focused, and demonstrable, effort to reach disadvantaged communities, lowest-income households, and households with critical medical needs who experience frequent outages.
 - i. Develop Program enrollment procedures, promotion, and equitable implementation to fully allocate the Program funding.
3. Provide quarterly, final, and annual reports. (See below and Attachment E)
4. Participate in bimonthly phone check-ins scheduled by the State program manager and, if requested, facilitate site-visit(s) by State staff or designees to verify equipment installation and operation.
5. Provide program-related participation information, program performance, equipment usage, and related data in support of State-directed research, evaluation, measurement, and verification ("EM&V") activities. Customer participants shall be made aware of research and EM&V provisions in advance of enrollment as part of program Customer Agreement.
6. Payment of the final invoice will be withheld by the State until review and approval of the final report.

(End of Attachment A)

ATTACHMENT B
Payment Provisions

The State agrees to reimburse the Grantee for costs incurred up to the maximum amount stated below, provided such costs are incurred within the grant award start and end dates, are within the specifications of work in Attachment A, and are authorized as provided for under the terms and conditions of this grant.

Maximum amount payable: \$1,157,000.00

The State will reimburse the Grantee for expenses incurred by the Grantee upon submission of an invoice by the Grantee. Unless other special arrangements are made between the State and the Grantee, payments will be made no more than on a monthly basis. Grantee may consolidate units of membership reimbursement into a single invoice for any single generation plant consistent with the Budget accounting category.

Expense receipts and other documentation sufficient to reflect all costs claimed to have been incurred shall be submitted with reimbursement invoices. Invoices shall be broken down by accounting category per the budget. Invoices may be emailed. Documentation sufficient to reflect all costs claimed to have been incurred in performing this grant shall be submitted with the invoice.

The Grantee agrees that all Program funds are to be spent as detailed in this agreement and shown in the Budget. If the funds are not to be spent as detailed in the Budget, the Grantee must obtain written approval from the Department's Grant Administrator prior to the expenditure of such funds as defined below:

- Adding or removing budget categories or shifting budgeted amounts between budget categories.

Submit Invoices to:

Philip Picotte
Vermont Department of Public Service
philip.picotte@vermont.gov **and** PSD.Invoice@vermont.gov

GRANT BUDGET

Phase A [Discovery]	Year 1	Year 2	Year 3	Total
Personnel	\$ 18,605	\$ 0	\$ 0	\$ 18,605
Fringe	\$ 6,731	\$ 0	\$ 0	\$ 6,731
Contractual - Vendor	\$ 0	\$ 0	\$ 0	\$ 0
Total Phase A	\$ 25,336	\$ 0	\$ 0	\$ 25,336

Phase B [RFP Issuance]	Year 1	Year 2	Year 3	Total
Personnel	\$ 11,163	\$ 0	\$ 0	\$ 11,163
Fringe	\$ 4,039	\$ 0	\$ 0	\$ 4,039
Contractual - Vendor	\$ 0	\$ 0	\$ 0	\$ 0
Total Phase B	\$ 15,202	\$ 0	\$ 0	\$ 15,202

Phase C [Selection/Negotiation]	Year 1	Year 2	Year 3	Total
Personnel	\$ 1,861	\$ 0	\$ 0	\$ 1,861
Fringe	\$ 673	\$ 0	\$ 0	\$ 673
Contractual - Vendor*	\$ 0	\$ 200,000	\$ 206,000	\$ 406,000
Total Phase C	\$ 2,534	\$ 200,000	\$ 206,000	\$ 408,534

*SaaS / PaaS Licensing + Implementation

Phase D [System Impl./Integration]	Year 1	Year 2	Year 3	Total
Personnel	\$ 0	\$ 21,284	\$ 0	\$ 21,284
Fringe	\$ 0	\$ 7,701	\$ 0	\$ 7,701
Contractual - Vendor*	\$ 0	\$ 240,000	\$ 120,000	\$ 360,000
Total Phase D	\$ 0	\$ 268,985	\$ 120,000	\$ 388,985

*Integration with MDMS / CIS

Phase E [Program/Device Deploym.]	Year 1	Year 2	Year 3	Total
Personnel	\$ 0	\$ 0	\$ 23,916	\$ 23,916
Fringe	\$ 0	\$ 0	\$ 8,653	\$ 8,653
Contractual - Vendor*	\$ 0	\$ 60,322	\$ 68,400	\$ 128,722
Total Phase E	\$ 0	\$ 60,322	\$ 100,968	\$ 161,290

*Per Device Per Month Fee

Phase F [Proj. Management]	Year 1	Year 2	Year 3	Total
Personnel	\$ 37,210	\$ 38,699	\$ 39,860	\$ 115,768
Fringe	\$ 13,463	\$ 14,001	\$ 14,421	\$ 41,885
Contractual - Vendor	\$ 0	\$ 0	\$ 0	\$ 0
Total Phase F	\$ 50,673	\$ 52,700	\$ 54,281	\$ 157,653

Total All Phases	\$ 93,745	\$ 582,006	\$ 81,249	\$ 1,157,000
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(End of Attachment B)

**ATTACHMENT C: STANDARD STATE PROVISIONS
FOR CONTRACTS AND GRANTS
REVISED DECEMBER 3, 2023**

See the recently updated Attachment C at:

<https://bgs.vermont.gov/sites/bgs/files/files/purchasing-contracting/Forms/ATTACHMENT%20C%20-%20rev%202023%20FINAL%20PROOF%20CLEAN%2012-07-23.pdf>

(End of Attachment C Standard Provisions)

ATTACHMENT D
Other Provisions

1. **Ownership of Equipment & Materials:** For any materials or equipment purchased in whole or part with State grant funds the Grantee shall not give or sell the equipment or materials to any person or entity without the written approval of the State. The Grantee agrees that there shall be no sale of the property for five (5) years upon execution of this grant agreement without the approval of the Department. Such approval shall not be unreasonably withheld if the property is to continue to be operated as originally intended. If any of the property funded by this award are sold within five (5) years from the execution of this award without permission, the Grantee shall refund the full amount of award funds reimbursed by the Department within thirty (30) days of the sale.
2. **Work Product Ownership:** Products of the Grantee's work including: outlines, reports, charts, sketches, drawings, art work, plans, photographs, specifications, estimates, computer programs, or similar documents, patents and copyrights become the property of the Grantee. However, Grantee must provide copies of such work to the State of Vermont. Absent an order to the contrary from a court of competent jurisdiction, certain information will be held as confidential by the State where Grantee has established such information is proprietary in nature and therefore exempt from access to public records requests pursuant to 1 V.S.A. § 317(c)(9).
3. **Prior Approval of Press Releases/Credit for Funding:** Any notices, information pamphlets, press releases, research reports, or similar other publications prepared and released in written or oral form by the Grantee under this award shall be submitted to the Grant Administrator for approval prior to release. The Grantee will credit funding for the program to the "Vermont Department of Public Service" in any of the aforementioned materials.

(End of Attachment D)

ATTACHMENT E
Reporting Details

Monitoring and Reporting Requirements

Reporting is **REQUIRED** under this agreement. Reporting under this agreement will include but is not necessarily limited to: quarterly and final reporting, as well as annual reporting on outcome metrics for a period of two (2) years upon completion of the Project. Enhanced quarterly desk reviews with mandatory review of backup documentation will be required as the Grantee has been deemed a “Moderate” risk based upon the State Federal Subrecipient Risk Assessment Tool.¹

Reports shall be submitted by an authorized agent of the Grantee. Failure to submit timely, accurate and fully executed reports shall constitute an “Event of Default” and will result in a mandate to **return any funds** already disbursed under this agreement, and/or the withholding of current and future payments under this agreement until such time as the reporting irregularities are resolved to the State’s satisfaction, such satisfaction shall not be unreasonably withheld.

Progress Reporting:

The following reports are **REQUIRED** and should be submitted via email to Philip Picotte at philip.picotte@vermont.gov.

Incident Report

Grantee will submit an Incident Report for certain events by email to the State Administrator as soon as possible after they occur. The Grantee must report the following:

1. Developments that have a significant impact on the project.
2. Changes to Project specifications outlined above.
3. Other problems, delays, or adverse conditions which materially impair the Grantee’s ability to accomplish the specifications of work to be completed in the grant agreement or which may require State to respond to questions from the press or public.

Quarterly Progress Reporting

Quarterly Progress Reports shall be submitted via email on or before the following dates for the duration of the grant term:

- January 10, April 10, July 10 & October 10

Grantees are required to submit a quarterly report by the 10th day of the first month of each calendar quarter. The reports must provide a concise narrative assessment of the status of work and include the following information:

Quarterly Progress Report

Grantee: _____

Grant Name & Number: _____

¹ Risk rating may be updated during the award performance period with the Grantee’s adoption of suggested or required policies and procedures. Reduced risk rating may alter monitoring requirements imposed upon Grantee. State Federal Subrecipient Risk Assessment Tool can be found at: <https://finance.vermont.gov/content/federal-subrecipient-risk-assessment-tool-v3>.

Calendar Year and Quarter Being Reported: _____

Period Covered by Report: From _____ to _____
(month/date/year) (month/date/year)

Project Contact: _____

Phone: _____ Email: _____

1. Goals & Objectives for the Quarter:

2. Work Accomplished in the Reporting Quarter

Provide a narrative identifying accomplishments, costs, problems, and/or conditions along with any proposed corrective actions.

3. Work/Purchases Scheduled for the Next Reporting Quarter

4. Cost & Performance Status & Metrics:

Show actual costs incurred for the period and total expenses to date (Grantee may use its own forms or spreadsheets to present this information.)

Final Reporting

Final Report Deadline - 30 days after the end date of the agreement

The Grantee will prepare a final report evaluating the Project. The final report must follow the same template as the quarterly report but should describe the full Project, including:

1. A concise narrative summary of the costs, successes and challenges of the Project (activities specified in the scope of work).
2. All information asked for in the quarterly progress reports including the totals for all the Cost & Performance Metrics reported quarterly.
3. Information regarding the role the grant funds had in making Vermont more affordable, protecting the most vulnerable Vermonters, and other factors that demonstrate the value of the public investment in the Project.

Annual Reporting and Follow-up Data

After the grant term ends, the Grantee shall provide the following data on the performance of their Project for the duration of the grant term:

- i. Count of storage systems installed by manufacturer and capacity
- ii. County location and building type (e.g., single-family, multiunit dwelling) for each installation
- iii. Count of electric system upgrades by nature of upgrade (e.g., panel, service line)
- iv. Annual financial benefit to ratepayers provided by the Project

(End of Attachment E)

ATTACHMENT F
STATE FISCAL RECOVERY FUND PROGRAM ASSURANCES
Issued on June 2, 2021

Effective June 2, 2021, State Fiscal Recovery Fund ("SFR") recipients are required to include the below list of assurances in their SFR program applications and/or awards.

Unless noted otherwise, these assurances apply to all SFR grant/beneficiary programs.

An authorized signatory of **Burlington Electric Department** must attest to the following by checking the box next to the statement and signing this document.

- ☐ 1. I have the authority to request payment from the State of Vermont. I am requesting payment for costs incurred in connection with section 602 of the Social Security Act, as amended by section 9901 of the American Rescue Plan Act, Public Law No. 117-2 (March 11, 2021) ("section 602").
- ☐ 2. As required by federal law, the SFR will only be used for approved economic support or costs incurred during the period that begins on March 3, 2021 and December 31, 2024 end of the ARPA period, in response to the COVID-19 public health emergency and its negative economic impacts.
- ☐ 3. **Burlington Electric Department** will report on incurred expenses and/or losses, in a form and at a frequency prescribed by the State of Vermont Public Service Department and will cooperate with the State of Vermont Public Service Department in creating and retaining appropriate documentation to demonstrate that the proposed uses meet the requirements of section 602.
- ☐ 4. To the extent that actual expenditures or demonstrated need is less than the total award amount, **Burlington Electric Department**, agrees to return the balance of unspent funds to the State of Vermont. If the United States Department of the Treasury recoups funds from the State of Vermont based on a determination that these award funds were used in a manner not in compliance with section 602, **Burlington Electric Department** agrees that the State of Vermont may recover funds from **Burlington Electric Department** by reducing future funding in State budgets.
- ☐ 5. **Burlington Electric Department** must repay the award or portion of the award to the Public Service Department if: any funds received were issued in error; are based on incorrect representations made to the Public Service Department; or any costs forming the basis of an award under this program are covered by other federal funds or federally forgiven loans received by **Burlington Electric Department**. I agree that the final determination of whether there has been a duplication of benefits and the amount to be repaid, if any, will be made by the Public Service Department.

- ☐ 6. *[Applies only to grants to subrecipients²]* **Burlington Electric Department** has applied for FEMA-Public Assistance funding first for all FEMA-eligible expenses before applying to this grant. **Burlington Electric Department** will only use this grant to cover expenses that are not eligible for FEMA-Public Assistance reimbursement.

- ☐ 7. **Burlington Electric Department** shall maintain and make available to the State of Vermont and/or United States Department of the Treasury, upon request, all documents and financial records sufficient to establish compliance with section 602. Records and supporting documentation must be maintained for a period of five years after all funds have been expended or returned to Treasury, whichever is later. Records to support compliance with subsection 602 may include, but are not limited to, copies of the following:
 - a. General ledger and subsidiary ledgers used to account for (a) the receipt of SFR payments and (b) the disbursements from such payments to meet eligible expenses related to the public health emergency due to COVID-19;
 - b. Budget records;
 - c. Payroll, time records, human resource records to support costs incurred for payroll expenses related to addressing the public health emergency due to COVID-19;
 - d. Receipts of purchases made related to addressing the public health emergency due to COVID-19;
 - e. Contracts and subcontracts entered into using SFR payments and all documents related to such contracts;
 - f. Grant agreements and grant subaward agreements entered into using SFR payments and all documents related to such awards;
 - g. All documentation of reports, audits, and other monitoring of contractors, including subcontractors, and grant recipient and subrecipients;
 - h. All documentation supporting the performance outcomes of contracts, subcontracts, grant awards, and grant recipient subawards;
 - i. All internal and external email/electronic communications related to use of SFR payments; and
 - j. All investigative files and inquiry reports involving SFR payments.

- ☐ 8. To the best of my knowledge, neither **Burlington Electric Department** principals (officers, directors, owners, or partners) are presently debarred, suspended, proposed for debarment, declared ineligible or excluded from participation in Federal programs, or programs supported in whole or in part by Federal funds.

- ☐ 9. *[Applies only to subrecipient relationships]* **Burlington Electric Department** will complete the Subrecipient Annual Report annually within 45 days after its fiscal year end, informing the State of Vermont whether a Single Audit is required for the prior fiscal year. If a Single Audit is required, **Burlington Electric Department** will submit a

² For assistance in determining whether the relationship between the State, and the entity receiving the funds from the State, is a subrecipient relationship, please complete the Federal Award Classification Checklist. CFO written approval is required to classify any entities as "beneficiaries" of COVID-19 relief funding.

copy of the audit report to the State of Vermont within 9 months. For fiscal years ending on or after December 25, 2015, a Single Audit is required if the subrecipient expends \$750,000 or more in Federal assistance during its fiscal year and must be conducted in accordance with 2 CFR Chapter I, Chapter II, Part 200, Subpart F.

- ☐ 10. **Burlington Electric Department** will submit reports as required by the State of Vermont, Agency of Administration, the Public Service Department.
- ☐ 11. The Public Service Department may share the information on this federal award with other Vermont state agencies, and other Vermont agencies can share information with the Public Service Department for the purpose of verifying **Burlington Electric Department's** eligibility for this or another award or stimulus payment related to the COVID-19 pandemic.
- ☐ 12. **Burlington Electric Department** authorizes the State of Vermont to share data relevant to this award with the U.S. Department of Treasury, including but not limited to previously submitted W-9 data that is related to this award.
- ☐ 13. **Burlington Electric Department's** tax returns are completed and filed through the date of application filing.
- ☐ 14. **Burlington Electric Department** complies with local, state and federal labor laws.
- ☐ 15. **Burlington Electric Department** is in good standing with the Vermont Secretary of State.
- ☐ 16. *[Applies only to hazard grants]* Please certify the following:
 - a. **Burlington Electric Department** has established a process to permit eligible employees to elect not to receive hazard pay funded by a grant provided pursuant to the Program and record keeping procedures to track which employees have elected not to receive a grant.
 - b. **Burlington Electric Department** acknowledges and agrees that grant funds received for hazard pay will only be used to cover hazard pay for eligible employees in accordance with section 602.
- ☐ ~~17. *[Applies to economic support programs]* **Burlington Electric Department** has faced economic harm resulting from or exacerbated by the COVID-19 public health emergency. This award will support **Burlington Electric Department** in addressing the economic harm brought on by the COVID-19 public health emergency.~~
Not applicable.
- ☐ 18. I attest, under penalty of perjury, that all information provided on this form is true and accurate. I understand that the State of Vermont will rely on this certification as a

material representation in making this federal award. Further, I understand that intentional misrepresentation of information is fraud and may subject me or my organization to disqualification from receiving further benefits, administrative penalties, and criminal prosecution.

- ☐ 19. **Burlington Electric Department** understands that, if Federal guidance on the regulations of the State Fiscal Recovery Fund change, it may change the terms of this award.

Printed Name:

Authorized Signature:

Title:

Organization Name: **Burlington Electric Department**

Date:

(End of Attachment F)

ATTACHMENT I
CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

1. The prospective contractor certifies, to the best of his or her knowledge and belief, under the penalties of perjury under the laws of the State of Vermont and the United States that on behalf of the person, firm, association, or corporation he or she represents, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. The prospective contractor also agrees that they shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

(Signature of Official Authorized to Sign Contracts)

(Printed name and Title of Signatory)

(Date)

(End of Attachment I)

Part 1-Grant Award Detail

1 Grant #: XXXXXXXXXX			2 Original ☒		Amendment # ☐	
3 Grant Title:VPPSA Energy Storage Access Program						
4 Amount Previously Awarded: \$0.00		5 Amount Awarded This Action: \$2,954,000.00		6 Total Award Amount: \$2,954,000.00		
7 Award Start Date: 06/01/2024		8 Award End Date: 12/31/2026		9 Subrecipient Award: YES ☒ NO ☐		
10 Vendor #:		11 Grantee Name:Vermont Public Power Supply Authority				
12 Grantee Address: PO Box 126, 5195 Waterbury-Stowe Road						
13 City: Waterbury Center			14 State: VT		15 Zip Code: 05677	
16 State Granting Agency: Department of Public Service					17 Business Unit:	
18 Performance Measures: YES ☒ NO ☐		19 Match/In-Kind: \$0.00 Description:				
20 If this action is an amendment, the following is amended: Amount: ☐ Funding Allocation: ☐ Performance Period: ☐ Scope of Work: ☐ Other: ☐						

²¹ Grantee Identifier [UEI] #: EELPMQCQ42T6		²² Indirect Rate: % (Approved rate or de minimis 10%)	²³ FFATA: YES ☐ NO ☒
²⁴ Grantee Fiscal Year End Month (MM format): 12			²⁵ R&D: ☐
²⁶ Entity Identifier [UEI] Name <i>(if different than VISION Vendor Name in Box 11):</i>			

STATE FUNDS				
Fund Type	²⁷ Awarded Previously	²⁸ Award This Action	²⁹ Cumulative Award	³⁰ Special & Other Fund Descriptions
General Fund			\$0.00	
Special Fund			\$0.00	
Global Commitment (non-subrecipient funds)			\$0.00	
Other State Funds			\$0.00	

Required Federal Award Information

³¹ CFDA#	³² Program Title	³³ Awarded Previously	³⁴ Award This Action	³⁵ Cumulative Award	³⁶ FAIN	³⁷ Fed Award Date	³⁸ Total Federal Award
	State Fiscal Recovery		\$2,954,000.00	\$2,954,000.00			
³⁹ Federal Awarding Agency:			⁴⁰ Federal Award Project Descr:				
				\$0.00			
Federal Awarding Agency:			Federal Award Project Descr:				
				\$0.00			
Federal Awarding Agency:			Federal Award Project Descr:				
				\$0.00			
Federal Awarding Agency:			Federal Award Project Descr:				
				\$0.00			
Federal Awarding Agency:			Federal Award Project Descr:				
Total Awarded - All Funds		\$0.00	\$2,954,000.00	\$2,954,000.00			

TM STATE GRANTING AGENCY	TM GRANTEE
NAME: Philip Picotte	NAME: Sarah Braese
TITLE: Utilities Economic Analyst	TITLE: Assistant General Manager
PHONE: (802) 828-5872	PHONE: (802) 882-8509
EMAIL: philip.picotte@vermont.gov	EMAIL: sbraese@vppsa.com

State of Vermont Grant Agreement Part 1

Instructions

Section I – General Grant Information

1. Grant number: The grant number should begin with a five-digit business unit number prefix. Grant numbers may contain alpha-numeric characters and are limited to 30 total characters.
2. Check the Original box if the award is the original grant award. If it is an amendment, indicate the number of the amendment.
3. Grant title: This is the title of the award or project. It will usually correspond with the Grant Description entered in the Grant Tracking module.
4. Previously Awarded: If this is the original award, it will be \$0. Otherwise, it is the value of Box 6 in the previous grant agreement for this award. It should equal the cumulative total of all previous awards for this grant number.
5. Amount Awarded This Action: For the original award document, this will be the total grant award. If this award is an amendment, it is the current amendment amount. If this award is an amendment that does not affect the amount, it will be \$0.
6. Total Award Amount: This is the total funds obligated for this grant award to-date. If this award is an amendment, it is the new total authorized amount, including the current amendment. For the original award, this amount will be the same as the amount in Box 5.
7. Start Date: This is the beginning date of the performance period covered by this award.
8. End Date: This is the ending date of the performance period covered by this award.
9. Subrecipient Award: Check Yes or No to indicate whether or not this award is considered a subrecipient agreement. If No is checked, the Subrecipient Award Information section may be left blank. Check No for grants funded only with State funds. **Note:** Only one box may be checked. *A grant agreement cannot be both a subrecipient award and a contractual relationship.*
10. Vendor number: The VISION vendor number for the grantee.
11. Grantee Name: The name of the grantee. This should correspond with the name of the VISION vendor entered in Box 10.
12. – 15. Grantee address information: If the Grantee has multiple addresses, this should be the address associated with the performance of the award. Enter the Zip+4 if available and if required for FFATA reporting.
16. State Granting Agency: This is the name of the State of Vermont Department that is granting the funds. The Division name may also be included, if desired.
17. Business Unit: This is the five-digit VISION General Ledger Business Unit associated with the Granting Agency.
18. Performance Measures: Check Yes or No to indicate whether or not the award contains performance measures.
19. Match/In-Kind \$ and Description: Enter the amount of match/in-kind required, or enter \$0. If a dollar value has been entered, enter a brief description of what is required. The narrative sections of the award may also contain additional information pertaining to required match or in-kind. If desired, this box may also be used to identify funding from other sources involved in the project that will not be covered by this award, such as projects where multiple organizations are contributing funding.
20. Amendment Information: If the award is an amendment, check Yes or No to each type of amendment in this box. If the award is not an amendment, this box may be left blank.

Section II – Subrecipient Award Information

This section is only required to be completed for Subrecipient awards.

21. Grantee Identifier [UEI] #: This is the subrecipient's Universal Entity Identification number.
22. Indirect Rate: Enter the approved indirect rate, or the de minimis rate of 10%. If the subrecipient chooses not to request indirect costs for this award, enter 0%.
23. FFATA: Check Yes or No to indicate if the award is subject to FFATA reporting.
24. Grantee Fiscal Year End Month: Enter the two-digit month in which the subrecipient's fiscal year ends.
25. R&D: Check this box if the award is a Research and Development award.
26. Entity Identifier [UEI] Name: If the UEI registered name is different than the VISION vendor name in Box 11, enter the official UEI registered name here; otherwise, this box may be left blank

Section III – Funding Allocation

Detailed funding information is divided into two sections: State funds and Federal funds. The shaded boxes contain required information for subawards which comes from the original award from the Federal Granting Agency to the State Granting Agency. The funding allocation should correspond to the funding entered in the VISION Grant Tracking module. The totals will automatically be displayed in boxes 4 through 6 in Section I.

Global Commitment Funds: Global Commitment funds that are not being awarded as subrecipient funds may be reported in the State Funds section. Global Commitment funds that are being awarded as subrecipient funds should be reported in the Federal Funds section using the appropriate CFDA information. If an award with Global Commitment funds is being split between Federal and State, the State share should be entered in the State Funds section and the Federal share in the Federal Funds section with the appropriate CFDA information.

27. Awarded Previously: Enter the amount previously awarded for each fund type in the State Funds section. If this is the original grant agreement, enter \$0. The total of this column (State and Federal) will appear in Box 4.
28. Award This Action: Enter the amount of the current award. If this is the original award, enter the full amount of the award. If this is an amendment, enter the amount of the amendment. Negative amendments are allowed. If the amendment does not affect the funding, enter \$0. The total of this column (State and Federal) will appear in Box 5.
29. Cumulative Award: Enter the total of the award, including all amendments. The total of this column (State and Federal) must tie to Box 6.
30. Special and Other Fund Descriptions: If the award contains Special or Other funds, enter a brief description of the funding source.
31. CFDA #: Enter the CFDA number for all Federally funded awards.
32. Program Title: Enter the CFDA program title.
33. Awarded Previously: Enter the amount previously awarded for each CFDA #. If this is the original grant agreement, enter \$0 or leave this column blank. The total of this column (State and Federal) will appear in Box 4.
34. Award This Action: Enter the amount of the current award for each CFDA #. If this is the original award, enter the full amount of the award. If this is an amendment, enter the amount of the amendment. If the amendment does not affect the funding of this CFDA #, enter \$0 on that row. The total of this column (State and Federal) will appear in Box 5.
35. Cumulative Award: Enter the total of the award, including all amendments for each CFDA #. The total of this column (State and Federal) must tie to Box 6.

The following information is required *only for federal subrecipient awards*. The information recorded in Boxes 36 through 40 is found on the Federal grant award to the State Granting Agency from which funds are being subawarded. If an award is being issued from multiple Federal awards to the State under the same CFDA #, it may be necessary to enter multiple rows in this section in order to enter the appropriate information in Boxes 36 through 40.

36. FAIN: This is the Federal Award Identification Number assigned by the Federal granting agency.
37. Federal Award Date: This is the date that the Federal Granting Agency official signed the award to the State Granting Agency.
38. Total Federal Award: This is the total amount of the Federal award to the State Granting Agency.
39. Federal Awarding Agency: This is the Federal Agency that issued the award to the State Granting Agency.
40. Federal Award Project Description: This is the title/description of the Federal award to the State Granting Agency.

Section IV – Contact Information

- Enter a contact person for the State Granting Agency. This individual should be the State's main point of contact for the award and is not required to be the Appointing Authority.
- Enter a contact person for the Grantee. This individual should be the Grantee's main point of contact for the award and is not required to be the official who signed the award.

Part 2

1. **Parties:** This is a Grant Agreement between the Vermont Department of Public Service (hereafter called "State") and **Vermont Public Power Supply Authority** (hereinafter called "Grantee"), with a principal place of business at 5195 Waterbury-Stowe Road in Waterbury Center, Vermont 05677. It is the Grantee's responsibility to contact the Vermont Department of Taxes to determine if, by law, the Grantee is required to have a Vermont Department of Taxes Business Account Number.
2. **Subject Matter:** The subject matter of this Grant Agreement is the development, implementation and administration of the VPPSA Platform Energy Storage Access Program ("Program") to serve Vermont households with low- or moderate-income.
3. **Award Details:** Amounts, dates and other award details are as shown in the attached *Grant Agreement Part 1-Grant Award Detail*. A detailed scope of work covered by this award is described in Attachment A. This award is conditioned upon the Grantee securing all necessary state and local permits and the Grantee securing funding to meet the program fund matching requirement in Attachment B. Reporting is **REQUIRED** under this agreement (see Attachment E for details on required reporting). This award is made available through the Energy Storage Access Program which has been funded through the American Rescue Plan Act ("ARPA") State Fiscal Recovery Funds ("SFRF") for which all assurances in Attachment F are applicable.
4. **Amendment:** No changes, modifications, or amendments in the terms and conditions of this Grant Agreement shall be effective unless reduced to writing, numbered, and signed by the duly authorized representative of the State and Grantee.
5. **Cancellation:** This Grant Agreement may be suspended or cancelled by either party by giving written notice at least 15 days in advance.
6. **Attachments:** This Grant consists of 26 pages including the following attachments that are incorporated herein:
 - Grant Agreement-Part 1 – Grant Award Detail
 - Grant Agreement Part 2 – Grant Agreement
 - Attachment A – Scope of Work To Be Performed
 - Attachment B – Payment Provisions
 - Attachment C – Customary State Grant Provisions
 - Attachment D – Other Provisions
 - Attachment E – Reporting Details
 - Attachment F – State Fiscal Recovery Fund Program Assurances
 - Attachment I – Anti-Lobbying
7. **Order of Precedence:** Any ambiguity, conflict or inconsistency in the Grant Documents shall be resolved according to the following order of precedence:
 - 1) Grant Agreement Part 1 and Part 2
 - 2) Attachment C – Customary State Grant Provisions
 - 3) Attachment F – State Fiscal Recovery Fund Program Assurances
 - 4) Attachment D – Other Provisions
 - 5) Attachment A – Scope of Work to Be Performed
 - 6) Attachment B – Payment Provisions
 - 7) Attachment E – Reporting Details

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8) Attachment I – Anti-Lobbying

WE THE UNDERSIGNED PARTIES AGREE TO BE BOUND BY THIS GRANT AGREEMENT.

By the State of Vermont:

Date: _____

Signature: _____

Name: June E. Tierney

Title: Commissioner, Vermont Department of Public Service

By the Grantee:

Date: _____

Signature: _____

Name: Sarah Braese

Title: Assistant General Manager, Vermont Public Power Supply Authority

ATTACHMENT A
Specifications of Work to be Performed and
Monitoring/Reporting Requirements

This Grant Agreement provides funding for a Program that supports the grantee in researching and procuring a software platform or service to manage flexible electric loads, including energy storage systems ("ESS") serving low- or moderate-income Vermont residences funded under a separate grant. All Program work must be completed on or before December 31, 2026.

Funding for this grant will be from federal ARPA SFR and provided through the State of Vermont Department of Public Service. The Grantee will coordinate efforts among other "program entities" participating in the Program, consisting of the Grantee, Burlington Electric Department, and Washington Electric Cooperative. A separate grant agreement addresses software platform for battery and load management, and those activities are not included herein.

The Grantee agrees to undertake, perform, and complete the following activities:

- A. Design, implement, and administer the Program in order to serve low and moderate ("LMI") customers with ESS at or near their place of residence, and, as outline below, serve municipal buildings with ESS. Low income customers are those households with incomes at or below 80% of area median income. Moderate income customers are those households with incomes above 80% and at or below 120% of area median income.
 - 1. Residential Component**
 - i. The Grantee will deploy ESS to increase residential and electric system resiliency, mainly consisting of residential-scale batteries. Residential systems will serve single-family homes, multi-unit dwellings, and mobile home park sites. System capacity and design will account for the needs of the number of homes served.
 - ii. The ESS shall be offered at no cost to residential customers. At the discretion of the Grantee, as based on site requirements, customer need, and availability of grant funds, Grantee may pay up to \$6,000 per residence toward the cost of required electrical service, service panel, or related upgrades to allow for ESS installation. The Grantee may choose to provide a financial benefit to participants, such as a monthly or one-time bill credit, to customers to support recruitment and that ensure Program funding is fully allocated.
 - iii. Grantee shall prioritize ESS deployment to low-income customers. Grantee may also deploy ESS to moderate-income customers. Grantee shall target, but is not bound by, allocations of 60% of residential grant funds for single-family residences and 40% of residential grant funds for multiunit dwellings and mobile home parks. Grantee shall enroll eligible customers by verifying income requirements prior to enrolling participants. Customer self-attestation is acceptable.
 - iv. Grantee shall promote program with direct marketing and/or through community partnerships to generate interest in the program and customer participation. Program promotion shall include a focused, and demonstrable, effort to reach disadvantaged communities, lowest-income households, and households with critical medical needs who experience frequent outages.
 - v. ESS installations may be sited at customer residences, in buildings containing multiple dwelling units, or other indoor or outdoor suitable

locations near residences. A single location that serves multiple residences, such as all or part of a mobile home park, is allowable.

- vi. Customers will own each ESS. Grantee will provide for a service and maintenance agreement to user the battery is property maintained. Grantee will dispatch the ESS for grid support. At the end of the maintenance agreement term, the customer may choose to keep the ESS in at no cost or elect for the Grantee to remove the battery for recycling.

2. Municipal Component

- i. Grantee shall install approximately 13 ESS at locations owned and/or operated by Vermont municipalities.
- ii. At the discretion of the Grantee, as based on site requirements and availability of grant funds, Grantee may pay up to \$76,000 per site, including toward the cost of required electrical service, service panel, or related upgrades to allow for ESS installation.
- iii. Grantee shall target one ESS in the territory of each distribution utility participating in the program (Burlington Electric Department, Washington Electric Coop, and Vermont Public Power Supply Authority representing 11 municipal utilities)
- iv. Grantee shall target municipal buildings that provide emergency services or emergency shelters (including warming/cooling centers), schools, and/or critical-infrastructure sites, especially those serving disadvantaged for low-income populations. The Grantee may consider results of the Municipal Energy Resilience Program grant program including reports outlining specific building suitability for energy storage.
- v. Customers or third-parties will own each ESS. Grantee will provide for a service and maintenance agreement to user the battery is property maintained. Grantee will dispatch the ESS for grid support. At the end of the maintenance agreement term, the customer may choose to keep the ESS in at no cost or elect for the Grantee to remove the battery for recycling.

3. Provisions Common to Both Residential and Municipal Components

- i. Grantee shall ensure installations are conducted by trained, knowledgeable, and insured installers in accordance with Vermont and local statutes, ordinances, rules, and adopted codes, and applicable national standards, including any electrical, fire safety, zoning, or land-use provisions that may apply. This includes avoidance of, or appropriate elevation within, special flood hazard areas as designated by the Federal Emergency Management Agency and/or a municipality.
- ii. ESS removal, for whatever reason and whatever time, shall be the exclusive responsibility of the Grantee.
- iii. Grantee shall develop program enrollment procedures, promotion, and equitable implementation to fully allocate the Program funding.
- iv. Once program parameters are determined for each or either component, Grantee shall provide the Department with the program design and general process for enrollment, installation, and operation, as well as the written Customer Agreement (i.e., terms and conditions). The Grantee will notify the State once the program is in place and describe how the Grantee will choose which participants receive which amount of grant funds. Grantee will share this program information by email and receive prompt approval or request for revision from the State by email.

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- B. Be responsible for program oversight in accordance with the program design and procedures. Grantee will be the primary point of contact for participants and potential participants via phone and email in coordination with installers selected by the Grantee.
- C. Provide quarterly, final, and annual reports. (See below and Attachment E)
- D. Participate in bimonthly phone check-ins scheduled by the State program manager and, if requested, facilitate site-visit(s) by State staff or designees to verify equipment installation and operation.
- E. Provide program-related participation information, program performance, equipment usage, and related data in support of State-directed research, evaluation, measurement, and verification ("EM&V") activities. Participants shall be made aware of research and EM&V provisions in advance of enrollment as part of program Customer Agreement.
- F. Payment of the final invoice will be withheld by the State until review and approval of the final report.

The timeline below identifies activities during each year of the program. The timeline is a target only, and the State and Grantee acknowledge that the schedule is subject to change.

Year	Planned Activity
2024	- Define scope of eligible program expenses, working with local communities and statewide partners such as Efficiency Vermont's Efficiency Excellence Network - Sizing and selection of battery energy storage system manufacturer(s) and site specification requirements - Finalize program participation requirements, including eligibility, outreach, and key stakeholders to achieve Program objectives.
2025	- Implement Program outreach strategies and solicit income-eligible program participants or building/mobile home park owners. - Finalize program participant enrollment, perform make-ready work, procure ESS, install ESS. - Device enrollment and monitoring through energy management software solutions
2026	- Continued participant enrollment - Analyze Program participant engagement and device performance - Analyze any barriers, effectiveness, and system benefits from diverse housing type installations.

The following installation counts are targets and not obligations:

Location	Site Count	Residential Customers Served	Expected Make Ready Services	Expected System Size
Residential In-home	39	156	40% of Sites	7-9 kW
Multiunit Dwelling	7	84	100% of Sites	56 kW
Mobile Home Park	2	20	100% of Sites	56 KW
Municipal	13	N/A	100% of Sites	Variable

Commented [PP1]: These figures are from the original proposal and may need to be adjusted to reflect the reduced budget.

(End of Attachment A)

ATTACHMENT B
Payment Provisions

The State agrees to reimburse the Grantee for costs incurred up to the maximum amount stated below, provided such costs are incurred within the grant award start and end dates, are within the specifications of work in Attachment A, and are authorized as provided for under the terms and conditions of this grant.

Maximum amount payable: \$2,954,000.00

The State will reimburse the Grantee for expenses incurred by the Grantee upon submission of an invoice by the Grantee. Unless other special arrangements are made between the State and the Grantee, payments will be made no more than on a monthly basis. Grantee may consolidate units of membership reimbursement into a single invoice for any single generation plant consistent with the Budget accounting category.

Expense receipts and other documentation sufficient to reflect all costs claimed to have been incurred shall be submitted with reimbursement invoices. Invoices shall be broken down by accounting category per the budget. Invoices may be emailed. Documentation sufficient to reflect all costs claimed to have been incurred in performing this grant shall be submitted with the invoice.

The Grantee agrees that all Program funds are to be spent as detailed in this agreement and shown in the Budget. If the funds are not to be spent as detailed in the Budget, the Grantee must obtain written approval from the Department's Grant Administrator prior to the expenditure of such funds as defined below:

- Adding or removing budget categories or shifting budgeted amounts between budget categories.

Submit Invoices to:

Philip Picotte
Vermont Department of Public Service
philip.picotte@vermont.gov **and** PSD.Invoice@vermont.gov

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Standard Grant Agreement

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GRANT BUDGET

Category	Year 1	Year 2	Year 3	Total
Personnel	\$0	\$0	\$0	\$0
Fringe Benefits	\$0	\$0	\$0	\$0
Equipment				
Residential Equipment	\$0	\$536,004	\$276,507	\$812,511
Municipal Equipment	\$0	\$320,198	\$302,803	\$623,000
<i>Total Equipment</i>	<i>\$0</i>	<i>\$856,202</i>	<i>\$579,310</i>	<i>\$1,435,511</i>
Contractual				
Residential Installation	\$0	\$229,716	\$118,503	\$350,445
Residential Make Ready	\$0	\$239,544	\$661,500	\$901,044
Municipal Installation	\$0	\$137,228	\$129,773	\$267,000
<i>Total Contractual</i>	<i>\$0</i>	<i>\$606,488</i>	<i>\$909,776</i>	<i>\$1,518,489</i>
Grand Total				\$2,954,000

Note: The grant budget does not reflect expected in-kind contributions by Grantee or cost-share from municipal component participants. The in-kind contributions cover all program costs in Year 1.

(End of Attachment B)

State of Vermont
Standard Grant Agreement

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**ATTACHMENT C: STANDARD STATE PROVISIONS
FOR CONTRACTS AND GRANTS
REVISED DECEMBER 3, 2023**

See the recently updated Attachment C at:

<https://bgs.vermont.gov/sites/bgs/files/files/purchasing-contracting/Forms/ATTACHMENT%20C%20-%20rev%202023%20FINAL%20PROOF%20CLEAN%2012-07-23.pdf>

(End of Attachment C Standard Provisions)

ATTACHMENT D
Other Provisions

1. **Ownership of Equipment & Materials:** For any materials or equipment purchased in whole or part with State grant funds the Grantee shall not give or sell the equipment or materials to any person or entity without the written approval of the State. The Grantee agrees that there shall be no sale of the property for five (5) years upon execution of this grant agreement without the approval of the Department. Such approval shall not be unreasonably withheld if the property is to continue to be operated as originally intended. If any of the property funded by this award are sold within five (5) years from the execution of this award without permission, the Grantee shall refund the full amount of award funds reimbursed by the Department within thirty (30) days of the sale.
2. **Work Product Ownership:** Products of the Grantee's work including: outlines, reports, charts, sketches, drawings, art work, plans, photographs, specifications, estimates, computer programs, or similar documents, patents and copyrights become the property of the Grantee. However, Grantee must provide copies of such work to the State of Vermont. Absent an order to the contrary from a court of competent jurisdiction, certain information will be held as confidential by the State where Grantee has established such information is proprietary in nature and therefore exempt from access to public records requests pursuant to 1 V.S.A. § 317(c)(9).
3. **Prior Approval of Press Releases/Credit for Funding:** Any notices, information pamphlets, press releases, research reports, or similar other publications prepared and released in written or oral form by the Grantee under this award shall be submitted to the Grant Administrator for approval prior to release. The Grantee will credit funding for the program to the "Vermont Department of Public Service" in any of the aforementioned materials.

(End of Attachment D)

ATTACHMENT E
Reporting Details

Monitoring and Reporting Requirements

Reporting is **REQUIRED** under this agreement. Reporting under this agreement will include but is not necessarily limited to: quarterly and final reporting, as well as annual reporting on outcome metrics for a period of two (2) years upon completion of the Program. Enhanced quarterly desk reviews with mandatory review of backup documentation will be required as the Grantee has been deemed a "Moderate" risk based upon the State Federal Subrecipient Risk Assessment Tool.¹

Reports shall be submitted by an authorized agent of the Grantee. Failure to submit timely, accurate and fully executed reports shall constitute an "Event of Default" and will result in a mandate to **return any funds** already disbursed under this agreement, and/or the withholding of current and future payments under this agreement until such time as the reporting irregularities are resolved to the State's satisfaction, such satisfaction shall not be unreasonably withheld.

Progress Reporting:

The following reports are **REQUIRED** and should be submitted via email to Philip Picotte at philip.picotte@vermont.gov.

Incident Report

Grantee will submit an Incident Report for certain events by email to the State Administrator as soon as possible after they occur. The Grantee must report the following:

1. Developments that have a significant impact on the Program.
2. Changes to Program specifications outlined above.
3. Other problems, delays, or adverse conditions which materially impair the Grantee's ability to accomplish the specifications of work to be completed in the grant agreement or which may require State to respond to questions from the press or public.

Quarterly Progress Reporting

Quarterly Progress Reports shall be submitted via email on or before the following dates for the duration of the grant term:

- January 10, April 10, July 10 & October 10

Grantees are required to submit a quarterly report by the 10th day of the first month of each calendar quarter. The reports must provide a concise narrative assessment of the status of work and include the following information:

Quarterly Progress Report

Grantee: _____

Grant Name & Number: _____

¹ Risk rating may be updated during the award performance period with the Grantee's adoption of suggested or required policies and procedures. Reduced risk rating may alter monitoring requirements imposed upon Grantee. State Federal Subrecipient Risk Assessment Tool can be found at: <https://finance.vermont.gov/content/federal-subrecipient-risk-assessment-tool-v3>.

Calendar Year and Quarter Being Reported: _____

Period Covered by Report: From _____ to _____
(month/date/year) (month/date/year)

Project Contact: _____

Phone: _____ Email: _____

1. Goals & Objectives for the Quarter:

2. Work Accomplished in the Reporting Quarter

Provide a narrative identifying accomplishments, costs, problems, and/or conditions along with any proposed corrective actions.

3. Work/Purchases Scheduled for the Next Reporting Quarter

4. Cost & Performance Status & Metrics:

Show actual costs incurred for the period and total expenses to date (Grantee may use its own forms or spreadsheets to present this information.)

Final Reporting

Final Report Deadline - 30 days after the end date of the agreement

The Grantee will prepare a final report evaluating the Project. The final report must follow the same template as the quarterly report but should describe the full Project, including:

1. A concise narrative summary of the costs, successes and challenges of the Project (activities specified in the scope of work).
2. All information asked for in the quarterly progress reports including the totals for all the Cost & Performance Metrics reported quarterly.
3. Information regarding the role the grant funds had in making Vermont more affordable, protecting the most vulnerable Vermonters, and other factors that demonstrate the value of the public investment in the Project.

Annual Reporting and Follow-up Data

After the grant term ends, the Grantee shall provide the following data on the performance of their Project for the duration of the grant term:

- i. Count of storage systems installed by manufacturer and capacity
- ii. County location and building type (e.g., single-family, multiunit dwelling) for each installation
- iii. Count of electric system upgrades by nature of upgrade (e.g., panel, service line)
- iv. Annual financial benefit to ratepayers provided by the Project

(End of Attachment E)

ATTACHMENT F
STATE FISCAL RECOVERY FUND PROGRAM ASSURANCES
Issued on June 2, 2021

Effective June 2, 2021, State Fiscal Recovery Fund ("SFR") recipients are required to include the below list of assurances in their SFR program applications and/or awards.

Unless noted otherwise, these assurances apply to all SFR grant/beneficiary programs.

An authorized signatory of **Vermont Public Power Supply Authority** must attest to the following by checking the box next to the statement and signing this document.

- ☐ 1. I have the authority to request payment from the State of Vermont. I am requesting payment for costs incurred in connection with section 602 of the Social Security Act, as amended by section 9901 of the American Rescue Plan Act, Public Law No. 117-2 (March 11, 2021) ("section 602").
- ☐ 2. As required by federal law, the SFR will only be used for approved economic support or costs incurred during the period that begins on March 3, 2021 and December 31, 2024 end of the ARPA period, in response to the COVID-19 public health emergency and its negative economic impacts.
- ☐ 3. **Vermont Public Power Supply Authority** will report on incurred expenses and/or losses, in a form and at a frequency prescribed by the State of Vermont Public Service Department and will cooperate with the State of Vermont Public Service Department in creating and retaining appropriate documentation to demonstrate that the proposed uses meet the requirements of section 602.
- ☐ 4. To the extent that actual expenditures or demonstrated need is less than the total award amount, **Vermont Public Power Supply Authority**, agrees to return the balance of unspent funds to the State of Vermont. If the United States Department of the Treasury recoups funds from the State of Vermont based on a determination that these award funds were used in a manner not in compliance with section 602, **Vermont Public Power Supply Authority** agrees that the State of Vermont may recover funds from **Vermont Public Power Supply Authority** by reducing future funding in State budgets.
- ☐ 5. **Vermont Public Power Supply Authority** must repay the award or portion of the award to the Public Service Department if: any funds received were issued in error; are based on incorrect representations made to the Public Service Department; or any costs forming the basis of an award under this program are covered by other federal funds or federally forgiven loans received by **Vermont Public Power Supply Authority**. I agree that the final determination of whether there has been a duplication of benefits and the amount to be repaid, if any, will be made by the Public Service Department.

- ☐ 6. *[Applies only to grants to subrecipients²]* **Vermont Public Power Supply Authority** has applied for FEMA-Public Assistance funding first for all FEMA-eligible expenses before applying to this grant. **Vermont Public Power Supply Authority** will only use this grant to cover expenses that are not eligible for FEMA-Public Assistance reimbursement.
- ☐ 7. **Vermont Public Power Supply Authority** shall maintain and make available to the State of Vermont and/or United States Department of the Treasury, upon request, all documents and financial records sufficient to establish compliance with section 602. Records and supporting documentation must be maintained for a period of five years after all funds have been expended or returned to Treasury, whichever is later. Records to support compliance with subsection 602 may include, but are not limited to, copies of the following:
 - a. General ledger and subsidiary ledgers used to account for (a) the receipt of SFR payments and (b) the disbursements from such payments to meet eligible expenses related to the public health emergency due to COVID-19;
 - b. Budget records;
 - c. Payroll, time records, human resource records to support costs incurred for payroll expenses related to addressing the public health emergency due to COVID-19;
 - d. Receipts of purchases made related to addressing the public health emergency due to COVID-19;
 - e. Contracts and subcontracts entered into using SFR payments and all documents related to such contracts;
 - f. Grant agreements and grant subaward agreements entered into using SFR payments and all documents related to such awards;
 - g. All documentation of reports, audits, and other monitoring of contractors, including subcontractors, and grant recipient and subrecipients;
 - h. All documentation supporting the performance outcomes of contracts, subcontracts, grant awards, and grant recipient subawards;
 - i. All internal and external email/electronic communications related to use of SFR payments; and
 - j. All investigative files and inquiry reports involving SFR payments.
- ☐ 8. To the best of my knowledge, neither **Vermont Public Power Supply Authority** principals (officers, directors, owners, or partners) are presently debarred, suspended, proposed for debarment, declared ineligible or excluded from participation in Federal programs, or programs supported in whole or in part by Federal funds.
- ☐ 9. *[Applies only to subrecipient relationships]* **Vermont Public Power Supply Authority** will complete the Subrecipient Annual Report annually within 45 days after its fiscal year end, informing the State of Vermont whether a Single Audit is required for the

² For assistance in determining whether the relationship between the State, and the entity receiving the funds from the State, is a subrecipient relationship, please complete the Federal Award Classification Checklist. CFO written approval is required to classify any entities as "beneficiaries" of COVID-19 relief funding.

prior fiscal year. If a Single Audit is required, **Vermont Public Power Supply Authority** will submit a copy of the audit report to the State of Vermont within 9 months. For fiscal years ending on or after December 25, 2015, a Single Audit is required if the subrecipient expends \$750,000 or more in Federal assistance during its fiscal year and must be conducted in accordance with 2 CFR Chapter I, Chapter II, Part 200, Subpart F.

- ☐ 10. **Vermont Public Power Supply Authority** will submit reports as required by the State of Vermont, Agency of Administration, the Public Service Department.
- ☐ 11. The Public Service Department may share the information on this federal award with other Vermont state agencies, and other Vermont agencies can share information with the Public Service Department for the purpose of verifying **Vermont Public Power Supply Authority's** eligibility for this or another award or stimulus payment related to the COVID-19 pandemic.
- ☐ 12. **Vermont Public Power Supply Authority** authorizes the State of Vermont to share data relevant to this award with the U.S. Department of Treasury, including but not limited to previously submitted W-9 data that is related to this award.
- ☐ 13. **Vermont Public Power Supply Authority's** tax returns are completed and filed through the date of application filing.
- ☐ 14. **Vermont Public Power Supply Authority** complies with local, state and federal labor laws.
- ☐ 15. **Vermont Public Power Supply Authority** is in good standing with the Vermont Secretary of State.
- ☐ 16. *[Applies only to hazard grants]* Please certify the following:
 - a. **Vermont Public Power Supply Authority** has established a process to permit eligible employees to elect not to receive hazard pay funded by a grant provided pursuant to the Program and record keeping procedures to track which employees have elected not to receive a grant.
 - b. **Vermont Public Power Supply Authority** acknowledges and agrees that grant funds received for hazard pay will only be used to cover hazard pay for eligible employees in accordance with section 602.
- ☐ ~~17. *[Applies to economic support programs]* **Vermont Public Power Supply Authority** has faced economic harm resulting from or exacerbated by the COVID-19 public health emergency. This award will support **Vermont Public Power Supply Authority** in addressing the economic harm brought on by the COVID-19 public health emergency. Not applicable.~~

State of Vermont
Standard Grant Agreement

Agreement #: 02440-FY24-Act74G600-023

- ☐ 18. I attest, under penalty of perjury, that all information provided on this form is true and accurate. I understand that the State of Vermont will rely on this certification as a material representation in making this federal award. Further, I understand that intentional misrepresentation of information is fraud and may subject me or my organization to disqualification from receiving further benefits, administrative penalties, and criminal prosecution.
- ☐ 19. **Vermont Public Power Supply Authority** understands that, if Federal guidance on the regulations of the State Fiscal Recovery Fund change, it may change the terms of this award.

Printed Name:

Authorized Signature:

Title:

Organization Name: **Vermont Public Power Supply Authority**

Date:

(End of Attachment F)

ATTACHMENT I
CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

1. The prospective contractor certifies, to the best of his or her knowledge and belief, under the penalties of perjury under the laws of the State of Vermont and the United States that on behalf of the person, firm, association, or corporation he or she represents, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. The prospective contractor also agrees that they shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

(Signature of Official Authorized to Sign Contracts)

(Printed name and Title of Signatory)

(Date)

(End of Attachment I)

Demonstration of Energy & Efficiency Developments (DEED) Grant Agreement

Burlington Electric Department

CG-2701: Video as an Educational and Outreach Tool

This Grant Agreement (“Agreement”) is made and entered into as of the date of last signature below (“Effective Date”) by and between the American Public Power Association (“APPA”) and Burlington Electric Department (“Grantee”), each a “Party” and collectively the “Parties”.

WHEREAS, the Board of Directors of APPA has established the Demonstration of Energy & Efficiency Developments (“DEED”) program that is dedicated to improving the operations and services of public power utilities by supporting and demonstrating its members’ innovative activities through research, funding, and education;

WHEREAS, Grantee has submitted a proposed demonstration project, in a DEED proposal submitted on February 14, 2024, which is incorporated herein by reference, with information including a project description, the rationale, schedule, and estimated cost of the project, together with a statement of why the project is widely applicable to members of APPA, and supporting technical material;

WHEREAS, the DEED Board has found the proposed project to be meritorious and worthy of a DEED grant;

WHEREAS Grantee has agreed to the DEED grant terms as described below:

NOW, THEREFORE, the Parties agree as follows:

1. **Funding.** APPA will supply a DEED grant in the amount of \$44,000 to Grantee (“DEED Grant”). Payment shall be made within 30 days of receipt of invoice at APPA, as further described in Sections 9 and 10.

2. **Project and Project Personnel.** The project to be undertaken by Grantee is as follows:

This project will result in the design and creation of 4 short educational videos on energy topics of interest to Burlington’s diverse community. These will be produced by the Vermont Language Access Project and build on their success in creating culturally competent content that successfully communicates energy issues and engages BED’s most hard-to-reach customers, i.e. refugees, immigrants, and low income people. Based in part on BED’s on-going listening exercises with the community (in partnership with the Association of Africans Living in Vermont and the Family Room, etc.) these videos will improve the quality of life for our community’s most vulnerable by: 1) helping save

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money with reduced energy use; and 2) accessing BED's many services and information on programs, policies and initiatives. Ultimately this project will increase grid reliability, reduce greenhouse house emissions, and increase economic vitality and civic engagement while advancing the City's Net Zero Energy strategy.

Project scope is more fully described in the Grantee's proposal 2701: Video as an Educational and Outreach Tool. The proposal, as well as the document [DEED Grant Requirements](#) containing instructions related to preparing and submitting Quarterly Reports, Final Reports, and Summary Abstracts, are incorporated herein by reference and made a part of this Agreement. It is understood that the key personnel of this project are:

Ita Meno, Program and Equity Analyst, Burlington Electric Department

Alison Segar, Program Director, Vermont Language Justice Project

Jennifer Green, Director of Sustainability, Burlington Electric Department

3. **Term.** The Agreement shall commence as of the Effective Date. The Grantee is required to complete the project as approved by the DEED Board by October, 31, 2025, as noted in the proposal. Any changes to the completion date must be addressed as further described in Section 6.

4. **Subcontractors.** If Grantee proposes to hire a subcontractor to work on the project and such subcontractor is not identified in Grantee's original project proposal, Grantee shall request APPA's written permission to do so. In addition, Grantee shall ensure that APPA's rights under this Agreement are not diminished by the use of a subcontractor. Any agreement between Grantee and a subcontractor shall incorporate the terms and conditions of this Agreement, as necessary. At a minimum, any such agreement between Grantee and a subcontractor shall require a subcontractor:

- (a) to maintain books, records, and other documents and appropriate accounting procedures and practices sufficient to reflect receipt and disposition of project funds and total costs (direct and indirect) of the project, to retain such books, records, and other documents until the expiration of three years from the date of final payment or

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completion of the project, and permit inspection and audit of such books, records, or other documents by APPA or its contractors;

(b) not to delegate or transfer to another party the responsibility for carrying out the project or the use of project funds unless approved in writing by APPA and Grantee;

(c) to notify the Grantee and APPA of all proposed major project changes (such as those identified in Section 6 of this Agreement) in a manner consistent with the provisions of that Section, and to provide an opportunity for APPA and Grantee to disapprove any such changes in a manner consistent with the provisions of Section 6 of this Agreement;

(d) not to terminate the project except for the material breach of APPA that remains uncured after advance written notice to APPA and a reasonable opportunity to cure the breach, and if APPA or Grantee finds, in their reasonable discretion, that the subcontractor has terminated the project work for any other reason, all funds paid by Grantee to the subcontractor shall be returned, at the discretion of APPA, to Grantee or to APPA;

(e) to return unexpended funds to Grantee or APPA, as determined by APPA, in the event that the work is terminated for APPA's material breach or the work is completed prior to expenditure of all funds; and

(f) to expressly agree that APPA owns all intellectual property rights in the project by having each subcontractor sign Attachment A, which acknowledges that all information, materials, and work product, including reports, abstracts, videos, guidebooks, software programs, documentation, and other deliverables created by a subcontractor pursuant to this Agreement ("Subcontractor Work Product") shall be considered a "Work Made for Hire" as defined in the Copyright Act of 1976, as amended, and the property of APPA.

No project shall be commenced without an agreement in the form of Attachment A signed by a subcontractor, if Subcontractor Work Product will be delivered to APPA as part of this

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Agreement. Grantee shall provide APPA with a copy of the agreement between Grantee and the subcontractor (including Attachment A) before any payment of the DEED Grant will be made.

5. Accounting and Records. Accounting for project funds (including receipts, Grantee or other contributions, and expenditures) will be in accordance with generally accepted accounting principles and practices, consistently applied, regardless of the source of funds.

Grantee shall maintain books, records, documents, and other evidence and accounting procedures and practices sufficient to reflect properly (a) the amount, receipt, and disposition by Grantee of all assistance received for the project and (b) the total cost of the project, including all direct and indirect costs of whatever nature incurred for the performance of the project.

Grantee's facilities or such facilities as may be engaged in the performance of the project for which the DEED Grant has been awarded, and records shall be subject at all reasonable times to inspection and audit by APPA.

Grantee shall preserve and make its records available to APPA until the expiration of three (3) years from the date of final payment or completion of the project under this Agreement, whichever is later.

All APPA assistance received by Grantee pursuant to this Agreement shall be expended by Grantee solely for carrying out the approved project. Grantee may not delegate or transfer responsibility for the use of such funds. Grantee shall comply with all terms and conditions this Agreement, to use grant funds efficiently and effectively within the approved budget, and to supervise completion of the project in a diligent and professional manner. This responsibility may be neither delegated nor transferred without written permission from APPA.

6. Project Changes. Grantee shall promptly notify APPA in writing by email to DEED@PublicPower.org or by certified mail (return receipt requested) of all proposed major project changes, including, but not limited to:

- (a) major changes in the technical plans or specifications for the project;

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- (b) acceleration or deceleration in the time of performance of the project, or any major phase thereof;
- (c) major changes that may increase or decrease the total cost of a project;
- (d) major changes that may affect the approved scope of a project; and
- (e) major changed site conditions affecting the project.

Approved project changes that do not substantially alter the objective or scope of a project may give rise to grant amendments to increase or decrease the dollar amount, the term, or other provisions of this Agreement. Changes to this Agreement shall be effected only by a written amendment signed by both Parties. Requests for modifications from this Agreement shall be submitted as far in advance as the exigencies of the situation will permit. Each request for a modification shall contain at a minimum:

- (a) A full description of the modification and the circumstances in which it will be used;
- (b) A description of the intended effect of the modification; and
- (c) Detailed reasons supporting the request, including any pertinent background information that will contribute to a better understanding of the modification sought.

Failure to execute a written amendment to this Agreement signed by both parties shall result in disallowance of costs incurred that are attributable to the change.

7. Termination. If, without written notification to, and approval of, APPA, the project has not been initiated within six (6) months of the Effective Date of this Agreement, the project will be subject to termination by the DEED Board. Grantee shall not terminate the project except for the material breach of this Agreement by APPA that remains uncured after advanced written notice to APPA and a reasonable opportunity to cure the breach. If APPA determines, in its sole reasonable discretion, that Grantee has terminated the project work for any other reason, then it shall terminate this Agreement, and all APPA grant funds previously paid to Grantee shall be returned as final settlement. In the event the project is terminated for APPA's material breach or

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completed prior to expenditure of all funds provided by APPA, Grantee shall refund to APPA any amounts of the Deed Grant that has been paid to Grantee that has not been expended under this Agreement. Notwithstanding anything to the contrary in this Agreement, APPA may terminate this Agreement at its option with or without cause by providing written notice to Grantee. Unless otherwise stated in the termination notice, termination shall be effective upon receipt of the notice. After the effective date of termination, neither Party shall have any further obligation to the other under this Agreement except as provided herein, and APPA's obligation to pay Grantee a portion of the Agreement's fixed price equal to the percentage of work required by the Agreement that is actually completed.

Upon any termination of the Agreement, Grantee shall deliver to APPA or its designee(s) upon request all information and work in tangible form created or compiled by Grantee or its subcontractor(s) in performing services under this Agreement.

8. Press Release. Press releases and other public dissemination of information by the Grantee shall acknowledge APPA support of the project through a DEED Grant.

9. Report and Other Deliverables. Grantee shall prepare and submit to APPA quarterly project reports according to directions in the document [DEED Grant Requirements](#). These reports will be posted to the DEED project library, located on APPA's website for viewing by DEED members. Sharing published articles about the DEED funded project and capturing the project in photos is encouraged. Electronic copies of project photos taken during the course of the project term may be uploaded by Grantee using APPA's grant management system along with project reporting or to DEED@PublicPower.org. By submitting project photos to APPA, Grantee grants to APPA a non-exclusive, perpetual, irrevocable, royalty-free, worldwide license to publish, display, reproduce, distribute, make derivative works from, or otherwise make use of the project photos in print, electronic, or other known or unknown formats. According to instructions in the document [DEED Grant Requirements](#), Grantee also shall submit to APPA: (1) a detailed final

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report relating to the conduct and results of the approved project, describing activities, lessons learned, project costs, bibliography, achievements, problems, results, and recommendations, to be submitted within six (6) months of project completion; and (2) a completed “DEED Project Summary Abstract;” and (3) any other deliverable as described in Grantee’s original proposal or grant approval letter.

APPA will withhold twenty-five (25) percent of the DEED Grant pending satisfactory completion of said report and abstract. In the event the final report and abstract are not provided by the Grantee by the due date, APPA may, in its discretion, complete the final report and/or abstract itself or hire a third party to do so. APPA may utilize up to the 25 percent withheld to pay for the costs of production and reduce the amount otherwise available to Grantee in the same amount.

10. Payment. The standard method of project payment shall be based on invoices for work completed to date. Payment will be made within 30 days of receipt of the invoice.

(a) No more than twenty-five (25) percent of the total DEED Grant may be provided to Grantee at the inception of the project except in rare instances when the DEED program administrator may increase this amount up to a total of fifty (50) percent due to special circumstances.

(b) No more than ten (10) percent of a DEED Grant may be spent on indirect costs (facilities and administrative costs/overhead).

11. Work Made for Hire and Limited License. Grantee acknowledges that all information, materials, and work product, including but not limited to reports, abstracts, videos, guidebooks, software programs, source code, object code, system specifications, documentation, abstracts, and summaries and derivatives thereof, and other deliverables, created pursuant to this Grant (the “Work”) shall be deemed a “Work Made for Hire,” as defined in the Copyright Act of 1976, as amended. The Work and all intellectual property contained therein, including but not

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limited to copyrights, trademarks, designs, logos, trade names, creative concepts, patents, mask-work, trade secrets, moral rights, artwork, and proprietary information, which is conceived, reduced to practice, authored, developed, or created by Grantee or any of its subcontractors under this Agreement, is and shall remain the exclusive property of APPA. To the extent that any portion of the Work may not, by operation of law, be a Work Made for Hire, in accordance with the terms of this Agreement, Grantee hereby irrevocably assigns to APPA all right, title, and interest worldwide, including the copyright and all renewals, in the Work and agrees to execute any additional necessary paperwork to effectuate such assignment. Any software programs especially developed by Grantee or its subcontractors during the course of the project, or substantially modified for use in the project, shall be supplied to APPA in a form that may be used by others independently of Grantee's proprietary programs or computer configurations. Equipment purchased in support of this Agreement may be retained by Grantee after acceptable conclusion of the project, unless otherwise directed.

Limited License. APPA grants to Grantee a nonexclusive, non-transferable, royalty-free, limited license to use, reproduce, and distribute the final work product and abstract delivered to APPA by Grantee under the Agreement for noncommercial, educational purposes, which must be marked with the phrase "© American Public Power Association. All Rights Reserved." This license does not convey to Grantee any other right, title, or interest in the Work nor in any portion of the Work.

12. Representations and Warranties. Grantee represents and warrants for itself and any subcontractors that:

(a) The Work and Subcontractor Work Product are original and do not infringe on the intellectual property rights of any third party, or constitute defamation, invasion of privacy, or the violation of any right of publicity or any other right of any party; (b) Grantee and subcontractor have obtained all necessary licenses and/or permissions to use third-party content that may appear in the Work

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and/or Subcontractor Work Product; (c) Grantee and any subcontractors shall maintain in strict confidence any confidential or proprietary information shared by APPA during the course of this Agreement, and such information shall not be disclosed to any third party, either directly or indirectly; and (d) Grantee has the unencumbered right to enter into this Agreement.

13. **Fees.** Grantee also warrants that no person or agency has been employed or retained to solicit or secure this grant upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide offices established and maintained by Grantee for the purpose of securing grants or business. For breach or violation of this warranty, APPA shall have the right to terminate this Agreement without liability or in its discretion to deduct from the grant award, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

14. **Indemnifications.** It is understood that this Agreement is not a joint venture, and that Grantee is not an agent of APPA. APPA assumes no liability with respect to accidents, bodily injury, illness, breach of contract, or any other damages or loss, or with respect to any claims arising out of any activities undertaken with the financial support of the DEED Grant, whether with respect to persons or property of Grantee or third parties. Grantee shall defend, indemnify, and hold harmless APPA, its officers, directors, employees, and agents, from and against any and all suits, claims, damages or losses, including reasonable attorneys' fees and costs ("Claims"), resulting from any acts or omissions connected with this Agreement by Grantee or its officers, directors, employees, agents, or subcontractors, except to the extent such Claim arises from the gross negligence or intentional misconduct of APPA, its officers, directors, employees, or agents.

15. **Taxes.** Except with respect to taxes, which may be due as a result of income to APPA, Grantee and any subcontractor shall be responsible for payment of all taxes for which Grantee, subcontractor, or APPA may be liable in connection with this Agreement, including any sales, use, or other tax owed for work products delivered or services performed by Grantee or a

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subcontractor in connection with this Agreement. Except as required by law, APPA shall not withhold federal, state, or local income tax, or any other tax, from any payment to Grantee pursuant to this Agreement.

16. **Miscellaneous.** This Agreement constitutes the entire agreement between the Parties regarding its subject matter, and supersedes all prior writings or oral agreements. This Agreement may be amended only by a writing clearly setting forth the amendments and signed by the Parties. Either Party's waiver of or failure to exercise any right provided for in this Agreement shall not be deemed a waiver of any further or future right under this Agreement. If any feature or provision of this Agreement is determined by a court of competent jurisdiction to be void or unenforceable, the balance of the Agreement shall survive and remain in effect. The provisions of this Agreement which by their nature should survive, shall survive the expiration or termination of this Agreement. This Agreement is binding on the Parties, their successors, and assigns, provided that no party may assign this Agreement without the prior written consent of the other Party. All notices required or permitted under this Agreement shall be in writing and sent to the addresses designated by the parties. This Agreement shall be governed by and interpreted in accordance with the laws of the District of Columbia.

American Public Power Association

Name: _____

Signature: _____

Title: _____

Date: _____

Burlington Electric Department

Name: _____

Signature: _____

Title: _____

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Date: _____

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ATTACHMENT A

IP and Confidentiality Agreement:

Agreement made by and between _____ 1) [a United States Citizen residing at _____ and born in 19____] or _____ 2) [a corporation located and doing business at _____] (hereinafter referred to as the “Subcontractor”) and, American Public Power Association, a nonprofit corporation of the District of Columbia, located and doing business at 2451 Crystal Drive, suite 1000, Arlington, Virginia, 22202 (hereinafter referred to as “Commissioning Party”).

WHEREAS, the Subcontractor is not an employee of the Commissioning Party; and

WHEREAS, the Subcontractor was commissioned by the Commissioning Party to create (project name) _____ (hereinafter the “Subcontractor Work Product”) at the request of and for the benefit of the Commissioning Party under the Grant Agreement to which this IP and Confidentiality Agreement is appended to, and which is hereby incorporated by reference.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the parties agree as follows:

1. All Subcontractor Work Product is considered a “Work Made for Hire” as defined in the Copyright Act of 1976, as amended. The Subcontractor Work Product and all intellectual property contained therein, including, but not limited to, copyrights, trademarks, designs, logos, trade names, creative concepts, artwork, software, and proprietary information, which is conceived or authored by Subcontractor under the Grant Agreement, whether or not developed for APPA, is and shall remain the exclusive property of APPA. To the extent that any portion of the Subcontractor Work Product may not, by operation of law, be a Work Made for Hire in accordance with the terms of

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this Agreement, Subcontractor hereby assigns to APPA all right, title, and interest in and to the Subcontractor Work Product.

2. Subcontractor represents and warrants to the Commissioning Party the following:

a) that the Subcontractor Work Product is original and does not infringe the intellectual property rights of any third party, or constitute defamation, invasion of privacy, or the violation of any right of publicity or any other right of any party;

b) Subcontractor has obtained all necessary licenses and/or permissions to the third-party content that may appear in the Subcontractor Work Product;

c) Subcontractor shall maintain in strict confidence all confidential or proprietary information shared by the Commissioning Party during the course of this Agreement, and such information shall not be disclosed to any third party, either directly or indirectly; and

d) Subcontractor has the unencumbered right to enter into this Agreement.

3. Subcontractor shall defend, indemnify, and hold harmless the Commissioning Party, its officers, directors, employees, and agents, from and against any and all suits, claims, damages or losses, including reasonable attorneys' fees and costs ("Claims"), resulting from any acts or omissions of Subcontractor under this Agreement or its officers, directors, employees, or agents except to the extent such Claims arise from the gross negligence or intentional misconduct of APPA, its officers, directors, employees, or agents.

4. Subcontractor hereby acknowledges that Subcontractor is an independent contractor for purposes of this Agreement.

5. This Agreement may not be modified or amended unless it is in writing and signed by both parties.

The parties hereto have executed this Agreement as of the date indicated below.

Subcontractor: _____

Name: _____

Signature: _____

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Title: _____

Date: _____

Commissioning Party: American Public Power Association

Name: _____

Signature: _____

Title: _____

Date: _____.

Board of Finance and City Council Submission Checklist

Department: BED Submitter: Darren Springer
 Title/Subject: BED Demonstration of Energy-Efficient Developments and Energy Storage Access
Program grants

	Approval:	Meeting Date:
☐	Board of Finance	Click or tap to enter a date.
☐	City Council	Click or tap to enter a date.
☒	Concurrent	6/3/2024

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	5/22/2024	Darren Springer
Mayor's Office informed and approved memo	Yes	5/29/2024	Erin Jacobsen
Board/Commission, if required	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Yes	5/30/2024	Approval subject to final review by City Attorney's Office
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	5/30/2024	Kim Sturtevant
CAO has reviewed budget, financing, and memo	Yes	5/29/2024	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	Yes	Click or tap here to enter text.
Additional Materials, if necessary	N/A	Click or tap here to enter text.
Draft Resolution or Motion?	Yes	Motions included in memo
If for submission to Council, are sponsors identified?	Yes	Board of Finance



Office of Mayor Emma Mulvaney-Stanak

MEMORANDUM

To: City Council
From: Mayor Emma Mulvaney-Stanak
Date: May 30, 2024
Re: Fiscal Year 2025 Mayoral Appointments

I am pleased to bring forward this slate of Fiscal Year 2025 mayoral appointments for your consideration and confirmation at the June 3, 2024, City Council meeting. Per the City Charter, I have consulted with the applicable Boards and Commissions, who have offered input and recommendations.

I look forward to working with this group of thoughtful, dedicated public servants over the next year to address the challenges and opportunities we face as a modern and growing City.

One Year Reappointments

Assistant City Attorney, Director of Litigation	Kimberlee Sturtevant
Assistant Grand Juror	
Assistant City Attorney	Hayley McClenahan
Grand Juror	
Assistant City Attorney	Erik Ramakrishnan
Chief Administrative Officer	Katherine Schad
Executive Director, Burlington City Arts	Doreen Kraft
General Manager, Burlington Electric	Darren Springer
Director of the Office of Business and Workforce Development and Executive Director of the Church Street Marketplace	Kara Alnasrawi
Third Constable	

Chief Innovation Officer	Scot Barker
Fourth Constable	
Director of Permitting and Inspections	
Zoning Administrative Officer	William Ward
Second Constable	
Chief Engineer, Burlington Fire Department	
Emergency Management and Civil Defense Director	Michael LaChance
Chief of the Burlington Police Department	Jon Murad
Director, Fletcher Free Library	Mary Danko
Director of Aviation, BTV	Nicolas Longo
Director of Public Works	
Constable	Chapin Spencer
City Engineer	Laura Wheelock
Director of Community & Economic Development Office	Brian Pine
Director of Parks, Recreation, & Waterfront	Cindi Wight
Harbor Master	Erin Moreau
Pound Keeper	Wade Labrecque

Vacancies

City Attorney, Deputy City Attorney, and Assistant City Attorney: Upon taking office on April 1, my team and I immediately began the process of finding a permanent City Attorney. I hope to have candidates for your consideration in the very near future.

Planning: Planning Director Meagan Tuttle will conclude her service to Burlington at the end of June. I plan to appoint Senior Planner Charles Dillard to serve as Interim Planning Director, effective July 1, 2024. On May 22, we began a nationwide search for Burlington's next Planning Director, and we will provide updates on that process as they are available.

REIB: Kim Carson resigned from the position of REIB Director in early May, and we wish her well. Human Resources Director Kerin Durfee has served as Interim Director of REIB. I will name a new Interim Director to REIB for FY25 as we re-envision the goals and structure of the office.

Human Resources: Human Resources Director Kerin Durfee has decided to conclude her service to the City of Burlington when her term expires on June 30. The administration will

name an Interim Director of HR in the coming weeks, and soon begin a process to find a permanent director for this important position.

Two Year Appointments

City Assessor: Joe Turner was confirmed by the City Council on October 23, 2023, and is serving the remainder of a two-year term expiring June 30, 2025.

Resolution Relating to

AUTHORIZATION TO SUBMIT 2024-2028 BURLINGTON
FIVE-YEAR CONSOLIDATED PLAN 2024 BURLINGTON
ONE-YEAR ACTION PLAN

RESOLUTION _____
Sponsor(s): Bd. of Finance
Introduced: _____
Referred to: _____
Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Twenty-Four.....

Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, Burlington, Vermont (the “City”) is eligible to participate in the Federal U.S Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME Investment Partnership Programs (HOME) as an entitlement jurisdiction; and

WHEREAS, the City of Burlington is required by HUD to adopt a Five-Year Consolidated Plan and One-Year Action Plan as part of the federal requirements for these two formula grant programs; and

WHEREAS, the City has prepared a 2024-2028 Consolidated Plan that contains a housing and community development needs assessment, a survey of available resources, and a five-year strategy that specifies achievable housing and community development goals and programs; and

WHEREAS, the City has prepared a one-year action plan (Annual Action Plan) that is reflective of the 2024-2028 Consolidated Plan; and

WHEREAS, the 2024 Annual Action Plan establishes a one-year program in compliance with HUD funding allocations and requirements; and

WHEREAS, citizen participation leading to the development of the 2024-2028 Consolidated Plan and One-Year Action Plan included workshops; public meetings; consultation with community and state agencies; and a Citizen Advisory Board which made recommendations on the allocation of 2024 CDBG funds for sub-grantees; and

WHEREAS, notice of the public hearing for the Consolidated Plan and Action Plan was circulated in late January by notice published in Seven Days, a weekly newspaper, and online on the website of the Community & Economic Development Office, and by e-mail notice to all City Councilors, to the CDBG mailing list, to the CDBG Advisory Board, to the Continuum of Care mailing list, and to city residents via social media; and

WHEREAS, a duly warned public hearing was held on February 12, 2024 to receive further input; and

WHEREAS, early April of 2024, the City published a notice in Seven Days and circulated to interested parties and online on the website of the Community & Economic Development Office that the 2024-2028

Five-Year Consolidated Plan and a proposed 2024 One-Year Action Plan would be posted for public comment on April 5, 2024; and

WHEREAS, the 2024-2028 Five-Year Consolidated Plan, the recommendations of the Citizen Advisory Board, and a proposed 2024 One-Year Action Plan were published for public comment on April 5, 2024; and

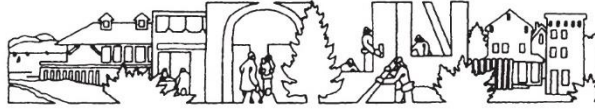
WHEREAS, the 30-day comment period on the 2024-2028 Five-Year Consolidated Plan and the 2024 One-Year Action Plan was held from April 5, 2024 through May 5, 2024, and

WHEREAS, public comment was received and considered during the public comment period, and responsive edits were made to the proposed Five-Year Consolidated Plan and 2024 One-Year Action Plan;

NOW, THEREFORE, BE IT RESOLVED that City Council hereby adopts the 2024-2028 Five-Year Consolidated Plan and the 2024 One-Year Action Plan; and

BE IT FURTHER RESOLVED that Mayor Emma Mulvaney-Stanak is hereby authorized to sign on behalf of the City of Burlington the application for CDBG and HOME funding which accompanies this 2024-2028 Consolidated Plan and 2024 One-Year Action Plan, and any and all documents deemed necessary or convenient to accept and disperse such Department of Housing and Urban Development grant funds, subject to the review and approval of the City Attorney's Office; and

BE IT FURTHER RESOLVED that the City Council hereby approves the expenditure of 2024 Community Development Block Grant Entitlement and HOME funds as described in the 2024 One-Year Action Plan.



COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

149 CHURCH STREET • ROOM 32 • CITY HALL • BURLINGTON, VT 05401
(802) 865-7144 • (802) 865-7024 (FAX)
www.burlingtonvt.gov/cedo

MEMORANDUM

TO: Emma Mulvaney-Stanak, Mayor
Board of Finance
City Council

FROM: Brian Pine, Community & Economic Development Office Director
Todd Rawlings, Assistant Director, Grants and Finance
Rebeka Lawrence-Gomez, Housing Programs Manager
Christine Curtis, Community Development Specialist
Bethany Whitlock, Housing Programs Specialist

DATE: June 3, 2024

RE: Approval of the 2024-2028 Consolidated Plan for Housing and Community Development and Approval of Community Development Block Grant and HOME Investment Partnerships Proposed Allocations for the 2024 Action Plan for Housing and Community Development.

Summary

CEDO is seeking approval of the City's 2024-2028 Five-Year Consolidated Plan for Housing and Community Development (Consolidated Plan), and the 2024 One-Year Action Plan for Housing and Community Development (Action Plan) for the planning and allocation of federal funds from Community Development Block Grant (CDBG), HOME Investment Partnership Act (HOME), and other U.S. Department of Housing and Urban Development (HUD) administered programs. The City is required to develop these two plans as a condition of its receipt of CDBG and HOME funds from HUD. Pending final HUD approval, the City is expecting to receive \$732,602 in CDBG entitlement funds and \$347,049 in new HOME funds to support housing, community, and economic development activities for the 2024 program year (July 1, 2024 – June 30, 2025). A breakdown of the funding recommendations can be found below, which includes prior year carryover funds for both the CDBG and HOME programs. The proposed subrecipient allocations for the City's 2024 CDBG funds were recommended by the CDBG Citizen Advisory Board.

Consolidated Plan

The Consolidated Plan is a five-year plan focused on addressing the needs of low- and moderate-income Burlington residents. The Plan provides detailed information about city demographics, the local housing market, and the local economy. It outlines housing, community, and economic development needs and priorities for the City. The needs and priorities identified were informed by outreach meetings with 120 individuals representing 39 different organizations, coalitions,

service providers, residents and businesses; an online survey reached over 1000 individuals and garnered 890 responses and 400+ written comments. A public hearing was held at the City Council meeting on February 19, 2024 to solicit feedback on the preparation of the Plan. The draft Consolidated Plan, along with the one-year Action Plan, was published on the CEDO website on April 5, 2024. Public comments on the two Plans were accepted through May 5, 2024.

Action Plan

The Action Plan is a one-year plan that details how HUD funds will be allocated in accordance with the needs and priorities identified in the Consolidated Plan. The proposed subrecipient allocations for the City's 2024 CDBG funds were recommended by the CDBG Citizen Advisory Board. The Advisory Board includes a seat for a representative from each of the City's eight wards (selected by the Neighborhood Planning Assemblies), Mayoral appointees, and one seat filled by the State of Vermont. CEDO's leadership, with the support of the Mayor, makes CDBG funding recommendations for programs administered by CEDO staff and other City departments. All funding recommendations are outlined below.

Motions

Board of Finance Motion:

To approve and recommend that the City Council approve the Burlington Five-Year Consolidated Plan and 2024 Burlington One-Year Action Plan, adopt the attached resolution relating to the authorization to submit the 2024-2028 Burlington Five-Year Consolidated Plan and 2024 Burlington One-Year Action Plan, and authorize the Mayor or her designee to execute all necessary documents related to the Consolidated Plan and 2024 Burlington One-Year Action Plan.

City Council Motion:

To approve the Burlington Five-Year Consolidated Plan and 2024 Burlington One-Year Action Plan, adopt the attached resolution relating to the authorization to submit the 2024-2028 Burlington Five-Year Consolidated Plan and 2024 Burlington One-Year Action Plan, and authorize the Mayor or her designee to execute all necessary documents related to the Consolidated Plan and 2024 Burlington One-Year Action Plan.

Advisory Board Recommended 2024 CDBG – Public Service Awards:

Organization	Program Name	Awards for 2024 Action Plan	Program summary	# of Beneficiaries served (projected)
Pathways	Housing First Services in Chittenden County	\$25,000	Permanent housing placement along with intensive community-based services for individuals with histories of homelessness	45 households
Vermonters for Criminal Justice Reform (VCJR)	VCJR Re-Entry and Recovery Center with Contingency Management	\$20,000	A specialized re-entry and recovery center and overdose prevention for people living with substance use disorders and co-occurring mental health disorders	100 persons
Steps to End Domestic Violence	Safe Tonight	\$25,000	Emergency housing and support services for adults and children fleeing domestic violence	251 adults; 119 children
CVOEO	Volunteer Income Tax Assistance (VITA)	\$15,000	Free tax preparation and electronic filing services for low-mod households	500 households
Lund	Lund's Residential and Community Treatment Services	\$24,890	Childcare services, treatment, and family support for vulnerable children and families	62 households
CEDO	Personal Care Assistant (PCA) Plus Workforce Training Program	\$35,000**	PCA job training for low-income BIPOC individuals including immigrants and refugees	25 persons
total		\$144,890		

** 15% public service cap waived for programs designed to prevent, prepare for, and respond to coronavirus

Advisory Board Recommended 2024 CDBG – Development Awards:

Organization	Program Name	Awards for 2024 Action Plan	Program summary	# of Beneficiaries served (projected)
Living Well Group	Ethan Allen Residence Lighting Upgrade	\$13,000	Replace all fluorescent lighting and fixtures in Ethan Allen Residence with new LED lighting	45 persons
Mercy Connections	Small Business Equity Project	\$75,000	Entrepreneurial and ELL education for small businesses with a focus on BIPOC individuals	100 persons
CVOEO	Micro Business Development Program	\$70,642	Classes and technical assistance for low-mod micro businesses	80 persons
Champlain Housing Trust (CHT)	Community Resource Center/Feeding Chittenden Addition	\$200,000	Construct a two-story addition to the Feeding Chittenden building to better accommodate the staffing and services of the food shelf and Community Resource Center (CRC)	700 households
Business & Workforce Development	Microenterprise Technical Assistance	\$40,000	Technical assistance for entrepreneurs and small businesses	25 persons
	To be determined	\$129,550		
total		\$528,192		

2024 CDBG Awards:

Project Category	Item	Amount
Community Funding	Development	\$528,192
	Public Service	\$144,890
Admin and Planning	Admin and Planning	\$146,520
total		\$819,602

2024 CDBG Funding Summary:

Funds Category	Amount
2024 Funds for Projects	\$586,082
Carryover Funds for Projects	\$87,000
2024 Funds for Admin and Planning	\$146,520
total	\$819,602

2024 HOME Awards:

HOME Category	Item	Amount
Affordable Housing	Affordable Housing Projects	\$260,287
	15% CHDO Set-Aside	\$52,057
Admin and Planning	HOME Administration	\$34,705
total		\$347,049

2024 HOME Funding Summary:

Funds Category	Amount
2024 Funds for Affordable Housing Projects	\$312,344
Carryover Affordable Housing Funds	\$1,140,797
2024 Funds for Admin and Planning	\$34,705
total	\$1,487,846

BURLINGTON VERMONT

2024-2028 Consolidated Plan for Housing & Community Development

2024 Action Plan



Overview of the Consolidated Plan:

The *Consolidated Plan* is designed to help the City of Burlington assess its affordable housing and community development needs, review market conditions, and make decisions regarding the investment of federal funds received annually from the federal *Department of Housing and Urban Development (HUD)*. In the recent past the City has utilized CDBG and HOME funds to assist the renovation and building of affordable housing, support microenterprises and small businesses and improve or create public facilities.

The *Consolidated Plan* is divided into four main sections:

1. A needs assessment that includes data provided by HUD as well as work completed by the City to engage with residents to understand the community's needs. Need assessments include housing, homelessness and community development needs.
2. Market Analysis that looks at existing resources, housing and facilities.
3. A Strategic Plan that encompasses the City's priorities and goals it developed for housing and community development after completing the needs assessment and market analysis.
4. Annual Action Plan that outlines the specific activities and projects the City will fund with anticipated resources in fiscal year 2025 (7/1/24 – 6/30/25)

The City engaged in an extensive process to determine community needs – meeting with more than 35 organizations and stakeholder groups, conducting an online survey with more than 890 responses, and hanging up feedback posters in half a dozen community spaces in the City.

Feedback and comment on the draft plan is encouraged and residents can reach out directly to CEDO if they would like to provide thoughts related to the City's do not have capacity or time to review the plan.

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EXECUTIVE SUMMARY

ES-05 EXECUTIVE SUMMARY - 24 CFR 91.200(C), 91.220(B)

1. Introduction

The City of Burlington receives funding from the U.S. Department of Housing and Urban Development (HUD) for housing and community development activities through the Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) program. These annual funding sources are utilized to support priorities identified by the City. Every five years the City submits a *Consolidated Plan for Housing & Community Development* (Consolidated Plan) to HUD that identifies local needs and how they will be addressed. This Consolidated Plan is for July 1, 2024 - June 30, 2029.

Burlington's annual CDBG and HOME awards are received as grants; annual grant awards are determined on a formula basis each year and 2024 funding will be provided to the City of Burlington by HUD. The City awards funds it receives to local nonprofits, community service providers, City departments and small businesses as grants and loans.

This Consolidated Plan provides information about the City's demographics, housing, economy, needs and priorities.

The purpose of the consolidated plan is to guide spending decisions for the CDBG and HOME funds. There are three overarching federal goals that guide this work:

1. Providing **decent affordable housing** by increasing housing availability, preserving existing units, ensuring sufficient housing for persons with special needs, and ending and preventing homelessness through permanent housing.
2. Providing **a suitable living environment** through diverse, livable, revitalized neighborhoods, safe and accessible public spaces and energy resource conservation.
3. **Expand economic opportunities** by creating jobs and job retention, supporting micro-business development and growth, providing employment public services and offering self-sufficiency opportunities for persons with low-incomes.

2. Summary of the objectives and outcomes identified in the *Plan Needs Assessment Overview*

Based on stakeholder feedback, community input, and data analysis needs assessment the City of Burlington identified the following priorities:

- Affordable Housing
 - Increase supply of decent, safe accessible housing for households with limited financial resources
 - Improve existing housing for persons with limited financial resources
- Addressing Homelessness
 - Create and improve affordable housing for persons experiencing homelessness

- Provide services to persons experiencing or exiting homelessness
- Community Services and Safety
 - Support services that assist individuals in the community who have limited financial resources, are facing challenges and/or struggling
- Economic Development
 - Support persons with limited financial resources to gain employment, technical assistance and economic opportunities
 - Provide opportunities for persons with low-moderate incomes and people who may be marginalized
- Public Facilities and Infrastructure Improvements
 - Invest in the creation and improvement of public spaces and infrastructure
- Planning and Administration
 - Provide effective and efficient implementation of federal funds

3. Evaluation of past performance

Evaluation of Burlington's past performance is reported in its *Consolidated Annual Performance Report* (CAPER) from fall 2023. Highlights from performance on the last Consolidated Plan included:

- Creation of 12 permanent supportive housing units dedicated to persons exiting homelessness
- Renovation of 160 existing housing units for older community members
- Supported development and building of 128 new affordable housing units
- Twenty-eight households were assisted in attaining home ownership
- Rehabilitation of 18 homeowner units
- Retention services provided to more than 250 individuals with non-homeless special needs
- Technical assistance, education and services were provided to more than 800 businesses and microenterprises
- Sixteen jobs were created
- Childcare or supplemental education provided to almost 550 children
- Supports for low-income households (such as tax services) were provided for more than 4000 households
- Services for persons experiencing homelessness was offered to over 2350 persons, including access to shelter
- Support for youth and/or persons with health needs were provided to 253 persons
- Public facilities and city infrastructure was improved including 5 acres of brownfield remediation

4. Summary of citizen participation process and consultation process

The City of Burlington solicited broad participation in the planning of this Consolidated Plan. The planning process included the following means of participation:

- Informal gatherings and connections with persons who are low-income in community spaces such as a local community center, the food shelf, a daytime shelter for people who are unhoused, and conversations with people who are on the streets
- Public meetings held in conjunction with City Council meetings and advertised in the local newspaper
- Online survey that was advertised through social media, including Front Porch Forum
- Attendance at the Chittenden County Homeless Alliance (the HUD-recognized Continuum of Care)
- Small group meetings and focus groups with community service providers, residents, municipal and state employees, landlords and other partners.

Attachment A in the appendix includes advertisements, public outreach messaging and a blank survey.

5. Summary of public comments

Please see Attachment B which includes online survey summary, feedback received from online survey, and images of feedback posters.

Formal public comments during the in-person public hearing at City Hall included requests to continue support of HOME and CDBG funding for affordable housing and services to older Vermonters - specifically vulnerable persons receiving services and housing through Cathedral Square Corporation through new permanent affordable housing, renovation of existing affordable housing and housing retention services for older Vermonters.

A city councilor commented on the importance of engaging with Burlington residents and folks who speak languages other than English.

HomeShare Vermont commented on “mitigating the drastic shortage of affordable housing and supportive housing for aging folks in Burlington.” (see Attachment B).

Champlain Housing Trust provided a list of upcoming and anticipated projects (see Attachment B).

Additional public comments related to the draft Consolidated Plan will be posted here if received.

6. Summary of comments or views not accepted and the reasons for not accepting them

All feedback, comments and input were considered and incorporated into the development of the plan and consideration of priorities.

7. Summary

Although the needs identified within the City of Burlington are great funding availability limits the City's capacity to adequately address them. The City is committed to increasing and maintaining affordable housing, addressing the needs of community members who are unhoused, supporting community services and safety, bolstering economic development, improving and maintaining public facilities and infrastructure, and planning and administering CDBG, HOME, and other resources to best meet community needs.

THE PROCESS

PR-05 LEAD & RESPONSIBLE AGENCIES 24 CFR 91.200(B)

Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	BURLINGTON	
CDBG Administrator	BURLINGTON	Community & Economic Development Office
HOME Administrator	BURLINGTON	Community & Economic Development Office

Table 1 – Responsible Agencies

Consolidated Plan Public Contact Information

City Economic & Development Office - City of Burlington Vermont

Rebeka Lawrence-Gomez, Housing Program Manager

rlawrencegomez@burlingtonvt.gov

PR-10 CONSULTATION – 91.100, 91.110, 91.200(B), 91.300(B), 91.215(I) AND 91.315(I)

Introduction

The City of Burlington engaged in an extensive and thorough process to determine the needs of the community. Meetings and conversations were held with community members, planning groups, city employees and departments, homeless service providers, state departments, affordable housing providers, non-profits, business owners, residents, landlords, and others.

An online survey was made available to Burlington's residents and survey posters were hung in locations frequented by people with limited financial resources.

Consultation was conducted with various stakeholders and groups with expertise in specific areas of need including: Chittenden County Homeless Alliance (the Continuum of Care) member organizations, Burlington Lead Program to address lead-based paint hazards, Burlington Housing Authority to collaborate with the local public housing authority, and City of Burlington employees to discuss environmental and global warming concerns.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I)).

Small group meetings were held with dozens of local stakeholders and service providers to learn about community needs and priorities. Consultations included:

- Owners, managers, and developers of housing including: affordable housing non-profits, special-need population housing nonprofits, supportive housing providers, the public housing authority, and private landlords
- Healthcare and service providers at the hospital, the emergency department, community homeless healthcare, mental health providers, mental health peers, and disability advocates
- A wide array of service agencies including support for: youth and young adults, older folks, persons experiencing homelessness, New Americans and Immigrants, persons experiencing financial poverty, persons fleeing domestic violence, correctional institution, foster care, and others

Burlington's coordination efforts are ongoing and include City employees participating in the *Continuum of Care* and hosting regular meetings related to substance use supports in the community, as well as the assistance and coordination provided to community members by the City's *Department of Workforce Development* and *Racial Equity Inclusion and Belonging Department*.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

The City of Burlington is an active member of *Chittenden County Homeless Alliance* the local Continuum of Care. The City has two dedicated positions to support initiatives to end homelessness and is active in efforts to support best practices to address the City's high number of persons experiencing homelessness.

In developing this plan meetings were held with many members of the Continuum including providers who support households experiencing homeless who are: experiencing chronic homelessness, families with children, persons fleeing domestic violence, veterans and veteran families, and unaccompanied youth. Conversations were also held with organizations that support persons who often experience marginalization and/or financial poverty putting them at heightened risk of homelessness as well as organizations that assist households who are at imminent risk of experiencing homelessness.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS

The Chittenden County Homeless Alliance (CCHA) is the Continuum of Care for Burlington and the rest of Chittenden County. It has developed systems to respond to homelessness including coordination for specific population groups (such as veterans, youth, persons experiencing chronic homelessness, or fleeing domestic violence).

Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	AARP Vermont
	Agency/Group/Organization Type	Housing Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Phone call with representative of AARP Vermont. Goal of phone call was to better understand needs of older Vermonters in Burlington.
2	Agency/Group/Organization	Age Well
	Agency/Group/Organization Type	Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Online meeting with agency representative. Goal of meeting was better understanding needs of older residents including housing, food security, and safety.
3	Agency/Group/Organization	Agency of Human Services
	Agency/Group/Organization Type	Other government - State
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs Market Analysis Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Individual online meeting with Field Services Director. Goal for interview was information on community needs including supporting persons who are unhoused and special populations as well as addressing other needs in the community.

4	Agency/Group/Organization	ANew Place
	Agency/Group/Organization Type	Housing Services-homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Meeting with agency leadership. Goal was to understand services and needs for people who are unhoused including shelter operations and transitional housing services.
5	Agency/Group/Organization	ASSOCIATION OF AFRICANS LIVING IN VERMONT
	Agency/Group/Organization Type	Housing Services-Children Services-Persons with Disabilities Services-homeless Services-Health Services-Education Services-Employment Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Non-Homeless Special Needs Economic Development Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	In-person meeting with multiple members of AALV staff. Goal of meeting was learning more about the needs and challenges experienced by individuals and families served by AALV. Conversation included insights on housing, employment, mental health and substance use services, education, economic opportunities and other topics.
6	Agency/Group/Organization	Bissonnette Properties
	Agency/Group/Organization Type	Housing Business Leaders
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	In-person meeting with property manager of large real estate investment and property management company in Burlington. Goal for interview was understanding housing needs from perspective of large property owner who has been in business multiple years.
7	Agency/Group/Organization	BURLINGTON HOUSING AUTHORITY
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Meeting with Executive Director both one-on-one and in group conversation. Goal of meetings were collaboration with PHA, coordination of consolidated plans, and strategies for affordable housing within the City.
8	Agency/Group/Organization	Burlington Lead Program
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Lead-based Paint Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Meeting with manager of Burlington Lead Program. Goal of meeting was better understanding City's needs and responses to lead-based paint and other health hazards in Burlington.
9	Agency/Group/Organization	Burlington Telecom
	Agency/Group/Organization Type	Services - Broadband Internet Service Providers Services - Narrowing the Digital Divide
	What section of the Plan was addressed by Consultation?	Economic Development Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Written correspondence and conversation with internet provider. Goal was to understand digital access and broadband internet service availability for folks in Burlington.

10	Agency/Group/Organization	Cathedral Square Corporation (CHDO)
	Agency/Group/Organization Type	Housing Services - Housing Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Meeting with Executive Director both one-on-one and in group conversation.
11	Agency/Group/Organization	Champlain Housing Trust
	Agency/Group/Organization Type	Housing Services - Housing Regional organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Conversations with individual staff, including executive director, services director, properties director. Also participated in group conversations.
12	Agency/Group/Organization	Champlain Valley Office of Economic Opportunity
	Agency/Group/Organization Type	Housing Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Met online with Executive Director and four leadership team members. Goal of meeting was to discuss the needs of individuals and families in Burlington including fair housing needs, preventing homelessness through back-rent payment, tax assistance, general housing needs, experiences of persons with financial poverty, food resources, services for persons who are unhoused and other community needs.

13	Agency/Group/Organization	Chittenden County Regional Planning Commission
	Agency/Group/Organization Type	Regional organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Economic Development
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Met in-person with three members of the CCRPC. Goal of meeting was better understanding housing and community development needs of Burlington within a regional context.
14	Agency/Group/Organization	City of Burlington
	Agency/Group/Organization Type	Agency - Managing Flood Prone Areas Agency - Management of Public Land or Water Resources Agency - Emergency Management Other government - Local
	What section of the Plan was addressed by Consultation?	Market Analysis flood prone areas, etc.
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Correspondence, communication, data review with several City departments and individuals to review risks, concerns, opportunities and responses to areas and happenings of high environmental impact.
15	Agency/Group/Organization	COMMITTEE ON TEMPORARY SHELTER
	Agency/Group/Organization Type	Housing Services - Housing Services-homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Held several in-person meetings with organization leadership. Also met with individuals in the Daystation - a daytime space for unhoused adults. Goal of meetings were to better understand the needs of people who are unhoused, understand if/what has been working well to serve households, what are Burlington's greatest needs related to experiences of homelessness and to learn about the agency's experience as a property owner and landlord.

16	Agency/Group/Organization	Department of Corrections
	Agency/Group/Organization Type	Publicly Funded Institution/System of Care Other government - State
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Met online with five staff from local correctional facility. Goal of meeting was better understanding the needs of persons existing incarceration into the community and the steps Corrections takes to ensure persons returning to community have sufficient housing and supports.
17	Agency/Group/Organization	Disability Rights Vermont
	Agency/Group/Organization Type	Services-Persons with Disabilities
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Met online with Executive Director of DRVT. Goal of meeting was better understanding the needs of persons with disabilities in Vermont. Discussion included housing and support needs for persons with disabilities.
18	Agency/Group/Organization	Five Seasons Property Management
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	In-person meeting with owner of property management company and rental properties. Goal of meeting was understanding barriers to creating more housing and housing affordability in Burlington.
19	Agency/Group/Organization	HOMESHARE VERMONT
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Met in-person with executive director of HomeShare Vermont. Goal of meeting was understanding the needs of older Vermonters and persons who may be experiencing challenges with independence in housing as well as persons who are seeking out an affordable living option.

20	Agency/Group/Organization	Howard Center
	Agency/Group/Organization Type	Services-homeless Health Agency
	What section of the Plan was addressed by Consultation?	Homelessness Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	In-person meeting with 4 members of Howard Center's Street Outreach team. Goal of meeting was better understanding of the challenges and difficulties facing folks who are unhoused in Burlington. Howard Center is a designated provider of mental health and substance use services for Burlington.
21	Agency/Group/Organization	Neighborhood Planning Assembly Steering Committee
	Agency/Group/Organization Type	Planning organization Neighborhood Organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Economic Development
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Joined all wards Neighborhood Planning Assembly (NPA) online and CEDO staff joined in-person local NPA meetings. Goal of meetings was hearing from these representative groups as residents and interested parties about the housing and community development needs in Burlington.
22	Agency/Group/Organization	Pathways Vermont Inc.
	Agency/Group/Organization Type	Services-Persons with Disabilities Services-homeless Services-Health
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homeless Needs - Chronically homeless Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	In-person meeting with direct service leadership team. Goal for interview was better understanding the needs of people experiencing homelessness especially persons with mental health and substance use challenges. Also visited briefly with individuals and staff in their community space that provides an alternative to traditional mental health services.

23	Agency/Group/Organization	Safe Harbor - Community Health Centers of Burlington
	Agency/Group/Organization Type	Services-homeless Services-Health Health Agency
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homeless Needs - Chronically homeless Homelessness Needs - Unaccompanied youth
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	In-person meeting with Practice Manager of the Homeless Healthcare program. Goal for interview was to understand healthcare, housing and service needs for persons who are unhoused.
24	Agency/Group/Organization	Shoeless Property Management
	Agency/Group/Organization Type	Housing Business Leaders
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Economic Development Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Phone meeting with owner of large number of residential properties in Burlington. Goal for interview was understanding housing needs from perspective of large property owner who has been in business multiple years.
25	Agency/Group/Organization	Spectrum Youth and Family Services, Inc.
	Agency/Group/Organization Type	Housing Services-homeless Services-Health
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homelessness Needs - Unaccompanied youth
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	In person meeting with operations director and clinical director of organization that provides a variety of supports including housing and service coordination for youth and young adults experiencing homelessness. Goal for interviews were to understand number and needs of community's unaccompanied youth experiencing homelessness.

26	Agency/Group/Organization	Steps to End Domestic Violence
	Agency/Group/Organization Type	Services - Housing Services-Victims of Domestic Violence Services - Victims
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Homeless Needs - Families with children
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Online meeting with executive director and leadership staff person. Goal for interview was information on supports for persons who are survivors of domestic violence and the challenges and struggles faced by persons who are leaving unsafe domestic experiences. Conversation included information about DV shelter and challenges with housing availability (not enough housing), substance use and mental health needs for survivors and their household members.
27	Agency/Group/Organization	Trusted Community Voices - CEDO
	Agency/Group/Organization Type	linguistic and cultural liaisons
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Economic Development Market Analysis Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Online meeting with five persons who serve as Trusted Community Voices - linguistic and cultural liaisons to several communities in Burlington. Goal of interview was information related to the housing and economic development needs of a more diverse range of Burlington residents, especially those who may not speak English as their first language or not be represented in other outreach efforts.
28	Agency/Group/Organization	Turning Point
	Agency/Group/Organization Type	Services-Persons with Disabilities Services-Health
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	In-person meeting with executive director. Goal for interview was information on supports for persons who struggle with substance use; specifically peer abstinence models.

29	Agency/Group/Organization	U.S. Committee for Refugees and Immigrants Vermont
	Agency/Group/Organization Type	Services - Housing Services-Children Services-Elderly Persons Services-homeless Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs Economic Development Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Online meeting with two staff members of USCRI. Goal of interview was information related to the housing and economic development needs of New Americans and immigrants. Discussion included needs of households which include members who are elderly and children, challenges with accessing housing, lack of large and appropriate housing, opportunities for employment that align with households responsibilities, challenges with financial poverty and other exceptional challenges faced by individuals served by USCRI.
30	Agency/Group/Organization	University of Vermont Medical Center
	Agency/Group/Organization Type	Services-Persons with Disabilities Services-Health Health Agency Publicly Funded Institution/System of Care Major Employer
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Non-Homeless Special Needs Anti-poverty Strategy

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Meeting online with Emergency Department social work lead and additional online meeting with three members of medical center team in direct service and community liaison roles. Goal of meetings were information on public health needs, needs of individuals accessing short and long-term care at the hospital (ED and in-patient), needs that are bringing people into the hospital for care, challenges with discharging from care and how to better serve community members who are accessing the hospital.
31	Agency/Group/Organization	Vermont CARES
	Agency/Group/Organization Type	Services-Persons with HIV/AIDS
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Online meeting with operations director of Vermont CARES. Goal of meeting was better understanding City's needs and available supports for persons with HIV/AIDS.
32	Agency/Group/Organization	Vermont Department for Children and Families
	Agency/Group/Organization Type	Services-Children Other government - State
	What section of the Plan was addressed by Consultation?	Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Online meeting with small group of providers who serve children involved with the foster care system and youth and young adults who are aging out of foster care. Goal of meeting was better understanding and identifying needs of families involved with the Department for Children and Families, children who are in foster care and young adults who are aging out of foster care services. Many served by this system of care have disabilities and housing insecurity.
33	Agency/Group/Organization	Vermont Interfaith Action
	Agency/Group/Organization Type	Regional organization

	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	In-person meeting with six local faith leaders. Goal for meeting was information on community needs - highlighted areas of concern included lack of housing, displacement of people who are unhoused and camping, substance use services and safety and other needs of people in the community and persons experiencing financial poverty.
34	Agency/Group/Organization	Vermont Real Estate Cooperative, LTD
	Agency/Group/Organization Type	Housing Business Leaders
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	In-person meeting with founding board member of VREC. Goal for interview was information on affordable housing models and creative solutions for addressing housing needs, maintaining affordable housing and addressing the needs of persons experiencing financial poverty. Also representative of a growing cooperative business in the community.
35	Agency/Group/Organization	Vermont Works for Women
	Agency/Group/Organization Type	Services-Employment
	What section of the Plan was addressed by Consultation?	Economic Development Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Online meeting with executive director. Goal for interview was information on employment resources for women and underserved populations.
36	Agency/Group/Organization	Veterans Administration Lakeside Clinic
	Agency/Group/Organization Type	Services-homeless Services-Health Other government - Federal

What section of the Plan was addressed by Consultation?	Homelessness Needs - Veterans
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	In-person meeting with person who is HUD VASH Program Coordinator, Health Care for Homeless Veterans Social Worker/Case Manager and VT VAHCS Coordinated Entry Representative & VT CoC Representative for Veterans. Communications via email and phone as well. Outcomes: Improved collaboration for needs of veterans experiencing homelessness and ongoing coordination of best practices and services for individuals in Burlington and throughout the state.

Identify any Agency Types not consulted and provide rationale for not consulting

No agency types were not consulted in developing this plan.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Chittenden County Homeless Alliance	Shared goal of housing for everyone who is experiencing homelessness through a responsive, comprehensive and coordinated system of care.
Burlington, VT Climate Action Plan	City of Burlington	Providing a safe, comfortable living environment and sufficient housing for folks in Burlington impacted by the changing climate and persons who are moving to Burlington for its environment.
planBTV: Comprehensive Plan 2019 Update	City of Burlington	Shared goals and priorities of affordable housing, sufficient services, public facilities and infrastructure for the City's community members.
Housing for Vermonters w/Intellectual and Develop	Vermont Developmental Disabilities Council	Full title: Report: Service Supported Housing for Vermonters with Intellectual and Developmental Disabilities (I/DD) 2023 Research Brief. Consideration of housing needs and preferences for persons with I/DD in Burlington.
An Infrastructure Plan for a Sustainable City	City of Burlington	Shared goal of broadband access for all residents, management of public facilities and infrastructure to ensure resident safety and access.

Table 3 – Other local / regional / federal planning efforts

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(I))

The City of Burlington will notify adjacent units of local government of non-housing community development needs included in its Consolidated Plan to the extent practical. Interaction with public entities at the State and locally will continue throughout the implementation of the Consolidated Plan to ensure collaboration and maximization of benefits to residents.

PR-15 CITIZEN PARTICIPATION – 91.105, 91.115, 91.200(C) AND 91.300(C)

Summary of citizen participation process/Efforts made to broaden citizen participation

Summarize citizen participation process and how it impacted goal-setting

The City of Burlington understands a meaningful plan includes input and perspectives from a variety of community members and stakeholders. The Community & Economic Development Office is the lead agency responsible for overseeing the development of the Consolidated Plan and for administering the CDBG and HOME programs. CEDO is a City department whose mission is to *engage our community to build an equitable, healthy, safe, and vibrant city with opportunities for all*.

Following the City's *Citizen Participation Plan* (Attachment E) citizen engagement was solicited through a variety of means and over several months to encourage a high level of participation and a diversity of perspectives.

An online survey was developed and distributed via email distribution lists, Facebook, Twitter, Front Porch Forum, a tiny URL link, and QR codes posted around the city.

The City also worked closely with local agencies, meeting with more than fifty local organizations, including members of the Chittenden County Homeless Alliance, the local Continuum of Care. More than 100 individuals participated in local organization meetings, individual conversations and public hearing opportunities.

To successfully reach different segments of the populations, specifically those that have been historically underserved, the City engaged with representatives of these communities including team members of the Association of Africans Living in Vermont, the City's Racial Equity, Inclusion, and Belonging office, Trusted Community Voices team members, and the U.S. Council on Refugees and Immigrants.

In-person outreach was conducted at Burlington's largest affordable housing residence, at a peer community center for persons with mental health challenges, a community resource center for persons with limited financial and housing resources, and a day shelter for adults experiencing homelessness.

Posters soliciting participants to identify housing and community need priorities were hung outside public restrooms at City Hall, at a community center for persons with mental health challenges, at the public library, a drop-in center for youth experiencing homelessness, and a community resource center and food shelf.

Public hearing for feedback on Burlington's housing and community development needs was warned via local newspaper 1/24/24 and held at the City Council meeting 2/12/24. Feedback on the Consolidated Plan was published in local newspaper 4/3/24 for public comment period 4/5/24 - 5/5/24.

City residents participate in the spending decision process for CDBG funds. Each of the City's eight Neighborhood Planning Assemblies (NPA) elects a representative to the CDBG Advisory Board; and collectively, those residents have a majority voice in making recommendations to the Mayor about how to spend the City's CDBG funding each year. The NPAs are grassroots associations, created by City Charter. They meet monthly as organized, democratic forums where neighbors can learn about public issues that affect them and advise city government of their concerns and needs. The Board's recommendations have traditionally been adopted without change by the Mayor and City Council.

Citizen Participation Outreach

	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Hearing	Non-targeted/ broad community	Public hearing soliciting feedback for the needs assessment portion of the Consolidated Plan hosted in conjunction with the City Council meeting.	Request for ongoing support for persons who are older and Cathedral Square Corporation. Questions regarding outreach to underserved and non-English speaking communities (CEDO shared outreach efforts including meeting with AALV, USCRI and Trusted Community Voices as well as survey translation).	All comments were accepted and considered in developing Consolidated Plan.	
2	Newspaper Ad	Non-targeted/ broad community	Two legal postings in the newspaper. First: provided information on feedback opportunities for community needs and (including announcement of public hearing). Second: announced posting of consolidated plan, NRSA and Action Plan.	If comments are received they will be posted here.		

3	Internet Outreach	Non-targeted/ broad community	Directed Social Media post informing community of needs assessment process and requests for feedback. Participation in online survey jumped following all three social media blasts. Information posted on Facebook, X, and Front Porch Forum.	Please see attached online survey data and comments.	All comments were accepted and considered in developing Consolidated Plan.	
4	Internet Outreach	Non-targeted/ broad community	Online survey. Survey was viewed by 999 individuals and responses were received by 841. 87% of respondents were residents and 45.7% work in Burlington.		All comments were accepted and considered in developing Consolidated Plan.	https://communityfeedback.opengov.com/portals/burlingtonvt/Issue_13526
6	In-person outreach	Persons with disabilities Residents of Public and Assisted Housing persons experiencing homelessness	Visits to community center for person with mental health challenges, Community Resource Center (oftentimes used by persons in assisted housing and persons who are unhoused) ,a daystation for person who are unhoused.	Focus on the lack of available and affordable housing and the challenge that poses to persons with limited financial means. Persons also shared about the difficulties of experiencing homelessness	All comments were accepted and considered in developing Consolidated Plan.	

Table 4 – Citizen Participation Outreach

NEEDS ASSESSMENT

NA-05 OVERVIEW

Needs Assessment Overview

The needs assessment is based on the feedback and insights provided in meetings with community members and providers, community surveys, data gathered from local and national sources and the datasets provided by HUD. Priority needs were determined from consultations with local organizations and government officials, conversations with community members, data analysis and through other means of resident input. Priorities were reviewed to assure compliance with requirements.

NA-10 HOUSING NEEDS ASSESSMENT - 24 CFR 91.205 (A,B,C)

Summary of Housing Needs

This section of the Plan provides a concise summary of the City's estimated housing needs for the next five years. The pre-populated tables, with data provided by HUD, describe levels of housing need by income range, family type, and type of housing problems. The information in these tables indicates that the City has a high number of cost-burdened and severely cost-burdened households, spending respectively at least 30% or 50% of their income on housing costs. These numbers include both renters and homeowners. The data predates the pandemic, and does not reflect recent increases in housing costs and decreases in housing availability. Responses to the City's "Housing and Community Development Needs" survey, collected in early 2024, demonstrated that City residents are well aware of the need for affordable housing in Burlington, with most respondents indicating that the City should direct funds towards affordable housing projects.

Demographics	Base Year: 2009	Most Recent Year: 2017	% Change
Population	42,570	42,645	0%
Households	16,155	16,190	0%
Median Income	\$44,671.00	\$55,461.00	24%

Table 5 - Housing Needs Assessment Demographics

Based on Table 5, the population and number of households in Burlington remained relatively steady between 2009 and 2017, while median income increased by 24% to \$55,461. As of 2023, the HUD-determined area median income for a one-person household in Burlington is \$79,600 – representing a 44% increase since 2017.

Additional demographic information is provided by recent Census Bureau data. As of 2022, the U.S. Census Bureau's Population Estimates Program estimates that 11% of Burlington's population are under 18 years, while 11.6% are over 65. The City's population is 53.2% female, representing a slight increase from 51.2% in 2010. In terms of racial and ethnic composition,

Burlington is becoming more diverse but remains largely white. The Census Bureau estimates that Burlington's population is 85.6% white, down from nearly 96% in 1990. The remaining population is 1.7% Black or African American, 2.7% Hispanic or Latino, 4.4% Asian, 0.1% American Indian and Alaska Native, and 5% two or more races

Number of Households Table

	0-30% HAMFI	>30-50% HAMFI	>50-80% HAMFI	>80-100% HAMFI	>100% HAMFI
Total Households	4,140	2,180	2,785	1,415	5,670
Small Family Households	675	240	530	255	2,400
Large Family Households	95	90	130	20	130
Household contains at least one person 62-74 years of age	655	470	575	355	1,130
Household contains at least one person age 75 or older	320	245	165	25	330
Households with one or more children 6 years old or younger	454	150	255	64	379

Table 6 - Total Households Table - Data Source: 2013-2017 CHAS

Table 6 provides information on the age and income of City of Burlington households. Overall, 56% of households qualify as low or moderate income (LMI), i.e., they earn below 80% of Area Median Income (AMI). 26% of Burlington households have someone over the age of 62 in residence, up from 14% in the previous Consolidated Plan; 57% of these households are low- to moderate-income, compared to 46% in the previous Consolidated Plan. Just 8% of Burlington households have one or more children six years or younger, with 66% of these households qualifying as low to moderate income.

Key changes in demographics from the previous Consolidated Plan include:

- 7% increase in the number of households earning less than 30% AMI
- 4% increase in the number of households earning less than 50% AMI
- 25% decrease in the number of large family households
- 14% increase in households with a member over the age of 62

HOUSING NEEDS SUMMARY TABLES

1. Housing Problems (Households with one of the listed needs)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Substandard Housing - Lacking complete plumbing or kitchen facilities	140	40	110	4	294	45	0	0	0	45
Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing)	35	60	25	0	120	0	0	15	0	15
Overcrowded - With 1.01-1.5 people per room (and none of the above problems)	40	15	55	0	110	0	0	15	0	15
Housing cost burden greater than 50% of income (and none of the above problems)	2,425	560	80	0	3,065	220	190	85	0	495
Housing cost burden greater than 30% of income (and none of the above problems)	440	595	790	240	2,065	60	265	255	145	725
Zero/negative Income (and none of the above problems)	130	0	0	0	130	35	0	0	0	35

Table 7 – Housing Problems Table - Data Source: 2013-2017 CHAS

Housing Problems Narrative

Table 7 provides data on renter and owner households in Burlington with at least one of the following housing problems: (1) unit lacks complete kitchen facilities; (2) unit lacks complete plumbing facilities; (3) household is crowded; or (4) household is cost burdened. Households are grouped by their AMI; households with an AMI below 80% are considered low to moderate income (LMI).

In total, there are 10,110 renter households and 6080 homeowner households. 3% of renter households live in housing that lacks complete kitchen or plumbing facilities, compared to <1% of homeowners. 99% of renter households and 100% of homeowner households living in substandard housing are low- to moderate-income, meaning that low- to moderate-income households disproportionately suffer the impacts of substandard housing.

Cost burden continues to be an issue for renters and owners in Burlington. 48% of LMI renters are cost-burdened, meaning they pay more than 30% of their income towards housing. This is a stark increase from the previous Consolidated Plan, when 24% of LMI renters were cost burdened. Low-income renter households are the most affected by cost burden: 76% of renter households earning under 30% of the AMI are cost burdened or severely cost burdened.

2. Housing Problems 2 (Households with one or more Severe Housing Problems: Lacks kitchen or complete plumbing, severe overcrowding, severe cost burden)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Having 1 or more of four housing problems	2,645	670	270	4	3,589	265	190	120	0	575
Having none of four housing problems	1,120	895	1,615	905	4,535	115	420	780	505	1,820
Household has negative income, but none of the other housing problems	0	0	0	0	0	0	0	0	0	0

Table 8 – Housing Problems 2 – Data Source: 2013-2017 CHAS

Housing Problems 2 Narrative

35% of all renter households have one or more severe housing problems, compared to just 9% of homeowner households. Renter households with one or more severe housing problems are disproportionately LMI households: of those renter households with severe housing problems, 99% are LMI. This is a decrease from ten years ago, when 40% of renter households had at least one severe housing problem.

3. Cost Burden > 30%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	425	150	150	725	75	60	100	235
Large Related	95	8	10	113	0	4	50	54
Elderly	385	155	120	660	205	275	130	610
Other	2,170	910	665	3,745	45	110	74	229
Total need by income	3,075	1,223	945	5,243	325	449	354	1,128

Table 9 – Cost Burden > 30% - Data Source: 2013-2017 CHAS

Cost Burden narrative

A household expending more than 30% of their income on housing costs is considered to be cost burdened, meaning that their housing costs are unaffordable. Table 4 shows that very low income renter households (defined as earning below 50% of AMI) are disproportionately likely to be cost burdened. Of the total number of cost burdened renter households, 82% earn below 50% of AMI.

Renters are more likely to be cost burdened than owners: 82% of cost burdened households are renters. Since the previous Consolidated Plan, the number of cost burdened LMI renter households has increased 3% from 4165 to 4298.

These data are, however, affected by the large college student population in Burlington, many of whom live off campus. Students are counted within the “other” category and inflate the level of need shown in this category.

4. Cost Burden > 50%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	0	0	80	80	75	0	0	75
Large Related	0	0	4	4	0	0	0	0
Elderly	260	55	0	315	180	115	35	330

Other	0	1,960	485	2,445	15	0	0	15
Total need by income	260	2,015	569	2,844	270	115	35	420

Table 10 – Cost Burden > 50% - Data Source: 2013-2017 CHAS

5. Crowding (More than one person per room)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Single family households	50	90	60	0	200	0	0	15	0	15
Multiple, unrelated family households	25	0	10	0	35	0	0	0	0	0
Other, non-family households	0	15	15	0	30	0	0	15	0	15
Total need by income	75	105	85	0	265	0	0	30	0	30

Table 11 – Crowding Information –1/2 - Data Source: 2013-2017 CHAS

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
Households with Children Present	0	0	0	0	0	0	0	0

Table 12 – Crowding Information – 2/2 – Data Source: 2013-2017 CHAS

Crowding narrative

Table 11 shows that very few renter and homeowner households earning below 100% AMI experience overcrowding. Of these, though, 100% of the households who do experience overcrowding are LMI households. While Table 12 shows 0 households with children present experiencing overcrowding, community members shared concerns that larger families (including ones with children) are unable to afford homes in Burlington that were sufficiently large to accommodate their families.

Describe the number and type of single person households in need of housing assistance.

2022 ACS data indicate that 62.8% of households in Burlington are nonfamily households and that 35.7% of households are single family households. The average household size in Burlington was 2.13. This suggests there is a high need for studio or 1-bedroom units to accommodate smaller households. However, responses to the City’s “Housing and Community Development Needs” survey demonstrate a clear need for larger, affordable units to house refugee and immigrant families, who often live in large, multigenerational households. The 2023 Chittenden County Point in Time count also indicated a rise in the number of families with children experiencing homelessness, from 22 in 2020 to 82 in 2023 – a rise of over 270%.

Estimate the number and type of families in need of housing assistance who are disabled or victims of domestic violence, dating violence, sexual assault and stalking.

Statewide, a 2021 report from the Vermont Department of Health found that 24% of Vermont adults have at least one disability, a figure which rises to 37% for Vermonters over the age of 65. Mobility and cognitive disabilities are the most prevalent types of disability. In terms of housing access, the 2017-2022 Burlington Assessment of Fair Housing noted that approximately 22% of people living in project-based Section 8 housing had a disability and that 35% of the population in the Housing Choice Voucher program had a disability. Based on waiting lists and usage, Burlington Housing Authority believes that there are sufficient accessible units to accommodate those with disabilities. However, data from the survey and interviews the City of Burlington conducted in preparation for this plan suggest there is a larger and unfilled need for accessible units and supportive housing for disabled community members. In addition, recent reports, including a 2024 policy brief authored by Housing First Vermont, a coalition working to solve homelessness in the state, noted that disabled Vermonters are significantly overrepresented among those experiencing homelessness.

The 2023 Chittenden County Point in Time count documented 72 persons experiencing homelessness who were fleeing domestic violence, which is 9% of the total. This number had increased from 65 in 2022. Steps to End Domestic Violence, a nonprofit based in Chittenden County, fielded 4,397 calls, emails, or webchats from individuals experiencing domestic violence in FY23 and assisted 1,119 individuals. Of these, the majority – 535 adults and 623 children – were located in Burlington. During the same period, Steps directed 57% of their expended funds towards providing emergency housing, demonstrating the need for this resource.

What are the most common housing problems?

HUD receives a special tabulation of Census data that it analyzes by income, household type, and housing problems. The resultant data set is known as the “CHAS”, or Comprehensive Housing Affordability Strategy. CHAS data in the Consolidated Plan identify four types of housing problems: cost burden, overcrowding, lack of complete plumbing facilities, and lack of complete kitchen facilities.

Households are cost-burdened when they pay more than 30% of their income towards housing, and extremely cost-burdened when they pay more than 50% of their income towards housing. The CHAS data shows that cost burden is the most pressing housing problem for both renters

and owners. Although it affects those at all income levels, it is most acute for very low income (<50% AMI) renters.

CHAS data indicate that other housing problems, including substandard housing (housing that lacks complete kitchen or plumbing facilities) and overcrowding are not significant problems in Burlington, although they do still affect some households. Households affected by these problems are more likely to be low-income and renters. For example, 290 low income (<80% AMI) renter households live in substandard housing, compared to just 4 households earning between 80-100% AMI. Just 45 owner households live in substandard housing, and all of these earn below 30% AMI. Declines in these kind of housing problems are likely at least in part due to the Burlington Rental Registration program, which requires all rentals within the city to be registered and inspected periodically by the City's Code Enforcement Office.

Are any populations/household types more affected than others by these problems?

The tables above detail housing problem by household type and income. The different household types are elderly (age 62 and older), small family (2-4 members), large family (5+ members), and other (mostly single adults). The approximately 5,600 undergraduate college students living off-campus are mostly represented in the "other" category and make it tricky to accurately assess need in this category and to compare levels of need across different categories.

In terms of cost burden, large families are proportionally most affected. Large family LMI households experiencing cost burden represent 36% of the total number of large family households, compared to 30% for elderly households and 23% for small family households. These figures do not reflect whether households earning higher incomes are also experiencing cost burden.

Low-income single family, inclusive of both small and larger families, households also disproportionately experience overcrowding. 73% of households experiencing overcrowding were single family households, and all of these earned below 80%. No single-family household earning between 80-100% AMI experienced overcrowding.

Overall, low-income households are more affected by the different kinds of housing problems.

Describe the characteristics and needs of Low-income individuals and families with children (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c)). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance

The populations most at risk of becoming homeless in Burlington are:

- Extremely low-income households who are cost burdened; 3,075 renter and 325 owner households earning below 30% AMI were cost burdened. A small change in circumstances can mean the difference between remaining housed and becoming homeless.
- Individuals experiencing domestic violence.
- Precariously housed and/or sheltered individuals.

- Seasonal closures of shelters and fluctuations in availability of motels for temporary stays mean many individuals are at high risk of becoming unsheltered.
- Individuals with disabilities, including mental health challenges.
- Youth aging out of foster care.
- People exiting the corrections system. Vermont Department of Corrections funds several community projects that support offenders returning to the community. However, the lack of available housing means persons with the greatest barriers to stability are at highest risk for being unhoused.

The needs of formerly homeless families and individuals who are receiving rapid re-housing assistance includes: a portion of households need long-term housing subsidy and/or ongoing supports and challenges related to very limited housing stock.

If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates:

The City of Burlington does not currently have an operational definition of at-risk populations, nor a methodology to generate credible estimates. The Chittenden County Homeless Alliance is interested in (1) developing a method to generate estimates of at-risk populations and (2) including this population in the Coordinated Entry system.

Specify particular housing characteristics that have been linked with instability and an increased risk of homelessness:

There is little evidence that specific housing characteristics, such as overcrowding, substandard housing, or even high fuel costs are causatively linked with instability and increased risk of homelessness. An overall lack of housing availability and affordability coupled with biases, discrimination, and historic and ongoing marginalization, means persons of certain identifies and characteristics are more likely to experience housing instability and homelessness. A multitude of identities and experiences including race, ethnicity, gender identity, sex, financial means, disability, substance use, mental health challenges, generational poverty, conflict within the home, high healthcare needs, severe cost burden and others means community members with greater intersecting identities or experiences are more likely to experience homelessness and/or housing instability

However, households desperate to find housing will often take the first place that becomes available to them. This is particularly true in Burlington currently, where the rental vacancy rate is 1% and finding housing is a challenge for households of all incomes. Some of the housing available to clients served by local nonprofits does not meet safety code standards, which may create unsafe living conditions for adults and children. Many tenants report that their landlords are not responsive to requests for repairs and some tenants are afraid to request repairs for fear of losing their housing. Many rental apartments have not been weatherized and so utility costs can be extremely high. The high costs of rent and utilities mean that tenants are evermore cost-burdened, which increases their risk of losing their housing and becoming homeless.

NA-15 DISPROPORTIONATELY GREATER NEED: HOUSING PROBLEMS – 91.205 (B)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Assessing whether specific racial or ethnic groups in Burlington experience disproportionately greater need on a percentage basis is complicated by the relatively low number of ethnic or racial minority households in the City of Burlington. The charts below detail the racial and ethnic identities of households experiencing HUD-defined housing problems (i.e., lacks complete kitchen or plumbing facilities, overcrowding, cost burden over 30%), broken down by household AMI. A disproportionately greater need exists when the percentage of households in a category of need who are members of a particular racial or ethnic group is at least 10 percentage points higher than the overall percentage of households in a category of need.

While discussed in more detail later it is of note that the number of persons experiencing homelessness in Burlington is significantly higher among Black and Asian identifying households - representing more than 40% of the population experiencing homelessness in the 2023 Point-In-Time but only 6% of the total population.

0%-30% of Area Median Income

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	3,225	535	200
White	2,690	460	185
Black / African American	170	55	0
Asian	170	0	15
American Indian, Alaska Native	10	4	0
Pacific Islander	0	0	0
Hispanic	100	0	0

Table 13 - Disproportionally Greater Need 0 - 30% AMI – Data Source 2013-2017 CHAS

30%-50% of Area Median Income

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,890	370	0
White	1,610	255	0
Black / African American	100	10	0
Asian	55	65	0
American Indian, Alaska Native	15	0	0
Pacific Islander	0	0	0

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Hispanic	60	40	0

Table 14 - Disproportionally Greater Need 30 - 50% AMI – Data Source: 2013-2017 CHAS

50%-80% of Area Median Income

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,545	1,200	0
White	1,360	1,140	0
Black / African American	55	15	0
Asian	75	10	0
American Indian, Alaska Native	0	25	0
Pacific Islander	0	0	0
Hispanic	30	0	0

Table 15 - Disproportionally Greater Need 50 - 80% AMI – Data Source: 2013-2017 CHAS

80%-100% of Area Median Income

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	500	1,065	0
White	365	1,035	0
Black / African American	30	4	0
Asian	70	15	0
American Indian, Alaska Native	0	15	0
Pacific Islander	0	0	0
Hispanic	35	0	0

Table 16 - Disproportionally Greater Need 80 - 100% AMI – Data Source: 2013-2017 CHAS

**The four housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%*

Discussion:

For those households earning less than 30% AMI, there is high need across the board, with 81.4% of households experiencing one or more housing problems. Asian and Hispanic households experience disproportionately greater need, with respectively 91.9% and 100% of these households experiencing one or more housing problems. Overall, there are decreased

need levels from the previous 2019-2022 Consolidated Plan, although there were increases in need for Asian and Hispanic households.

For households earning between 30-50% AMI, there is similarly universal high need, with 83.6% of households experiencing one or more housing problems – a higher percentage than for households earning less than 30% AMI. The only category experiencing disproportionately greater need is American Indian/Alaska Native, at 100%. Black/African American households have heightened need – 90.9% - but it does not surpass the 10 percentage points threshold. In general, there is an increased need level compared to the previous Consolidated Plan, which can be seen overall and among white, American Indian/Alaska Native, and Hispanic households.

Households earning 50-80% AMI experience reduced need overall, with 56.2% of these households experiencing one or more housing problems. However, Black/African American, Asian, and Hispanic households have disproportionate need in terms of housing problems, suggesting that disproportionate need increases with income levels. Overall, housing needs in the 50-80% AMI category have decreased in prevalence from the previous Consolidated Plan.

Households earning 80-100% AMI experience further reduced need overall, with only 31.9% of households in this category experiencing one or more housing problems. Black/African American, Asian, and Hispanic households again experience significantly disproportionate need, with respectively 88.2%, 82.3%, and 100% of households in these categories experiencing one or more housing problems. This again indicates that disproportionate needs increase with income levels. Overall, need in the 80-100% AMI category has reduced approximately 3% compared to the 2018-2022 Consolidated Plan. The disproportionately greater need experienced by Black/African American, Asian, and Hispanic households can also be seen in the previous Consolidated Plan data.

Overall, although these data provide useful insights into whether households of different racial and ethnic identities experience disproportionately greater need in terms of their housing, it remains challenging to draw definitive conclusions from the data because of the small numbers of racial and ethnic minority households in Burlington. For instance, in the 80-100% AMI category, there are only 15 American Indian/Alaska Native households and just 34 Black/African American households. These small numbers also make it hard to assess the significance of changes in need between these data and data in previous Consolidated Plans.

NA-20 DISPROPORTIONATELY GREATER NEED: SEVERE HOUSING PROBLEMS – 91.205 (B)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole. *(For this purpose, disproportionately greater need exists when the percentage of persons in a category of need who are members of a particular racial or ethnic group is at least 10 percentage points higher than the percentage of persons in category as a whole).*

Introduction

Assessing whether specific racial or ethnic groups in Burlington experience disproportionately greater need on a percentage basis is complicated by the relatively low number of ethnic or racial minority households in the City of Burlington. The charts below detail the racial and ethnic identities of households experiencing HUD-defined severe housing problems (i.e., lacks complete kitchen or plumbing facilities, overcrowding, cost burden over 50%), broken down by household AMI. A disproportionately greater need exists when the percentage of households in a category of need who are members of a particular racial or ethnic group is at least 10 percentage points higher than the overall percentage of households in a category of need.

0%-30% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	2,700	1,065	200
White	2,275	875	185
Black / African American	105	120	0
Asian	160	10	15
American Indian, Alaska Native	10	4	0
Pacific Islander	0	0	0
Hispanic	60	40	0

Table 17 – Severe Housing Problems 0 - 30% AMI – Data Source: 2013-2017 CHAS

30%-50% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	980	1,280	0
White	785	1,075	0
Black / African American	65	45	0
Asian	45	80	0
American Indian, Alaska Native	0	15	0
Pacific Islander	0	0	0
Hispanic	40	60	0

Table 18 – Severe Housing Problems 30 - 50% AMI - Data Source: 2013-2017 CHAS

50%-80% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	385	2,360	0

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
White	315	2,185	0
Black / African American	4	60	0
Asian	60	20	0
American Indian, Alaska Native	0	25	0
Pacific Islander	0	0	0
Hispanic	0	30	0

Table 19 – Severe Housing Problems 50 - 80% AMI - Data Source: 2013-2017 CHAS

80%-100% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	135	1,425	0
White	65	1,325	0
Black / African American	10	24	0
Asian	60	20	0
American Indian, Alaska Native	0	15	0
Pacific Islander	0	0	0
Hispanic	0	35	0

Table 20 – Severe Housing Problems 80 - 100% AMI - Data Source: 2013-2017 CHAS

**The four housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%*

Discussion:

The tables above examine severe housing needs by race, ethnicity, and household AMI.

68.1% of households earning <30% AMI experience severe housing problems. Only Asian households experience disproportionately greater need (86.4%). American Indian/Alaska Native households experience heightened, but not disproportionate, need. This is similar to findings from the previous Consolidated Plan. Overall, housing need in this category has decreased from the previous Consolidated Plan.

Among households earning 30-50% AMI, 43.4% overall experience severe housing problems. Only Black/African American households experience disproportionately greater need (59.1%). This is an increase from the previous Consolidated Plan, when only 39% of households in this category experienced severe housing problems.

For households earning 50-80% AMI, only 14% of households experience severe housing problems, which is identical to the previous plan. Only Asian households experience

disproportionately greater need (75%). This is a significant increase from the previous plan, when just 4% of Asian households experienced severe housing problems.

Among households earning 80-100% AMI, only 8.7% experience severe housing problems. Both Black/African American (29.4%) and Asian (75%) households experience disproportionately greater need. Although overall this represents decreased need from the previous Consolidated Plan, when 9.6% of households earning 80-100% AMI experienced 1+ severe housing problems, there have been marked increases in the disproportionately greater need borne by Black/African American and Asian households.

Overall, these data highlight how Asian households at virtually all income levels (with the exception of those earning 30-50% AMI) are experiencing disproportionately greater housing needs in terms of severe housing problems.

NA-25 DISPROPORTIONATELY GREATER NEED: HOUSING COST BURDENS – 91.205 (B)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

For the City of Burlington, cost burden is second only to homelessness in its significance as a housing problem. Households are cost burdened when they spend more than 30% of their income on housing costs; they are severely cost burdened when they spend more than 50% of their income on housing costs. The tables below describe the racial and ethnic identities of households experiencing housing cost burden or severe cost burden. A disproportionately greater need exists when the percentage of households in a category of need who are members of a particular racial or ethnic group is at least 10 percentage points higher than the percentage of households in that category as a whole.

Housing Cost Burden

Housing Cost Burden	<=30%	30-50%	>50%	No / negative income (not computed)
Jurisdiction as a whole	8,680	3,460	3,730	200
White	7,870	3,000	3,160	185
Black / African American	230	200	125	0
Asian	380	85	200	15
American Indian, Alaska Native	55	15	10	0
Pacific Islander	0	0	0	0
Hispanic	95	135	100	0

Table 21 – Greater Need: Housing Cost Burdens AMI – Data Source: 2013-2017 CHAS

Assessing disproportionately greater needs by racial or ethnic identity in Burlington on a percentage basis is complicated by the relatively low number of minority households in the

City. Overall, 21.5% of Burlington households are cost burdened and 23.2% are severely cost burdened. This represents slight decreases from the 2018-2022 Consolidated Plan, when 22.4% of households were cost burdened and 24.8% severely cost burdened. More recent data paints a different picture. **2022 data from the Vermont Housing Finance Agency estimates that 25% of Burlington households are cost burdened and 32% are severely cost burdened – a substantial increase from the CHAS data presented here.**

Households experiencing disproportionately greater need in terms of housing cost burden include:

- 36% of Black/African American households are cost burdened, compared to 21.5% of households overall.
- However, 22.5% of Black/African American households are severely cost burdened. This is a reduction from the previous plan, when 51.1% of Black/African American households were cost burdened and 26.5% were severely cost burdened.
- 29.4% of Asian households are severely cost burdened, which is higher than the jurisdiction as a whole. This is a reduction from the previous plan, when 34% of Asian households were severely cost burdened.
- Among Hispanic households, 40.9% are cost burdened and 30.3% are severely cost burdened, meaning they experience disproportionate need in terms of housing cost burden. This is a substantial increase from the previous plan, when 29.4% of Hispanic households were cost burdened and 10.7% severely cost burdened.

NA-30 DISPROPORTIONATELY GREATER NEED: DISCUSSION – 91.205(B)(2)

Are there any Income categories in which a racial or ethnic group has disproportionately greater need than the needs of that income category as a whole?

In terms of housing problems, households of certain racial or ethnic identities experiencing disproportionately greater need are often in higher income brackets. In lower income brackets, in contrast, need is often more universal. For instance, among households earning less than 30% AMI, 81.4% of households experienced one or more housing problems, compared with 91.9% of Asian and 100% of Hispanic households. For households earning 50-80% AMI, however, 56.2% of households experience one or more housing problems, compared with 78.6% of Black/African American households, 88.2% of Asian households, and 100% of Hispanic households. The pattern is similar for households earning 80-100% AMI, when 31.9% of households overall experience one or more housing problems, compared with 88.2% of Black/African American households, 82.3% of Asian households, and 100% of Hispanic households. Similar patterns are evident in the data for severe housing problems. In the 30-50% AMI category, 43.4% of households overall experience one or more severe housing problems, compared with 59.1% of Black/African American households, 36% of Asian households, and 40% of Hispanic households. In the 80-100% AMI category, in contrast, just 8.7% of households overall experience one or more severe housing problems, compared with 75% of Asian households.

In terms of cost burden, data suggest that households of certain racial or ethnic identities disproportionately experience cost burden and severe cost burden. 21.5% of jurisdiction households are cost burdened, compared with 36% of Black/African American households and 40.9% of Hispanic households. 23.2% of jurisdiction households are severely cost burdened, compared to 29.4% of Asian households and 30.3% of Hispanic households.

If they have needs not identified above, what are those needs?

There are significant racial and ethnic disparities in terms of homeownership and rates of homelessness. A 2019 report by the Vermont Legislature found significant racial disparities in homeownership rates in Burlington. Only 17 owner-occupied homes in Burlington in 2019 were owned by Black or African American households, meaning that Black residents comprise about 7% of the city's population but just 0.3% of its homeowners. ACS 2021 5-year estimates, displayed in the table below, indicate similar figures. Statewide, the Point in Time count has identified marked racial disparities in rates of homelessness. In the 2023 count, for example, 8% of those who were unhoused were Black/African American – compared to 1.4% of the state's population - a Black Vermonter is 4 times as likely to experience homelessness as other Vermonters.

Survey and outreach respondents also noted that housing needs vary between racial and ethnic groups. For example, New American households, who are often Black or Asian, often need units with a higher number of bedrooms to accommodate larger, multi-generational households.

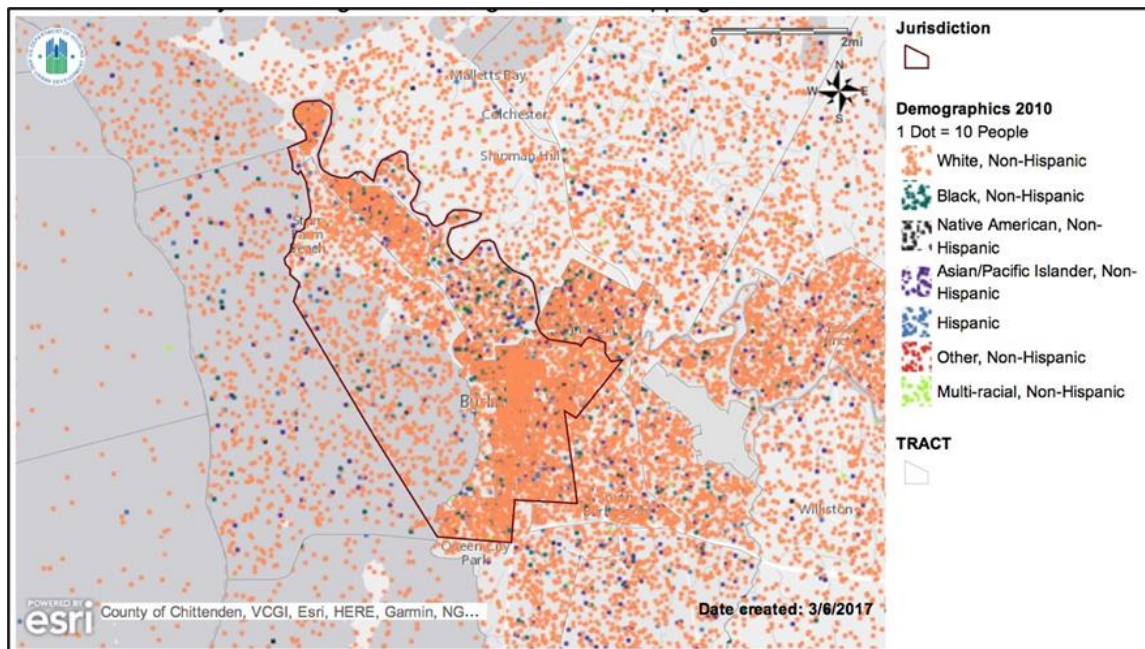
Are any of those racial or ethnic groups located in specific areas or neighborhoods in your community?

The Assessment of Fair Housing (AFH) (2017-2022) analysis demonstrated that no areas within the City qualify as racially or ethnically concentrated areas of poverty (R/ECAPs), defined as a geographic area with a significant concentration of poverty and minority concentrations. Current data shows that this is still the case.

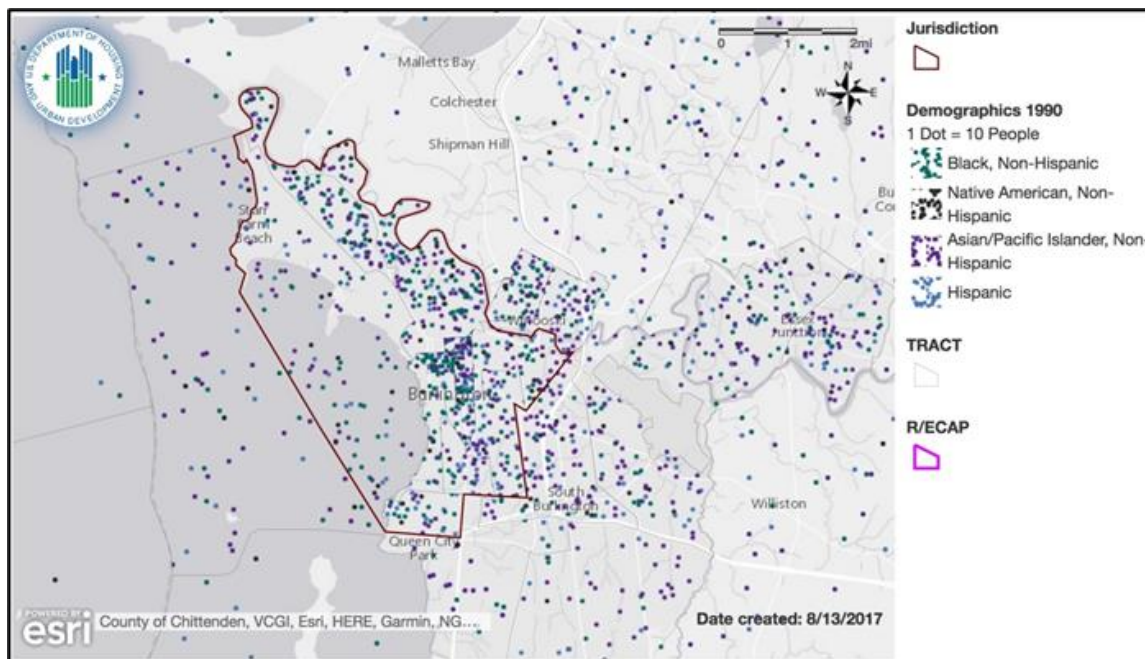
To analyze segregation levels within Burlington and the surrounding area, the City used racial/ethnic dissimilarity trend data provided by HUD. As of 2010, segregation in Burlington is considered low among all measured racial and ethnic groups. Integration is highest between Hispanic and white populations, and segregation is highest between Black and white populations.

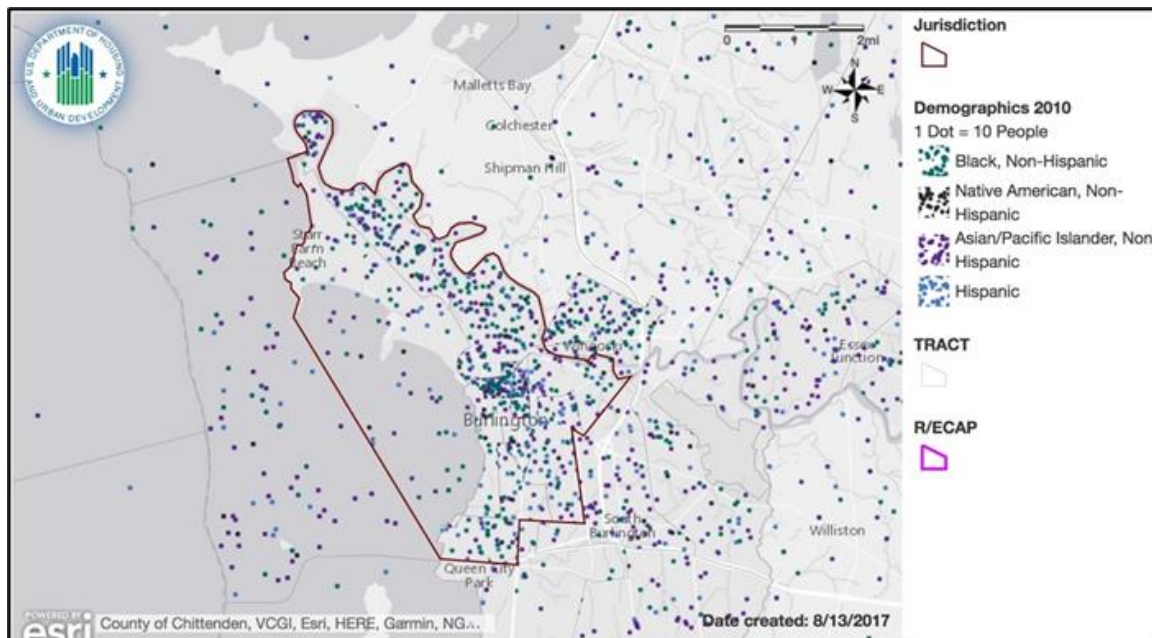
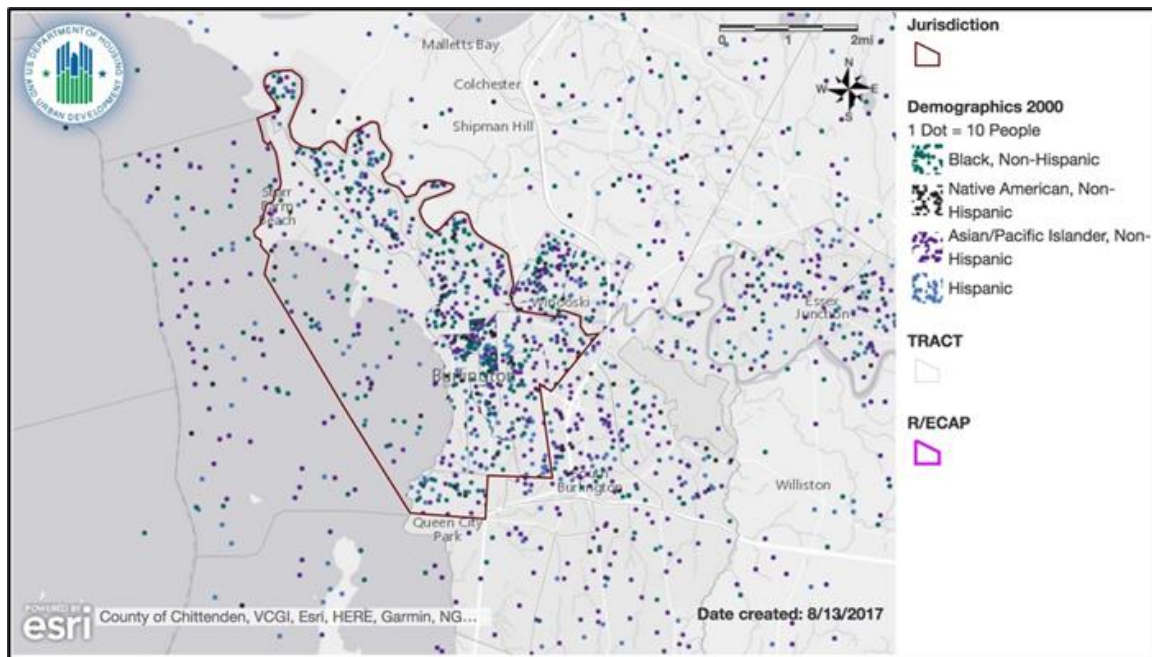
It is difficult to see the geographic distribution of segregation and integration in Burlington using the AFH mapping tool. This is due to the population of Burlington being majority white, to the point that white population density visually crowds out non-white population densities (see Maps 1-4).

Map 1: Population density in Burlington-South Burlington by racial and ethnic group. Note that including the white, non-Hispanic population makes it difficult to see population densities of other racial or ethnic groups (source: 2010 Decennial Census)



Maps 2-4: Population density by racial and ethnic group in 1990, 2000, and 2010. Note that White population density data was removed (source: Decennial Census)





NA-35 PUBLIC HOUSING – 91.205(B)

Introduction: The Burlington Housing Authority (BHA), established in 1962, is Vermont's oldest and largest municipally-based public housing authority. BHA's mission is to promote, provide, and preserve affordable housing in ways that encourage resident self-sufficiency and support healthy neighborhoods. BHA is governed by a five-member Board of Commissioners, appointed by Burlington's Mayor. Their policies and priorities are established through a Five-Year/Annual

Plan. Most funding is received from the U.S. Department of Housing and Urban Development, which has rated BHA as a High Performer. BHA manages over 600 affordable apartments and provides rental assistance to over 2,100 families living in Burlington and surrounding communities. Resident services programs help families assisted in maintaining their housing, achieving economic self-sufficiency, and working towards homeownership. BHA is now a Section 8 only PHA. In 2015, BHA completed the conversion of its public housing units to the Section 8 Project-Based Voucher Program through the HUD Rental Assistance Demonstration (RAD) program, thus ensuring the sustainability of these housing developments, which serve extremely and very low-income households. Former public housing residents now have mobility options with the Section 8 Housing Choice Voucher Program and are able to participate in the Family Self-Sufficiency and Mortgage Assistance (Homeownership) programs.

Please note that Certificate, Mod Rehab and Public Housing is excluded from the following tables as Burlington Housing Authority does not have any housing of these types.

Totals in Use

	Vouchers					
	Total	Project -based	Tenant -based	Special Purpose Voucher		
				Veterans Affairs Supportive Housing	Family Unification Program	Disabled*
# of units vouchers in use	2,345	563	0	5	377	869

Table 22 - Public Housing by Program Type – Data Source: Burlington Housing Authority Reported Data

**includes Non-Elderly Disabled, Mainstream 1-Year and 5-year, Nursing Home Transition*

Characteristics of Residents

	Vouchers				
	Total	Project -based	Tenant -based	Special Purpose Voucher	
				Veterans Affairs Supportive Housing	Family Unification Program
Average Annual Income	19,892	15,841	20,093	22,599	22,749
Average length of stay	0	0	0	0	0
Average Household size	2	1	2	0	3
# Homeless at admission	345	153	171	5	16
# of Elderly Program Participants (>62)	696	219	456	2	19
# of Disabled Families	1,584	357	1,111	2	114
# of Families requesting accessibility features	1,707	133	1,158	0	260
# of HIV/AIDS program participants	0	0	0	0	0
# of DV victims	0	0	0	0	0

Table 23 – Characteristics of Public Housing Residents by Program Type

Data Source: Burlington Housing Authority Report

Race of Residents

Race	Vouchers					
	Total	Project-based	Tenant-based	Special Purpose Voucher		
				Veterans Affairs Supportive Housing	Family Unification Program	Disabled*
White	1825	397	823	3	291	311
Black/African American	273	79	115	1	62	16
Asian	86	31	39	0	11	5
American Indian/Alaska Native	19	6	7	1	1	4
Pacific Islander	0	0	0	0	0	0
Other	0	0	0	0	0	0

Table 24 – Race of Public Housing Residents by Program Type
Data Source: Burlington Housing Authority Report

Ethnicity of Residents

Ethnicity	Vouchers					
	Total	Project-based	Tenant-based	Special Purpose Voucher		
				Veterans Affairs Supportive Housing	Family Unification Program	Disabled*
Hispanic	0	13	14	0	11	9
Not Hispanic	0	513	984	5	365	336

Table 25 – Ethnicity of Public Housing Residents by Program Type
Data Source: Burlington Housing Authority Report

**includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition*

Section 504 Needs Assessment: Describe the needs of public housing tenants and applicants on the waiting list for accessible units:

BHA no longer has public housing units. Applicants on the voucher waiting list who need accessible units are provided information on available accessible units in the community. BHA maintains a list of landlords and property managers that often have apartments available for rent under the Section 8 program. The list indicates which of the properties have accessible apartments.

BHA – Total Accessible Units

Development	Number of Accessible Units
10 North Champlain	5
669 and 693 Riverside	7
Bobbin Mill	3
Decker Towers	6

Gable-St. Paul	1
Hillside	2
South Square	4
Wharf Lane	4

Most immediate needs of residents of Public Housing and Housing Choice voucher holders

Because of high rents and low vacancy rates, Section 8 voucher holders often have difficulty finding appropriate apartments at rents within the parameters of the program. Once housed, a high percentage of voucher holders need appropriate supports to successfully maintain their housing and, when desired, to increase their household income. Data collected from BHA housing applicants indicated that 207 people possibly had limited English language proficiency, based on self-reported ability.

Resident needs include housing retention services, language translation, self-sufficiency programs, parenting/childcare programs, and accessible features in units. The Family Self-Sufficiency program helps tenants to increase their employment skills, savings, and other life skills. Residents might need access to affordable childcare and transportation to work; for that reason, BHA properties are located on public transport routes. These immediate needs impact tenants' day-to-day successes and ability to maintain housing and employment.

Immediate needs of project-based residents are related to community safety and challenges within multi-resident buildings especially Decker Towers. There have been concerns about persons experiencing homelessness staying in stairwells, corridors, and other open spaces because of insufficient housing available in the community. Observations of substance use, aggression and excrement in shared spaces have been noted by residents. The Housing Authority and City of Burlington are working to develop safety measures to minimize non-resident traffic and eliminate safety concerns in Housing Authority owned buildings.

How do these needs compare to the housing needs of the population at large

Renters of all incomes living in Burlington are affected by the low vacancy rates and high costs, which make it challenging to find suitable housing. Residents served by BHA have significantly lower incomes than the population as a whole, which makes it especially difficult to find housing; in many cases, voucher subsidies do not cover the high cost of rent in Burlington. The tight rental market also means that private landlords have numerous applicants for available units and will not prioritize selection of households with subsidies or may not rent to persons with subsidies (an illegal practice that is combatted with landlord and tenant education and advocacy). In addition, BHA notes the voucher program serves both a high number of people with disabilities and a diverse population with limited English proficiency. The challenges involved in finding an appropriate apartment and maintaining tenancy are, generally, greater for BHA program participants than for the population as a whole.

Discussion

The Burlington Housing Authority supports its applicants and voucher holders through lease-up and tenancy with a variety of programs, including a Family Self-Sufficiency Program and a Housing Retention Team.

NA-40 HOMELESS NEEDS ASSESSMENT – 91.205(C)

Introduction: Homelessness has risen rapidly in Burlington since the pandemic. Statewide, the 2023 Point in Time count found that an estimated 3,295 people – or 51 out of every 10,000 people – were experiencing homelessness in Vermont. *This was the **second highest rate of homelessness in the country**.* This included 758 people in Chittenden County, which includes the City of Burlington. This represents an 18.5% rise since 2022 and a nearly 200% rise since 2020. *Levels of family homelessness have risen by 213% since 2020 - the highest increase in the country* - with 654 Vermont children experiencing homeless in 2023. All told, **Vermont had the second highest rate of homelessness in the country** at the 2023 count. However, the state also had the highest rate of people who were sheltered in emergency shelters or temporary housing; during the 2023 count, just 4% of people experiencing homelessness in Vermont were unsheltered, compared to 40% nationwide. These data underscore the high level of need that currently exists in Burlington, and Vermont more broadly.

Homeless Needs Assessment

Population	Estimate the # of persons experiencing homelessness on a given night		Estimate the # experiencing homelessness each year	Estimate the # becoming homeless each year	Estimate the # exiting homelessness each year	Estimate the # of days persons experience homelessness
	Sheltered	Unsheltered				
Persons in Households with Adult(s) and Child(ren)			0	0	0	0
Persons in Households with Only Children	0	0	0	0	0	0
Persons in Households with Only Adults	433	0	0	0	0	0
Chronically Homeless Individuals	66	13	0	0	0	0
Chronically Homeless Families	62	0	0	0	0	0
Veterans	30	0	0	0	0	0
Unaccompanied Child	36	0	0	0	0	0
Persons with HIV	7	2	9	7	7	0

Table 26 - Homeless Needs Assessment – Data Source: CCHA Point-In-Time Homeless Count 2023

Indicate if the homeless population is rural:

Burlington has no rural homelessness

Coordinated Entry Data - April

684 Total Households Enrolled in CE as of April 30th

- **71** Families
- **299** Chronic Households
- **22** Veteran Households
- **43** Youth Households

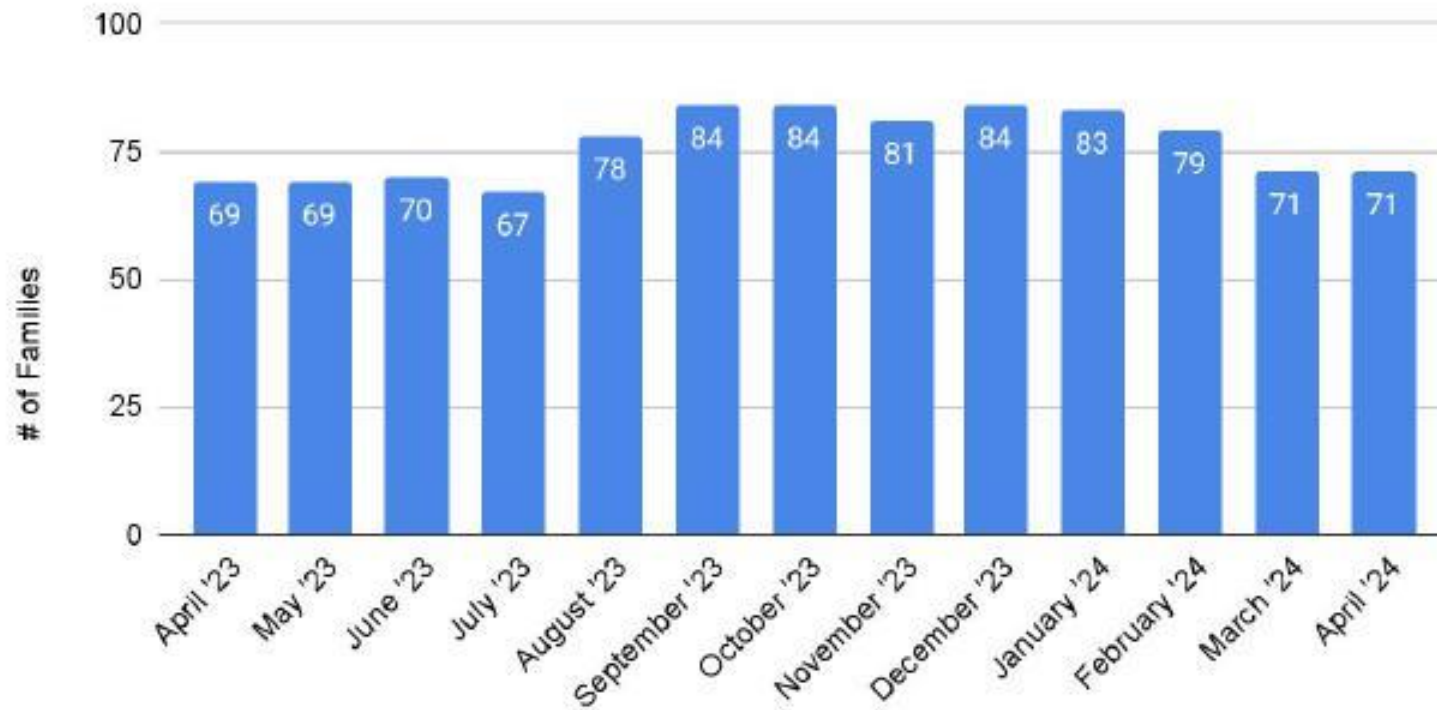
Phase 1: **452**

Phase 2: **54**

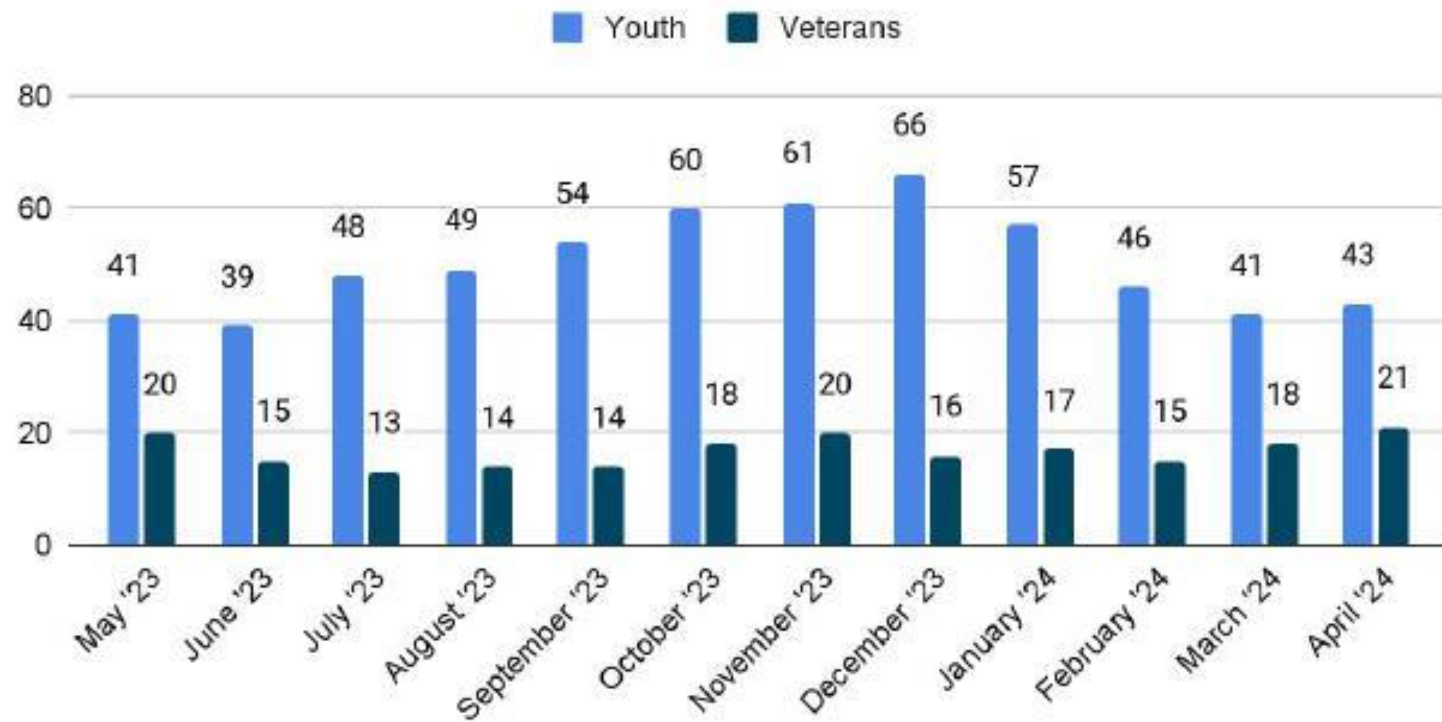
Phase 3: **99**

24 Households moved into permanent housing in April

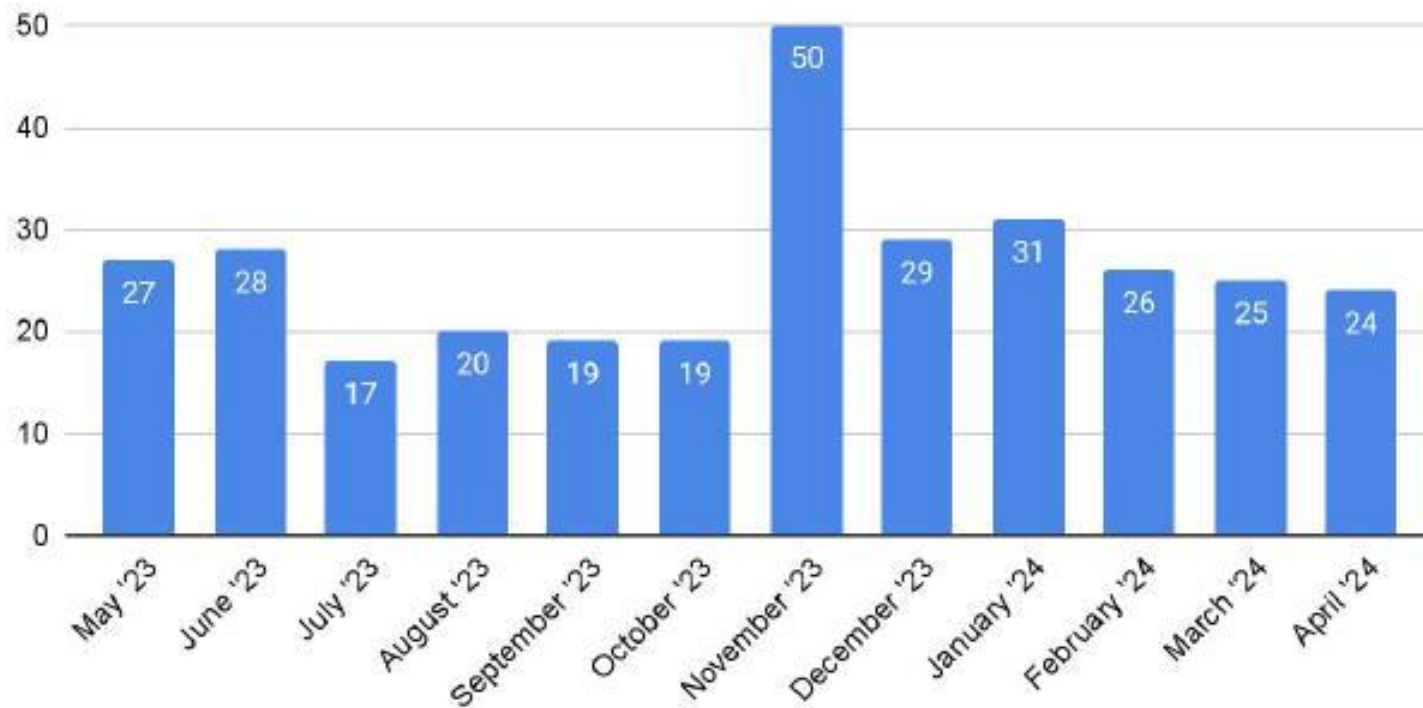
Number of Families Enrolled in Chittenden Coordinated Entry by Month Over the Last Year



Youth & Veterans Enrolled in Chittenden Coordinated Entry by Month Over the Last Year



Number of Homeless Households in Chittenden County Housed by Month Over the Last Year



If data is not available for the categories "number of persons becoming and exiting homelessness each year," and "number of days that persons experience homelessness," describe these categories for each homeless population type (including chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth): *Information forthcoming*

Persons with HIV: While most persons in the community with HIV/AIDS who experience homelessness are able to access permanent housing in the community there are a couple of people who have remained unsheltered for a significant period of time. In recent

years service providers report that it has been more challenging for households to find housing, even if they have a housing subsidy and/or sufficient funds to pay for an apartment. It was also noted that some people who are becoming homeless in the community have moved to the area and were unable to access housing once they arrived.

Chronically homeless individuals and families: Local providers estimate that the number of persons experiencing chronic homelessness annually in Burlington has increased significantly since the pandemic and is underrepresented in the PIT count as many households are utilizing state-funded motels that meet "transitional housing" definition. Spring 2024 data from CoC Coordinated Entry showed 299 chronic households.

Please see information above for CE data on household types including number of household moving into permanent housing by month.

Families with children: Coordinated Entry monthly data show an average of 76 families enrolled in CE every month.

Veterans and their families: CE data show an average of 17 veteran households enrolled in CE every month

Unaccompanied youth: Youth homelessness has averaged 50 persons enrolled in CE every month.

Nature and Extent of Homelessness: (Optional)

Race:	Sheltered:	Unsheltered (optional)
White	574	0
Black or African American	113	0
Asian	16	0
American Indian or Alaska Native	19	0
Pacific Islander	2	0
Ethnicity:	Sheltered:	Unsheltered (optional)
Hispanic	49	0
Not Hispanic	709	0

Chittenden County 2023 Point in Time Count (data does not specify sheltered or unsheltered)

Estimate the number and type of families in need of housing assistance for families with children and the families of veterans.

Families with children

- Prior to 2020, the number of families with children experiencing homeless in Chittenden County had steadily declined. However, the 2023 Vermont Point in Time count showed that family homelessness statewide had increased by 213% since 2020, a trend which is mirrored in Chittenden County.
- Families experiencing homelessness or at risk of homelessness are supported in family specific shelters, homelessness prevention services, and rapid rehousing programs.
- The 2023 Chittenden County Point in Time count identified 72 people experiencing homelessness who were fleeing domestic violence

Veterans and their families

- The 2023 Chittenden County Point in Time count identified 30 veterans experiencing homelessness.

Describe the Nature and Extent of Homelessness by Racial and Ethnic Group.

Although the population of Burlington, and of Chittenden County, is becoming increasingly diverse, it remains largely white. 2022 ACS data estimated that the population of Chittenden County is 85.6% white, 1.7% Black/African American, 0.1% American Indian/Alaska Native, 4.4% Asian, and 5% two or more races. The population was 2.7% Hispanic or Latino. The 2023 Chittenden County Point in Time count data highlights racial and ethnic disparities among those experiencing homelessness. Most starkly, Black/African American individuals make up just 1.7% of the Chittenden County population but 15% of its homeless population. 2.5% of the homeless population are American Indian/Alaska Native compared to 0.1% overall, and 4.1% are two or more races, compared to 2.7% overall. 6.5% of the county's homeless population are Hispanic or Latino, compared to 2.7% overall. The data shows that individuals of minority racial and ethnic identities are more likely to experience homelessness in Chittenden County and the City of Burlington.

Describe the Nature and Extent of Unsheltered and Sheltered Homelessness.

The 2023 Chittenden County Point in Time count data shows that the majority of those experiencing homelessness in the county are sheltered. 715, or 94.3%, of the individuals experiencing homelessness were sheltered, compared to just 43 – or 5.7% - who were unsheltered. This is a slight decrease from the 2022 Point in Time count, when 98.5% of individuals experiencing homelessness were sheltered and just 1.5% were unsheltered.

Despite the seemingly high-rate of sheltered homelessness self-reports of unsheltered homelessness often exceed the numbers captured in the point-in-time count. Access to emergency hotel stays was discontinued for 800 households across the state in June 2023 and hence a higher number of unhoused community members were in unsheltered settings.

Vermont has an emergency housing program that may provide households experiencing homelessness with motel vouchers, seasonal and year-round emergency shelters, the need for temporary shelter exceeds capacity.

Discussion:

Unprecedented rises in the rate of homelessness in the City, coupled with rising rents and a historically low rental vacancy rate, demonstrate that the provision of safe and decent affordable housing is our City's most pressing need. The extremely low vacancy rate means that it is important to use rental assistance, landlord advocacy and support, and other housing retention tools to keep vulnerable populations housed. Of similar importance is the need to move persons residing in shelter settings into permanent housing and to support them in retaining permanent housing. This need is particularly critical as pandemic-era funding winds down, which will reduce the availability of emergency housing options.

NA-45 NON-HOMELESS SPECIAL NEEDS ASSESSMENT - 91.205 (B,D)

Introduction:

The Special Needs populations of the City include older community members, those living with both physical and developmental disabilities, **youth and young adults aging out of foster care services**, and those with substance use and mental health needs. Over the past five years there has been an increase in the level and intensity of need as well as the number of persons within some special needs populations. This population generally needs additional supports, or wraparound services to accompany their housing needs.

Describe the characteristics of special needs populations in your community:

The needs and characteristics of special needs populations are variant in the City of Burlington and include:

- **Older Community Members:** Burlington's population over the age of 65 is more than 5,100 people (ACS 2022 data), more than 11% of the City's population. As with all members of the community the needs of older individuals is variant. More than 20% of Vermonters over age 65 report fair or poor health, 38% have a disability, the prevalence of chronic conditions is higher in this population, and 12% report cognitive

decline. However they report lower levels of stress and less social isolation than younger Vermonters.

- **Persons with Disabilities:** 27% of Vermonters report having a disability. In Burlington, persons with all types of disabilities are represented in the population and access to sufficient supports and fully accessible housing can be a challenge. Persons with disabilities also report a higher rate of poor health and mental health. Fully integrating accessible housing into all types and locations of housing is preferable.
- **Substance Use:** Emergency responses to substance use incidents has escalated in recent years and have held steady around 25/month since a peak in September 2023 of 67; Burlington emergency services responded to 6 overdose calls a month from 2015- 2017; in 2023 this had increased to 39. Although some harm reduction resources are available in the community, the need for ongoing support and funding for maintenance programs, treatment centers and detox facilities was identified as important by community service providers.
- **Youth and Young Adults:** Although Burlington has the largest population of young adults in the state thanks to its educational institutions, there are persons within this population group who have experienced hardships, traumas and disabilities. Youth and young adults transitioning from the state's foster care system have usually experienced multiple adverse events during their childhood, and are especially vulnerable to difficulties including mental health challenges, substance use, social isolation, struggles with employment, and other hardships.

What are the housing and supportive service needs of these populations and how are these needs determined?

- **Older Vermonters:** Challenges faced by older community members are variable, but service providers and individuals identified higher levels of need in: 1. Access to housing and supports; many community members want to age-in-place, but may not have sufficient financial means or supports to do so. 2. Access to higher levels of care; there is a lack of nursing-home-level care for older Vermonters, especially for individuals with limited financial resources and/or substance use. A new facility opening in Vermont in 2024 is anticipated to fill the gap for some.
- **Physical Disabilities:** Access to accessible units and housing can be challenging in Burlington as much of the City's housing stock is older and ill-designed for individuals with ambulatory disabilities. The limited availability of housing further exacerbates the challenges folks experience when a disability changes their housing needs and leaves them without housing or selecting a unit that does not meet their needs.
- **Developmental Disabilities:** A 2023 report by the Green Mountain Self-Advocates and the Vermont Developmental Disabilities Council identified a need for 602 units of supportive housing for adults with Intellectual or Developmental Disabilities. Although not specific to Burlington, integrated housing was identified as a priority among local stakeholders as well.
- **Substance Use:** Concerns about the prevalence of substance use was one of the top priorities identified by community members. Housing needs mirrors the rest of the

community. Individuals seek a variety of housing types especially independent scattered-site apartments; there is interest in sober-housing among service providers although available sober housing has been underutilized. Many identified a lack of sufficient supports for persons using substances and stakeholders identified a spectrum of supports: continuation of needle exchanges, overdose prevention sites, detox center, timely and increased access to in-patient treatment services, easier and broader access to Medication Assisted Treatment, and other supports.

- **Mental Health:** Although Burlington has a community-based mental health provider and a Housing First Permanent Supportive Housing program, the need for additional mental health services and concerns about the folks struggling with mental health was common in conversations with stakeholders. Scattered-site housing, and multiple landlords who will work with persons who experiences challenges are essential to support persons with mental health needs in the community. In-person crisis supports and peer services were identified as priorities as well.
- **Youth and Young Adults:** Access to affordable, independent housing is again a priority. Lack of credit and housing history is a challenge for most youth. Children exiting the foster care system or lack family supports are faced additional challenges: no co-signer, limited finances, and a lack of "safety net." Ideas for shared housing that resembles "dorms" with limited supervision were identified as possibilities. Youth supports needs include job security, community connections, transportation, resources for mental health and substance use and other youth-adapted support.
- **Persons with HIV:** Access to medical care, wellness resources (including complex mental health and substance use support), connection to community and access to affordable housing is a priority for community members with HIV. Programs that assisted with back rent during COVID were helpful and evictions have occurred without that assistance. Opportunities for employment and volunteering improve quality of life. While there is sufficient medical service in Burlington, accessing medical care can be a challenge for anyone living outside the city.

Discuss the size and characteristics of the population with HIV/AIDS and their families within the Eligible Metropolitan Statistical Area:

There are a limited number of persons in Vermont living with HIV (728 per CDC 2021 numbers) and annual new diagnoses is around 12 persons a year. Persons with HIV and their families may come to Burlington to access healthcare services which are more limited in other regions of the state.

If the PJ will establish a preference for a HOME TBRA activity for persons with a specific category of disabilities (e.g., persons with HIV/AIDS or chronic mental illness), describe their unmet need for housing and services needed to narrow the gap in benefits and services received by such persons. (See 24 CFR 92.209(c)(2) (ii))

Burlington will not have HOME TBRA.

NA-50 NON-HOUSING COMMUNITY DEVELOPMENT NEEDS – 91.215 (F)

Describe the jurisdiction's need for Public Facilities:

For the City, restoration and rehabilitation projects for municipally-owned public facilities are given priority over new construction whenever possible. A description of facilities owned by the City is available in the 2018 *PlanBTV*. Nonprofits balance renovation with new construction based on factors such as cost, financing, organizational needs, and capacity. These facilities, both new and renovated, support and improve a suitable living environment for many of our low and moderate income residents. Over the past 5 years, the City has used CDBG funds to help renovate many of our public facilities including a shelter dedicated to survivors of domestic violence, a community center for persons experiencing homelessness, a community space for persons with mental health challenges, a senior center and health centers.

Similar to the City's housing stock multiple public facilities within the City are older. Ongoing maintenance and improvements are important to maintain existing facilities and supporting the creation of additional resources is necessary sometimes as well. Public facility improvements may also address concerns related to public safety such as the installation of necessary lighting, fencing, security improvements, etc.

Investments have historically occurred, and are anticipated to be needed in the future at the local food shelf and community resource center, local shelters for persons who are unhoused, community centers, and public spaces such as the Moran Frame.

How were these needs determined?

Needs for these public facility improvements were determined by conversations with community members, through resident surveys, and meetings with service providers. City employees support projects that enhance access to food, housing, healthcare, green space and community connection.

Describe the jurisdiction's need for Public Improvements:

While Burlington hosts many exceptional public resources: extensive public waterfront, beaches, dog parks, green spaces, Church Street pedestrian marketplace, the greenway and other biking and walking trails within the City. Challenges with deferred maintenance and changes from use and climate change have negatively impacted the City's infrastructure including wastewater systems, sidewalks, storm water run-off, bacterial blooms in the lake, parking garages, roads and other public spaces and infrastructure.

How were these needs determined?

Burlington's public improvement needs were determined by conversations with community members, resident surveys, meeting with City employees and through content included in: *planBTV: Comprehensive Plan 2019 Update*, *An Infrastructure Plan for a Sustainable City Stewarding & Strengthening Burlington's Foundation for Future Generations* and the City's online data tracking system *BTVStat*.

Describe the jurisdiction's need for Public Services:

Burlington has identified diverse and variant needs throughout the City to support vulnerable community members and those with limited financial resources. Service needs and requests have exceeded the CDBG funding cap and this presents an annual challenge to the City.

Funding the service and support needs of the following community members is a priority for the City:

- People experiencing homelessness
- Older community members
- People experiencing mental health and substance use challenges
- Persons with disabilities and/or special needs
- Households fleeing domestic violence
- Burlington is also invested in access to resources for persons with low-moderate income levels including:
 - Education and workforce development
 - Job and skills training
 - Programming for children, youth and young adults
 - Childcare for low-moderate-income households
 - Healthcare including mental health and substance use

How were these needs determined?

Needs for public services were determined by conversations with community members, through resident surveys, meetings with service providers, review of CDBG funding requests and conversations with former and current award recipients.

HOUSING MARKET ANALYSIS

MA-05 OVERVIEW

Housing Market Analysis Overview:

- Housing stock is old – more than 70% of homes were built before 1980, and 41% built before 1950
- Burlington has 5 times as many housing units over 50 years than other municipalities in the same county
- Total occupied housing units in Burlington has remained steady around 17,000 units for more than a decade
- Multi-family units comprise 62% of the housing stock and single family homes make up 34%
- 2020 census showed 71% of households live in rental housing
- Rental vacancy rates have been less than 2% for multiple years
- Median home sale prices almost doubled in the last decade
- Days on market for a home for sale is 51
- Lack of housing has impeded employment recruitment
- High demand and limited competition may lead to neglect of aesthetics and quality of rental housing
- There are 410 unique listings and 270 entire units for short-term rental
- Champlain Housing Trust has over 1,050 units of mostly affordable housing in Burlington

MA-10 NUMBER OF HOUSING UNITS – 91.210(A)&(B)(2)

Introduction The number of housing units that make up the Burlington inventory include both market rate and affordable units. Numerous federal, state and local programs are used to make the City's housing stock more affordable for low- and moderate income families. Approximately 20% of Burlington's rental housing, and around 4% of the City's owner housing, is made affordable - meaning that the occupants do not pay more than 30% of their income for housing - through public subsidies, regulation and/or property deed restrictions. Affordable housing may be publicly- or privately-owned, or ownership may lie in the nonprofit sector. Assistance may be tied to a specific property or it may move with the person. Housing may be perpetually affordable, or it may have a limited period of affordability. It may be available to all lower-income residents, or it may be targeted to a specific group (such as the unhoused or those with disabilities) or a specific income category. Oftentimes various forms of assistance will overlap. For example, households receiving federal housing vouchers occupy many of the rental units assisted through the Low Income Housing Tax Credit program. There are units that have limited or expiring affordability provisions. Units which are privately-owned and have Section 8 project-based or substantial rehabilitation contracts are either at high risk of loss or will definitely be lost as affordable units. Units which are owned by nonprofits, or by Low Income Housing Tax Credit partnerships, and that will presumably be sold to nonprofits, are assumed to be at low risk of loss.

All residential properties by number of units

Property Type	Number	%
1-unit detached structure	5,165	31%
1-unit, attached structure	955	6%
2-4 units	5,115	30%
5-19 units	3,625	22%
20 or more units	1,785	11%
Mobile Home, boat, RV, van, etc.	205	1%
Total	16,850	100%

Table 27 – Residential Properties by Unit Number – Data Source: 2013- 2017 ACS

Unit Size by Tenure

	Owners		Renters	
	Number	%	Number	%
No bedroom	15	0%	855	8%
1 bedroom	405	7%	2,735	27%
2 bedrooms	1,860	31%	4,200	42%
3 or more bedrooms	3,800	63%	2,325	23%
Total	6,080	101%	10,115	100%

Table 28 – Unit Size by Tenure – Data Source: 2013-2017 ACS

Describe the number and targeting (income level/type of family served) of units assisted with federal, state, and local programs.

Housing programs usually serve individuals and households whose income ranges from less than 30% AMI to 80% AMI. While there are numerous federal, state and local programs available to assist with housing production and/or preservation, along with private funding and bank loans, most projects use a layered approach with a multitude of funding sources.

Federal Programs

Burlington is the only Entitlement community in the State of Vermont. As such, the City of Burlington receives both Community Development Block Grant and HOME Investment Partnership Funds. Since housing is the top priority for the City, these grant funds are used to both build and preserve affordable housing when feasible.

Projects within the City also utilize National Housing Trust Funds (received by the state).

Burlington Housing Authority supports several thousand households with limited financial resources with mainstream, project-based, family-unification, disabled and other housing vouchers. Although a portion are utilized outside of the City (within a 6-mile radius), many of the subsidies allow households to live in Burlington in scattered-site apartments.

The City administers Shelter Plus Care subsidies for persons exiting homelessness - another federal housing subsidy program.

State Programs

The Vermont Housing and Conservation Trust Fund Act ensures housing that is subsidized by the State of Vermont is permanently affordable to lower income Vermonters. The Act is enforced by a housing subsidy, typically a deed restriction recorded in the land records, and monitored by a community-based nonprofit corporation or a public agency like the Vermont Housing and Conservation Board (“VHCB”).

Vermont Housing Finance Agency (VHFA) manages the State’s federal tax credit program. The federal Housing Credit program offers a ten-year federal income tax credit to owners of rental housing who make certain percentages of their rental housing available for occupancy by low-income residents for at least 15 years. This housing incentive can be used for the development, acquisition and rehabilitation of low-income housing. Developers, investors or property owners are able to reduce their federal tax liability in exchange for the providing housing to those earning less than 60% AMI for 15 years. In addition, Vermont operates its own tax credit program with an annual allocation of \$700,000 for affordable housing. A total of \$400,000 can be coupled with the federal program for rental housing and \$300,000 for affordable homeownership projects. Also due to the age of many properties in Burlington, some developers avail themselves of Historic Tax Credits to preserve affordable housing units.

Local Programs

Burlington's Housing Trust Fund supports the creation and maintenance of affordable housing in the City. Funded by a one cent tax added to the property tax and other variable income sources, the Burlington's Housing Trust Fund provides competitive grants to local agencies for the rehabilitation and construction of affordable housing as well as capacity grants for agencies.

The City’s Inclusionary Zoning Ordinance applies to all new developments of five or more homes and to any converted non-residential structures that result in at least ten homes. The affordable housing set aside is 15% to 25% of the units. The ordinance allows fee in-lieu payments or land donations under certain conditions. The ordinance provides a range of incentives including fee waivers and a 15% to 25% density and lot coverage bonus. Affordable homes are targeted to homebuyer households earning 70% or less of area median income and rental households earning 65% or less of median and are price/rent controlled for 99 years. Burlington has several non-profit affordable housing developers including the largest community land trust in the country.

Provide an assessment of units expected to be lost from the affordable housing inventory for any reason, such as expiration of Section 8 contracts.

According to the current Affordable Housing Inventory Chart, there are 2402 units that fall under some regulatory requirements for affordability (Attachment D). Some units are specific to special needs or seniors. In addition to these units, there are over 1,200 tenant based vouchers used in Burlington for affordable housing both with private landlords and layered into these affordable units.

Does the availability of housing units meet the needs of the population?

Burlington is struggling with an extremely low (1% in 2023), vacancy rate and lack of sufficient housing. While the region has a long history of "below ideal" vacancy rates for housing units in both the sale and rental markets in the recent past the quantity has surpassed previous challenges.

Since housing is in such limited supply, persons with disabilities, poor or no credit, limited income, mobility challenges, in need of public transportation, utilizing substances, or any other trait or experience that may cause marginalization or bias are especially at risk to lack housing because of the limited supply.

Describe the need for specific types of housing:

As a community that is lacking housing all sectors of specialized housing are in demand. Community feedback highlighted the lack of available housing for all populations including specialized housing.

Barriers to housing are exacerbated by a lack of available stock. Challenges faced by individual households include: physical accessibility needs, mental health challenges, pets, limited or poor rental history, limited or poor credit history, history of involvement with the correctional system, lack of co-signer, insufficient income, lack of access to personal transportation, need for a parking space and others

Specific housing types identified by the community include:

- residences with 4+ bedrooms which are affordable and available to larger families, especially New Americans or persons who emigrated to Burlington
- sober living residences that function as an intentional, voluntary sober living community (rather than a single room in a house where substances are not allowed)
- residences with sufficient privacy and autonomy that one can have privacy and utilize substances within their own home
- housing for persons who are older or aging especially persons with limited income who want to continue substances and/or alcohol consumption
- spaces accessible to persons with physical or mental health needs
- housing with limited and age-appropriate support for young adults transitioning out of foster care
- independent scatter-site housing with community-based support for adults with intellectual or developmental disabilities and/or mental health challenges

MA-15 HOUSING MARKET ANALYSIS: COST OF HOUSING - 91.210(A)

Introduction

The City of Burlington has seen a significant increase in the cost of housing in recent years. An influx of new community members, older housing stock, limited new builds, changes in household demographics, older homeowners staying in their homes and other factors have impacted the dramatic increase in home values and contract rents.

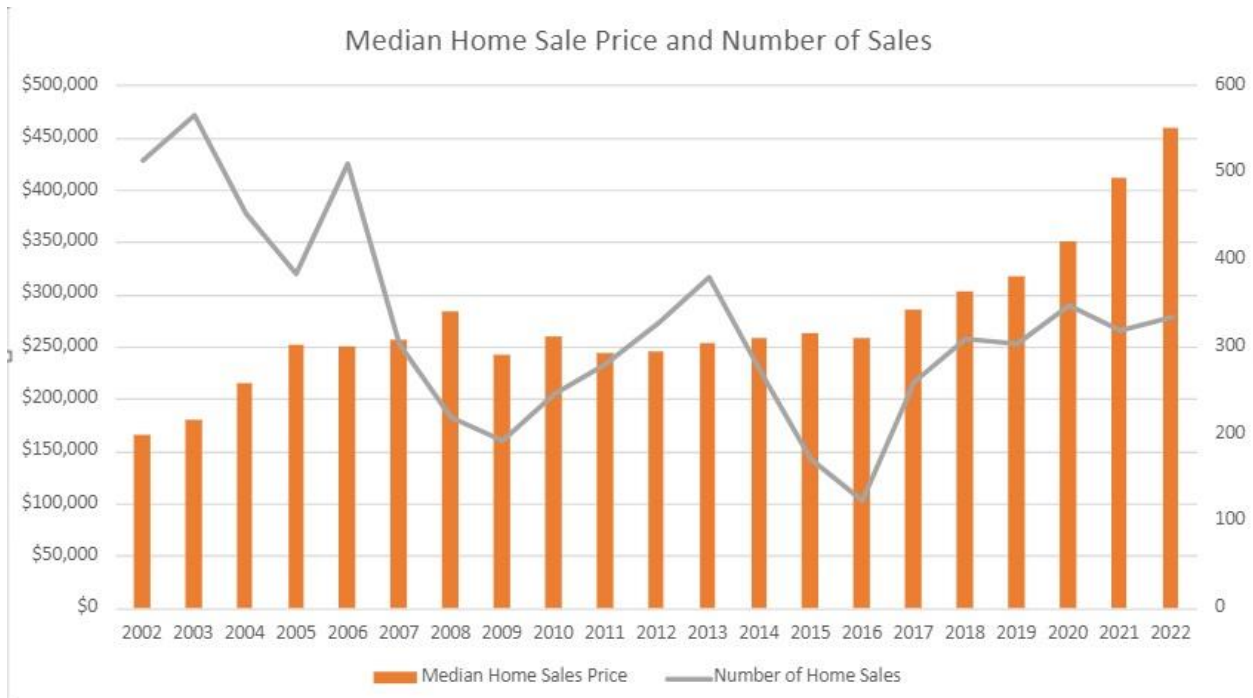
Cost of Housing

	Base Year: 2009	Most Recent Year: 2017	% Change
Median Home Value	265,800	312,200	17%
Median Contract Rent	943	1,177	25%

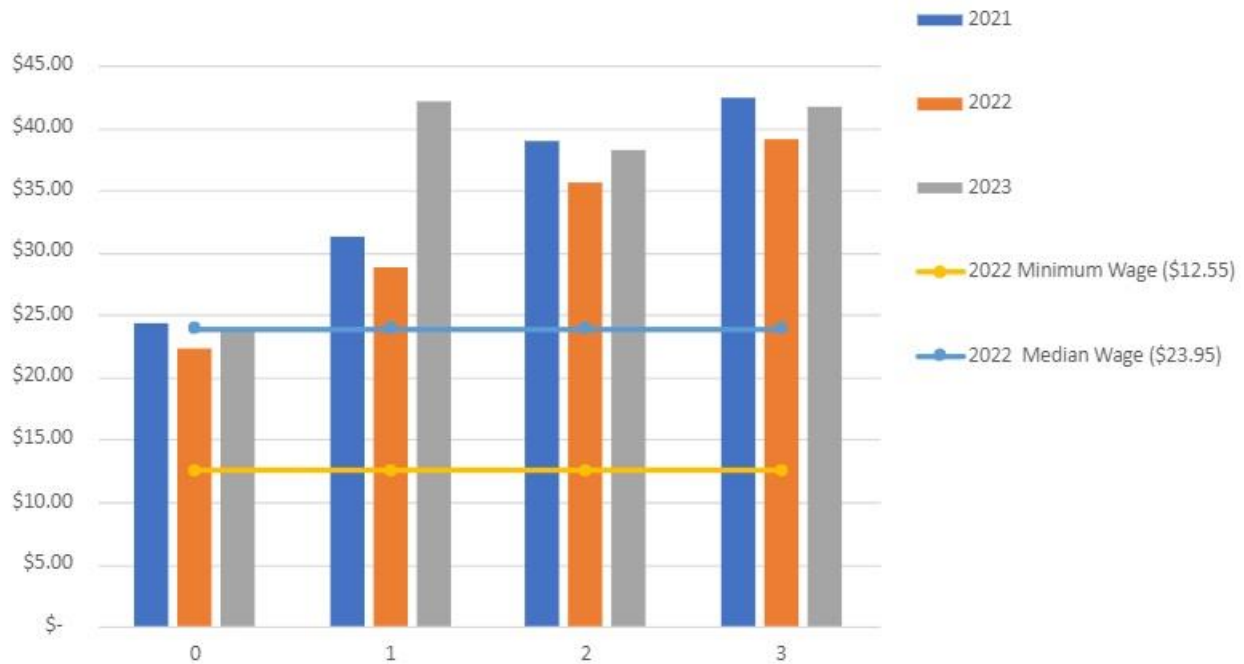
Table 29 – Cost of Housing – Data Source: 2000 Census 2000 Census (Base Year), 2013-2017 ACS (Most Recent Year)

Rent Paid	Number	%
Less than \$500	1,180	11.7%
\$500-999	2,745	27.2%
\$1,000-1,499	3,400	33.6%
\$1,500-1,999	1,840	18.2%
\$2,000 or more	950	9.4%
Total	10,115	100.1%

Table 30 - Rent Paid – Data Source: 2013 – 2017 ACS



Hourly Rental Housing Wage by Unit Size



Housing Affordability

Number of Units affordable to Households earning	Renter	Owner
30% HAMFI	905	No Data
50% HAMFI	2,490	189
80% HAMFI	6,230	1,094
100% HAMFI	No Data	1,784
Total	9,625	3,067

Table 31 – Housing Affordability – Data Source 2013 – 2017 CHAS

Monthly Rent

Monthly Rent (\$)	Efficiency (no bedroom)	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Fair Market Rent	1,139	1,238	1,615	1,982	2,170
High HOME Rent	992	1,099	1,321	1,517	1,673
Low HOME Rent	803	861	1,033	1,193	1,331

Table 32 – Monthly Rent – Data Source HUD FMR and HOME Rents

Is there sufficient housing for households at all income levels?

No - Every conversation, survey, public forum, or other data gathering tool utilized for this plan showed that there is not sufficient housing for people in Burlington. Other indicators include Burlington's high rate of homelessness, days on market for houses for sale, increasing monthly

rental rates, competition for rental properties and low vacancy rates demonstrate the lack of sufficient housing.

How is affordability of housing likely to change considering changes to home values and/or rents?

It is unlikely that housing affordability will improve in the near future. Efforts are being made to increase new housing stock and allow for conversions that support more units within the same building. Recent changes in state law and City ordinances have expanded allowed housing types and increased density within the City.

As tracked by the Allen & Brooks & Minor Report®, the average annual increase for rent in Chittenden County in 2023 was 4.8% and over 5% in 2022. Demand for housing in Burlington continues to exceed availability and affordability will be a challenge within the City.

How do HOME rents / Fair Market Rent compare to Area Median Rent? How might this impact your strategy to produce or preserve affordable housing?

While FY24 fair market rent rates align with area median rent they fail to consider the challenges of finding and acquiring a unit. Area median rent considers units that are currently rented, while landlords are likely to charge a modest increase in rental rate for current tenants, many landlords do not increase asking prices dramatically for an existing tenant. However, when a unit is vacated it is often priced higher.

Community members, and the Housing Authority, report that a sizeable number of vouchers and subsidies are going unutilized, as community members are unable to locate a unit within the FMR price guidelines.

MA-20 HOUSING MARKET ANALYSIS: CONDITION OF HOUSING – 91.210(A)

Introduction

Housing conditions vary widely by housing type, location and investment objectives of rental property owners. It has been noted that Vermont has the 7th oldest housing stock in the nation. Overall, Burlington's housing stock is predominately older, renter-occupied homes and apartments. Burlington has five times as many housing units over 50 years old than any other municipality in Chittenden County and over 50% of the rental units are found by Code Enforcement to be out of compliance with minimum housing code. Over 47% of Burlington's housing units were built before 1950. These homes need energy efficiency upgrades, lead-based paint hazard reduction, and other rehabilitation to make them safe, affordable and sustainable over the long-term.

Describe the jurisdiction's definition for "substandard condition" and "substandard condition but suitable for rehabilitation:"

Substandard housing is any residential property that does not meet local building code or does not meet the Minimum Housing Standards ordinance of the City of Burlington. Substandard

condition but suitable for rehabilitation would be a unit that can be returned to code and meet Minimum Housing Standards ordinance.

Condition of Units

Condition of Units	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
With one selected Condition	1,465	24%	5,360	53%
With two selected Conditions	75	1%	290	3%
With three selected Conditions	0	0%	75	1%
With four selected Conditions	0	0%	0	0%
No selected Conditions	4,540	75%	4,385	43%
Total	6,080	100%	10,110	100%

Table 33 - Condition of Units – Data Source 2013-2027 ACS

Year Unit Built

Year Unit Built	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
2000 or later	240	4%	1,105	11%
1980-1999	1,325	22%	1,610	16%
1950-1979	2,020	33%	3,220	32%
Before 1950	2,495	41%	4,175	41%
Total	6,080	100%	10,110	100%

Table 34 – Year Unit Built – Data Source 2013-2017 CHAS

Risk of Lead-Based Paint Hazard

Risk of Lead-Based Paint Hazard	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
Total Number of Units Built Before 1980	4,515	74%	7,395	73%
Housing Units built before 1980 with children	539	9%	139	1%

Table 35 –Lead-Based Paint – Data Source 2013-2017 ACS (Total Units) 2013-2017 CHAS (Units w/ children)

Vacant Units

	Suitable for Rehabilitation	Not Suitable for Rehabilitation	Total
Vacant Units	496	0	496
Abandoned Vacant Units	0	0	0
REO Properties	0	0	0
Abandoned REO Properties	0	0	0

Table 36 - Vacant Units – Data Source ACS Vacancy Status

Data Source Comments: Vacant units includes "For rent" and "For sale only" and "other vacant." The data and margin for error of this information greatly limits its reliability.

Need for Owner and Rental Rehabilitation

The need for rehabilitation is variant by property in Burlington there are locations within the City in need of repairs or maintenance to ensure its ongoing habitability and safety. As previously noted Burlington's housing stock is old, with 40% of properties built at least 75 years ago. Many rental apartments and owner-occupied properties have not been weatherized and likely have lead-paint. As the City's population is aging and repair costs have increased significantly in recent years, some older home-owners and/or community members with limited financial resources lack the funds to maintain their properties.

Although the vacant unit number reported above shows almost 500 units this number includes "seasonal, occasional use, or vacation" homes as well as houses that were for sale or under renovation at the time the data was collected making this a negligible number of units in terms of the needs for housing in the community (and very low vacancy rates imply that any vacant units are due to their seasonal/vacation use or the property owner opting to keep them empty).

Helping low-moderate-income homeowners make repairs that allow them to retain and improve their housing as well as ensures they have a safe, affordable residence and diminishes their risk for homelessness. If energy improvements are part of the repair, then the home can become more affordable through lower utility bills. It also improves the residence for future residents and the neighborhood overall.

Estimated Number of Housing Units Occupied by Low or Moderate Income Families with LBP Hazards

'Target housing' under the Residential Lead-Based Paint Hazard Reduction Act of 1992, means any housing constructed prior to 1978. The census data break-out point is housing units built prior to 1970. Using that cut-off point to estimate the number of units which may contain lead-based paint hazards is 11,397. Given that according to American Community Survey the percentage of families at or below 80% of median income in Burlington is 54.4%, then it is assumed that the number of Housing Units Occupied by Low or Moderate Income Families with LBP Hazards is 6,200 ($11,397 \times 54.4\%$).

Discussion

In January, 2021 the City of Burlington received a \$3 million, 3.5 year Lead Hazard Control grant to reduce lead hazards in 88 housing units during the grant term. These funds were targeted to low-income households and prioritized to units with children under 6 since they are particularly vulnerable to the damaging effects of lead-based paint. The City also received a \$500,000 Healthy Homes grant to, as needed, help make these same units safer for the occupants. In addition to life safety/trip hazard improvements like new flooring material installations, typical Healthy Homes interventions include replacing inoperable windows and pest management. These measures help correct indoor air quality issues which have a direct impact on asthma triggers. Overall, these resources have improved housing conditions for households with children.

The City plans to apply for an additional Lead Hazard Control and Health Homes grant as the 2021 grant cycle comes to a close.

MA-25 PUBLIC AND ASSISTED HOUSING – 91.210(B)

Introduction

Burlington has no public housing as all of Burlington Housing Authority's public housing developments were converted to Rental Assistance Demonstration (RAD) developments. The Burlington Housing Authority (BHA) continues to be a designated "High Performer" for the Section 8 Housing Choice Voucher Program. BHA supports residents and HCV voucher recipients through resident services and retention programs.

Totals Number of Units

	Certificate, Mod-Rehab, Public Housing	Vouchers					
		Total	Project-based	Tenant-based	Special Purpose Voucher		
					Veterans Affairs Supportive Housing	Family Unification Program	Disabled*
# of units vouchers available	0	2,467	598	1,456	5	385	941
# of accessible units							

***includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition**

Table 37 – Total Number of Units by Program Type – Data Source provided by Burlington Housing Authority

Describe the supply of public housing developments: n/a

Describe the number and physical condition of public housing units in the jurisdiction, including those that are participating in an approved Public Housing Agency Plan:

Burlington does not have any public housing developments within the city nor does Burlington Housing Authority have any public housing within its portfolio. All public housing was converted to Project-Based Section 8 Voucher through RAD in 2014 and 2015

Public Housing Condition

Public Housing Development	Average Inspection Score
N/A	

Table 38 - Public Housing Condition

Describe the restoration and revitalization needs of public housing units in the jurisdiction:

BHA does not have public housing developments, having converted its public housing to Project-Based Section 8 Voucher through RAD in 2014 and 2015.

Describe the public housing agency's strategy for improving the living environment of low- and moderate-income families residing in public housing:

BHA has no public housing units. All of their public housing was converted to RAD.

BHA endeavors to provide a positive living environment in its units through effective screening and lease enforcement.

Some of BHA's residences have resident advisory groups.

BHA provides the Support and Services at Home (SASH) program to older qualifying residents to coordinate supports and enable individuals to continue to live independently.

The City and BHA are collaborating on improving safety and the living environment of former public housing buildings owned by BHA where a high concentration of residents with subsidies reside.

MA-30 HOMELESS FACILITIES AND SERVICES – 91.210(C)

Introduction

There has been a marked increase in the number of households experiencing homelessness in Burlington and the lack of housing has resulted in extended periods of homelessness and insufficient support for the shelter needs of the community.

While Burlington has multiple providers that support unhoused community members, the need exceeds capacity and resources. Investment in housing, support, and temporary housing options will allow experiences of homelessness to be prevented, rare, and brief.

Facilities and Housing Targeted to Homeless Households

	Emergency Shelter Beds		Transitional Housing Beds	Permanent Supportive Housing Beds	
	Year Round Beds (Current & New)	Voucher / Seasonal / Overflow Beds	Current & New	Current & New	Under Development
Households with Adult(s) and Child(ren)	77	0	45	2	0
Households with Only Adults	175	201	210*	94	0
Chronically Homeless Households	0	0	0	73	0
Veterans	0	3	0	44	0
Unaccompanied Youth	8	12	0	0	0

Table 39 - Facilities and Housing Targeted to Homeless Households – Data Source HUD 2023 Housing Inventory County Report (includes 30 adult-only seasonal shelter beds from 2023-2024 VFW shelter)

**includes state-funded hotel/motel stays previously considered emergency shelter*

Describe mainstream services, such as health, mental health, and employment services to the extent those services are used to complement services targeted to homeless persons

Mainstream service providers including the community mental health agency and affordable housing partners participate in the Continuum of Care - offering their services and supports to persons who are unhoused. Several organizations in the community offer specialized outreach and support to persons who are unhoused as a bridge to accessing their mainstream services. Community Health Center's (CHC) Safe Harbor Homeless Outreach can connect households to necessary medical care and act a liaison to the hospital and CHC's main offices. Spectrum Youth Services provide an array of supports to youth and young adults including: a day-time drop-in center, medical services, mental health support, employment and budgeting assistance, transitional housing, shelter and permanent supportive housing. Pathways Vermont provides Housing First permanent supportive housing and also has a community center with employment supports provided for and by persons who have experienced mental health challenges. COTS and ANEW Place provide an array of services for unhoused families (COTS) and individuals (COTS or ANEW Place) including service coordination, day and night shelter, transitional housing and employment support. STEPS provides housing and service coordination for persons who are fleeing domestic violence including support with connecting to needed mainstream supports. CVOEO's Community Outreach Advocacy Team supports community members experiencing homelessness to access needed support and services within the community.

List and describe services and facilities that meet the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth. If the services and facilities are listed on screen SP-40 Institutional Delivery Structure or screen MA-35 Special Needs Facilities and Services, describe how these facilities and services specifically address the needs of these populations.

As noted above and previously there are multiple providers (COTS, Anew Place, STEPS, Safe Harbor, etc.) that support persons experiencing homelessness. Services are available for persons with more particular needs including:

Chronically Homeless (Permanent Supportive Housing - PSH projects): Pathways Vermont's - Assertive Community Treatment supports for persons with mental and substance use challenges at scattered-site housing. Veterans Administration Supportive Housing (VASH) - permanent housing subsidy and intensive case management support including VA services and other providers. CHC Supportive Housing - support for persons with high level medical and other needs. Burlington Housing Authority - retention and service coordination support. Elmwood shelter prioritizes persons experiencing chronic homelessness.

Families with Children - COTS family shelter, transitional housing and permanent housing, STEPS - support for families fleeing domestic violence, Family Supportive Housing - state-funded project to assist households with acquiring housing and establishing stability

Veterans - Supportive Services for Veteran Families and VASH - veteran specific rapid rehousing and PSH. Range of services and financial supports including service coordination, employment assistance, short-term and permanent rental assistance, and others.

The greatest challenges facing the community as relates to persons who are unhoused is available housing and sufficient financial means to provide ongoing support to community members once housed.

MA-35 SPECIAL NEEDS FACILITIES AND SERVICES – 91.210(D)

Introduction

Within the City of Burlington there are community members who have specific housing and service needs. Persons who are older, persons with developmental disabilities, physical limitations or disabilities, persons with substance use challenges, persons exiting institutional settings and persons with HIV/AIDS may all need assistance in acquiring and/or maintaining their housing and living full integrated lives in the community.

Including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify, and describe their supportive housing needs:

Older community members (elderly/frail elderly): Vermont has an aging population and, while Burlington remains the youngest location in the state, there is an increasing need for housing and services for community members who are getting older. Advocacy groups for older populations highlight the values of aging in place services such as HomeShare Vermont, Visiting Nurses, Meals on Wheels and others that facilitate older community members to remain in their residences. Cathedral Square Corporation is a non-profit that provides affordable housing with SASH (Support and Services at Home) for older adults and people with special needs at nine locations with more than 730 apartments in Burlington; their waitlist has over 1,000 individuals demonstrating the need for supportive housing for persons who are older is exceptional.

Intellectual or Developmental Disabilities (I/DD): The Howard Center provides community-based services to persons with developmental disabilities and young persons can receive supports through the public school system until age 21. A 2023 report identified a need for additional independent housing options for persons with I/DD as there can be challenges with shared-living providers and/or aging parents with whom an adult with I/DD has lived.

Alcohol and substance use: Community based services through Safe Recovery, Vermonters for Criminal Justice Reform, Pathways Vermont, Safe Harbor and other organizations support individuals with an array of needs. Access to medication-assisted treatment and harm reduction tools are essential and available to Burlington residents, although in limited locations. Detox and long-term treatment services have been limited since the pandemic and more timely access to rehabilitation spaces and longer stays are needed.

Persons with HIV/AIDS and their families: Local providers Vermont CARES and UVM Medical Center's HIV Comprehensive Care Clinic provide education, resources, and medical treatment for persons with HIV/AIDS. Access to federal HOPWA (Housing Opportunities for Persons with AIDS) subsidies may be made available through the state or local Housing Authority. Housing

retention support and long-term subsidy may be needed for ongoing housing sustainability. Other challenges for accessing housing include poor credit, no rental history, or criminal record.

Describe programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing

Staff at institutions that support persons with mental and physical health needs complete discharge plans for persons returning to community settings.

Referrals to community-based providers for supportive housing is initiated prior to discharge and ideally coordination of services occurs while someone is still in the institutional setting.

Community mental health services, home-based nursing care and Housing First permanent supportive housing are available within Burlington, although the number of persons in need of supportive services consistently exceeds available resources.

Community providers collaborate with the Vermont State Housing Authority, Burlington Housing Authority and other not for profit affordable housing agencies to utilize Section 8 Housing Choice Voucher Programs for tenant-based rental assistance and project-based rental assistance units.

Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. 91.315(e)

In the next year, the City will be funding lighting improvements at Ethan Allen Residence, an Assisted Living Facility for persons who are older, have limited or no financial resources and need of supportive care – this supports the City’s goal of improving and maintaining existing affordable housing.

The City will also support the work of Vermonters for Criminal Justice Reform (VCJR), a specialized re-entry and recovery center and overdose prevention service for people living with substance use disorders and co-occurring mental health disorders.

MA-40 BARRIERS TO AFFORDABLE HOUSING – 91.210(E)

Negative Effects of Public Policies on Affordable Housing and Residential Investment

Local public policies in Burlington continue to have negative effects on affordable housing and residential investment.

New zoning regulations in spring 2024 allow for increased density, lot coverage, and residential building types. It is hoped that the greater flexibility will increase the availability of affordable housing and increased residential development as limitations on the height, lot coverage and housing density in the city were identified as impediments to residential growth. The City's Inclusionary Zoning requirements have been identified by some developers as an impediment to large projects, especially multi-unit home ownership.

The complexity and multiplicity of City requirements have been identified as impediments; areas of limitation include: zoning, historic preservation, energy efficiency, lead-based paint, the development review board, fire safety policies and high property taxes. Small scale building, such as accessory dwelling units (ADU) is hampered by the requirement of a sprinkler system for many units and an owner-occupancy requirement for an ADU location.

MA-45 NON-HOUSING COMMUNITY DEVELOPMENT ASSETS – 91.215 (F)

Introduction

Economic development initiatives will combine assistance to large businesses and microenterprises to stimulate job creation and retention, policy and planning efforts to enable development, workforce training initiatives to educate the workforce to meet local needs, and facilitate large scale development and infrastructure projects to stimulate economic development.

Economic Development Market Analysis

Business Activity

Business by Sector	Number of Workers	Number of Jobs	Share of Workers %	Share of Jobs %	Jobs less workers %
Agriculture, Mining, Oil & Gas Extraction	69	13	0	0	0
Arts, Entertainment, Accommodations	2,825	3,960	18	14	-4
Construction	552	389	4	1	-3
Education and Health Care Services	4,237	11,406	27	41	14
Finance, Insurance, and Real Estate	786	1,463	5	5	0
Information	361	259	2	1	-1
Manufacturing	1,285	1,309	8	5	-3
Other Services	747	1,150	5	4	-1
Professional, Scientific, Management Services	1,883	4,217	12	15	3
Public Administration	0	0	0	0	0
Retail Trade	2,206	2,890	14	10	-4
Transportation and Warehousing	357	182	2	1	-1
Wholesale Trade	450	440	3	2	-1
Total	15,758	27,678	--	--	--

Table 40 - Business Activity 2013-2017 ACS (Workers), 2017 Longitudinal Employer-Household Dynamics (Jobs)

Labor Force

Total Population in the Civilian Labor Force	24,605
Civilian Employed Population 16 years and over	23,585
Unemployment Rate	4.20
Unemployment Rate for Ages 16-24	9.08
Unemployment Rate for Ages 25-65	2.69

Table 411 - Labor Force – Data Source 2013-2017 ACS

Occupations by Sector	Number of People
Management, business and financial	7,245
Farming, fisheries and forestry occupations	1,145
Service	3,230
Sales and office	4,330
Construction, extraction, maintenance and repair	910
Production, transportation and material moving	695

Table 42 – Occupations by Sector – Data Source 2013-2017 ACS

Travel Time

Travel Time	Number	Percentage
< 30 Minutes	16,930	81%
30-59 Minutes	3,165	15%
60 or More Minutes	844	4%
Total	20,939	100%

Table 43 - Travel Time – Data Source 2013-2017 ACS

Education

Employment Status by Educational Attainment Population 25-64 years old

Age	Total	Labor Force Participation Rate	Unemployment Rate
Population 25-62 years old	19,186	84.4%	3.4%
Less than high school graduate	902	43.5%	21.9%
High school graduate (assumes equivalency)	2,514	66.0%	4.5%
Some college or associate's degree	3,396	84.5%	7.1%
Bachelor's degree or higher	12,374	91.1%	1.7%

Alternative Table 44 - Educational Attainment by Employment Status – Data Source ACS 2022

Educational Attainment by Age #1

	Age				
	18-24 years	25-34 years	35-44 years	45-64 years	65 years and over
High school graduate or higher	15,031	7,550	3,932	6,802	4,642
Bachelor's degree or higher	2,110	5,542	2,637	4,195	2,310

Alternative Table 45A - Educational Attainment by Age – Data Source ACS 2022**Educational Attainment by Age #2**

	Age	
	Population 18-25 years	Population 25 years and over
Total	15,638	24,354
Less than high school graduate	337	1,428
High school graduate (includes equivalency)	4,238	3,670
Some college or associate's degree	8,683	4,572
Bachelor's degree or higher	2,110	14,684

Alternative Table 45B - Educational Attainment by Age – Data Source ACS 2022**Educational Attainment – Median Earnings in the Past 12 Months**

Educational Attainment	Median Earnings in the Past 12 Months
Overall	52,455
Less than high school graduate	21,979
High school graduate (assumes equivalency)	37,910
Some college or associate's degree	38,622
Bachelor's degree or higher	53,319
Graduate or professional degree	77,790

Alternative Table 46– Median Earnings in the Past 12 Months – Data Source ACS 2022**Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?**

The most important employment sectors in Burlington are education and health care services due to the presence of the University of Vermont, Champlain College, and the UVM Medical Center. After these industries, the arts, entertainment, and accommodations industry and retail trade employ a large number of workers.

Describe the workforce and infrastructure needs of the business community:

In terms of infrastructure, the business community in Burlington needs affordable housing for their employees as well as affordable commercial space. The low rental vacancy rate in Burlington has negatively impacted business's ability to attract and retain talent as employees may choose not to take a job in Burlington due to an inability to secure housing at affordable rents. Furthermore, many businesses that would like to locate in Burlington have had to move or start up outside of the jurisdiction because they have not been able to find available or affordable commercial space, particularly for retail, restaurants, or food production.

The Burlington business community's workforce needs lie primarily in the retail, restaurant, and childcare industries. Many retail stores and service-based businesses experience difficulties hiring qualified employees and high turnover. In addition, there are needs across the trades in areas like construction, weatherization, electrical, plumbing, and water systems maintenance.

Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period. Describe any needs for workforce development, business support or infrastructure these changes may create.

The City of Burlington is seeing an unprecedented amount of both public and private investment during the planning period that offer challenges in the short-term, and massive growth opportunities in the long-term. The CityPlace project will create at least 350 new housing units in the next 1-2 years, with 70 affordable units, and 40,000 square feet of new commercial space. The new housing units will help address the City's housing crisis, and the new commercial space will provide opportunities for existing businesses to expand, and space for new businesses, creating new job opportunities for Burlington's workforce. This project will also enhance public infrastructure on the surrounding streets and reconnect Pine and Saint Paul which will improve vehicular traffic. The City also recently passed a zoning change allowing the creation of a South End Innovation District which will create over 700 new housing units and hundreds of thousands of square feet of new commercial space. Finally, the City is renovating six blocks of Main Street to improve underground infrastructure, sidewalks, and add bike lanes. While these projects will provide vast long-term benefits to the City, streets will be closed and construction will create major challenges for nearby businesses. The growth of businesses in these construction zones will be negatively impacted due to road closures that will inhibit the visibility and customer traffic to these businesses. It is also expected that closed streets and limited parking will deter customers resulting in less traffic to Burlington in general and an overall negative impact on the economy of the City. To meet these challenges, Burlington businesses will need support in marketing their business and providing wayfinding to customers. Along with the challenges to businesses, the increased construction in the City will also increase the need for a workforce trained in construction, surveying, flagging, and heavy equipment operation.

In addition, the passing of Act 76 in the Vermont legislature in 2023, resulting in a much-needed influx of cash into the childcare industry, is expected to increase demand for childcare in Burlington and cause an even greater need for workers in the childcare industry. Further

investment in developing the childcare workforce will be needed to meet this need. This compounds the need we see for early childhood educators following the changing landscape of the industry during the COVID-19 pandemic.

How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?

The skills and education of the Burlington workforce do not perfectly meet the service and childcare industry workforce needs. There is a deficit of individuals trained for positions in restaurants or hospitality in addition to the lack of licensed childcare professionals. Furthermore, Burlington in-particular has a lack of an adequate tech center for high school students. In 2020 it was discovered that Burlington High School and its adjoining tech center had toxic levels of polychlorinated biphenyl (PCBs). Currently, the school is being housed in Burlington's downtown in a vacant building. This has negatively impacted the type of programming that is offered to students, and student enrollment in all programs.

Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. Describe how these efforts will support the jurisdiction's Consolidated Plan.

The Business and Workforce Development department of the City of Burlington runs a program to train and license childcare professionals through its First Steps Training Program. This program offers necessary trainings to individuals interested in a career in early childhood education and will increase the number of licensed professionals in Burlington to support the childcare industry in opening more centers and more spots for children.

In addition, the City of Burlington was awarded a 2023 RAISE (Rebuilding American Infrastructure with Sustainability and Equity) grant. The grant includes funds for workforce programming in construction, weatherization, and heavy equipment operation. We will seek partnerships with ReSOURCE, Vermont Works for Women and the Patricia A. Hannaford Career Center to provide Construction 101, Weatherization 101, heavy machinery/forklift certification, and OSHA safety trainings. This will equip students to be hired in an array of trades including on the City construction projects.

CEDO provides a Personal Care Assistant Plus workforce program aimed at training underserved communities to become PCAs. Participants are trained in coursework and lab skills and receive a \$300 training incentive at the conclusion of their program.

Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)?

Yes

If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.

Burlington is included in the CEDS for West Central Vermont. The City's efforts to increase the workforce through affordable housing initiatives and workforce trainings such as our First Steps Training Program for childcare align with the CEDS action plan for workforce development to address the needs of emerging industries and can be coordinated with the Consolidated Plan. The CEDS strategic direction for West Central Vermont also includes support for Black, Indigenous, and People of Color (BIPOC) and women-owned businesses, particularly with access to low-barrier capital. The City's Business and Workforce Development department implements this strategy by providing free technical assistance to Burlington businesses of all sizes with an emphasis on BIPOC and women-owned microenterprises. The department supports these businesses through one-on-one support, regular "office hours" held at the community center, classes and business guides, and provides access to capital with zero-interest loans. The City created two zero-interest revolving loan programs in 2023 and 58% of the borrowers identify as BIPOC. These initiatives may be coordinated with the Consolidated Plan.

MA-50 NEEDS AND MARKET ANALYSIS DISCUSSION

Are there areas where households with multiple housing problems are concentrated? (include a definition of "concentration")

As the City completed its Assessment of Fair Housing in the fall of 2017, it was noted there are no racially or ethnically concentrated areas of poverty in Burlington. The most significant housing problem facing Burlington residents is one of cost burden. Older stock housing which is in need of rehabilitation, energy efficiency, and lead abatement is concentrated in the Old North End and in the King Street area. The Old North End is identified as a Neighborhood Revitalization Strategy Area which is discussed in the Strategic Plan section. Although outside the NRSA, the City will be supporting three multi-unit affordable rental housing projects that will create affordable housing opportunities in the downtown (Post Apartments), in the South End Innovation District, and in a newly developed neighborhood (Cambrian Unit Building H) supporting the de-concentration of affordable housing within the City.

Are there any areas in the jurisdiction where racial or ethnic minorities or low-income families are concentrated? (include a definition of "concentration")

In the 2017-2022 Assessment of Fair Housing (AFH)(), the City examined areas of concentration and trends of segregation. The segregation maps suggest that population densities have slightly increased over time, but the geographic distribution of different populations has not changed significantly between 1990 and 2010, with concentrations of non-white populations higher in Burlington's Old North End, the New North End, and Winooski (neighboring city). White populations densities are also higher in these areas, but seem to be more distributed throughout the region than non-white populations. The AFH noted publicly supported housing units are concentrated in the urban core of Burlington and a concentration of voucher units located in the northeast corner of the jurisdiction. Although there are no R/ECAPs in the Burlington, and segregation is low overall, tracts 4 and 5 were identified as areas with signs of

increased segregation relative to other areas. It does appear that a large number of affordable public housing options are located in and around census tracts 4 and 5.

What are the characteristics of the market in these areas/neighborhoods?

The Old North end is a primarily residential area of the City with 75% of parcels being residential units. As an area with a disproportionately low amount of commercial space, this may limit access to economic opportunities for residents. While historically more affordable than other areas in the City, recent demand for housing and rentals has meant less variability in the market rate of housing throughout Burlington. The housing stock in the Old North End is primarily older two or three story homes which may be in need of maintenance or rehabilitation.

Are there any community assets in these areas/neighborhoods?

Assets in the Old North End include its diversity of residents, its older homes including large portions of the neighborhood that are included in the historic registry, a number of small stores and markets, locally owned restaurants and food options that represent a variety of cultures, community spaces including a food shelf, by-donation yoga studio, resource center, community space for persons with mental health needs, and communal art pieces and murals.

Are there other strategic opportunities in any of these areas?

The strategic opportunities in these areas include the potential for additional owner-occupied housing; infill development sites; growing social, cultural and economic diversity; and potential for neighborhood-based economic development.

MA-60 BROADBAND NEEDS OF HOUSING OCCUPIED BY LOW- AND MODERATE-INCOME HOUSEHOLDS – 91.220(A)(4), 91.310(A)(2)

Describe the need for broadband wiring and connections for households, including low- and moderate-income households and neighborhoods.

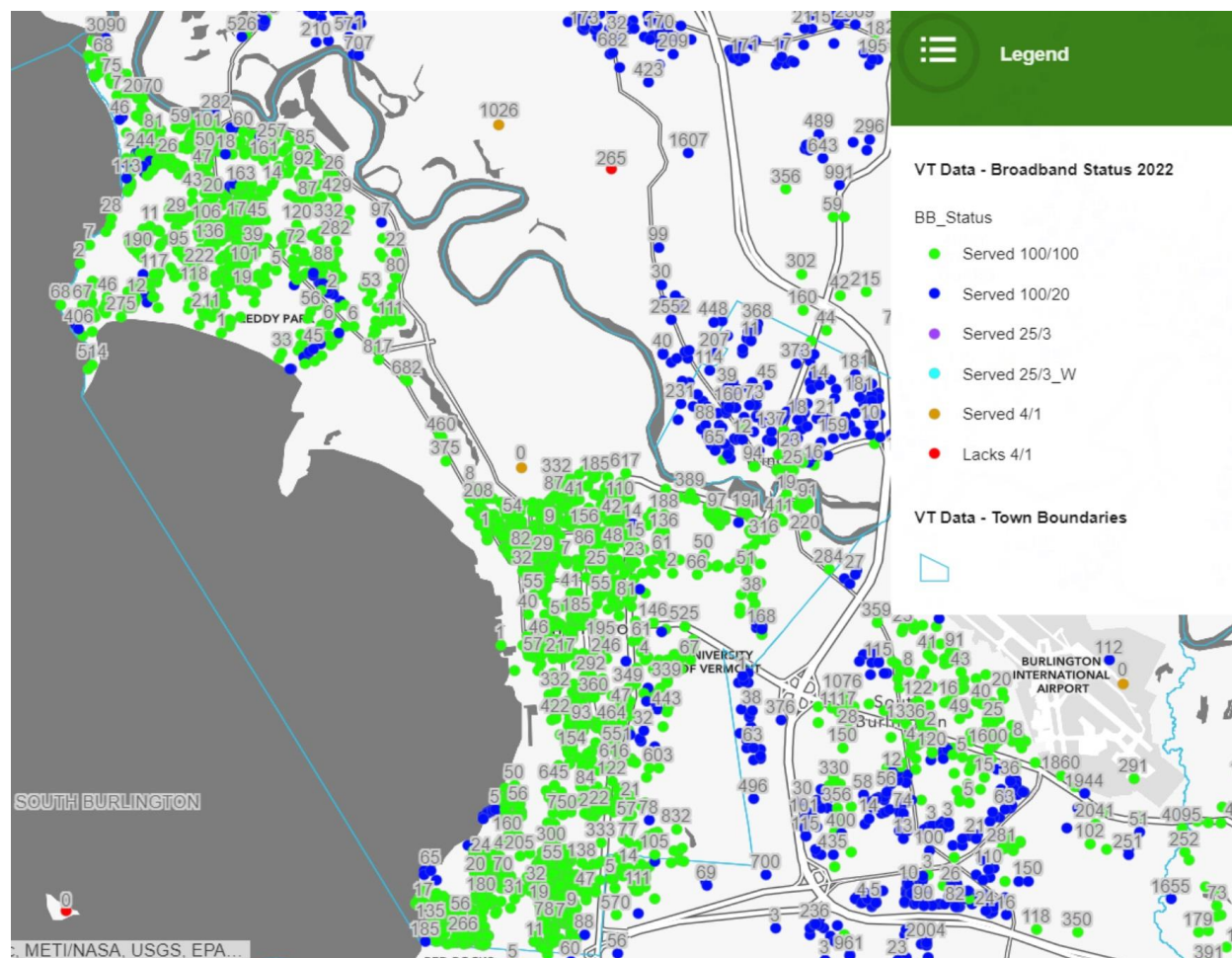
Broadband access is available to all residences in Burlington, including low- and moderate-income households. Below is a map of broadband access from the Vermont Public Service Department.

Although some households may be eligible for discounted internet access, the cost of broadband access can be a barrier for some residents.

Describe the need for increased competition by having more than one broadband Internet service provider serve the jurisdiction.

The City of Burlington has multiple options for broadband Internet service providers within the City. A local network is owned by Burlington Telecom, residents also have access to larger providers Xfinity and Consolidated Communications and several mobile broadband providers as well.

Burlington, VT map of broadband access



MA-65 HAZARD MITIGATION – 91.219(A)(5), 91.310(A)(3)

Describe the jurisdiction's increased natural hazard risks associated with climate change.

Burlington's natural hazard risks associated with climate change are outlined in the *City's Climate Action Plan* and *Nature-Based Climate Solutions*.

Winter Recreation: The decrease in winter temperatures, snow fall and freezing impacts the tourism industry; the lack of freezing on Lake Champlain impacts the lake's natural flora and fauna (and improves conditions for invasive species).

Forests and Agriculture: Burlington's Intervale hosts a collection of farms that are important for sources of local food growth and economic opportunity for community members. Temperature changes, draught and floods have impacted farmers in recent years and are likely to continue/worsen with climate changes. Maintaining existing green spaces and tree cover is important for decreasing the rate of harm from climate change and providing natural cooling, air filtration, and aesthetic benefit to the community.

Human Health: Higher temperatures necessitate the installation of cooling systems especially for vulnerable populations such as persons with medical risks or folks who are older. Air quality changes impact all residents, especially vulnerable folks as well. The risks of vector-borne diseases are increased by changing climate.

Infrastructure and Land: Burlington has a very limited number of permanent residences located in proximity to the lake or river flood plains, however the lake is an important part of city life as it provides opportunities for recreation, tourism, green-space and wellness for residents and visitors. In recent years many of the City's beaches were closed during the summer because of blue-green algae spikes.

While Burlington has not experienced the extreme flooding that impacted many other parts of Vermont increased temperatures and precipitation have negatively impacted the community: overflows in the wastewater treatment plants following heavy rains, flooding from blocked storm drains, winters that are insufficiently cold to kill off pests (ticks), and washed out banks along recreation paths are some of the negative impacts already experienced in the City.

Influx of new residents: Burlington has been identified as a "climate haven" by some media outlets and while the reasons for moving to Burlington has not been specifically tracked people do report choosing to move here because of the climate risks presented in their former communities. With limited housing resources the City is challenged to sufficiently support everyone's housing needs.

Describe the vulnerability to these risks of housing occupied by low- and moderate-income households based on an analysis of data, findings, and methods.

Expenses related to climate change such as installation of cooling systems is more likely to impact persons with limited income.

Alternatives to the lake, and other public spaces that may be inaccessible because of flooding or climate-induced health risks, often cost and/or require transportation that may not be available to low- and moderate-income households.

As Burlington welcomes newcomers to the community ensuring sufficient housing for existing low- and moderate-income households is essential.

STRATEGIC PLAN

SP-05 OVERVIEW

Strategic Plan Overview

This strategic plan will guide the City of Burlington's use of its Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) for the next five years.

The plan priorities are guided by HUD's direction to provide low- and moderate-income community members:

- Decent housing
- A suitable living environment
- Expanded economic opportunities

Through community outreach and conversations and an assessment of needs and current assets the City has identified the following priorities:

- Affordable Housing
- Addressing Homelessness
- Community Services and Safety
- Economic Development
- Public Facilities/Infrastructure Improvements
- Planning and Administration

SP-10 GEOGRAPHIC PRIORITIES – 91.215 (A)(1)

Geographic Area

1	Area Name:	City-Wide
	Area Type:	Local Target area
	Other Target Area Description:	
	HUD Approval Date:	
	% of Low/ Mod:	59.75%
	Revital Type:	Comprehensive
	Other Revital Description:	
	Identify the neighborhood boundaries for this target area.	The City of Burlington.
	Include specific housing and commercial characteristics of this target area.	The City-Wide area has housing that is aging and in need of repair which includes both rental and owner-occupied units. Commercial areas include the downtown, waterfront, and Pine street corridors as well as the southern portion of Burlington which also contains the City's majority of industrial structures.
	How did your consultation and citizen participation process help you	Consultation and outreach efforts were targeted to organizations and citizens City-Wide.

	to identify this neighborhood as a target area?	
	Identify the needs in this target area.	The needs City-Wide include affordable housing creation and rehabilitation, homelessness, and lack of community services and housing, public safety, microenterprise support and expansion, and the need to improve and expand public facilities, infrastructure and services.
	What are the opportunities for improvement in this target area?	Create and improve affordable housing, address the homeless crises through new and expanded services and affordable housing, improve public safety, facilities, and infrastructure, create and improve economic opportunities and public services. Additional priority affordable housing projects anticipated during this Consolidated Plan include two multi-unit rental buildings (Post Apartments and Cambrian Rise Building H) constructed by a non-profit CBDO housing provider in integrated settings in the City including downtown and in a new intentional neighborhood in the North End of the City.
	Are there barriers to improvement in this target area?	Insufficient funds at the local and federal level.
2	Area Name:	Neighborhood Revitalization Strategy Area
	Area Type:	Strategy area
	Other Target Area Description:	
	HUD Approval Date:	1/13/2006
	% of Low/ Mod:	75%
	Revital Type:	Comprehensive
	Other Revital Description:	
	Identify the neighborhood boundaries for this target area.	The City of Burlington's Neighborhood Revitalization Strategy Area was approved in January 2006 and reapproved with the 2018 Consolidated Plan. The City is submitting a revised NRSA for approval with the 2024 5-year Con Plan that will focus solely on Burlington's Old North End neighborhood which includes census tract 42, the western portion of census tract 6 and the southern portion of census tract 3.
	Include specific housing and commercial characteristics of this target area.	The 2024 revised NRSA as a whole is primarily residential, with 75% of parcels being residential units. The NRSA contains 75% low- and moderate-income residents (based on HUD's low- and

	moderate-income area data) with approximately 30% of the total population in the NRSA living below the federal poverty level. Additionally, there is a disproportionately low amount of commercial space including community centers in the NRSA making it more challenging for low-income residents to access essential services and for microenterprises to start or expand a business.
How did your consultation and citizen participation process help you to identify this neighborhood as a target area?	Through the City's 2024 Consolidated Plan public participation process which included online and in-person community surveys, the CDBG NOFA response from community non-profits, assessment of the housing market in this area, and requests for assistance for necessary maintenance projects on old housing stock concentrated in this area.
Identify the needs in this target area.	• Old housing stock in need of rehabilitation • Lack of affordable rental units • Access to improved and expanded public facilities • Access to public services • Lack of microenterprise support and expansion
What are the opportunities for improvement in this target area?	• Rehab owner-occupied housing stock • Create affordable housing rental units • Rehab and expand two neighborhood facilities • Improve and expand public services available to community • Provide assistance to new or expanding microenterprises with a focus on BIPOC businesses
Are there barriers to improvement in this target area?	• Expanding commercial space may be difficult due to densely residential area • Insufficient funds at the local and federal level

General Allocation Priorities

Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA)

The rationale for allocating investments into the NRSA is based on low-and moderate-income residential density and the need to create or improve affordable housing units, the need for neighborhood facility upgrades and expansion of services, and the need for microenterprise expansion and support with a focus on BIPOC individuals located in the NRSA. These needs were considered and assessed through the City's 2024 Consolidated Plan public participation process, the CDBG RFP response from community non-profits, and an assessment of the

housing market in the area which shows a concentration of old homes in need of maintenance. Additional community investments and initiatives for the NRSA include:

Housing Trust Fund awards to revitalize housing in the NRSA.

Vermont Real Estate Cooperative, located in the NRSA, making efforts to create affordable housing and commercial opportunities for Vermonters with limited financial resources.

Energy efficiency and infrastructure investments from the City's Burlington Electric Department and Department of Public Works.

Federal earmark, State, and philanthropic funds may support the expansion of an important community center in the area - Feeding Chittenden Community Resource Center.

Funded by the Opioid Settlement, the City is launching its Community Response Team to provide crisis response to people experiencing substance use disorder and mental health crises.

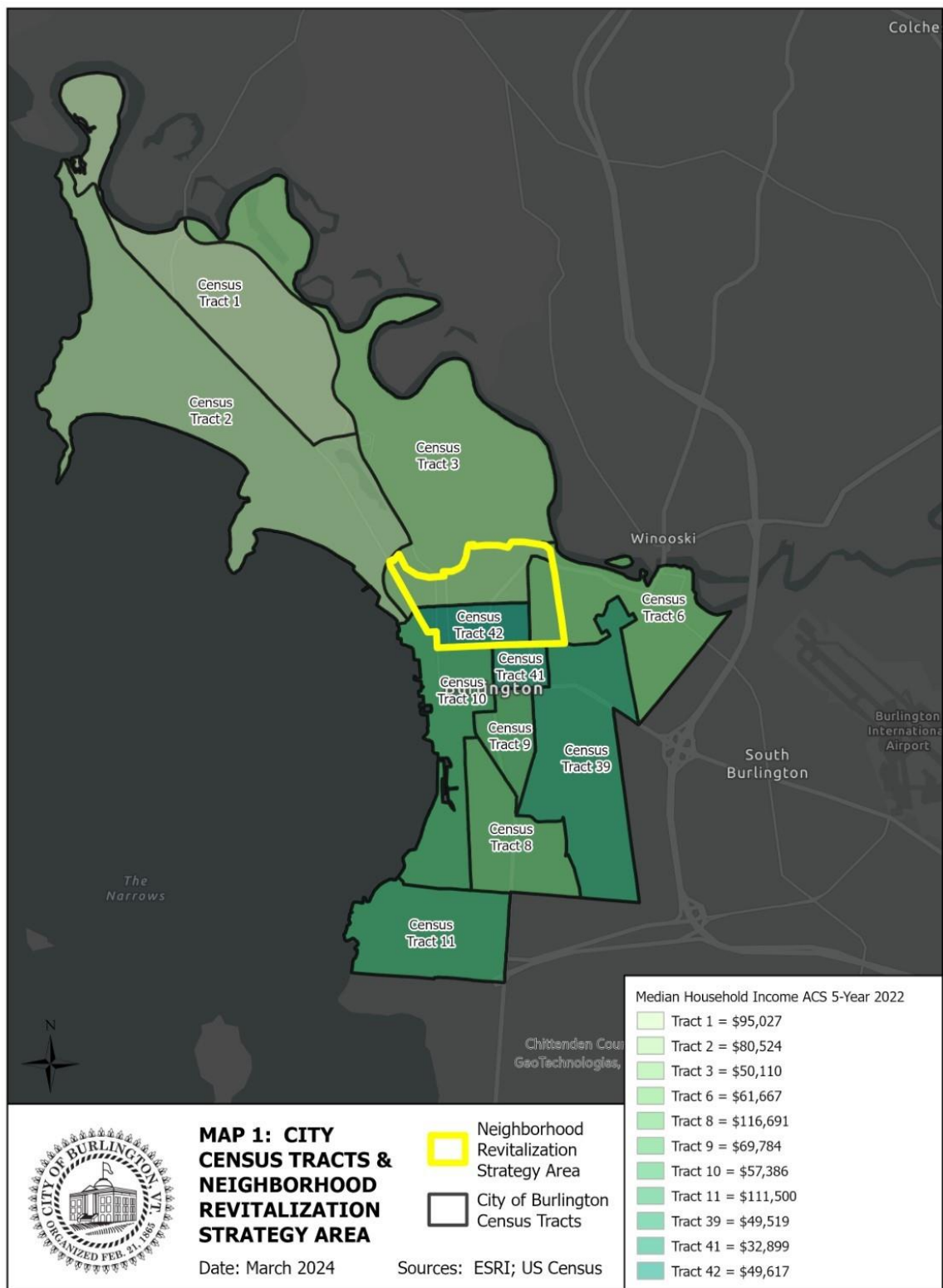
The Elmwood Shelter Pod Community is expected to be redeveloped into permanent housing using City Housing Trust Funds, State funds, and Low-Income Housing Tax Credits.

ARPA funds will support the creation of a community gathering space in Roosevelt Park.

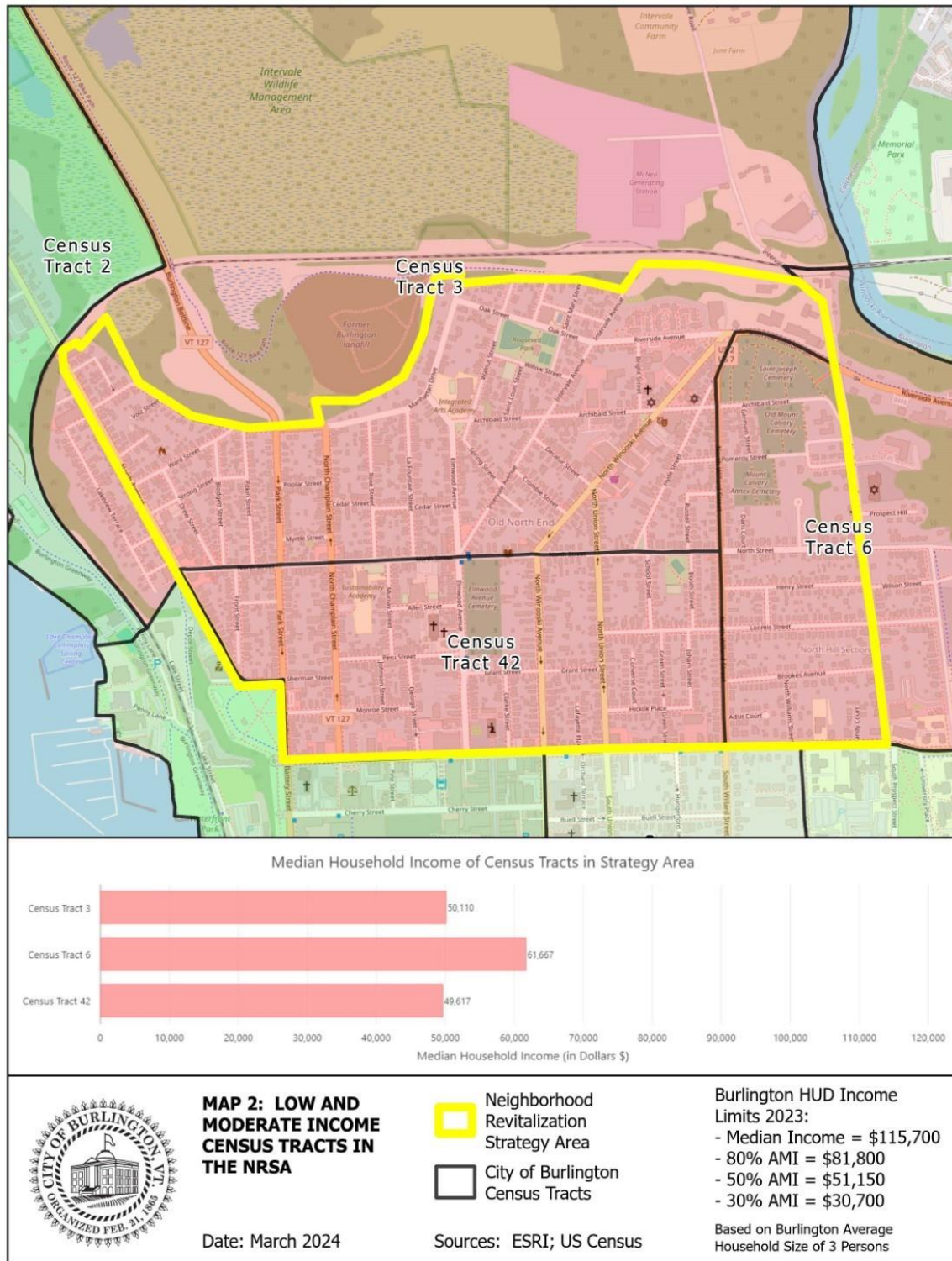
The Police Station, located in NRSA, will expand its social work capacity through its Crisis Assistance Intervention Program.

Privately-funded sculpture in Dewey Park will celebrate racial equity and inclusion.

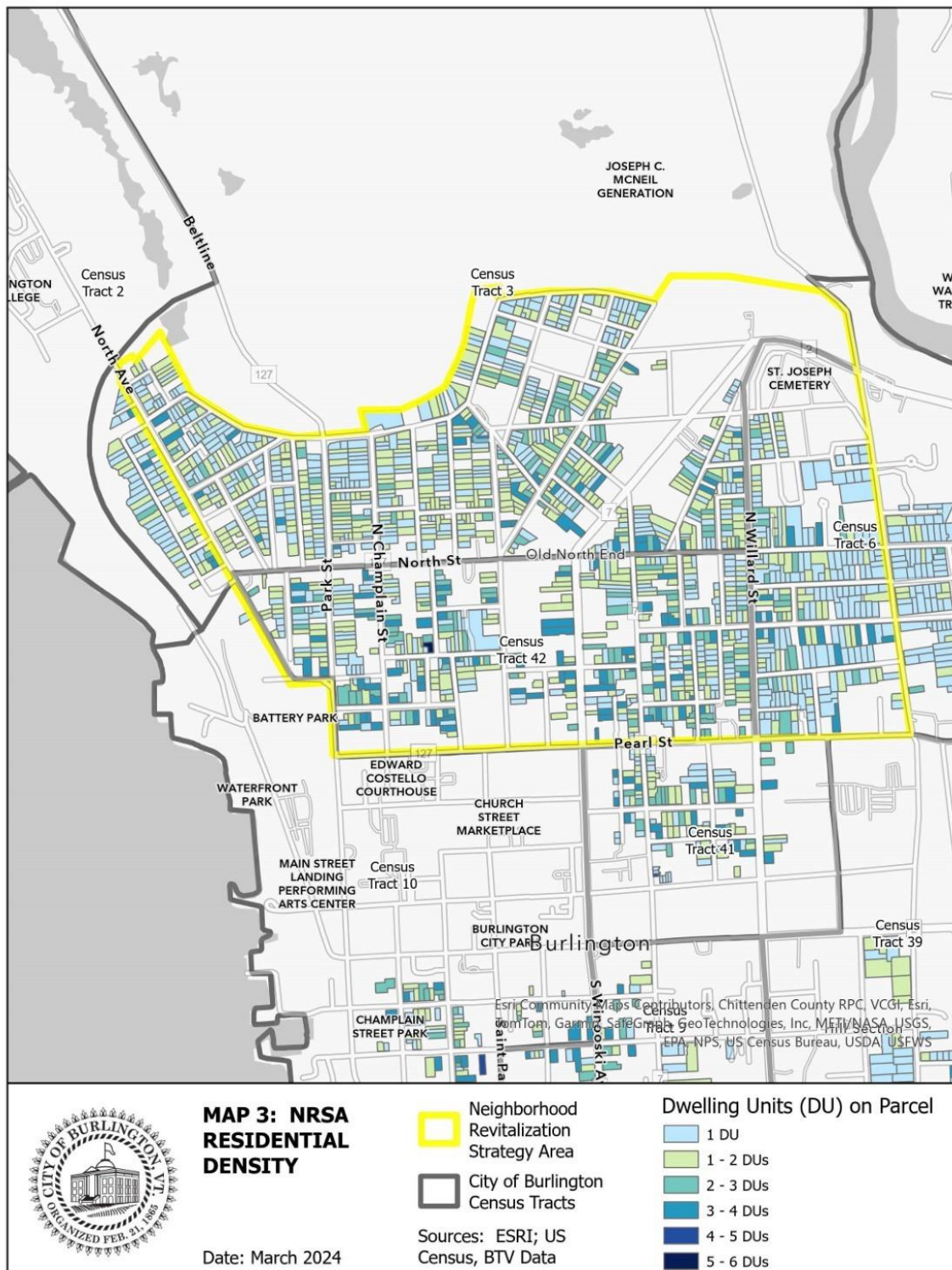
Maps of the Neighborhood Revitalization Strategy Area (NRSA) (following pages)



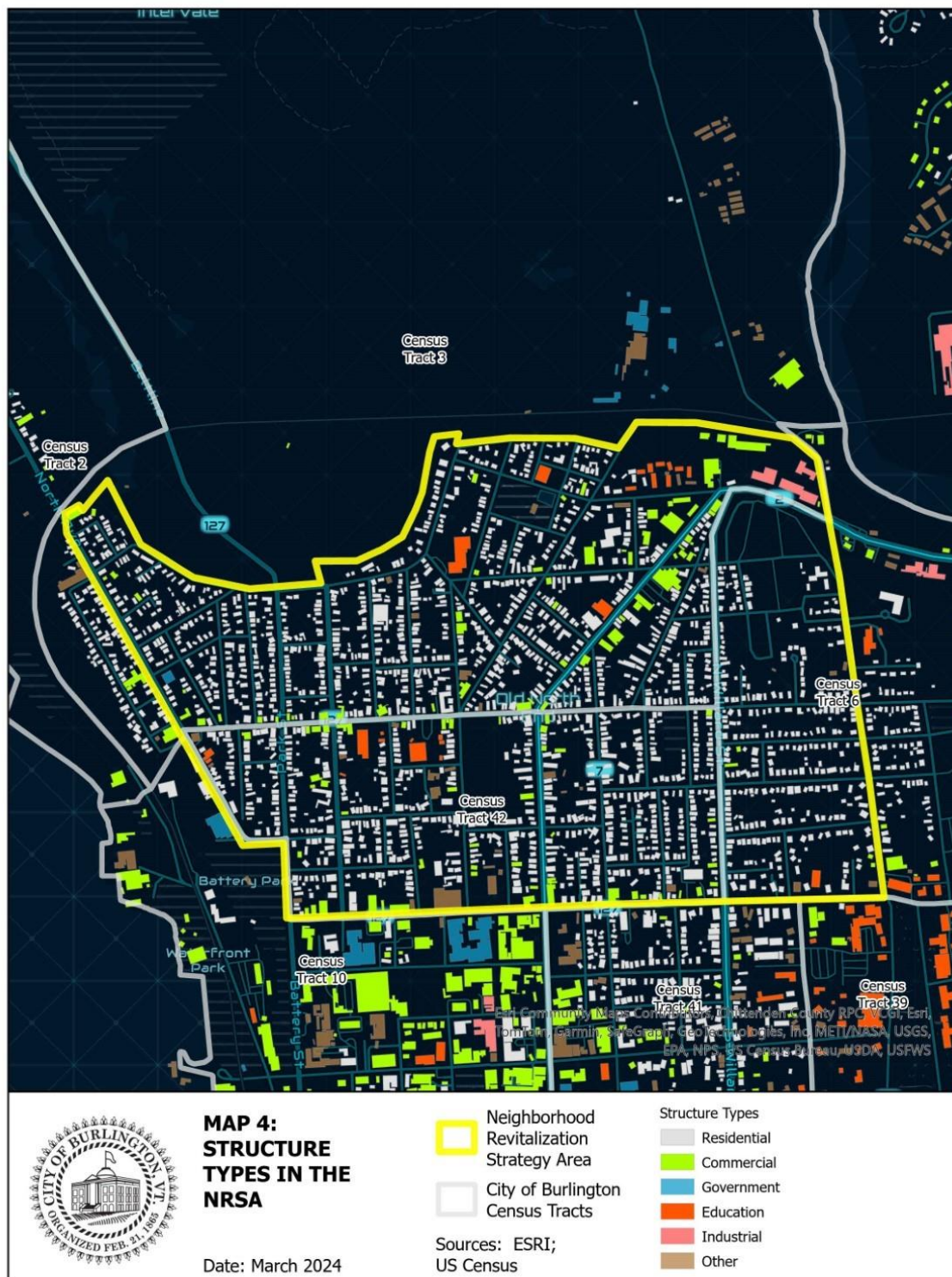
City Census Tracts and Strategy Area



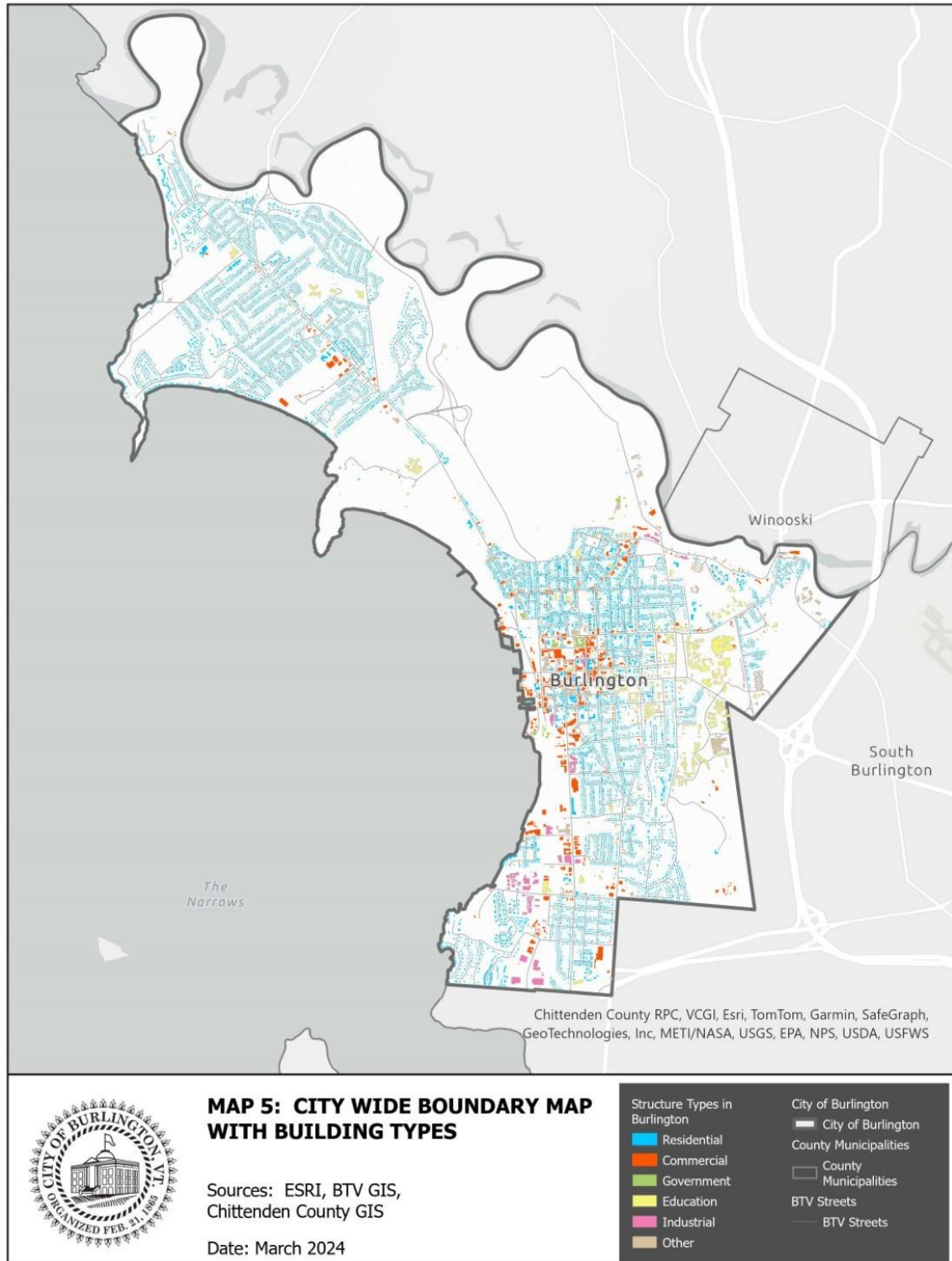
Low and Moderate Income Census Tracts in the NRSA



NRSA Residential Density



Structure Types in the NRSA



City-Wide Boundary map

SP-25 PRIORITY NEEDS - 91.215(A)(2)

1	Priority Need Name	Affordable Housing
	Priority Level	High
	Population	Extremely Low Low Moderate Middle Large Families Families with Children Elderly Chronic Homelessness Individuals Families with Children veterans Elderly
	Geographic Areas Affected	NEIGHBORHOOD REVITALIZATION STRATEGY AREA City-Wide
	Associated Goals	Improve Existing Affordable Housing Create New Affordable Housing Public Services
	Description	Additional affordable housing units and the maintenance of existing units is essential in Burlington. High rent costs, expensive home ownership, vacancy rates at 1%, an aging housing stock, and minimal options for new construction contribute to challenges with sufficient housing in Burlington.
	Basis for Relative Priority	Supporting the creation, retention, and rehabilitation of housing is a top priority for the City.
2	Priority Need Name	Addressing Homelessness
	Priority Level	High

	Population	Extremely Low Low Moderate Families with Children Elderly Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse Victims of Domestic Violence Unaccompanied Youth Victims of Domestic Violence
	Geographic Areas Affected	NEIGHBORHOOD REVITALIZATION STRATEGY AREA City-Wide
	Associated Goals	Improve Existing Affordable Housing Create New Affordable Housing Improve Public Facilities and Infrastructure Public Services
	Description	Supporting community members experiencing homelessness by providing services that assist with accessing and maintaining permanent housing; including persons exiting homelessness in new construction and improvement of existing housing; and supporting efforts to minimize the harm and trauma caused by the experience of homelessness.
	Basis for Relative Priority	Burlington has seen a notable increase in number and duration of time households are experiencing homelessness. During conversations with service providers, community members, non-profits, landlords, regional and civic leaders the high number of persons experiencing homelessness in the City was prevalent.
3	Priority Need Name	Community Services and Safety
	Priority Level	High

	Population	Extremely Low Low Moderate Families with Children Elderly Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse veterans Victims of Domestic Violence Persons with Mental Disabilities Persons with Alcohol or Other Addictions Victims of Domestic Violence Non-housing Community Development
	Geographic Areas Affected	NEIGHBORHOOD REVITALIZATION STRATEGY AREA City-Wide
	Associated Goals	Improve Public Facilities and Infrastructure Public Services Improve Economic Opportunities
	Description	Address the needs of community members who are struggling and address community safety concerns by maintaining and improving public facilities, providing housing for people who are unhoused and supporting individuals who are struggling with substance use, mental health challenges, insufficient financial means, challenges with accessing childcare and/or limited economic opportunity.
	Basis for Relative Priority	A safe and vibrant City is a priority in Burlington. Through surveys and conversations with community members supporting persons who are struggling was often identified as a priority within the City. Addressing the needs of vulnerable persons and households is a priority of the City.
4	Priority Need Name	Economic Development
	Priority Level	Low
	Population	Extremely Low Low Moderate Large Families Families with Children Elderly Non-housing Community Development

	Geographic Areas Affected	NEIGHBORHOOD REVITALIZATION STRATEGY AREA City-Wide
	Associated Goals	Economic Development Improve Economic Opportunities
	Description	Technical assistance, creating and retaining jobs, workforce development, childcare, services for youth and young adults, microenterprise support and other economic development efforts assist individuals and families with low-moderate incomes to increase their financial resources, meet their basic needs and thrive within the community.
	Basis for Relative Priority	Supporting community members who have low-moderate income and face challenges and barriers to accessing resources and opportunities is a priority for the City of Burlington.
5	Priority Need Name	Public Facilities and Infrastructure Improvements
	Priority Level	High
	Population	Extremely Low Low Moderate Middle Large Families Families with Children Elderly Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse veterans Victims of Domestic Violence Unaccompanied Youth Elderly Persons with Mental Disabilities Persons with Physical Disabilities Persons with Alcohol or Other Addictions Victims of Domestic Violence Non-housing Community Development
	Geographic Areas Affected	NEIGHBORHOOD REVITALIZATION STRATEGY AREA City-Wide

	Associated Goals	Improve Public Facilities and Infrastructure
	Description	Safe and accessible public facilities and infrastructure are essential for Burlington's goals of equity, inclusivity, wellness and quality. Supporting existing public facilities (such as those for persons who are older, essential resources, youth spaces, and others) is a priority for the City.
	Basis for Relative Priority	Access to spaces and environments that benefit persons with low-moderate income, people with special needs, people who are or have been historically marginalized, young persons and other vulnerable community members is a priority for the City.
6	Priority Need Name	Planning and Administration
	Priority Level	High
	Population	Other
	Geographic Areas Affected	
	Associated Goals	Planning and Administration
	Description	Administrative and planning to operate the CDBG and HOME programs.
	Basis for Relative Priority	Proper administration and planning for CDBG and HOME programs ensures responsible and timely deployment of resources.

SP-30 INFLUENCE OF MARKET CONDITIONS – 91.215 (B)

Influence of Market Conditions

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
Tenant Based Rental Assistance (TBRA)	While individuals in the community benefit from subsidized rental assistance and it is a necessary resource for many households with limited income (and many community members are experiencing cost-burden related to their housing). There are federal and state housing subsidies and vouchers that can support households with limited financial resources and the current lack of affordable units has resulted in subsidies being underutilized and/or lapsing. The City's limited HOME and CDBG funds will be prioritized in other areas.
TBRA for Non-Homeless Special Needs	As noted above the City of Burlington does not anticipate utilizing HOME funds for TBRA. While individuals in the community benefit from subsidized rental assistance the availability of other resources for housing subsidies (federal and state assistance), and the lack of units available mean the City's limited HOME and CDBG funds will be prioritized elsewhere.
New Unit Production	Production of new units is a priority for the City as demonstrated by the demand for rental and homeownership units far outpacing demand. Cost of development and building new units has grown significantly and while investment is still essential limited resources will decrease the number of affordable units in the City.
Rehabilitation	With an aged housing stock rehabilitation investment is essential to maintaining the City's affordable housing. The nonprofit housing organizations are attentive to their housing stock and investing in renovation and maintenance. Burlington's HUD-funded lead hazard control program supports dozens of households annually to decrease lead exposure and harms within their homes.
Acquisition, including preservation	Burlington supports local housing providers to acquire and maintain affordable housing. The City has supported its non-profit housing providers since their inception providing financial support and assisting with development logistics. The City supports the transfer of property ownership from private sector to non-profit ownership to assure perpetual affordability.

Table 47– Influence of Market Conditions

SP-35 ANTICIPATED RESOURCES - 91.215(A)(4), 91.220(C)(1,2)

Introduction

CDBG and HOME Program funding are critical for assisting the City of Burlington with addressing its needs for affordable housing and community development. The anticipated funding amounts for the remainder of the Consolidated Plan are projections based on current year awards. There are a multitude of factors that affect HUD allocations each year and future funding is uncertain.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation:	Program Income:	Prior Year Resources:	Total:		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$732,602	0	\$87,000	\$819,602	\$2,930,408	The City expects to leverage significant federal, state, local and private resources over the course of the Consolidated Plan.
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	\$347,049	0	\$1,140,797	\$1,487,846	\$1,388,196	The City expects to leverage significant federal, state, local and private resources over the course of the Consolidated Plan.

Table 48 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City anticipates leveraging additional funds and resources to support priority needs identified in this plan and satisfy matching requirements of these funds. Additional resources and approximate values over the duration of this ConPlan are listed below:

- McKinney-Vento funds under the HEARTH Act - \$6,000,000
- Healthy Homes Lead Grant - \$4,000,000
- Low-Income Housing Tax Credits - \$15,950,000 (this is a statewide allocation)
- City of Burlington Housing Trust Funds - \$5,825,000
- Burlington Housing Authority rental subsidies - \$125,000,000

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City is utilizing City-owned land to house shelter pods that provide temporary housing to persons experiencing homelessness in the community. This location is within the City's NRSA and the City hopes to partner with a non-profit housing developer to build permanent affordable housing at the site.

Discussion

CDBG's anticipated resources includes \$87,000 of prior year resources. \$35,000 of the prior year resources are 2020 funds that will be used to fund a public service project in the 2024 program year. Public Service projects are capped at 15% of the annual CDBG allocation but the public service cap was waived for the 2020 allocation for activities that will prevent, prepare for, and respond to coronavirus. The City will use \$35,000 of prior year 2020 funds for a public service project that was designed specifically to respond to the coronavirus while funding the remaining public service projects with 2024 funds which is capped at 15% of the 2024 allocation. This funding adjustment will be accurately reflected in the City's 2024 Consolidated Annual Performance and Evaluation Report (CAPER) – PR26. The remaining \$52,000 of prior year resources will be committed to Development activities. See "Projects" section below for more details on these activities. Prior year HOME resources will be invested in the creation of new affordable housing and the rehabilitation of existing affordable housing units.

SP-40 INSTITUTIONAL DELIVERY STRUCTURE – 91.215(K)

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
City of Burlington	Government	Economic Development Planning neighborhood improvements public facilities public services	Jurisdiction
Burlington Housing Authority	PHA	Ownership Rental	Jurisdiction
Cathedral Square Corporation	CHDO	Rental	Region
Champlain Housing Trust	CHDO	Ownership Rental	Region
Chittenden County Homeless Alliance	Continuum of Care	Homelessness	Region

Table 49 - Institutional Delivery Structure

Assessment of Strengths and Gaps in the Institutional Delivery System

There are several strengths in the institutional delivery system in Burlington. Positive aspects include:

- The relatively small size of both the jurisdiction and the state allows for coordination, communication and opportunities for collaboration
- Many and diverse nonprofits providing services in a range of sectors
- Chittenden County Homeless Alliance is a robust Continuum of Care with high participation, strong scoring in the competitive CoC funding process, an established Coordinated Entry system, and strong participation in the Homelessness Management Information System
- A hospital that has been recognized as the best in the state
- Several colleges and institutions of higher learning which diversifies the demographics of the community and increases potential employees

Gaps and challenges within the system include:

- Year-to-year unpredictability of funding (including City, state, and federal resources) disrupting the capacity and long-term strategizing of non-profits
- Uncertain state and federal funding impacting operations in government
- Insufficient creation of new housing, rehabilitation of existing housing and housing innovation
- Staffing shortages, especially in the human services sector

Availability of services targeted to homeless persons and persons with HIV and mainstream services

	Available in the Community	Targeted to Homeless	Targeted to People with HIV
Homelessness Prevention Services			
Counseling/Advocacy	X	X	X
Legal Assistance	X	X	
Mortgage Assistance	X		X
Rental Assistance	X	X	X
Utilities Assistance	X		X

Street Outreach Services			
Law Enforcement	X	X	
Mobile Clinics	X	X	
Other Street Outreach Services	X	X	X

Supportive Services			
Alcohol & Drug Abuse	X	X	X
Child Care	X	X	
Education	X	X	
Employment and Employment Training	X	X	
Healthcare	X	X	X
HIV/AIDS	X	X	X
Life Skills	X	X	X
Mental Health Counseling	X	X	
Transportation	X	X	X

Other			

Table 502 - Homeless Prevention Services Summary

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

The Chittenden County Homeless Alliance coordinates a Continuum of Care for persons experiencing homelessness that includes outreach, shelter, transitional housing, rapid rehousing and permanent supporting housing.

Consistent with a housing-first approach to addressing homelessness many individuals and families are challenged to engage in education, employment, utilize child care services, address

health needs, change substance use behaviors or engage in mental health counseling when they lack housing - a basic human need.

Although services listed above may not be targeted directly to people experiencing homelessness they are available to all community members.

Street outreach, Vermont 211, daytime shelter, free meals, and healthcare services are all available to community members experiencing homelessness. The Coordinated Entry System (CES) prioritizes households for available resources based on vulnerability and duration of homelessness utilizing a standardized assessment tool; eligible households are assigned to a master list of homeless households which is reviewed on a weekly basis by coordinated entry partners for appropriate housing opportunities. Currently, eligible households include HUD-defined “literally homeless” and “imminent risk” households.

Access to emergency services, such as domestic violence and emergency services hotlines, drop-in service programs, emergency shelters and motel voucher programs, or other short-term crisis residential programs, is not prioritized through the CES. All persons in need of emergency services should be connected to those services as requested and may complete the CES assessment at that time.

Burlington has providers who specialize in serving households experiencing homelessness that are: families, veterans and their families, unaccompanied youth and experiencing chronic homelessness.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

There are strengths in the service delivery system in Burlington. Positive aspects include:

- Investment in the well-being, health, opportunities and needs of others.
- Organizations that are led and staffed by persons who represent the service group - Association of Africans Living in Vermont, Green Mountain Self-Advocates, mental-health peer services, PRIDE Center, and others in the community and state.

Gaps in the service delivery system for special needs populations and persons experiencing homelessness include:

- The lack of housing is the greatest impediment to addressing the needs of community members experiencing homelessness.
- Year-to-year unpredictability of funding (including City, state and federal resources) disrupting the capacity and long-term strategizing of non-profits.
- Needs for services for especially vulnerable populations such as those with extensive medical, mental health, substance use and age-related needs.
- Staffing shortages in mental health, healthcare, support for persons with disabilities, childcare, school aids and other services that support vulnerable populations and provide services.
- Insufficient harm reduction resources for persons utilizing substances and at risk of death from overdose

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs

The Chittenden County Homeless Alliance (CCHA) will continue to work in partnership with local landlords and non-profit housing providers for permanent housing options for community members experiencing homelessness. CCHA is coordinating efforts for staff recruitment and stability aspiring to fill open positions and support the system of care. A new nursing care facility is anticipated to open in Vermont summer 2024 and it will provide a much-needed option for persons who use substances and have been unable to access appropriate levels of care in the state. The City and state partners are exploring an overdose prevention site in the city and service providers continue to advocate for de-stigmatization of substance use.

SP-45 GOALS SUMMARY – 91.215(A)(4)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Create New Affordable Housing	2024	2028	Affordable Housing Homeless	NEIGHBORHOOD REVITALIZATION STRATEGY AREA City-Wide	Affordable Housing Addressing Homelessness	CDBG: \$205,311 HOME: \$2,268,238	Rental units constructed: 35 Household Housing Unit
2	Improve Existing Affordable Housing	2024	2028	Affordable Housing Homeless Non-Homeless Special Needs	NEIGHBORHOOD REVITALIZATION STRATEGY AREA City-Wide	Affordable Housing Addressing Homelessness	CDBG: \$408,569 HOME: \$434,279	Rental units rehabilitated: 145 Household Housing Unit Homeowner Housing Rehabilitated: 15 Household Housing Unit
3	Public Services	2024	2028	Affordable Housing Homeless Non-Homeless Special Needs Non-Housing Community Development	City-Wide	Affordable Housing Addressing Homelessness Community Services and Safety	CDBG: \$528,574	Public service activities other than Low/Moderate Income Housing Benefit: 5075 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
4	Improve Public Facilities and Infrastructure	2024	2028	Non-Housing Community Development	NEIGHBORHOOD REVITALIZATION STRATEGY AREA City-Wide	Addressing Homelessness Community Services and Safety Public Facilities and Infrastructure Improvements	CDBG: \$1,112,641	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 42645 Persons Assisted
5	Economic Development	2024	2028	Non-Housing Community Development	NEIGHBORHOOD REVITALIZATION STRATEGY AREA City-Wide	Economic Development	CDBG: \$478,008	Businesses assisted: 515 Businesses Assisted
6	Improve Economic Opportunities	2024	2028	Non-Housing Community Development	City-Wide	Community Services and Safety Economic Development	CDBG: \$266,905	Public service activities other than Low/Moderate Income Housing Benefit: 435 Persons Assisted
7	Planning and Administration	2024	2028	Administration	City-Wide	Planning and Administration	CDBG: \$750,002 HOME: \$173,525	Other: 1 Other

Table 51 – Goals Summary

Goal Descriptions

1	Goal Name	Create New Affordable Housing
	Goal Description	The City of Burlington will provide resources to increase the supply of decent, safe and accessible housing that is affordable to low-moderate income households. This could be construction of new rental units or homes available for purchase. HOME and CDBG funds will directly assist the construction of 20 new units in an anticipated 40 unit new residential building in the NRSA. It is anticipated that the HOME funds will leverage other resources totaling an additional 40 new affordable units in Burlington. It is anticipated that CDBG funds will assist in the construction of a new multi-unit building It is anticipated that 25% of newly constructed affordable units in Burlington will be designated for persons who are unhoused.
2	Goal Name	Improve Existing Affordable Housing
	Goal Description	The City of Burlington needs additional housing. With limited space for new housing projects and aged housing stock maintaining and improving on existing housing is essential. Improvements may bring housing to code, provide safety improvements, energy efficiency improvements, access modifications and or respond to other home hazards. With improvements in housing stock more community members (homeowners and tenants renting units), can live in decent housing. When possible prioritization and support will be provided to housing that supports persons who are exiting homelessness or persons with special needs.
3	Goal Name	Public Services
	Goal Description	The City of Burlington will utilize CDBG funds for projects that support low-moderate income community members and basic needs through funding of necessary services; improving services for older community members, individuals with disabilities, and persons with substance use and/or mental health challenges so that they can participate fully in the community; providing support to low-income individuals and families with children; and assisting community members experiencing homelessness.
4	Goal Name	Improve Public Facilities and Infrastructure
	Goal Description	The City of Burlington will use CDBG funds to improve the quality and/or increase quantity of public improvements that benefit persons with low to moderate-incomes. Safe and accessible public facilities and infrastructure support equity, inclusivity, wellness and quality of life.

5	Goal Name	Economic Development
	Goal Description	The City of Burlington will fund activities that support low and moderate-income community members to gain employment, self-sufficiency, education, job training, technical assistance, and access economic opportunities.
6	Goal Name	Improve Economic Opportunities
	Goal Description	Provide opportunities for persons with low-moderate incomes and people who may be marginalized or historically marginalized to improve their economic status by supporting workforce development, childcare, services for children, youth and young adults and support activities and projects that expand resource accessibility to these community members as well.
7	Goal Name	Planning and Administration
	Goal Description	The City of Burlington will provide effective and efficient implementation of CDBG and HOME funding in accordance with federal regulations.

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

It is anticipated that HOME funds will directly assist the construction of 15 new permanently affordable units for extremely low-income, low-income, and moderate-income families and leverage other resources enabling the construction of another 65 new permanently affordable units in Burlington.

SP-50 PUBLIC HOUSING ACCESSIBILITY AND INVOLVEMENT – 91.215(C)

Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

Burlington Housing Authority (BHA) does not have a Section 504 Voluntary Compliance Agreement. For individuals utilizing housing authority subsidies or residing in BHA owned or managed housing reasonable accommodations requests are reviewed when made, Section 504 reviews are conducted on an annual basis to ensure program access.

Activities to Increase Resident Involvement:

BHA has engaged in ways to increase resident involvement in several ways. This includes:

- Support and encouragement for residents in its affordable housing properties to form resident associations.
- In early 2024 BHA's largest affordable housing residence voted to form a resident association.
- BHA has formed a Resident Advisory Board (RAB) with representatives from its housing developments, and the Section 8 program. The RAB meets periodically to provide input on BHA's Plans and Policies.
- A BHA program participant serves on the 5-member BHA Board of Commissioners.
- BHA's Section 8 Housing Choice Voucher Program includes a Homeownership option.

Is the public housing agency designated as troubled under 24 CFR part 902?

No, The Burlington Housing Authority is designated as a *High Performer* housing authority.

SP-55 BARRIERS TO AFFORDABLE HOUSING – 91.215(H)

Barriers to Affordable Housing

Local public policies in Burlington continue to have negative effects on affordable housing and residential investment.

Changes to the City zoning regulations in March 2024 allowed for: removing lot size minimums in some areas, increased lot coverage limits, decreased setback limits, multiple buildings on lots, increase in units per building, some changes in building heights and changing residential district boundaries.

The City's Inclusionary Zoning requirements have been identified by some developers as an impediment to large projects, especially multi-unit home ownership.

The complexity and multiplicity of City requirements have been identified as impediments; areas of limitation include: zoning, historic preservation, energy efficiency, lead-based paint, the development review board, fire safety policies and high property taxes.

Small scale building, such as accessory dwelling units (ADU) is hampered by the requirement of a sprinkler system for many units and an owner-occupancy requirement for an ADU location.

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

As noted above the City has made progress on ameliorating barriers to affordable housing and anticipates continuing those efforts in the next five years. Guided by PlanBTV (the municipal development plan) the City hopes to implement the following strategies:

- Development of unutilized or underutilized areas in the City such as the *South End Innovation District* - transforming currently underutilized land (primarily parking lots) into a mixed-use area in the City adding 1,100 units at least 20% of which would be affordable due to Inclusionary Zoning requirements.
- Continue to invest Housing Trust Fund revenue into affordable housing projects and community providers who support persons who need affordable housing.
- Agreement with the University of Vermont to increase on-campus housing and relieve demand for college-student housing off-campus.

SP-60 HOMELESSNESS STRATEGY – 91.215(D)

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Chittenden County Homeless Alliance (CCHA) Coordinated Entry System (CES) utilizes a vulnerability assessment to prioritize unhoused households based on their vulnerability and level of service needs. Standardized Housing Needs Assessments are conducted by trained Assessment Partners and Assessment Hubs. Access to CES occurs through community

resources, 2-1-1 for persons who call the hotline requesting housing assistance or via the CCHA website. The system matches households experiencing homelessness with eligible services based on vulnerability, sustainability and length of homelessness through a standardized, scored assessment. Each eligible household will be assigned a housing navigator and added to a master list of homeless households which is reviewed on a weekly basis by coordinated entry partners for appropriate housing opportunities.

Burlington has several specialty outreach providers that work with households experiencing homelessness to address and assess their needs:

- Howard Center Street Outreach Team - outreach, connection to mental health and substance use services and referral to other providers for individuals, families with children and youth sleeping on the streets in the downtown area.
- Community Outreach and Resource Advocacy Team - outreach, short-term case management, shelter access support, essential item delivery for persons experiencing homelessness.
- Daytime warming centers (COTS and Community Resource Center) - daytime shelter for persons experiencing homelessness, access to limited services, food, internet, computer, toilets and other basic necessities.
- Community Health Centers of Burlington Homeless Healthcare Program - basic health services including primary and preventive care, psychiatry, mental health and substance use support, and referral to dental care. Will visit shelters and congregate locations of persons who are unhoused.
- Veteran's outreach - Supportive Services for Veteran Families and VA Medical Center Homeless services outreach in-person and will connect persons with military experience to various veteran and community resources and housing opportunities.
- Pathways Vermont received a federal SAMHSA grant to connect persons with mental health challenges and substance use to housing supports.
- The City's Community Support Liaisons and Urban Park Rangers connect with persons who are experiencing homelessness and/or unsheltered.

Addressing the emergency and transitional housing needs of homeless persons

It is expected that there will be five emergency shelters serving single adults in the Burlington area: COTS Waystation, ANEW Place, the City's Elmwood Community Emergency Shelter, Champlain Inn and a new City-operated seasonal shelter.

COTS operates the Firehouse and Main Street Family Shelters for households with children.

Steps to End Domestic Violence (Steps) operates a 21-room emergency shelter serving women and children experiencing homelessness as a result of fleeing domestic violence. Survivors of all genders are also served through the Safe Tonight program in partnership with Economic Services.

Spectrum Youth and Family Services operates a shelter for homeless youth and plan to open a second full-time shelter for youth.

Seasonal emergency shelter and general assistance emergency shelter is provided in hotels/motels by the state of Vermont.

There are a limited number of transitional housing programs available: for persons with serious mental health challenges through the Howard Center, youth through Spectrum, victims of domestic violence from STEPS, and persons exiting incarceration.

The City is navigating the balance between investments in long-term housing and the immediate housing needs of people in the community with an aspiration to practice a housing first response to homelessness.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

Transition to Permanent Housing: Continued investment in service providers that support households to transition to permanent housing is essential to decreasing the number of households experiencing homelessness and the duration of their time unhoused.

There are providers within the City that support this transition: Pathways Vermont provides Housing First for households who are chronically homeless, COTS and the Family Supportive Housing Program assist families with children, veterans and their families are assisted through Supportive Services for Veteran Families and the VA Homeless Healthcare team, unaccompanied youth are served by Spectrum, and Safe Harbor supports persons who were chronically homeless in a permanent housing program.

Shortening the period of homelessness: Sufficient housing stock to meet all of the City's needs is essential for diminishing the duration and occurrence of homelessness in Burlington. Supporting the creation of affordable housing, maintenance of existing affordable housing, incentivizing landlords to house individuals with subsidies or housing vouchers, policy changes to increase housing stock and diminish barriers to creating housing are all components of the City's plan to address homelessness

Preventing returns to homelessness: Ongoing service coordination and support is provided to many households who are exiting homelessness from a variety of community providers with various specialties. Ensuring these services are directed by the household, flexible and individualized will ensure the greatest success for households. Larger affordable housing buildings have on-site staff to assist with tenant needs as well.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving

assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Several agencies administer prevention services that include back rent assistance, home heating fuel aid, transportation, tenants' rights advocacy and legal representation. The Housing Opportunity Program combines ESG funding with state funding, provides grants for case management, short-term rental subsidies, security deposits, and rental arrearage assistance for those low-income individuals and families at risk of losing their housing.

Youth exiting foster care in Vermont can receive supports that protect them from being discharged into homelessness as they exit legal custody. Supports include individualized service planning and case management, JOBS intensive employment training and planning, and assistance with accessing housing.

Hospital patients are routinely discharged to their previous residence, a nursing home, or medical respite beds.

McKinney Vento funded programs used as needed include emergency shelters and some transitional/permanent housing programs when appropriate.

State-funded assistance through the Vermont Department of Mental Health is available for some persons exiting an institutional setting in the form of contingency funds and state long-term housing subsidy. Some state departments and agencies collaborate with the Burlington Housing Authority, and other affordable housing agencies to utilize Section 8 Housing Choice Voucher Programs for tenant-based and project-based rental assistance units funded by the Low-Income Housing Tax Credit Program. Patients are routinely discharged to Howard Center transitional or step-down.

Some persons leaving corrections can go to their previous residence, a transitional housing program for offenders, a permanent supportive housing program or to live with family.

Two local school districts have a designated position to assist families at-risk of homelessness and experiencing homelessness to maintain or access housing as quickly as possible.

SP-65 LEAD BASED PAINT HAZARDS – 91.215(I)

Actions to address LBP hazards and increase access to housing without LBP hazards

The City of Burlington received a \$3.5 million Lead-Based Paint Hazard Control and Healthy Homes grant from the U.S. Department of Housing and Urban Development that runs through July 3, 2024. The City's Community & Economic Development Office's Burlington Lead Program (BLP) administers the funds to improve health outcomes by reducing lead-based paint, life safety, and indoor air quality hazards. Program goals include evaluating 131 units for lead-based paint hazards, reducing lead-based paint hazards in 88 housing units, addressing healthy home issues, especially life safety and indoor air quality issues in 80 units, and training over 150 individuals in lead-safe work practices, as well as providing outreach and education to the community.

BLP will apply for a four year grant in 2024 anticipated to be \$4 million and include evaluating 135 units for lead-based paint hazards, reducing lead-based paint hazards in 90 units, addressing healthy homes issues in 80 units and training over 200 individuals.

How are the actions listed above related to the extent of lead poisoning and hazards?

Enrolled units will receive X-Ray Fluorescence testing to determine the presence of lead-based paint, risk assessments, project design and planning, project monitoring, and clearance testing. Units enrolled in the Burlington Lead Program will have all lead-based paint hazards addressed, and typical interventions consist of: aggressive treatment of friction surfaces such as window sash replacement and removal of lead-based paint on doors and jambs, lead-based paint removal on chewable surfaces such as windowsills, installation of window well inserts, as well as interior and exterior paint stabilization. Other services that are provided to the community include, education on (lead dust) cleaning techniques, site visits at homes with children under age 6, guidance to rental property owners on how to comply with the Vermont Lead Law (Act 165), and free classes on Lead Law compliance and Lead-Safe Work Practices.

How are the actions listed above integrated into housing policies and procedures?

Housing projects funded with local and federal funds are required to comply with state and federal lead laws. In addition, the City ensures that HOME and CDBG funded housing projects comply with the Lead Safe Housing Rule (LSHR) regulations at Title 24 Part 35 of the Code of Federal Regulations. Given that the additional cost of addressing lead hazards can make some rental, duplex acquisition, and homeowner rehab projects infeasible, the City grants a portion of the cost to comply with the LSHR using CEDO Lead Program, CDBG, or HOME funds. Further, the CEDO Lead Program provides technical assistance to City staff for projects which trigger the LSHR.

SP-70 ANTI-POVERTY STRATEGY – 91.215(J)

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

According to the 2012-2016 ACS Burlington's overall financial poverty rate is around 25% (the 2022 ACS puts the total number at 23.6%). When off-campus college students are removed from the assessment the rate drops to 16.8% - an amount that is still greater than either the statewide or national averages.

Burlington's anti-poverty **goals** are that all residents:

- Meet basic needs and have stable living situations, including access to and retention of safe, affordable, decent and healthy housing
- Increase and protect asset accumulation and resident net worth
- Access employment opportunities and/or job training, affordable child care options, and educational opportunities
- Decrease social isolation and increase social capital

City **policies** directed towards this strategy include:

- Activities funded through CDBG and HOME programs are directed at reducing the number of people experiencing financial poverty, preventing

financial poverty and assisting persons with limited financial means to meet their basic needs

- The Burlington Housing Trust Fund (tax revenues dedicated for affordable housing and capacity building for affordable housing providers)
- The City's Livable Wage Ordinance
- The City's Women in Construction Trades Ordinance (aimed at increasing opportunities for women in the construction trades)
- The City's Inclusionary Zoning Ordinance (which makes affordable housing an integral part of every newly constructed residential project of 5 units or more in the City)
- The City's Affirmatively Furthering Fair Housing Policy
- The creation of the Racial Equity Inclusion and Belonging department to advance accessibility and equity

Programs within the City that reduce the number of families experiencing financial poverty and/or address their needs:

- Childcare for working parents that promoted early childhood development
- Affordable housing - maintaining existing units and expanding the number of affordable units
- Income tax assistance for persons with limited income
- Job training and construction certifications
- Small business development assistance
- Trusted Community Voices program (language interpretation and cultural brokering support)
- The Burlington Community Justice Center - community-based response to crime and conflict that serves youth and adults with substance use related crimes, court diversion, pretrial services, support for individual crime victims, post-incarceration community re-entry, and Restorative Justice panels

How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan

While the City of Burlington has limited control of the many factors that cause poverty, the City utilizes its limited resources and powers to reduce financial poverty among community members.

This affordable housing plan is aligned with the City's goals, policies and programs for reducing financial poverty.

- The majority of CDBG funds are directed into the NRSA for families experiencing financial poverty and to support housing improvements, the preservation of affordable housing or the creation of new units
- The City's Housing Trust Fund and the Inclusionary Zoning Ordinance are key City policies which create and retain affordable housing units and align with the goals of this plan (increasing and improving affordable housing)
- The City invests in economic development opportunities, removing barriers to economic opportunities, supporting the Livable Wage Ordinance, and assisting small business owners

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

All CDBG subrecipient activities are subject to a desk monitoring on a quarterly basis through detailed reports submitted with each reimbursement request. CEDO is developing a new and improved CDBG sub-recipient monitoring program that includes a newly developed risk assessment tool. Once implemented, the risk assessment process will rank each sub-recipient program based on program timeliness, performance measures, reporting accuracy, and several other compliance factors. CEDO staff plans to conduct in-person monitoring in the winter of 2023.

HOME subrecipients are monitored through annual project compliance monitoring for beneficiary rent and income levels and Property Standards. The City ensures compliance via contracts, and annually reviews audits and project financials. The City performs the following risk assessment:

- No single loan/grant may exceed the HUD limit.
- All HOME units must conform to Burlington's minimum housing code and to HUD's housing quality standards.
- Energy conservation improvements may be required per the City's HOME Program Property Rehabilitation Standards.
- Contractors must bid in accordance with federal, state and City requirements.
- The City, as a local government, assesses a developer's capacity to complete a HOME project and the project's long-term viability before committing HOME funds.

Burlington's nonprofit housing organizations are very seasoned and have earned recognition from HUD and other national and international organizations. As part of the assessment, we review the staff of all potential HOME recipients. Being a small community, there is familiarity with these organizations. The projects are also reviewed in conjunction with the current and future market capacity for the project. Based on this analysis, monitoring of subrecipients and previous record of success, the City determines whether the HOME-funded developers have sufficient capacity to complete projects and ensure the long-term viability of HOME projects. Additional oversight activities for HOME Projects include reviewing financial statements and project pro formas and assessing assets and management performance.

The Community & Economic Development Office (CEDO) maintains a list of known self-certified DBEs.. This list, together with the state's online DBE registry, is available to City departments and to subrecipients for their procurement processes. HOME recipients are required to use the CEDO's list and the State of Vermont registry, and to make the HOME-assisted project bidding available to MBE, DBE and Section 3 contractors.

2024 ANNUAL ACTION PLAN

AP-15 EXPECTED RESOURCES – 91.220(C) (1,2)

Introduction

CDBG and HOME Program funding are critical for assisting the City of Burlington with addressing its needs for affordable housing and community development. The anticipated funding amounts for the remainder of the Consolidated Plan are projections based on current year awards. There are a multitude of factors that affect HUD allocations each year and future funding is uncertain.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation:	Program Income:	Prior Year Resources:	Total:		
CDBG	Public-federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$732,602	\$0	\$87,000	\$819,602	\$2,930,408	The City expects to leverage significant federal, state, local and private resources over the course of the Consolidated Plan.
HOME	Public-federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	\$347,049	\$0	\$1,140,797	\$1,487,846	\$1,388,196	The City expects to leverage significant federal, state, local and private resources over the course of the Consolidated Plan.

Table 52 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City anticipates leveraging additional funds and resources to support priority needs identified in this plan and satisfy matching requirements of these funds. Additional resources and approximate values over the duration of this Consolidated Plan are listed below:

- McKinney-Vento funds under the HEARTH Act - \$6,000,000
- Health Homes Lead Grant - \$4,000,000
- Low-Income Housing Tax Credits - \$15,950,000 (this is a statewide allocation)
- City of Burlington Housing Trust Funds - \$5,825,000
- Burlington Housing Authority rental subsidies - \$125,000,000

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City is utilizing City-owned land to house shelter pods that provide temporary housing to persons experiencing homelessness in the community. This location is within the City's NRSA and the City hopes to partner with a non-profit housing developer to build permanent affordable housing at the site.

Discussion

CDBG's anticipated resources includes \$87,000 of prior year resources. \$35,000 of the prior year resources are 2020 funds that will be used to fund a public service project in the 2024 program year. Public Service projects are capped at 15% of the annual CDBG allocation, but the public service cap was waived for the 2020 allocation for activities that will prevent, prepare for, and respond to coronavirus. The City will use \$35,000 of prior year 2020 funds for a public service project that was designed specifically to respond to the coronavirus while funding the remaining public service projects with 2024 funds which is capped at 15% of the 2024 allocation. This funding adjustment will be accurately reflected in the City's 2024 Consolidated Annual Performance and Evaluation Report (CAPER) – Report #PR26. The remaining \$52,000 of prior year resources will be committed to Development activities. See "Projects" section below for more details on these activities. Prior year HOME resources will be invested in the creation of new affordable housing and the rehabilitation of existing affordable housing units.

AP-20 ANNUAL GOALS AND OBJECTIVES

Goals Summary Information

	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Create New Affordable Housing	2024	2028	Affordable Housing Homeless	City-Wide NRSA	Affordable Housing Addressing Homelessness	CDBG: \$0 HOME: \$1,227,091	Rental units constructed: 6 Household Housing Unit
2	Improve Existing Affordable Housing	2024	2028	Affordable Housing Homeless Non-Homeless Special Needs	City-Wide	Affordable Housing Addressing Homelessness	CDBG: \$13,000 HOME: \$226,050	Rental units rehabilitated: 55 Household Housing Unit
3	Public Services	2024	2028	Affordable Housing Homeless	City-Wide	Affordable Housing Addressing Homelessness	CDBG: \$85,000 HOME: \$0	Public service activities other than Low/Moderate Income

				Non-Homeless Special Needs Non-Housing Community Development		Community Services and Safety		Housing Benefit: 1015 Persons Assisted
4	Economic Development	2024	2028	Non-housing community development	City-Wide NRSA	Economic Development	CDBG: \$185,642 HOME: \$0	Businesses assisted: 205 Businesses Assisted
5	Improve Economic Opportunities	2024	2028	Non-housing community development	City-Wide	Economic Development	CDBG: \$59,890 HOME: \$0	Public service activities other than Low/Moderate Income Housing Benefit: 87 Persons Assisted
6	Improve Public Facilities and Infrastructure	2024	2028	Non-housing community development	NRSA	Community Services and Safety Public Facilities and Infrastructure Improvements	CDBG: \$329,550 HOME: \$0	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 700 Persons Assisted
7	Planning and Administration	2024	2028	Other	City-Wide	Planning and Administration	CDBG: \$146,520 HOME: \$34,705	Other: 1 Other

Table 53 – Goals Summary

Goal Descriptions

1	Goal Name	Create New Affordable Housing
	Goal Description	During this Action Plan, HOME funds will be used for the construction of 6 new affordable housing units.
2	Goal Name	Improve Existing Affordable Housing
	Goal Description	During this Action Plan, CDBG funds will be used to improve 45 housing units at Ethan Allen Residence, a senior living facility. HOME funds will be used to rehabilitate approximately 10 housing units.
3	Goal Name	Public Services
	Goal Description	During this Action Plan, CDBG funds have been allocated to Steps to End Domestic Violence-Safe Tonight which provides services and shelter to survivors of domestic violence; to Pathways-Housing First Services in Chittenden County which provides permanent housing placement along with intensive community-based services for individuals with histories of homelessness; to CVOEO-Volunteer Income Tax Assistance (VITA) which provides free tax preparation and electronic filing services for low-mod-income households; and to Vermonters for Criminal Justice Reform (VCJR) for a specialized re-entry and recovery center and overdose prevention for people living with substance use disorders and co-occurring mental health disorders.
4	Goal Name	Economic Development
	Goal Description	During this Action, CDBG funds will be used to fund three microenterprise programs, CVOEO-Micro Business Development Program and Mercy Connections-Small Business Equity Project. Additionally, the City's Business & Workforce Development department will provide technical assistance to small businesses and entrepreneurs with a focus on BIPOC individuals.
5	Goal Name	Improve Economic Opportunities
	Goal Description	During this Action Plan, CDBG funds will be allocated to Lund's Residential and Community Treatment Services Program which provides childcare services, treatment, and family support for vulnerable children and families. Additionally, the City's CEDO department will provide a Personal Care Assistant (PCA) Plus Workforce Training Program which provides job training for low-income BIPOC individuals including immigrants and refugees.
6	Goal Name	Improve Public Facilities and Infrastructure
	Goal Description	During this Action Plan, CDBG funds will be allocated to Champlain Housing Trust-Community Resource Center/Feeding Chittenden Addition Project to construct a two-story addition to better accommodate the staffing and services of the food shelf and Community Resource Center (CRC).
7	Goal Name	Planning and Administration
	Goal Description	To support the capacity of the nonprofit institutional delivery structure in the City; pursue State and Federal resources in support of City initiatives; implement City planning efforts; administer community and economic development programs; and support fair housing efforts in the City.

AP-35 PROJECTS – 91.220(D)

Introduction

This part of the Action Plan provides a summary of the eligible projects and activities that will take place during the program year to address the priority needs and specific objectives outlined in the Strategic Plan. The eligible projects are associated with at least one priority need and at least one or more goals.

Projects

#	Project Name
1	Affordable Housing
2	Public Facilities & Infrastructure
3	Microenterprise/Economic Development
4	Public Service
5	Admin and Planning

Table 54 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Allocation priorities are based on the City's 2024 Consolidated Plan Needs Assessment, the extensive public participation process including in-person interviews and surveys directed at Burlington community partners and all Burlington residents, the City's 2024 Strategic Plan, and the CDBG Advisory Board's recommended awards to local non-profits.

The biggest obstacle to addressing underserved needs continues to be insufficient funding resources. The City will continue to pursue additional federal, state, and private resources but does not expect to overcome the obstacle of declining local and federal resources.

AP-38 PROJECT SUMMARY

Project Summary Information

1	Project Name	Affordable Housing
	Target Area	NEIGHBORHOOD REVITALIZATION STRATEGY AREA City-Wide
	Goals Supported	Create New Affordable Housing Improve Existing Affordable Housing
	Needs Addressed	Affordable Housing Addressing Homelessness
	Funding	CDBG: \$13,000 HOME: \$1,453,141
	Description	To improve 45 housing units at Ethan Allen Residence, a senior living facility, and to create/sustain affordable housing units through rehab and/or construction.

	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	61 low-moderate income households: Living Well Group – Ethan Allen Residence Lighting Upgrade: 45 HOME projects: 16
	Location Description	Scattered sites – City-Wide and NRSA
	Planned Activities	\$13,000 Living Well Group – Ethan Allen Residence Lighting Upgrade \$1,453,141 HOME projects
2	Project Name	Public Facilities & Infrastructure
	Target Area	NEIGHBORHOOD REVITALIZATION STRATEGY AREA
	Goals Supported	Improve Public Facilities & Infrastructure
	Needs Addressed	Public Facilities and Infrastructure Improvements
	Funding	CDBG: \$329,550
	Description	To construct a two-story addition to better accommodate the staffing and services of Feeding Chittenden and Community Resource Center (CRC).
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Champlain Housing Trust (CHT)– Community Resource Center/Feeding Chittenden Addition: 700 low-moderate income households
	Location Description	NEIGHBORHOOD REVITALIZATION STRATEGY AREA
3	Planned Activities	\$200,000 CHT - Community Resource Center/Feeding Chittenden Addition \$129,550 activity TBD
	Project Name	Microenterprise/Economic Development
	Target Area	NEIGHBORHOOD REVITALIZATION STRATEGY AREA City-Wide
	Goals Supported	Economic Development
	Needs Addressed	Economic Development
	Funding	CDBG: \$185,642
	Description	To fund three microenterprise programs, CVOEO-Micro Business Development Program and Mercy Connections-Small Business Equity Program, with a focus on BIPOC individuals. The City of Burlington will also deliver technical assistance to micro enterprises with a focus on BIPOC businesses located in the NRSA.
	Target Date	6/30/2025
	Estimate the number and type of families	205 low-moderate income individuals:

	that will benefit from the proposed activities	Business & Workforce Development – Microenterprise Technical Assistance: 25 CVOEO – Micro Business Development Program: 80 Mercy Connections – Small Business Equity Project: 100
	Location Description	Services will be provided to persons City-Wide with a focus on businesses located in the NRSA
	Planned Activities	\$40,000 Business & Workforce Development – Microenterprise Technical Assistance \$70,642 CVOEO – Micro Business Development Program \$75,000 Mercy Connections – Small Business Equity Project
4		Public Service
	Project Name	
	Target Area	City-Wide
	Goals Supported	Public Services Improve Economic Opportunity
	Needs Addressed	Affordable Housing Addressing Homelessness Community Services and Safety Economic Development
	Funding	CDBG: \$144,890
	Description	To provide funds to Steps to End Domestic Violence-Safe Tonight which provides services and shelter to survivors of domestic violence; to Pathways-Housing First Services in Chittenden County which provides permanent housing placement along with intensive community-based services for individuals with histories of homelessness; to CVOEO-Volunteer Income Tax Assistance (VITA) which provides free tax preparation and electronic filing services for low-mod-income households; to Vermonters for Criminal Justice Reform (VCJR) for a specialized re-entry and recovery center and overdose prevention for people living with substance use disorders and co-occurring mental health disorders; to Lund’s Residential and Community Treatment Services Program which provides childcare services, treatment, and family support for vulnerable children and families; to the City’s CEDO department to provide a Personal Care Assistant (PCA) Plus Workforce Training Program which focuses on job training for low-income BIPOC individuals including immigrants and refugees.
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from	<u>1,102 low-moderate income individuals:</u> Pathways – Housing First Services in Chittenden County: 45 Vermonters for Criminal Justice Reform – Re-Entry and Recovery Center with Contingency Management: 100

	the proposed activities	Steps to End Domestic Violence – Safe Tonight: 251 adults/119 children CVOEO – Volunteer Income Tax Assistance (VITA): 500 Lund – Residential and Community Treatment Services: 62 CEDO – Personal Care Assistant (PCA) Plus Workforce Training Program: 25
	Location Description	City-Wide
	Planned Activities	\$25,000 Pathways – Housing First Services in Chittenden County \$20,000 Vermonters for Criminal Justice Reform – Re-Entry and Recovery Center with Contingency Management \$25,000 Steps to End Domestic Violence – Safe Tonight \$15,000 CVOEO – Volunteer Income Tax Assistance (VITA) \$24,890 Lund – Residential and Community Treatment Services \$35,000 CEDO – Personal Care Assistant (PCA) Plus Workforce Training Program
5	Project Name	Admin and Planning
	Target Area	City-Wide
	Goals Supported	Planning and Administration
	Needs Addressed	Planning and Administration
	Funding	CDBG: \$146,520 HOME: \$34,705
	Description	Administration funding for CDBG and HOME grants.
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	City-Wide
	Planned Activities	To support the capacity of the nonprofit institutional delivery structure in the City; pursue State and Federal resources in support of City initiatives; implement City planning efforts; administer community and economic development programs; and support fair housing efforts in the City.

AP-50 GEOGRAPHIC DISTRIBUTION – 91.220(F)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Approximately 44% of the City's CDBG resources are directed to activities that target the City's Neighborhood Revitalization Strategy Area (NRSA). Although 2024 HOME entitlement funds will not be directed to the NRSA as they will be assisting an integrated project directly west of the designated area, it is anticipated that 100% of Community Housing Development Organization (CHDO) rehabilitation funds will be expended in the NRSA.

The City of Burlington's Neighborhood Revitalization Strategy Area was approved in January 2006 and reapproved with the 2018 Consolidated Plan. The City is submitting a revised NRSA for approval with the 2024 Consolidated Plan that will focus solely on Burlington's Old North End neighborhood which includes census tract 42, the western portion of census tract 6 and the southern portion of census tract 3. The NRSA as a whole is primarily residential, with 75% of parcels being residential units. The NRSA contains 75% low- and moderate-income residents (based on HUD's low- and moderate-income area data) with approximately 30% of the total population in the NRSA living below the federal poverty level.

Geographic Distribution

Target Area	Percentage of Funds
NEIGHBORHOOD REVITALIZATION STRATEGY AREA	44
City-Wide	56

Table 55 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The rationale for allocating investments into the NRSA is based on low-and moderate-income residential density and the need to create or improve affordable housing units, the need for neighborhood facility upgrades and expansion of services, and the need for microenterprise expansion and support to individuals located in the NRSA. These needs were considered and assessed through the 2024 Consolidated Plan public participation process, the CDBG Notice of Funding Availability response from community non-profits, an anticipated future HOME project that will be a permanent multi-unit building at a city-owned lot that is currently serving as a temporary shelter, assessment of the housing market in the area which shows a concentration of older homes in need of repair, requests for assistance the City has received for necessary repair projects from older community members, and requests for assistance to the Burlington Housing Trust Fund (concentration of requests in this area). CDBG and HOME resources are proportionally being directed outside of the NRSA based on the 2024 Strategic Plan and on the City's commitment to provide affordable housing, economic opportunity, and a suitable living environment to all low- and moderate-income residents throughout the City.

Discussion

Data sources – ESRI; US Census ACS 2022, 2011-2015 ACS

AP-55 AFFORDABLE HOUSING – 91.220(G)

Introduction

This section of the Action Plan specifies the goals for the number of homeless, non-homeless, and special needs households to be provided affordable housing within the program year.

One Year Goals for the Number of Households to be Supported	
Homeless	
Non-Homeless	16
Special-Needs	45
Total	61

Table 56 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	
The Production of New Units	6
Rehab of Existing Units	55
Acquisition of Existing Units	
Total	61

Table 57 - One Year Goals for Affordable Housing by Support Type

Discussion

CDBG funds will be used for Living Well Group's Ethan Allen Residence (senior living facility) Lighting Upgrade project and will benefit 45 rental unit households. HOME funds will be used for the construction/rehabilitation of 16 affordable housing units.

AP-60 PUBLIC HOUSING – 91.220(H)

Introduction

The Burlington Housing Authority (BHA) completed the conversion of its public housing units to the Section 8 Project-Based Voucher Program through the HUD Rental Assistance Demonstration (RAD) program. Our jurisdiction no longer has any public housing units.

Actions planned during the next year to address the needs to public housing

Our jurisdiction no longer has any public housing units.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

BHA has formed a Resident Advisory Board (RAB) with representatives from the Section 8 program. The RAB meets periodically to provide input on BHA's Plans and Policies. BHA will provide continuing financial and staff support to any active resident association in its properties. One BHA program participant serves on the BHA Board of Commissioners. BHA supports the Section 8 Homeownership Program.

BHA endeavors to provide a good living environment in its affordable housing developments through effective screening and strict lease enforcement. In addition to the Family Self-Sufficiency program, the Burlington Housing Authority supports programs such as the DREAM mentoring program and the Summer Lunch program. BHA has also initiated a Housing Retention program to work with residents who are at risk of losing their housing.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

The Burlington Housing Authority is not designated as troubled.

AP-65 HOMELESS AND OTHER SPECIAL NEEDS ACTIVITIES – 91.220(I)

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Service providers providing outreach to persons experiencing homelessness will continue their work this year. The following services support persons while they are unhoused:

Two daytime warming centers - both provide access to food and referral resources - one also has laundry and showers

Community Health Centers of Burlington Homeless Healthcare Program provides outreach to individuals in congregate settings and also has an office location specifically for persons who are unhoused

Outreach services to bridge gaps between persons experiencing homelessness and resources are provided by:

- Howard Center Street Outreach team within the downtown area
- The City of Burlington's Crisis Advocacy Intervention Program
- Champlain Valley Office of Economic Opportunity's Community Outreach, Resource, and Advocacy team

Salvation Army (providing meals and other basic necessities)

Veteran's outreach team - will engage qualifying service members with SSVF and/or VASH

School district education liaison and others

A Local Interagency Team provides consultation and expertise to help resolve difficult situations among community members with complex needs, often persons who are experiencing unsheltered homelessness. The team seeks housing options and community-based services to diminish risk of criminal justice involvement or hospitalization.

The Chittenden County Coordinated Entry System (CES) supports individuals and families experiencing a housing crisis to be directly engaged and linked to the CES wherever they may present requesting assistance. The system matches households experiencing homelessness with eligible services based on vulnerability, sustainability and length of homelessness through

a standardized, scored assessment. Each eligible household will be assigned a housing navigator and added to a master list of homeless households which is reviewed on a weekly basis by coordinated entry partners for appropriate housing opportunities. Currently, eligible households include HUD-defined 'literally homeless' and 'imminent risk' households.

Addressing the emergency shelter and transitional housing needs of homeless persons

Emergency shelter needs continue to exceed capacity. This year the City will continue to utilize existing systems and resources as well as explore options for additional capacity:

COTS Waystation - adult shelter

ANEW Place - adult transitional housing

City's Elmwood Community Emergency Shelter - operates as a low-barrier transitional housing location with longer residencies due to incapacity to find permanent housing

COTS Firehouse and Main Street Family Shelters for households with children

Steps to End Domestic Violence (Steps) Emergency Shelter - 21-room emergency shelter serving women and children fleeing domestic violence.

Safe Home - serving survivors of domestic violence of all genders via overflow shelter/motel pool

Emergency hotel/motel program funded by the state

Seasonal warming shelter may be managed by the City and will aspire to accommodate 30 guests a night

CVOEO Champlain Place serving 40 adults with low-barrier to shelter

Increases in the number of people experiencing homelessness, a negligible increase in new housing stock, and increases in housing expenses will make it challenging to address the needs of community members who are unhoused this year.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Chronically homeless:

- The City of Burlington administered HUD funded Shelter plus Care subsidies this reporting year. In partnership with community health and mental health providers, households who previously experienced chronic homelessness were provided permanent supportive housing assistance in scattered-site residences in Chittenden County.
- Pathways' Housing First program supports individuals who have experienced chronic homelessness and are identified as the "most vulnerable" to access subsidies, find housing, and provide wrap-around services to support them in their housing.

- Steps to End Domestic Violence administers (via CoC funding) a Rapid Re-housing program for households fleeing domestic violence.
- Howard Center's Community Rehabilitation and Treatment program supports individuals with serious mental health challenges with a variety of housing.
- **GOAL:** utilize all Shelter plus Care subsidies, provide permanent supportive housing to at least 60 households in Burlington

Families with children:

- The Family Supportive Housing (FSH) program provides intensive home-based service coordination and service management to families who have experienced homelessness and have complex needs.
- COTS provides transitional and permanent housing for families who are unhoused
- School liaisons work to support families with school consistency and access for kids who are unhoused
- **GOAL:** Reduce the number of families with children experiencing homelessness by 25%. Ensure families with children are in housing within 6 months of experiencing homelessness

Veterans and their families:

- In 2020 the city of Burlington celebrated the *end of veteran homelessness* after achieving federal benchmarks that demonstrated the experience of homelessness for veterans in Burlington was rare and brief. Veteran households experiencing homelessness are eligible for Supportive Services for Veteran Families rapid rehousing support that ensures that veterans' experiences of homelessness are resolved quickly and/or prevented altogether.
- **GOAL:** maintain the end of veteran homelessness benchmarks throughout this year

Unaccompanied Youth:

- Spectrum Youth and Family Services provide a variety of services to unaccompanied youth who are experiencing homelessness. Spectrum operates a warming shelter, transitional housing, a drop-in center, supportive housing, counseling and health services, mentoring and other supports. Spectrum participates in a state-wide network of providers supporting youth experiencing homelessness and the Chittenden Homeless Alliance.
- **GOAL:** Identify permanent housing for 80% of youth within 6-months of contact with service provider.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Helping households avoid becoming homeless:

- Continue conversations and planning for more housing stock
- Explore incentivizing landlords to prioritize units for persons exiting homelessness
- Ensure ongoing coordination between community providers and institutions that may be exiting individuals or households into homelessness
- Provide resources for back-rent, unpaid utilities, etc. when households find they are at risk of homelessness because of financial challenges

AP-75 BARRIERS TO AFFORDABLE HOUSING – 91.220(J)

Introduction:

Burlington has addressed the barriers to affordable housing under the Market Analysis and Strategic Plan sections of the Consolidated Plan. There is a limited supply of housing units at all levels of the market and a low vacancy rate exacerbates this challenge. Impacts of pandemic-era changes include an influx of new residents and a stop to new construction and rehabilitation. Other factors impacting the City's housing stock include: the age of the housing stock (one of the oldest in the nation), a high proportion of college and graduate students living off-campus, and changes in household composition - Burlington's average persons per housing unit is 2.13, below the national average of 2.51. Burlington has a significantly higher percentage of renters compared to owners and rent rates have increased significantly in recent years. Public policies that are controlled at the local level which impact the cost of housing include policies on historic preservation, lead-based paint safety practices, zoning restrictions such as minimum lot coverage, limitations on number of units, set-back requirements, height restrictions, fire-safety policies limitations, and others. Older homes need energy efficiency upgrades, lead-based paint hazard reduction, and other rehabilitation to make them safe, affordable and sustainable over the long term.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

In recent years the City has made progress on ameliorating barriers to affordable housing including:

- Easing of restrictions for Accessory Dwelling Units on owner-occupied lots
- Eliminating minimum parking requirements for the development of new housing units
- Limitations on the operations of short-term rentals
- Passage of BTV Neighborhood Code which includes removing lot size minimums in some areas, increased lot coverage limits, decreased setback limits, multiple buildings on lots, increase in units per building, some changes in building heights and changing residential district boundaries.

Discussion:

The city hopes to implement the following:

- Allowance of duplexes on all single unit allowed lots and up to quadplexes on lots with sufficient allowances.

- Development of unutilized or underutilized areas in the city such as the South End Innovation District.
- Agreement with the University of Vermont to increase on-campus housing and relieve demand for college-student housing off-campus.

AP-85 OTHER ACTIONS – 91.220(K)

Introduction:

Burlington aims to spend over 95% of CDBG expenditures assisting low-and moderate-income residents. The City will continue its commitment to the preservation of affordable housing units and actions that will foster and maintain affordable housing in Burlington. In addition, the City, through the Community & Economic Development Office, will diligently work to reduce lead-based paint hazards in the homes of local residents. The activities listed in this Action Plan work to reduce the number of households in poverty; and with enhanced coordination with nonprofit partners, services will have a greater impact on this goal.

Actions planned to address obstacles to meeting underserved needs

- The City will continue to grow the grand list, pursue additional federal, state and private resources.
- The City will continue to work with partners to examine obstacles such as benefits cliffs and to advocate for appropriate policy changes.
- The City will encourage local agencies to explore ways to deliver services in a more cost-effective and efficient manner, prioritize resources to serve the most in need, and focus on collaboration between local agencies.
- The City will foster an inclusive and equitable post-pandemic recovery that rebuilds economic opportunity for all, while ensuring that gaps in social services continue to be met, especially as surplus funding for expanded services diminishes.

Actions planned to foster and maintain affordable housing

- Invest \$1,950,000 in City ARPA funds into two new affordable multi-unit housing projects.
- Maintain the City's Special Assistant to End Homelessness position within the City's Community and Economic Development Office (CEDO) to provide a single point of accountability for expanded community effort.
- Maintain the Elmwood shelter pods community and investigate developing permanent affordable housing at the City-owned site.
- Invest increased Housing Trust Fund resources into affordable housing and services for persons who have experienced homelessness.
- Continue pre-development and planning of a mixed-use Enterprise Innovation District in a portion of the South End.

Actions planned to reduce lead-based paint hazards

In January 2021, the City of Burlington received a \$3,093,922.00 Lead-Based Paint Hazard Control grant from the Department of Housing and Urban Development and a \$530,000.00 Healthy Homes grant to complete work on 88 housing units by July 2024. These funds are

administered through the Community and Economic Development Office by the Burlington Lead Program to reduce lead-based paint hazards and healthy homes hazards in eligible units to eliminate childhood lead poisoning and make homes healthier to live in. The Burlington Lead Program anticipates being awarded a 4-year \$4 million grant from HUD in January 2025. Through a combination of both grants, from July 1, 2024 – June 30, 2025, the Burlington Lead Program plans to evaluate 12 units for lead-based paint and other health hazards, reduce lead-based paint hazards in approximately 10 housing units and reduce other health hazards in 8 housing units, conduct 12 community outreach and education events, and provide lead-safety training to approximately 45 individuals.

Actions planned to reduce the number of poverty-level families

All of the activities funded through the City's CDBG and HOME programs are ultimately directed at reducing the number of people living in poverty, providing for basic needs, or preventing individual/family poverty in Burlington. Specific details of the proposed initiatives are described in the project section of this Action Plan.

Actions planned to develop institutional structure

A definite challenge for the Community & Economic Development Office will be to effectively adapt its institutional structure to meet the changing needs of a challenging fiscal environment. In a time of significant budget changes and program and funding expansion, CEDO will need to find ways to implement, oversee, and monitor programming efficiently and effectively to meet increasing demands for services and funding with changing resources.

Additionally, the City has made collaborative efforts to address homelessness with the Chittenden County Homeless Alliance, the HUD recognized Continuum of Care for persons experiencing homelessness, that includes outreach, shelter, transitional housing, rapid rehousing and permanent supporting housing. The City and its community partners will continue to utilize the established Coordinated Entry system with continued participation in the Homelessness Management Information System.

Actions planned to enhance coordination between public and private housing and social service agencies

The Chittenden County Homeless Alliance will continue to work in partnership with local landlords and non-profit housing providers for permanent housing options for community members experiencing homelessness. Coordination efforts include landlord recruitment and appreciation, housing specialists incorporated into social service teams, and housing retention staff in social service and public housing agencies. Non-profit housing providers have service teams who provide assistance to their residents including staff who provide service coordination assistance to tenants and the *Support and Services at Home* (SASH) program that assists individuals who are older or have disabilities with services and supports within their homes.

AP-90 PROGRAM SPECIFIC REQUIREMENTS – 91.220(L)(1,2,4)

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	0
5. The amount of income from float-funded activities	0
Total Program Income	0

Other CDBG Requirements

1. The amount of urgent need activities	0
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HOME Investment Partnership Program (HOME)

Reference 24 CFR 91.220(I)(2)

A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

All HOME funds are invested in a manner consistent with 24 CFR 92.205(b)(1). Specifically, HOME funds are invested in interest-bearing and non-interest-bearing amortizing loans and in deferred loans and grants.

A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

For homebuyer projects where the Program provides HOME funds for low-interest loans for eligible homebuyers to assist with down payment and closing costs on eligible two to four-unit owner-occupied properties, the Program uses "recapture" provisions per 92.254(a)(5)(ii). These loans are secured by subordinate mortgages. When properties assisted with HOME funds for this purpose are sold, transferred, or if the primary residency is violated, then the full amount of the loan plus any accrued interest is to be repaid to the Program. Only the direct subsidy (down payment assistance, closing costs, or other HOME assistance provided directly to the homebuyer and/or the difference between the fair market value of the property and the reduced sales price attributable to HOME development assistance) is subject to recapture. However, the recapture amount shall not exceed the amount available from net proceeds. The net proceeds are the sales price minus loan repayment(s) (other than HOME funds) and closing costs. If this repayment occurs during the Home Affordability Period (HAP), then the funds are not considered to be program income. If this repayment occurs after the HAP, then the funds

are considered to be program income. The written agreements shall include language that makes it clear that recaptured funds after the HAP shall be considered program income.

When a property owner assisted with HOME funds for this purpose refinances their principal mortgage, the Program shall consider executing a subordination agreement upon receiving a written request with sufficient documentation on current fair market value and proposed refinancing amount. When considering such requests to subordinate its HOME mortgage, the Program shall require that the loan-to-value ratio be no greater than 100%.

A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

Resale Policy for HOME Subsidy on Owner-Occupied Homes: For homebuyer projects which are developed by nonprofits and which have perpetual affordability, the City uses “resale” provisions per 92.254(a)(5)(i) when HOME funds are used. During the HAP, the property must be sold to a low-income homebuyer. The original buyer of the HOME unit shall receive fair return on investment. The Burlington HOME program defines “fair return” by the following formula: Fair Return = Sale Price - Outstanding Mortgage Debt - 75% of the market appreciation (if any) + the capital improvement credit. The Program defines capital improvements as any investment in the house that is not considered maintenance. Items like appliances, flooring, painting, roof, heating systems, electrical or plumbing are considered maintenance and not eligible. Most common capital improvements are finishing basements, adding decks, garages, sheds, square footage, baths, or upgrades in flooring or kitchens. This definition of “Fair Return” will typically return to the seller their original equity investment if the original purchase price is less than or equal to the sale price to the new buyer. In the event that a HOME “resale” unit sells for less than the original purchase price, then the difference comes from a reduction in the seller’s equity (from their down payment and/or reduction of loan principal). This is the equity sharing formula used by both the Champlain Housing Trust and Green Mountain Habitat for Humanity. The Burlington HOME program defines “affordable to a reasonable range of buyers” as a home where the sum of the annual loan principal, interest, taxes, and insurance is less than 33% of the household's annual gross income. The Program shall not allow the resale of a HOME-assisted unit to a subsequent homebuyer who is not low-income. When a HOME-assisted homeownership unit that is encumbered (through the requirements of another funding source such as the Vermont Housing & Conservation Board (“VHCB”)) with covenants ensuring perpetual affordability for households below 80% of area median income is sold, resale provisions ensure compliance with the HOME affordability requirements during the HOME Affordability Period. HOME funds which go into homebuyer units are typically, but not always, grants. The Program does not recapture the HOME funds unless the VHCB covenants are extinguished and the affordability is no longer ensured. The only scenario where the Program can envision requiring repayment of the above funds is if a) the HAP had expired and b) the statewide funder, the VHCB (which requires permanent (99 Year) affordability), for whatever reason chose to extinguish their covenants and the project effectively was leaving the permanently affordable housing stock.

Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

Multi-family projects developed by locally-based housing organizations that receive HOME funds for rehabilitation may utilize HOME funds to refinance existing debt, consistent with 24 CFR 92.206(b)(2), if they meet the following guidelines:

- Refinancing is necessary to permit or to continue affordability under 24 CFR 92.252;
- Rehabilitation is the primary eligible activity. A minimum of \$7,500 of rehabilitation per unit is required;
- The grantee must demonstrate management capacity and practices that ensure that the long-term needs of the project can be met, and the targeted population can be served over an extended affordability period;
- The grantee must demonstrate that the new investment is being made to maintain current affordable units, to create greater affordability in current affordable units, or to create additional affordable units;
- The minimum HOME affordability period shall be 15 years, and all HOME-assisted projects developed by locally-based housing organizations are required to be perpetually affordable;
- Refinancing will be limited to projects that have previously received an investment of public funds;
- HOME funds may be used for refinancing anywhere in the City of Burlington;
- HOME funds cannot be used to refinance multi-family loans made or insured by any Federal program, including CDBG.

ATTACHMENT A – LEGAL NOTICE AND COMMUNITY OUTREACH

Legal Notice and Community Outreach

Legal Notice of Public Hearing for *Housing and Community Needs Assessment* in Seven days newspaper:

of this notice. The claim must be presented to me at the address listed below with a copy sent to the Court. The claim may be barred forever if it is not presented within the four (4) month period.

Dated: January 8, 2024
Signature of Fiduciary: /s/ Stephanie Smith
McNamee

Executor/Administrator: Stephanie Smith
McNamee, c/o Drislane Law Office, PO Box 1080,
Williston, VT 05495
Phone number: 802-860-7266
Email: michelle@drislanelaw.com

Name of Publication: Seven Days
Publication Date: January 24, 2024

Name of Probate Court: State of Vermont -
Chittenden Probate Division
Address of Probate Court, 175 Main Street,
Burlington, VT 05401

ACT 250 NOTICE MINOR APPLICATION 4C0887-IR-T 10 V.S.A. §§ 6001 – 6111

Application 4C0887-IR-T from The Snyder FC
Commercial Properties, LLC, and Rieley
Properties, LLC, was received on December 15, 2023
and deemed complete on January 12, 2024.
The project is generally described as construction
of a multi-family commercial building
with 38 dwelling units, and related site improve-
ments. This is Building G, located on
Lot C-3B, of the Finney Crossing Master Plan. The
project is located at 668 Zephyr Road in
Williston, Vermont. This application can be viewed
online by visiting the Act 250 Database:
(<https://anrweb.vt.gov/ANR/Act250/Details.aspx?Num=4C0887-IR-T>).

No hearing will be held, and a permit will be issued
unless, on or before February 5, 2024, a
party notifies the District 4 Commission in writing
of an issue requiring a hearing, or the
Commission sets the matter for a hearing on its
own motion. Any person as defined in 10
V.S.A. § 6085(c)(1) may request a hearing. Any
hearing request must be in writing, must state
the criteria or sub-criteria at issue, why a hearing
is required, and what additional evidence will be
presented at the hearing. Any hearing request by
an adjoining property owner or other
person eligible for party status under 10 V.S.A.
§ 6085(c)(1)(E) must include a petition for party
status under the Act 250 Rules. To request party
status and a hearing, fill out the Party Status
Petition Form on the Board's website: <https://nrb.vermont.gov/documents/party-statuspetition-form>,
and email it to the District 4 Office at: NRB.Act250Issues@vermont.gov. Findings of Fact and
Conclusions of Law may not be prepared unless the
Commission holds a public hearing.

For more information contact Kaitlin Hayes at the
address or telephone number below.
Dated this January 17, 2024.
By: /s/ Kaitlin Hayes
Kaitlin Hayes
District Coordinator
111 West Street
Essex Junction, VT 05452
(802) 622-4084
kaitlin.hayes@vermont.gov

STATE OF VERMONT
SUPERIOR COURT FAMILY DIVISION
CHITTENDEN UNIT DOCKET NO. 22-JV-1210
In Re: R.T.

NOTICE OF HEARING

TO: Ashley Thibault, mother of R.T., you are
hereby notified that a hearing to terminate your
parental rights to R.T. will be held on February
20, 2024 at 9:00 a.m. at the Vermont Superior
Court, Chittenden Family Division, at 32 Cherry
Street, Suite 200, Burlington, Vermont 05401.
You are notified to appear in connection with this
case. Failure to appear at this hearing may result
in termination of your parental rights to R.T. The
State is represented by the Attorney General's
Office, HC 2 North, 280 State Drive, Waterbury, VT
05671-2080.
Electronically signed pursuant to V.R.E.F. 9(d)

Elizabeth F. Novotny
Superior Court Judge
Date 1/18/24

TOWN OF WESTFORD DEVELOPMENT REVIEW BOARD NOTICE OF PUBLIC HEARING

Pursuant to 24 V.S.A. Chapter 117 and the Westford
Land Use & Development Regulations, the
Westford Development Review Board will hold
a public hearing at the Westford Public Library
(1717 Route 128) & via ZOOM on Monday, February
12th, 2024 at 7:00 PM to review the following
application:

Site Plan Public Hearing – Collins Property.
Applicants: Brandon Collins and William Pebler
(approx. 10.08 acres) located on Manley Road in the
Rural 10 Zoning District. The applicant is requesting
site plan approval to construct an accessory
structure over 1,000 square feet.

Join Zoom Meeting <https://zoom.us/j/9614208066>
67pwd=dCtwTFZmamoxNy9oNmpNTdsbUIBUT09
Or Dial +1 929 205 6099 US (New York)
Meeting ID: 961 4208 0666
Passcode: 10gncE

For more information call the Town Offices at
878-4587 Monday–Thursday 8:30am–4:30pm &
Friday 8:30a.m.-1:00 p.m.

Matt Wamsganz, Chairman
Dated January 18, 2024

NOTICE CITY OF BURLINGTON FULL BOARD OF ABATEMENT OF TAXES

The Full Board of Abatement of Taxes of the City of
Burlington will meet in Contois Auditorium and via
ZOOM: <https://zoom.us/j/97710199021> on Monday,
January 29, 2024* to hear and act upon the request
for abatement of taxes and/or penalties from:

Vermont House Condo Association
120 King Street
049-3-042-000

Vermont House Condo Association
131 Main Street C-2C
049-3-095-007

GoldenJunk LLC
310-320 North Winooski Avenue
040-2-140-000

New Northgate Housing LLC
275 Northgate Road
023-3-049-000

*The City Council Meeting usually begins at 7:00
p.m. The Full Board of Abatement of Taxes Meeting
is part of this agenda, no set start time.

DATE CORRECTION:

The Town of Essex Notice of Public Hearing for the
Proposed FY2025 Capital Budget and Five-Year
Plan and the Notice of Public Hearing for the
Proposed FY2025 Budget, both to be held at the
Town Offices at 81 Main St., Essex Jct., VT, and both
published in Seven Days on January 17th, 2024, list
the incorrect year. Both public hearings will take
place on January 29, 2024. For more information,
visit www.essexvt.org or call (802) 878-1341.

PUBLIC HEARING NOTICE - CITY OF BURLINGTON HOUSING AND COMMUNITY NEEDS ASSESSMENT FOR FIVE YEAR CONSOLIDATED PLAN

The City of Burlington is developing its five-year
Consolidated Plan for Housing and Community
Development Programs that it will submit to the
U.S. Department of Housing & Urban Development.

A Public Hearing soliciting feedback on the plan
will be held in person and online via Zoom at the
City Council meeting on Monday, February 12, 2024
at 7 PM. More information on how to access the
meeting can be found online at burlingtonvt.portal.civicclerk.com or by contacting lawrencemgomez@burlingtonvt.gov. Comments will be heard on
priorities for housing and community needs in the
City of Burlington. Written comments can also be
submitted directly to the Community & Economic
Development Office by e-mail to lawrencemgomez@burlingtonvt.gov or via hand delivery or mail to
CEDO, 149 Church Street, Burlington, VT 05401.

For more information, or information on alterna-
tive access, contact Rebecca Lawrence-Gomez,
Community & Economic Development Office, at
(802) 734-8019.

YOU CAN
COUNT ON
US.
CAN WE
COUNT ON
YOU?

With your financial
support, we'll keep
delivering and making
sense of the news.

GIVE
TODAY!
SEVEN DAYS

JOIN THE
SUPER READERS:
sevendaysvt.com/super-readers

Need info? Contact Gillian English at 865-1020, ext. 115
or superreaders@sevendaysvt.com. Or send a note
(and a check) to: Seven Days c/o Super Readers,
PO Box 1164, Burlington, VT 05402

SEVEN DAYS JANUARY 24-31, 2024

77

Front Porch Forum Post requesting feedback and providing information about the online survey:

The Addition Forum

Issue No. 4968 • Jan 17, 2024



In This Issue:

Take the Survey: Housing & Community Development - CEDO

Announcement • Front Desk, CEDO, CEDO, Burlington

Take the Survey: Housing & Community Development - CEDO

Front Desk • CEDO, CEDO, Burlington

Announcement

Help shape the future of Burlington's housing and community development! Your voice matters! Complete our quick online survey to share your thoughts on the City's housing needs. Your feedback will guide the use of federal funds from the U.S. Department of Housing and Urban Development. It only takes 3 minutes, and the results will be shared at the survey's close. Let's build a better community together!

Every five years the City of Burlington creates a plan for housing and community development priorities. The plan (called the Consolidated Plan for Housing and Community Development for 2024-2028) will direct how the City uses federal funds it receives from the U.S. Department of Housing and Urban Development. The plan includes information about Burlington's demographics, housing, economy, strengths and needs. Please take our survey to help us understand what you see as the City's greatest needs.

To take the survey, please click on the link below:

https://communityfeedback.opengov.com/portals/burlingtonvt/Issue_13526

Facebook and Instagram posts requesting feedback and providing information about the online survey:

CEDO Community and Economic Development Office (CEDO)
January 29 · 🌐

🏡🌟 Hey Burlington Community! 🗳️ Your voice is crucial in shaping our city's future in housing and community development! 📄 Share your thoughts on housing needs by completing our quick online survey. Your feedback guides the use of federal funds from the U.S. Department of Housing and Urban Development. It only takes 3 minutes, and results will be shared at the survey's close. ⏰ Let's build a better community together! 🙌 Click the link to take the survey and please share with f... See more



CEDO cedobtv

TAKE THE SURVEY
BURLINGTON HOUSING AND COMMUNITY DEVELOPMENT NEEDS



♡ 💬 📌

5 likes

cedobtv 🏡🌟 Hey Burlington Community! 🗳️ Your voice is crucial in shaping our city's future in housing and com... more

January 29

Blank Survey Form (from online survey):



[Home](#) [Info](#) [Help](#) [Sign in](#)

[Burlington's Five-Year Plan for Housing and Community Needs](#)

What are Burlington's Housing and Community Development Needs?

No deadline is currently set

[Introduction](#) [Feedback](#) [Your Response](#) [Outcome](#)

What do you think are the greatest challenges in Burlington? Use the dots to identify where you think the city should prioritize resources. You have six dots; you can use dots in different areas, or use multiple dots (or all dots) in a single area.

☐

☐

☐

Affordable housing

☐

☐

☐

Childcare access

☐

☐

☐

Food insecurity

☐

☐

☐

Healthcare access

☐

☐

☐

Homelessness

☐

☐

☐

Mental health services

☐

☐

☐

Opportunities for workforce development

☐

☐

☐

Public infrastructure (streets, septic, water services, etc.)

☐

☐

☐

Public safety

☐

☐

☐

Racial inequity

☐

☐

☐

Support for older folks

☐

☐

☐

Support for people who are immigrants or refugees

☐

☐

☐

Support for youth and young adults

☐

☐

☐

Substance use

☐

☐

☐

Transportation

☐

☐

☐

Other

Characters left: 255

Anything you'd like to share about your response? Anything you want us to know or consider as we build our plan for housing and community needs?

*** What's your connection to Burlington?**

☐ I live in Burlington

☐ I work in Burlington

☐ I don't live or work in Burlington, but want to give feedback on its needs

Choose at least 1 option

*** required**

Check out our [guidelines for civility](#)

*** To protect this forum from spam, please confirm that you are human**

☐ I'm not a robot


Privacy - Terms

(You may be asked to solve a simple puzzle that is easy for humans but difficult for computers)

Fields marked with * are required

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Legal Notice for feedback on draft Consolidated Plan, Action Plan and NRSA in *Seven Days* newspaper:

Legal Notices

PLACE AN AFFORDABLE NOTICE AT:
SEVENDAYS.VT.COM/LEGAL-NOTICES
OR CALL 802-865-1020, EXT. 121.

(CONTINUED)

com at 9:00 am in accordance with VT Title 9
Commerce and Trade Chapter 098: Storage Units
3905, Enforcement of Lien
Unit # Name Contents
1R70 Lillian Wood Household Goods

CITY OF BURLINGTON CONSOLIDATED PLAN ONE-YEAR ACTION PLAN NEIGHBORHOOD REVITALIZATION STRATEGY AREA

¹ e City of Burlington is soliciting feedback on housing and community development needs in connection with its 2024-2028 Consolidated Plan for Housing and Community Development (Consolidated Plan), the 2024 One-Year Action Plan (Action Plan) for Housing & Community Development, and renewal of the Neighborhood Revitalization Strategy Area (NRSA) as part of federal requirements under 24 CFR Part 91.105 for planning and allocation of federal funds from Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) programs. ² e City anticipates receiving approximately \$700,000 in CDBG funds and \$414,000 in HOME funds to support housing, community, and economic development activities for the 2024 program year (7/1/2024-6/30/2025).

On April 5, 2024 the draft Consolidated Plan with modified NRSA, draft Action Plan, and the CDBG Advisory Board's recommendations which serve as the basis for the Action Plan, will be available at the Community Economic & Development Office (CEDO), 149 Church Street, Room 32, City Hall, Burlington and online at www.burlingtonvt.gov/CEDO. ³ e public is encouraged to review and comment on the plans and funding recommendations. Written comments will be accepted on the plans through close of business on May 5, 2024 at CEDO, 149 Church Street, Room 32, City Hall, Burlington or by e-mail to rlawrencegomez@burlingtonvt.gov. For more information, or alternative access, contact Rebekah Lawrence-Gomez, CEDO, at (802) 734-8019.

CITY OF ESSEX JUNCTION DEVELOPMENT REVIEW BOARD PUBLIC MEETING APRIL 18, 2024 6:30 P.M.

¹ is meeting will be held in person at 2 Lincoln Street in the conference room and remotely.
² e meeting will be live-streamed on Town Meeting TV.
³ JOIN ONLINE: Visit www.essexjunction.org for meeting connection information.

• JOIN CALLING: Join via conference call (audio only): Dial 1(888) 788-0099 (toll free)
Meeting ID: 839 2599 0985 Passcode: 940993
PUBLIC HEARING
Final site plan to construct 4-story building with 39 residential units with parking at 8 Railroad Street in the VC District, by Franklin South, LLC, owner.

Final site plan for a proposed mixed use development to construct 5 story building with 2 commercial spaces on 1st floor and 53 apartments on the upper stories at 17 Park Street in the VC District by Milot Real Estate, agent for Handy Hotels and Rentals LLC, owners.

Conceptual site plan to construct a new building with 39 residential units and parking at 227-229 Pearl Street in the MF/MU1 District, by Handy Hotels & Rentals LLC, agent for Milot Real Estate, owner.
¹ is DRAFT agenda may be amended.
Any questions re: above please call Chris Yuen or Terry Hass – 802-878-6950

NOTICE OF SALE

Notice is given that the following lots shall be sold, to satisfy lien of owner, at public sale by sealed bid, on Friday Apr 26, 2024 at the Access Mini-Storage/ McLure Moving & Storage, Inc. complex on 167 Colchester Road, Route 2A Essex Jct., VT. Start time for the sale shall be 10:00 am.

Access Mini-Storage lots (name & unit #) offered for sale for non-payment:
Brock, Chloe #537
Cardinal, Eric #346
Dezotelle, Christopher #214
Guilmette, John #341
Hathaway, Dylan #013
Hayden, Clark #402
Loyer, David #311 & 529
Morgan, Melissa #328
Rompney, Stephen #448
Stevens, Farah #048

Sealed bids will be submitted for the entire contents of each self storage unit. All sales are final and must be paid for at the time of sale. All items must be removed from the unit within 3 days of purchase. A deposit will be collected on all units sold. ¹ is deposit will be refunded when all items are removed and the unit has been broom cleaned.
² e owners of Access Mini-Storage, Inc. and McLure Moving & Storage, Inc. reserve the right to reject any and all bids.

STATE OF VERMONT SUPERIOR COURT PROBATE DIVISION CHITTENDEN UNIT DOCKET NO.: 24-PR-01899

In re ESTATE of Robert K. Bing
NOTICE TO CREDITORS
To the creditors of: Robert K. Bing, late of Burlington, Vermont.

I have been appointed to administer this estate. All creditors having claims against the decedent or the estate must present their claims in writing within four (4) months of the date of the first publication of this notice. ¹ e claim must be presented to me at the address listed below with a copy sent to the Court. ² e claim may be barred forever if it is not presented within the four (4) month period.

Dated: April 1, 2024
Signature of Fiduciary: /s/ Judy A. Joly
Executor/Administrator: Judy Joly, Trust Company of Vermont, 286 College St., Burlington, VT 05401
phone: 802-231-2787
email: judy@tcvermont.com

Name of Publication: Seven Days
Publication Date: April 3, 2024

Name of Probate Court: State of Vermont - Chittenden Probate Division
Address of Probate Court: 175 Main Street, Burlington, VT 05401

ADVERTISEMENT FOR BIDS: COLCHESTER RECREATION CENTER BATTERY STORAGE SYSTEM

¹ e Town is requesting separate sealed BIDS for the Colchester Recreation Center Battery Storage System, as outlined and described in the Information to Bidders. Bid & Contract Documents are available at the following link: <https://colchestervt.gov/Bids.aspx>
Bids will be received by Amanda Clayton, P.E., Town Engineer, Town of Colchester, 781 Blakely Road, Colchester, VT 05446 until 4:00 PM (Eastern Time) on Monday, April 29, 2024, and then at said office publicly opened and read aloud. Bids received after 4:00 PM on Monday, April 29, 2024 will not be considered.
Each BID must be accompanied by a certified check payable to the OWNER for five percent (5%) of the total amount of the BID. A BID bond may be used in lieu of a certified check.
A Performance BOND and a Payment BOND each in an amount equal to one hundred percent (100%) of the contract price will be required. (40 CFR §31.36(h))

A non-mandatory pre-bid conference for prospective bidders will be held via Zoom at 10:00 AM on ¹ ursday, April 11, 2024:
Join Zoom Meeting
<https://us06web.zoom.us/j/89872250658>
Meeting ID: 898 722 50658
Passcode: 071373
Or by phone: Find your local number at <https://us06web.zoom.us/j/kcACDqJSmO>
² e pre-bid conference is not mandatory, but attendance is recommended. Any questions or requests for clarification regarding the Bid shall be submitted via email to Amanda Clayton at aclayton@colchestervt.gov by 4:00 PM on Wednesday, April 17, 2024 or asked during the pre-bid conference on April 11, 2024 at 10:00 AM. Questions or requests for clarifications outside these times will not be accepted or responded to. Answers to all questions received will be provided by April 19, 2024 via email. It is the Town's intent to record the pre-bid conference and make the recording available to bidders upon request. All bidders must notify Amanda Clayton of their intent to bid so they can be placed on a Bidders List to receive any issued addenda or other pertinent information.

NOTICE OF REQUEST FOR STATEMENT OF QUALIFICATIONS FOR ENGINEERING SERVICES

¹ e Cooperative Development Institute's Water Infrastructure Support Program is seeking Statements of Qualifications from qualified engineering firms on behalf of the Lakeview Cooperative Inc, in Shelburne, VT for the redevelopment of their wastewater and stormwater infrastructure. Required professional services will include but are not limited to: engineering assessments, additional preliminary engineering services, design-and construction-relations services, preparation of bidding and contracting documents, participation in evaluating bids received, and construction administration to ensure compliance with plans and specifications. Procurement of said services will be in accordance with 40 U.S.C. § 1101-1104. Qualified entities interested in being considered must submit: (1) letter of interest; (2) statement of qualifications and experience of firm and associates to be involved with the project; (3) references; (4) related prior experience; and (5) experience with federal funding sources. Submit the requested information to wisp@cdi.coop no later than 5 pm Friday, May 3rd 2024 to be considered. Please visit <https://cdi.coop/rfqshelburne/> to view the full Request for Qualifications.

Solicitation of feedback on Consolidated Plan via social media posts:



Facebook:

Instagram feed and story:





CEDO @CEDOBTV · 9m

...

The City of Burlington is soliciting feedback on its 2024-2028 Consolidated Plan for Housing and Community Development (Consolidated Plan), the 2024 One-Year Action Plan (Action Plan) for Housing & Community Development, and



1



CEDO @CEDOBTV · 9m

...

renewal of the Neighborhood Revitalization Strategy Area (NRSA). The draft plan can be found at [burlingtonvt.gov/cedo](https://www.burlingtonvt.gov/cedo). Comments, feedback and thoughts can be sent to rlawrencegomez@burlingtonvt.gov, or by calling 802-734-8019.

X:



CEDO, City of Burlington

44 followers

now •

...

The City of Burlington is soliciting feedback on its 2024-2028 Consolidated Plan for Housing and Community Development (Consolidated Plan), the 2024 One-Year Action Plan (Action Plan) for Housing & Community Development, and renewal of the Neighborhood Revitalization Strategy Area (NRSA). The draft plan can be found at <https://lnkd.in/e6wuMGep>. Comments, feedback and thoughts can be sent to rlawrencegomez@burlingtonvt.gov, or by calling 802-734-8019.



Linked In:

BURLINGTON VERMONT CONSOLIDATED PLAN 2024-2028144 | PAGE

Page 322 of 448

ATTACHMENT B – SURVEY SUMMARY, COMMENTS, FEEDBACK POSTERS

Main Library:

These are all symptoms

You don't waste your energy fighting the forces you must only fight the disease. And the disease is not racism. It is greed and the struggle for power. And when you're the winner, it's a win. It's a win when you have won a life fighting politicians.

What do you think are the greatest challenges in Burlington?

Use 6 dots to identify where you think the city should prioritize resources. You can use dots in different areas, or use multiple dots (or all dots) in a single area.

Affordable housing	Homelessness
Childcare access	Mental health services
Food insecurity	Opportunities for workforce development
Healthcare access	Public infrastructure (streets, septic, water services, etc.)

City of Burlington
Office of Community and Economic Development

Public safety	Support for older folks
Racial inequity	Support for youth and young adults
Substance use	Transportation
Support for people who are immigrants or refugees	Write in your own answer: US PLUTOCRACY UNTHINK UNREGULATED Support for those who are... people's energy where... Equal opportunity businesses so business owners aren't the wealthy minority... less... systems Housing advocates making more serious attempts to contact homeless people, find out their barriers to employment, and helping them find access to counseling (and also medical care which many are in desperate need!!)

Write in your own answer:

US PLUTOCRACY UNTAXED UNREGULATED

Support for trans folks' | need is everywhere

Equal opportunity businesses
so business owners aren't the
wealthy minority [easily accessible support systems]

Housing advocates making more
serious attempts to contact
homeless people, find out their
barriers to employment, and helping them
find access to counseling (and
also medical care, of which
many are in desperate need!!)

These are all symptoms

You don't waste your energy fighting the fever; you must only fight the disease. And the disease is not racism. It is greed and the struggle for power. And I urge you to be careful. - a prison is erected when one spends one's life fighting phantoms.

-Toni Morrison

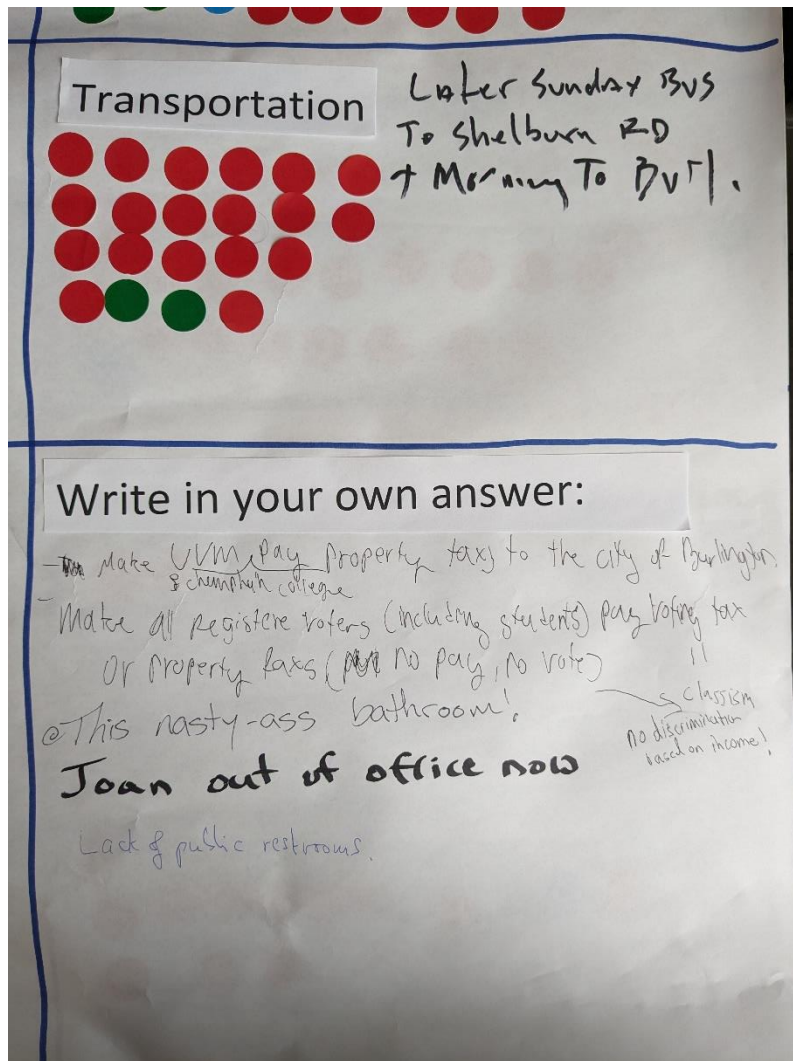
City Hall (close to men's public restroom):

What do you think are the greatest challenges in Burlington?

Use 6 dots to identify where you think the city should prioritize resources. You can use dots in different areas, or use multiple dots (or all dots) in a single area.

Affordable housing [Many red dots]	Homelessness [Many red dots]
Childcare access [Many red dots]	Mental health services [Many red dots]
Food insecurity [2 red dots]	Opportunities for workforce development [2 red dots]
Healthcare access [2 red dots]	Public infrastructure (streets, septic, water services, etc.) [Many red dots]

Public safety [Many red dots]	Support for youth and young adults [Many red dots]
Racial inequity [Many red dots]	Substance use [Many red dots]
Support for older folks [Many red dots]	Transportation [Many red dots] Later Sunday Bus To Shelburn RD ↑ Morning To DVT.
Support for people who are immigrants or refugees [Many red dots]	Write in your own answer: - Make UVM pay Property taxes to the city of Burlington - Make all registered voters (including students) pay voting tax OR Property taxes (but no pay, no vote) @ This nasty-ass bathroom! Joan out of office now Lack of public restrooms. No bathroom back on home!



City Hall (close to women's public restroom):

What do you think are the greatest challenges in Burlington?

Use 6 dots to identify where you think the city should prioritize resources. You can use dots in different areas, or use multiple dots (or all dots) in a single area.

Affordable housing 	Homelessness 	Public safety 	Support for people who are immigrants or refugees
Childcare access 	Mental health services 	Racial inequity 	Support for youth and young adults
Food insecurity 	Opportunities for workforce development 	Substance use 	Transportation
Healthcare access 	Public infrastructure (streets, water services, etc.) 	Support for older folks 	Write in your own answer: <i>Burl. Police need more support & funds!!</i> <i>Low income housing</i> <i>Low cost in city gardening for homegrown food</i> <i>Food classes to teach long-term sustainability</i> <i>Support families that actually work and pay taxes</i> <i>Make 300 sq ft for community spaces not just for private use</i>

Write in your own answer:

Burl. Police need more suport + funds!!

Low income housing

Low cost in city gardening for homegrown foods
and classes to teach long term
sustainability

↑
I second that. Demand exceeds supply,

Support families that actually work and
pay taxes

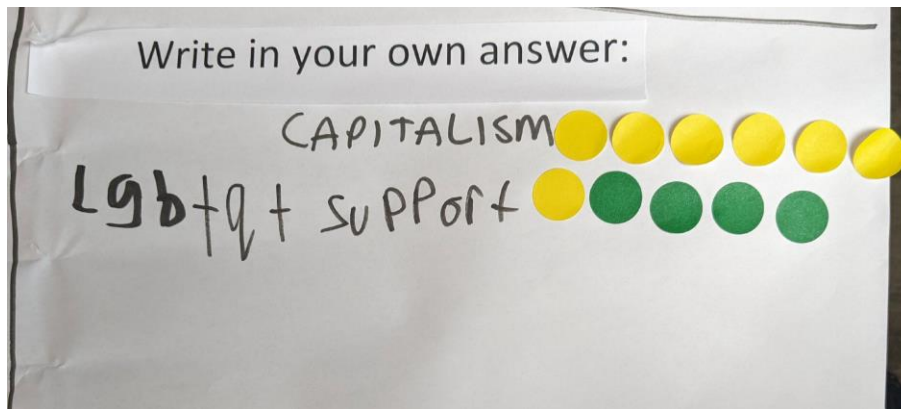
More 3RD SPACES FOR COMMUNITY THAT IS NOT COST PROHIBITIVE

Spectrum Youth and Family Drop-In Center:

What do you think are the greatest challenges in Burlington?

Use 6 dots to identify where you think the city should prioritize resources. You can use dots in different areas, or use multiple dots (or all dots) in a single area.

Affordable housing	Homelessness
Childcare access	Mental health services
Food insecurity	Opportunities for workforce development
Healthcare access	Public infrastructure (streets, septic, water services, etc.)
Public safety	Support for older folks
Racial inequity	Support for youth and young adults
Substance use	Transportation
Support for people who are immigrants or refugees	Write in your own answer: CAPITALISM Lgbtq+ support

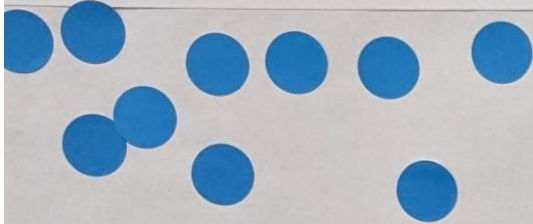


**What do you think
are the greatest
challenges in
Burlington?** = go after considerations

Social Issue	Frequency (Dots)	Notes
Affordable housing	18	
Homelessness	15	
Childcare access	4	
Mental health services	14	
Food insecurity	10	
Opportunities for workforce development	3	Some barriers to employment but I really want to work.
Healthcare access	10	I am unhappy about the inconsistencies in my medical reports and do not see access to medical care as a viable option for me. Rose with a question
Public infrastructure (streets, septic, water services, etc.)	4	Essex needs more sidewalks. I like the community street watch.

Support for Black folks	
                                                                                                                                                   	

Racial inequity

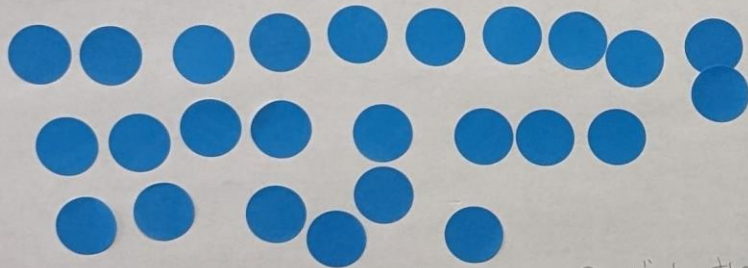


Support for youth and young adults



It's not the "posh little college town" it used to be. The mall is closed, there is no McDonalds down town, taco bell, or Jack-in-the box. There is graffiti everywhere and no one can afford to eat here anymore. Parents are choosing Burlington as a safe place to educate their kids.

Substance use

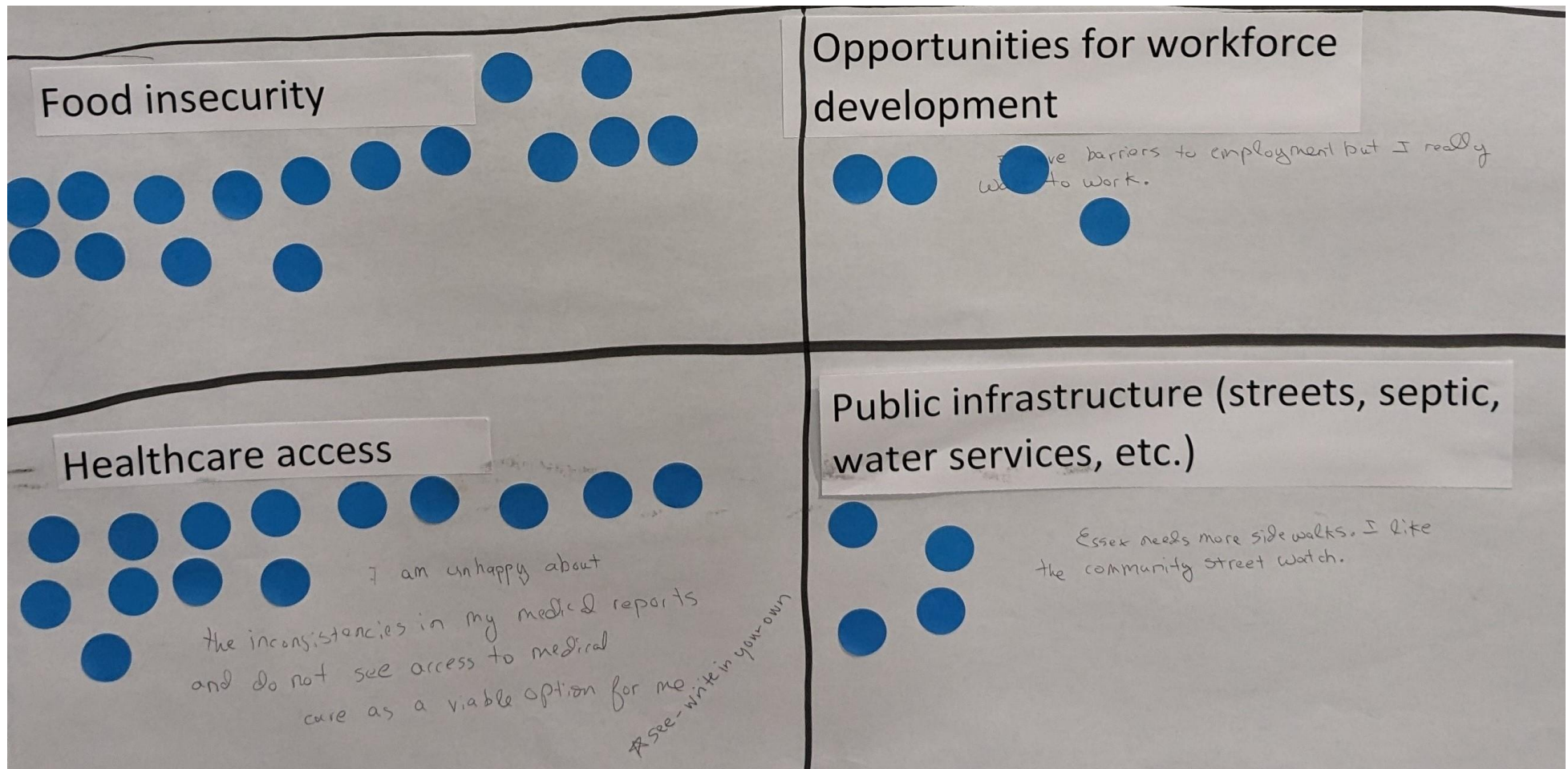


I was thrown out of "Turning Point" by the director for not being on drugs. I asked him, "how do you know?" He said, simply, "I can tell."

Transportation



Many are concerned about the rate increases expected in April for the busses.



Pathways Vermont Community Center:

What do you think are the greatest challenges in Burlington?

Use 6 dots to identify where you think the city should prioritize resources. You can use dots in different areas, or use multiple dots (or all dots) in a single area.

Affordable housing ...the most pressing issue in Burlington is affordable housing. It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.	Homelessness ...the most pressing issue in Burlington is homelessness. It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.
Childcare access ...the most pressing issue in Burlington is childcare access. It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.	Mental health services ...the most pressing issue in Burlington is mental health services. It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.
Food insecurity ...the most pressing issue in Burlington is food insecurity. It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.	Opportunities for workforce development ...the most pressing issue in Burlington is opportunities for workforce development. It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.
Healthcare access ...the most pressing issue in Burlington is healthcare access. It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.	Public infrastructure (streets, septic, water services, etc.) ...the most pressing issue in Burlington is public infrastructure (streets, septic, water services, etc.). It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.

Public safety
 ...the most pressing issue in Burlington is public safety. It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.

Support for older folks
 ...the most pressing issue in Burlington is support for older folks. It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.

Racial inequity
 ...the most pressing issue in Burlington is racial inequity. It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.

Support for youth and young adults
 ...the most pressing issue in Burlington is support for youth and young adults. It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.

Substance use
 ...the most pressing issue in Burlington is substance use. It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.

Transportation
 ...the most pressing issue in Burlington is transportation. It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.

Support for people who are immigrants or refugees
 ...the most pressing issue in Burlington is support for people who are immigrants or refugees. It's a crisis that affects everyone, from young families to seniors. The city needs to do more to address this issue, such as increasing the number of affordable units and providing financial assistance to low-income residents.

Write in your own answer:
 ...the most pressing issue in Burlington is ...

Affordable housing

Remove barriers to fixing/renovating in Burlington, it drives up the cost of renting + discourages landlords from moving in otherwise.

If "safety" results in a housing shortage, what's the point? We're shooting ourselves in the foot. Over-regulation is as bad as under-regulation. Businesses can't find employees as they can't find housing?! Major danger signal: no businesses, no jobs, no one can pay rent! No tax revenue - no city employees.

Allow for more tall buildings. Rent control.

Allow tiny homes ~~for tiny homes!~~
Remove barriers to renovating single-family homes into 2-family homes (or a garage into an in-law apt.) Too discouraging to do currently.

Ask St. Michael's to rent their empty building(s) out to UVM students (or the general public)?

Rezone commercial buildings that now stand empty into residential. Make it easy to convert them to housing. Or the downtown mall will be an eyesore, (bad for businesses on Church St.)

Minneapolis has low inflation, reportedly due to investing heavily in affordable (low-income) housing. Once you can afford shelter, everything else falls into place much more easily.

Homelessness

Buy more hotels and sell them to CHT

Allow camping 50 feet from buildings (homes, offices)

Fence in eyesore encampments, ask for community volunteers to clean up 1x/month.

Local causes of homelessness: ① Abusive, exploitative, or deceased family ② Senility ③ Mental illness ④ Serious physical health problems (ex. chronic pain, bad back, etc., head injuries) but unable to get disability due to too many cheaters in the system ⑤ Low IQ ⑥ Substance Abuse (most of these people were severely abused as kids per Gabor Maté, in his book *In the Realm of the Hungry Ghosts: Close Encounters With Addiction*. Hundreds of recovered substance abusers tell me that's why they used). Not necessarily listed in order of how common the cause is. There are good decent homeless here - who people don't hear about, mostly negative press (ex. one volunteered about 8 years at the Food Shelf while homeless).

Turn former YMCA building into a homeless shelter? Low-income rentals? The rich are getting richer - we all have to get poorer to pay for it - middle class is disappearing. How would you want to be treated if you became homeless? US homelessness rose 12% in 2023 (Source: HUD).

+1 to this - Burlington City Council calls encampments an eyesore, but not these abandoned buildings?! Seems like the unspoken (yet obvious) desire they have is to criminalize not having their privilege. Studies show giving homeless housing increases their chances of successfully beating substance abuse, asking for help for mental illness, etc. (due to the stability that housing brings).

Food insecurity

Note: ~~mostly~~ ^{mostly} Mon-Fri 9am-4pm ^{most people working then,} only food sources.
~~mostly~~ ^{mostly} It's not enough open hours when most working people are free to get the food.

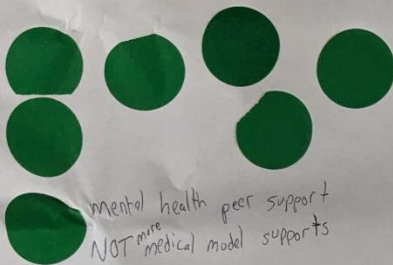
Public safety

Police need to walk their beat spring thru fall. Be officer friendly. Help elderly with groceries. Heal the divide  with community, not "Oh, we can't possibly help you, our funding's cut!" Stop treating us all like suspects. Once I saw police interrogating homeless, looking for 1 person. Police were so nasty, people who knew where the person might be never spoke up.

Neighborhood Watches! Burlington isn't rich-ask community to help!

Mental health services

More Peer Support - more ^{than therapy} affordable, COVID showed we need mental health support (+)



Opportunities for workforce development

 Peer Support Private Practices

Support for older folks

Note: I've known several elderly/disabled folks who need just a little help - ex. getting heavy groceries home.

Comments and feedback received via email:

A prominent and unaddressed need is the return of teen-led cultural space as a resource for Burlington's youth. They were disenfranchised by the civic leaders who for decades neglected the infrastructure that housed the 242 Main teen center. Historically this need is longstanding. I've attached two documents that can help you understand the scope of loss and the benefits you can expect by investing federal funding into restoring teen-led cultural programming. One document has more than 2,500 signatures in support of this sentiment. The other is an unedited collection of comments gathered from the petition. The comments shine a bright light on the raw need for this kind of investment. Please consider each comment to be a response to your request for input; you'll find the candor and sincerity will help you achieve your own goals for this research.

More than 2,500 surveys were also completed in response to the City's own survey about the public's needs and desires for the 242 Main building. There was overwhelming support for Memorial Auditorium to be repaired and more than half responded in support of "youth music space" and "youth-led program space." The city made the statement, "Throughout these public engagement processes, it was clear that restoring the building and preserving the use of Memorial as a public assembly space continue to be priorities in the Burlington community."

It is mostly bullshit driven by the Chamber of Commerce (the folks you really serve).

The big push for housing as explained by Miro was because it would bring down rent prices and help homeless folks get housing: none of which has happened, rents continue to go up and homelessness is worse. Backroom deals for City Place were done in executive sessions where no one can tell the public what is going on and the further selling off of city property and assets continues. Of course the Hill Section will not see any housing development, but the gentrification of the Old North End will continue. City Hall liars and hucksters like to call this process "vibrant".

The higher the buildings go the worse the quality of life becomes for those at the bottom of the economic ladder , every city in the country proves this. Burlington will be no different, no matter how enlightened you think you are.

Russell Paul (*inclusion of name requested by commenter*)

It seems a great many apartments are rented by UVM students adding to or creating the housing problem for Burlington. Could more student housing be built and required living to accommodate student's needs , therefore making rentals available to general public? I believe Champlain College has done a good job of providing housing to their students.

Increasing density with little or no required parking spaces is going to create problems. Burlington is not a city that lends it's inhabitants to being car less. It has an aging population that can't access the bus or use a bike and is not financially able to use a car

service. Plus trying to carry bags of groceries onto a bus and walk them to our homes is really not feasible or doable for most of us.

In brief what I was wondering about was whether it would make sense to name as one of the top line goals for the city to be **mitigating the drastic shortage of affordable housing and supportive housing for aging folks in Burlington**. The report discusses the growth percentage of households with 62+ aged folks in them and notes that these folks are looking like they are less well off than in the last plan. And there are a few measures in the action steps that address this so again, it's not that the work isn't being recommended, but I wonder about raising the profile because it feels like alarm bells are ringing for those who work with aging Vermonters. What we're seeing is a waiting list scenario that is untenable and a care economy that is largely unaffordable for many of our community members who need supportive services.

Connor Timmons, Executive Director of HomeShare Vermont

Cambrian Rental – new construction 40 LIHTC affordable apartments.

Developmentally Disabled Housing Initiative – CHT is partnering with a parent group, Howard Center and Champlain Community Services to develop a 13-unit, rental community for adults with developmental disabilities. We have identified a CHT-owned property at 322 St. Paul St. as a potential location.

South End Innovation District – CHT has offered to develop affordable rental and shared-equity homeownership as part of the SEID. Exact number of units of each are not yet clear.

Elmwood Community Shelter redevelopment – CHT has offered to work with the City on the redevelopment of the Elmwood Community Shelter into affordable housing once the shelter is no longer being operated.

Old North End Community Center -rental housing – There is an opportunity to build a multi-family building in the parking lot of the ONECC along North St. This would be a great in-fill project that would improve the streetscape as well as provide affordable housing. This may include up to 20 homes.

In addition to new construction, there are some other opportunities that could be included in the Con Plan:

South Meadow – energy upgrades: South Meadow includes 116 affordable apartments built in the mid-80's. This type of housing could significantly benefit from energy upgrades possibly including the installation of air-source heat pumps.

Naturally Occurring Affordable Housing – While we haven't identified any NOAH properties in Burlington for purchase, purchasing older, market-rate affordable housing (South Meadow is an example) to preserve affordability and make energy upgrades is an economical way to maintain the existing portfolio of affordable home.

Condo conversions – CHT has successfully converted 6 rental properties into affordable shared-equity condominiums (125 homes). Condominium conversion is a very economical way to create new homeownership opportunities. We have been in discussion with a private rental property owner about the possibility of a partial conversion of one of his properties in Burlington.

Amy Demetrowitz, Chief Operating Officer, Champlain Housing Trust

Online Survey Results:

Burlington's Five-Year Plan for Housing and Community Needs

What are Burlington's Housing and Community Development Needs?



This topic has 1001 visitors and 891 responses: 420 registered responses and 471 unregistered responses.

This topic is closed

Word Cloud from written comments (size of word reflects frequency of its occurrence):

affordable housing all issues also Substance Use Mental Health Services
other live homelessness more t help support so people from out need home community
needs Burlington public safety who up drug safe work build now Get income than s they
think taxes just do homeless what make

What's your connection to Burlington?

		Response Percent	Response Count
I live in Burlington		82.4%	734
I work in Burlington		47.0%	419
I don't live or work in Burlington, but want to give feedback on its needs		2.7%	24

What do you think are the greatest challenges in Burlington? Use the dots to identify where you think the city should prioritize resources. You have six dots; you can use dots in different areas, or use multiple dots (or all dots) in a single area.

		Response Percent	Response Count
Affordable housing		23.1%	1,237
Childcare access		3.6%	195
Food insecurity		2.1%	114
Healthcare access		2.3%	123
Homelessness		14.7%	788
Mental health services		9.9%	531
Opportunities for workforce development		1.6%	86
Public infrastructure (streets, septic, water services, etc.)		4.9%	261
Public safety		12.4%	664
Racial inequity		2.1%	111
Support for older folks		2.1%	114
Support for people who are immigrants or refugees		1.8%	94
Support for youth and young adults		2.0%	105
Substance use		11.8%	629
Transportation		2.5%	134
Other		1.5%	80

Anything you'd like to share about your response? Anything you want us to know or consider as we build our plan for housing and community needs? (Comments from unregistered users were reviewed by City staff, but not posted publicly or included here):

Without affordable housing, all other issues become harder. e.g you can recruit talent and businesses if no one can find a place to live; reducing homelessness is pretty impossible without affordable housing. Our older neighbors and family members will be more and more at risk of homelessness if we can't find ways to help cost burdened seniors stay in their homes to age in place.

I'd love to see more support for Homeshare Vermont!

Affordable housing is so hard to find that most people from out of state are deterred from trying. As the number of older Vermonters and their need for around-the-house help rises, home sharing offers an affordable housing option while helping preserve their ability to age in place. A perfect solution using existing infrastructure and resources!

The underlying conditions that are causing issues in Burlington are substance use and mental health issues. These in turn negatively impact public safety and homelessness issues. Affordability is a major concern, and the largest subset of folks who are the most challenging to house are facing the often-co-occurring mental health and substance use disorder issues. As a community, we have stood up about 100 low-barrier shelter beds over the last few years, and folks staying in those beds have not been expected to engage in their housing plan, or to engage in services for MH or SUD in order to stay in those low barrier beds. That in turn has created a culture of illegal drug supply that has had a significant impact on public safety. A potential solution is for our community to stand up shelters that specialize in substance use disorder treatment, mental health treatment, and health treatment that are run by medical personnel and create a place for the most vulnerable to receive help and placement into longer-term care as necessary. Ideally, these spaces could be converted to permanent affordable housing at a later date. This would allow our community to provide accountability and dignity for folks, and allow us to say "You cannot engage in illegal use and activities in our public spaces, however you may choose between legal consequences and receiving help."

The social infrastructure of this city is failing as we fail to build and plan with our most vulnerable in mind, while at the same time lack of enforcement is leaving everyone worried and upset.

Difficult choices; all are worthy efforts for time and funding. Homelessness is rampant right now, with a higher proportion of the unhoused having addiction and mental health issues, which feeds into public safety concerns.

There is a need for more affordable housing as well as flexible housing options (SRO's, supported housing buildings), there is also a need for more local substance use supports (that are long term) and access to mental health care that meets a person where they are at. Access to childcare is also a large issue b/c many people cannot

afford both housing and childcare even with a job, more subsidies need to be available or wages need to meet the prices of housing and childcare

So many things are related and so many things can't be solved by BTV alone, but as I think about my future here, I'd really like to be able to afford to live and own a home here. This comes down to job opportunities, cost of housing, cost of development, taxes. The opiate crisis and mental health challenges in our community also don't just fall on the city's shoulders, but I do look forward to a day where folks are readily connected to the services that they need to live a happy and life, but ultimately these are last step efforts. Ideally we have the jobs, housing, healthcare in place that can prevent the issues in the first place.

Lead paint in housing is hazardous, but the government's response is to crack down on landlords and drive up the costs to provide safe housing. The City should provide free "clearance testing" for rental housing to identify buildings that are lead free and don't require expensive lead compliant painting and maintenance.

More transparency in how decisions are made, more direct input from service providers, not just "leaders "

We need to prioritize affordable housing, as well as housing for middle class families. My partner and I want to live in Burlington for a while, but there are no homes to buy in our price range (under \$300k). We also need overdose prevention centers and other resources for homelessness and substance abuse. I would like Burlington to become a city where everyone can thrive and the low and middle classes aren't left behind.

We need real progress with housing affordability in order to move the needle on substance abuse, houselessness, and mental illness. We're at an inflection point; without new forms of subsidy we will become a de facto gated community.

I heard that Vermont has the highest rate of homeless in the country. Shame!!!

Increase grant programs for building more affordable housing

Please consider building UP in the urban center instead of increasingly sprawling out into the suburbs. Part of what makes the Vermont "brand" so powerful is open space and access to wildways. In our efforts to create affordable housing, PLEASE remember to prioritize green spaces and an urban boundary instead of clawing up the landscape in an effort to avoid building up. Build up! Build UP in urban spaces! Please!

boarding houses might be a pragmatic option This return to a classic concept (the boarding house) seems like a pragmatic approach.

https://medium.com/@project_medic/bring-back-the-boarding-house-americas-historic-remedy-to-housing-affordability-8ec7a5f96819

Housing is unaffordable for the middle class and taxes are getting worse. Public safety is a huge concern, I don't always feel safe in my suburban neighborhood given the number of car break-ins and other concerns. I no longer go downtown due to crime and drug use. I love this city and want it to be a nice place to live but it is going the wrong direction.

Affordable housing needs to be adequately managed. Please look at CHT and BHA's management practices carefully and thoughtfully. Housing support does not end at being put in a home.

Graffiti is a blight on our city. It is everywhere. It shows there is no respect for property either public or private. There are no consequences for those who deface others property.

Investment in mental health and substance abuse issues will help solve the safety issues. Rehabilitation and caring for our people who are struggling is important to our humanity.

Since social security and pensions are taxed in VT, municipalities should consider giving those on fixed incomes a break on local taxes.

Unhoused people are not a problem - cost of housing making anything more substantial than a tent the only option for so many is the crisis at hand.

Rental regulation such as banning no cause evictions, capping rent will hurt small landlords and further contribute to housing problems. I am a social worker and have observed that after no cause eviction ban was passed in Burlington, it became even more difficult for section 8 voucher users to find housing in burlington. if we're not going to make retail stores, give their goods for free to low income people, then we cannot expect housing businesses to become providers of affordable housing without compensation.

I work with people with substance use issues. I know from direct experience that the primary cause of much of the crime in the city relates to directly to addiction.

Public safety concerns and violence have made the downtown area less attractive. Older people avoid that area, and the local businesses suffer. The homeless issue with tents along city streets is also a factor. We need to find a way to house everyone!

My opinion is that the most critical issues facing Burlington today are the substance abuse and mental illness crises. These issues directly relate to the public safety issues and the homelessness. Simply building more housing units will not fix the problem - we need to invest in resources and facilities that can provide help and we need the help of the State and federal government. Also, I think that Burlington is over crowded with respect to our infrastructure and services - we have added more housing units, more people which includes more cars on the road but we have not increased grocery stores, travel corridors (not everyone can ride a bike everywhere), public safety (more police officers to enable better response) and sewage and water treatment facility expansion/upgrades..

A lack of affordable housing and mental health services are the root causes of houselessness, substance use, public safety issues, and more. When there aren't places for people to live (affordable for ALL, not just low income and extremely high income), and when there isn't support for people struggling with mental health challenges, then we should expect to see what is happening in Burlington now.

We need more shelters and more sober living options

I think the city needs to start having real frank discussion around housing options for people who are not ready or capable of living in an apartment. Just housing people will not solve your homeless issue, we can not build your way out of that crisis, it more then just a lack of housing causing people to be homeless in this city.

All of these issues are connected and intersectional and should be approached through that lens. There's a lot of focus on public safety but there needs to be recognition of the root issues instead of sensationalized fear mongering, particularly around people experiencing homelessness. Further criminalization of homelessness, loitering, retail theft, etc will only make the issues worse. As someone who has worked on Church St. and lives downtown, I am very disheartened by the lack of humanity in the way we are treating people experiencing homelessness or mental health challenges

Watching the homeless set up tents along battery street and in battery park has been heartbreaking, but effective, in ensuring we can no longer ignore the pervasive homelessness issue in Burlington. I have heard that folks travel to burlington because they heard we are kind to homeless here, so i know the problem is not a simple straight-forward solve. Downtown crime and violence is also VERY visible and experienced by anyone who wanders the streets ANYTIME of day. We live in the NNE and we don't even visit downtown anymore. The shouting and pervasive violence from ill folks wandering the parks and streets is simply too scary/feels too unsafe. Sadly, we are watching businesses closing earlier or closing entirely. Something must be done to address the mental illness and violence that is taking over our downtown community. It's been really heartbreaking and devastating to witness and experience.

The most important thing for our community is to get everyone housed; only then can we address the other issues.

Coming from Boston, college towns ALWAYS have a housing problem. It's the affordable part that is the problem here. Didn't help that the mayor was a developer.

In the past ten years, Burlington has gone from one of the most livable, desirable places to live in the US to become a shell of its former self. Build housing for all sectors-not just affordable. Enough already. We need jobs and a tax base. We need tourists. We need people to stop littering, and to respect our community. We need to stop being a magnet for those who wish to only take and not be a part of the community they live in.

It's important to not only create or implement policies, but to consider the processes of implementation. Our property taxes were doubled suddenly, with no procedural conscience or sense of empathy or gradual on-ramp, contributing to a decision to leave the city. The absence of empathy by the administration was a tragic oversight for us and others affected like we were.

Many of these issues (affordable housing, homelessness, mental illness and substance use) are interconnected. An option to address all of these issues at once include increasing the stock of affordable housing with built in MH and SA services. Look into Community Housing Network in Columbus, Ohio. Also, an umbrella public, private

partnership like the Community Shelter Board in Columbus can coordinate emergency shelter services, transitional housing, supported housing and other related services, ensuring a cohesive response to increasing housing & supportive service needs for specific populations (families, single adults, people with disabilities, veterans, etc.)

These are so connected, you cannot work on one without supporting the others! Specifically substance use, mental health, housing and public safety.

I've lived in Burlington for 10 years but now have to move due to a \$400/month increase in my rent. Unfortunately, I didn't get a \$400/month increase in my paycheck. \$1300 for a less than 400 sq ft apartment is ridiculous!!!! When you say "affordable housing" you really need to define the word "affordable". Affordable to who? I now have to move out when my lease expires in 5 months. Burlington needs to re-think what they can do for the population that already lives here.

Burlington can not afford all of the social programs they try to put in place. The schools rank terribly, the property tax is too high, Burlington is dirty and unsafe. Stop spending hard working citizens tax money on criminals who don't contribute to society and make Burlington Safe for everyone as well as affordable.

I believe in providing support to challenged individuals. I fear, in many aspects, it is now coming at the expense of the rest of the community who is trying to maintain a vibrant community financially, emotionally and in terms of safety.

Housing needs to be designed for everyone. People experiencing mental health illness and substance use disorder are often left without viable housing. The existing housing stock often is not suitable or sustainable for folks living with mental health and substance use disorders.

Every one of these issues is important , I'd like to see Burlington figuring out how many of the issues are linked and how solutions can be linking efficiently to avoid duplication of solutions overall.

Affordable housing is key to improving our workforce issues and healthcare challenges.

More low barrier shelters and subsidized housing. Then work on other issues. If the housing can come with dedicated social workers, even better.

Revitalize the project that supported property owners in building ADUs. Minimalistic housing is affordable housing. Accessory dwelling units can help property owners pay taxes. Provide housing at a discounted rate for assistance in childcare or property upkeep.

Bicycle transportation should be prioritized, as well as making public bus transportation easier/affordable with more frequency on routes

I am homeless. The city should implement a voluntary ID card and encourage charities to prioritize access and services to the destitute (who are outcompeted by better off poor). Temporary card should reward positive behaviors (e.g. no drugs).

Lower property taxes, lower taxes for retirees, More Police Patrols, lower child care cost subsidies, more public transportation options, homeless shelters need with private rooms.

Housing without residents, visitors and workers feeling secure (at home, at work and on the streets) will not stabilize our community.

This city is looking like a garbage dump like New York city. Interim zoning will only increase the trashy appearance as single homes become double structures on existing lots. It is a fact which can be verified by looking at some Connecticut cities and towns where implemented.

We absolutely must have supportive housing services. We must stop placing mentally ill people and folks living with substance use disorder in senior housing. Deviant behavior in senior housing must be dealt with swiftly..

Prioritize getting people who are experiencing homeless into housing and support programs to keep people housed. This will help everyone who lives and works in Burlington.

When we say affordable housing, we need to consider "housing that is affordable" but not more low-income housing that is rental only. We need more housing that is non-lease home ownership that families can afford living on an income of <\$160,000 per year. Families that work full-time should not need government subsidies or financial assistance to afford a 2-3 bedroom, 2 bath home. This is appalling.

Please provide more subsidized housing. Rents are insane. People are suffering.

Allow uvm to build housing, lessen restrictions on building height and distance to road, allow them to install solar

Stop allowing camping in our parks

Providing affordable and appropriate housing for more of the aging population will free up housing stock and create safer spaces. Aging in place is good but one can age in place in the community without staying in what might be an oversized and unsafe house.

We need safer streets and better public transportation as well

when you talk about "affordable" housing, I do not feel optimistic. because construction is hugely expensive and how are we going to actually build and maintain structures that are functional AND affordable??

Have zoning encourage entry level apartments and condos of small size, very basic, some with basic furnishings, for various size families. An 8X11 room can hold 2 bunkbeds and enough drawer space for 4 kids. Two bathrooms back to back with shower, sink, and toilet can be space efficient. A combination kitchen, dining, living room can be designed in a relatively small space. This would be a starting home that would give a family a foot in the door of home ownership or a larger space. A studio apt. or condo for a single person or couple could be very small; think boat design. Dealing with substance misuse is the other top priority in today's world.

I've given dots to things that I feel are emergencies, next tier of issues include childcare access, food insecurity and public safety. An adequate of affordable housing (really affordable/30% of household income) would go a long way toward helping with food insecurity and homelessness. More union jobs and jobs with good pay and benefits should be a priority, too.

Affordable housing is an important issue around the country.the current “build it and they will come” is not the affective approach. Public safety and petty crime reduction is a concurrent issue to be addressed.

We need starter homes that families can afford. They don't have to be big. I think we want to move more students out of the multi bedroom houses and onto campus.

If the Trinity Campus rezoning is granted UVM, then a very clear, strong commitment needs to come from UVM that they will NOT increase enrollment. Otherwise, it does no good.

All of these issues are important so I do not like the 6 dot system. Why not rank the issues in order of importance/weight?

Affordable housing would help several other issues

Healthcare should include substance use, mental health and healthcare access. Treating these should have a positive impact on public safety and homelessness.

There simply is not enough single family housing

Public safety. Stop the Neighborhood Project. It will allow all houses to be chopped up into 4 and 6 units to house more UVM students. This will turn all of our neighborhoods into slums. Only slumlords benefit and our housing stock will continue to deteriorate.

Do not underestimate

Everything is connected as far as there concerns. Simplicity is not helpful.

I think housing needs to be more thoughtfully constructed with access to public services, including transportation, and with mixed kind of housing, including single-family homes.

Obviously housing is an issue, we all know that. Housing and workforce development have to be addressed hand in hand. Burlington businesses can't afford to pay workers enough to live here and because we're short on workers, businesses can't make enough money to pay more, etc.

UVM needs to provide housing for UPPER classmen and create opportunities for downtown neighborhoods to develop into more diverse communities.

Focus on upstream, long term strategies for the next generations

I'd like to note that I voted for affordable housing with the understanding that the way to make housing more affordable is to reduce barriers to building new housing. Upzoning all of Burlington is necessary to meet demand and many other problems stem from this issue including homelessness.

All these things are important and difficult to prioritize. I think that there needs to be limits on profits you can make from housing. We have a duplex that we bought many years ago. We don't try and get the kind of rents people are asking for.

It seems that housing is needed across the income (or lack of) spectrum. Strange as it may seem, Japan has some very innovative small-space housing designs which might work for our homeless individuals.

complex but interrelated issues

Many of the other issues relate directly back to the unaffordable cost of Housing as compared to wages. If housing was more affordable or wages, were substantially higher, many of these other problems would fall into place in my opinion.

Housing first! Then food, mental health and other services.

CEDO should build partnerships with employers and developers to build workforce housing along with using state and federal funds to build affordable housing.

Mental health access, substance misuse, homelessness are three prongs of the same problem

Public safety in Burlington will be a dirty joke until we have a State's Attourney that will do the job and actually prosecute criminals. I don't give a damn what color they are or what their economic status is, if they do the crime, I damn well want to see them do the time. Affordable housing should be created and put on the market. I don't want to see the city in business as a landlord for affordable housing. Also, I want to see the city cracking down on slumlords. Ordanance enforcement is toothless. Give them some teeth.

Childcare and healthcare are listed for "access". Both need to be affordable. A number of the problems we face would be mitigated with higher wages. It's a national & statewide problem but we rarely talk about it.

It's hard to only pick six areas, the needs are so great all around. My choices reflect my thought that these are areas that need to be stabilized in order to move on to other improvements.

I believe the factors I've indicated as priorities are closely related to each other... make an effort to address any single one of these and the other is likely to be affected as well. (Get a better handle on drug addiction crisis, public safety and homelessness issues are likely to resolve to some extent). The exception to this rule is housing; if population stays flat or grows, limited supply will dictate high housing costs no matter what. *unless of course people start fleeing Burlington due to issues already cited.

Obviously, all of these issues intersect, but overall I feel we have to make drug treatment easily available and affordable for people. Anyone looking to quit drugs should be able to quickly and easily get into an effective treatment program.

I hope our city government consults with other city governments who don't seem to have our problems to find out what they do?

I unfortunately think we are in a perfect storm; property values have doubled since the pandemic, which is going to weaken any attempts to build affordable housing. If we want anything to change, we need to make drastic measures. If we do not, this is going to be a city characterized by inequality and decay.

Share rental housing openings with the email list esp for those of us wanting to move to Burlington but live in the Upper Valley or elsewhere in VT

Rent Caps. Landlords are not hurting. Renters are. I've had multiple coworkers temporarily out on the streets or have to leave the city entirely because the "market rate" reflects what rich transplants will pay, not what local workers can pay.

Six dots aren't enough. Please find appropriate places to build new housing, not in the middle of established single-family communities. Please don't build approve new things (concert venues, housing) without first ensuring that the existing infrastructure can support them.

please understand that those at risk for homelessness are not always addicts!

Modify zoning, enforce code requirements (esp rentals), encourage and rebuild public safety

I think that the 'basic' issues of housing, food, childcare, and mental-health services ALL contribute to the lives of BIPOC residents, elders, new arrivals, and youth.

Having new housing of 130 units with only 20 being "affordable " is not sufficient. There should be at least 30+% affordable. It's just not enough. We need housing for those who provide the services that keep this city running.

all of these needs are important

Please consider a variety of options and ways to rent to own. If we are going to subsidize "affordable" then do so by creating pathways to ownership. Any affordable housing project I have seen in the last 50 years is basically cheap and sub quality construction.

We need a safe community in order to attract businesses and visitors. We have to combat substance abuse and homelessness which often include the need to address health and mental health issues

Stop fatuous spending on pet projects that have no measurable outcomes. Look at all departments equally regarding spending. Stop spending on unnecessary projects to control costs.

Maybe it's stating the obvious, but affordable housing, homelessness, substance use, public safety, mental health services, health care -- all are interdependent.

I think affordable housing, homelessness, mental health, and substance use disorders are priorities in our community right now. These issues take up so much of the current resources already that it's hard to focus on what else could be improved!

I think a lot of the challenges our community is facing are related to not being able to afford to live here.

The first job of government is public safety. We & others in Burlington & beyond are reluctant to go downtown because of safety & drug use in public areas. The city spent millions of tax dollars on city hall park & now it's a drug camp. If we enable this behavior it will spread, as it has over the last few years.

Affordable housing is a broad term - we need more housing stock across the board - workforce, subsidized, rental properties for families, higher density development ...

clean up our streets. people are moving out of burlington because they think it's unsafe.

The parks need to be safer for people to use

Please work on increasing housing density and walkability along with health services.

I wish I had more dots! I would put so many in the Housing and Homeless column. And what about our drug problem here? It wasn't on the list! I live right downtown and the changes I've seen just in the last 7 years have been enormous. I've had my car broken into several times, I've watched people shooting up from my second story window parked in their cars. I've seen the same people on a blistering hot day, sleeping inside their car, wondering if they were dead and wondering what I could do to help them. Walking my dog, I have to be aware of him not stepping on discarded needles.. I own a business on Main Street and when I come out at night, sometimes there are people yelling angrily at the sky or laying on the sidewalk barely breathing. It is so very sad. Another thing that wasn't mentioned about was gun control. A bullet went through the ceiling below my business and luckily no one was hurt. I love this beautiful little city, I love the students I love the diversity of the immigrants, making their homes here. I love the beautiful lake. I'm sad to see this little city in decline and I fully believe that Miro and his colleagues, focused far too much on commerce, and not enough on the human beings who are living here. Ironically the end result being that people don't want to wander around on a sunny day, enjoying our restaurants and shops because they're afraid. And the houseless Community Who are mostly very nice people, are being blamed for something that's really out of their control and many ways. Imagine not having a roof to sleep under, a place to prepare food or bathe...I cannot believe that this city spent money on a trolley for tourists rather than housing for the house. We are a city in crisis. We need a much bigger team of mental health workers who are trained to help houseless people and people with drug addictions. But the bottom line is housing. Rates are out of control studio apartment cost \$1500 a month to rent. The only people who can afford these apartments are the rich parents of students.,The young working people are moving to outlying towns. Soon there's only going to be very very wealthy people and houseless people living in Burlington if we don't do something! What about RENT CONTROL? The landlords in Burlington have no reason to keep Wren reasonable. They often put tenants on month-to-month leases so they can raise the rents whenever they want and there's no recourse for the tenants. People seem to blame all of this on progressive politics, and I just wanna point out that we've had a Democrat mayor. This decline was happening. A mayor who put profit over people.

Currently, in my volunteer position, clean and safe housing is critical. I have seen the worst housing in Chittenden county. We can do better now!

All of the other support systems and community infrastructure doesn't mean anything if the workers that provide those services can't access housing.

"Greatest challenges" is not the same as "should prioritize resources." In survey lingo, this is a double-barreled question.

Mental health care facilities are needed

Do not add any more projects/agencies. The tax burden on residents is already too high. Use funds to help pay already existing projects.

We have enough \$500,000+ homes. Let's build quality housing for real people.

We need to prioritize the needs and quality of life for the families and individuals that positively contribute to our community rather than putting so much emphasis on support for people whose actions harm our community.

Housing is the foundation for making gains in all other areas on this list. Without affordable housing, people cannot meet their daily basic needs.

Mixed income housing. Get rid of Sisters & Brothers and other resource hoarders

Burlington's codes around repair of old buildings needs to change. They make it impossible for many homeowners and smaller landlords to make improvements to their houses including energy efficiency. I wouldn't use medicine from 100 years ago, why must I use only building products from 100 years ago?

Many of the issues overlap; housing first!

There is no doubt that affordable housing is a great need. However, for those people who own homes or want to own a home in Burlington, property taxes need to be controlled. We are paying too much in property taxes which means people find it harder to live in Burlington. There needs to be an increased emphasis on bringing businesses to Burlington to share the tax burden.

Rent prices are ridiculous. How do we expect to have a thriving downtown with costs so high?

All of these challenges are so interwoven that it is hard to decide which should take priority. I believe that addressing all of the challenges that I selected would naturally improve public safety, which is another concern of mine. There was a double homicide on my street a few months ago.

Many of the current housing that is getting created in the city are rental units, and the cost of homes are still increasing. New housing needs to incorporate ways to create housing that can be owned by the person living there.

We not only need affordable housing, but also to prioritize accessible amenities. For example where I live in the heart of the ONE, the nearest laundromat is over half a mile

away. The next closest laundromat is over a mile away. We have a surplus of corner stores and bakeries, but not enough fresh food options despite living in an agricultural city. I would like to see the prioritization of accessible smaller communities rather than having one big central downtown hub that gets overcrowded.

Not enough facilities to help the mentally ill.

Combining housing and child care creates a wrap around community and can support families in a variety of ways

Emergency housing and long-term housing with wrap-around services for folks who struggle with substance use disorder and/or mental illness is essential to addressing many of the most pressing issues Burlington is facing. I do think that the state and federal government should declare

This is a complex issue. There isn't one solution (or even two or three). If we want to see positive change in our community, it will require an integrated approach. Increasing the number of affordable places to live, building or renovating buildings to provide a variety of living options (affordable single family homes/condos, apartments, subsidized housing (both long and short term) and housing for people in need of mental health and substance abuse treatment) all need to be prioritized, not one over the other. It concerns me that decision makers will not understand the complexity of this task nor the need for significant financial investment and creative ways to raise awareness and funding. I hope we all have the courage and persistence to meet the needs of this moment.

Taxes in Burlington are high, causing landlords and businesses to charge more to make ends meet. Council passed an ordinance to mandate insulating houses, however, that cost is just going to get passed down to the renter. Businesses are exiting in droves due to public safety concerns. That's not something that can be fixed overnight. Councilors made bad choices with no foreseeable plan moving forward. Now most of them have bailed ship and the Citizens who live and work here are left with the fall out.

Housing and shelter sit at the center of the majority of Burlington challenges. It either causes or exacerbates homelessness, mental health crisis, substance abuse, public safety, and food insecurity, to say nothing of the impact of climate change, population movements, and support for the young and old. This must be our number one priority.

We need to support working families. We give all this money to the homeless and drug addicts but where is the support for the family that has both partners working and together they can't afford housing and childcare and food to live let alone be able to save up enough to take some time off or make a purchase that will better their future.

Those that are homeless struggle to access housing due to not knowing how and having no support with looking for available housing, the process of filling out applications, navigating subsidized housing process, going to interviews, signing a lease,

Access to affordable housing, combating homelessness will help substance use and mental health issues in town.

PLEASE CONSIDER MAKING THIS BOX MULTI-LINED! 1) Affordable housing has to span the income range - there must be a focus on people with means being able to buy a market-rate house in BTV along with a focus on people who can barely afford the rents. 2)The city needs to recognize how much the Fletcher Free Library does to improve public health. The city should be providing (immediately!) social work resources within the library's walls (and not at the expense of the library's budget).

I believe that as we make life more affordable in Burlington (housing, food, healthcare, childcare, etc.) we will see the rates of substance abuse and mental health crises decline as people are more able to get their needs met. I am a mental health worker, and according to Maslow's Hierarchy of Needs, folks cannot achieve mental wellness until they have their basic needs met and I believe that Burlington is seeing an increase in drug abuse and crime because folks cannot afford to meet their needs and turn to dangerous avenues to do so.

I put three dots ffor affordable housing as getting everyone housed will help many of the other issues

Because I believe that housing is healthcare - I put the emphasis on housing

The city should not using public money to get private companies to build private housing. The government should not support the private market for their own failures. The city should either use public land, purchase lands, or seize houses/land from absentee landowners to build public housing. The housing should be owned by the city and managed by the city or through a nonprofit housing trust. The market has failed to provide housing stop depending on it to fix its own problem.

Not just affordable housing, housing that people can actually afford... low income housing that is not disgusting.

If we can get youth, immigrant & recovery clients to build affordable housing &live where they work, build value,

I think we need to prioritize green spaces with any new building.

Focusing on racial inequity is needed for all other areas, racial inequity is affecting housing, public safety , drugs, flavoured tobacco who only targeting BIPOC

تطوير وسائل الإعلام من حيث برامج ونشرات اخباريه يوميه وبرامج أسبوعيه لتعريف وتوعية المجتمع بما يخص الولاية والمدينه وب لغات مختلفه
سواء كتابة أو أداء

Literal interpretation of Arabic presented above as provided by Trusted Community Voices: "Developing the media in terms of daily programs, news bulletins and weekly programs to inform and educate the community about issues that concerns the city and the State in different languages whether in writing or performance."

Conceptual interpretation of Arabic presented above as provided by Trusted Community Voices: "We would like the media, utilizing its daily programs, news bulletins and weekly programs about issues concerning the city and state, to develop

these in multiple (different) languages, whether in writing or through interpretation, so as to better inform and educate the community.”

My biggest fear is losing job because of immigration, I wanted every American have some knowledge about immigration back ground and Need to support them. Some young age immigrants would like to achieve thier career in here. Unfortunately they couldn't because of they have work more to support their family back to country. We hope that state or government should focus on that too. We need affordable apartments as well.

All the above! With excellent organization, it could happen. Be strategic. Use volunteers, retirees have a lot to offer - work with AARP and City Market. Use interns from local colleges. Create apprenticeship programs. Work with Vermont Works for Women. Do it all!

Numbers of homelessness has grown up drastically as compared to previous years. This has led to safety issues, crime etc.

Addressing SUD to keep people alive/healthier. MH tx and supportive housing first.

I think homelessness is a huge issue that I would also like to give a dot, but I think having better transportation so people can have access to jobs and affordable housing will also address the homelesness issue. I wish there were enough dots for everything!

We have to cover people's basic needs before we redesign main street, renovate City Hall park, etc.

Would love affordable urban density that is also holistic in it's consideration of ecological impact (like lake runoff) and access for those in dense areas to parks and nature.

Opportunities for young professionals are key to bring and keep people here who can engage and bring new ideas to the community. Additionally, incentives for food/beverage businesses to go into underutilized spaces would bring vibrancy to the community.

There are so many needs- the cluster around poverty andd homelessness is particularly grave

The greatest challenges may not be the community's responsibility to solve. Homelessness is a huge problem in Vermont, but I don't think it is government's responsibility to house people. However, policies that help build affordable housing, or restrict short term rentals that take stock out of the market, or restrict out-of-state real estate conglomerates that lead to high rental costs with little social connection.... yes, I see a role for government in those ways.

Keep the streets clean and safe.

So many of these are directly related to each other, and it is incredibly hard to choose just 6. I also had difficulty choosing without knowing how the money will be used. I am not interested in increasing the police budget and don't support the carceral system, so was hesitant to select substance use and homelessness, even though these are

significant issues, because I was not sure how the money would be used, and fear it would be used to criminalize people instead of providing services.

Affordability across the board. When my house tripled in assessment, my taxes also tripled. (There is no way anyone would buy my house for the value set to it.) I don't want to move, but I might have to.

Housing is expensive. Taxes are high. At least keep us safe. Could you also reduce the lot size to become a duplex from 10,000sq ft to 5,000 Sq ft? Our home is big enough for a duplex status but zoning says it's just shy of the requirement of lot size. Thx!

We need to build lots more high density housing

I thinks it's time for a Burlington Human Service Department that can coordinate services to various populations in need.

I think crime is a big issue in Burlington. It's skyrocketed lately and is a huge problem.

Hurry up. We have a crisis that doesn't have the luxury of academic caution. This is coming from an academic and cautious constituent, btw.

So many of the above are connected, affordable housing and homelessness are connected, mental health care and substance abuse are connected, racial inequality and support of refugees and immigrants are connected

A lot of the issues I selected could be addressed by affordable housing.

Burlington needs to begin taken active and continuous action to ensure that the 44 acres of residential land in S Burlington can be once again be used for housing. Stop putting the F-35s before the housing crisis.

I am a student at UVM and have lived off campus for one year. I have a work study job and a part-time childcare job, but Burlington rent is so expensive that I will be living in Winooski next year.

In the short term I think CEDO can help to build more single room occupancy opportunities. These types of housing can be great transitional/affordable housing for people.

Everything listed feels important so it is hard to choose. Everyone I know is working so hard and not being paid enough to enjoy living in Burlington. I work in early childhood education and my work is chronically understaffed and is seriously underpaid. I have coworkers going to the food shelf to get by because they cannot afford rent and food on our salary. Meanwhile we are caring for the children of doctors, lawyers, and judges-folks with more traditionally "valued" jobs that they would not be able to do without us providing childcare. I am currently navigating being unable to qualify for Medicaid because I make slightly too much, but am unable to afford the rate of the insurance available to me and certainly can't afford therapy, a healthcare service that would greatly improve my effectiveness as an educator. In the mean time, I am extremely lucky and well off compared to many in this community who are living on the streets, experiencing addiction, and food insecure. The extremes of wealth inequality in our nation are very

clearly reaching burlington and something needs to change, and we need to do a way better job of supporting ALL community members.

Also of consideration is the health of our built environment, Burlington is a tree city but it also has much farther that it could go with street plantings of native trees that are given proper space and substrate for growth. Additional rain gardens as neighborhood features would add ecological benefit, interest and character to our community.

And, the environment.

Downtown Burlington has become unsafe, unsanitary and a place to avoid.

Everything I listed is interconnected - if people don't have ready access to mental health and substance use supports, they may struggle with homelessness. If they don't have transportation, they may not be able to access childcare. Without childcare, they may not be able to hold a job. If they don't have any of these services, stress may result in substance use or mental health issues. And it goes on and on - investing in these things holistically is the need.

Improve downtown district

Fixing the affordable housing problem will help alleviate so many of these other problems (food insecurity, homelessness, public safety, will all be better if people have housing and don't need to spend 50% of their income to get it.)

I live downtown Burlington and see the homeless population and know that mental health challenges, substance abuse and lack of affordable housing all play a role in this escalating crisis. There is no easy answer and as a retired nurse I can empathize but still hate what this is doing to our state.

If your citizens do not feel safe at home, on the street while traveling to work it is hard to think of other needs.

Make affordable housing that's ACTUALLY affordable.

I would add racism since it's a root cause of some of these problems

All levels of housing, quickly.

More police. Make Burlington safe for everyone

Affordable housing should be Burlington's #1 priority. Along with that, you need to ensure that the housing is located with access to healthy grocery stores, job opportunities, and community services. And affordable means less than \$800/room!! Not more.

Look at how Houston is reducing homelessness. Follow their model. Also, how can youth and elders be supported together?

All of the housing in the world will not be sufficient if we cannot regain the city streets back. We need a safe community for people to eat, shop, enjoy entertainment and allow business owners to thrive.

No new housing until we have held UVM accountable

3 larger child care operations in greater BTV are either going out of business or are for sale.

I think childcare, food, healthcare, support for older folks and immigrants are really the state's responsibility.

Six dots is not enough to cover the pressing needs of our community. These issues are interconnected and need to be addressed holistically. The lack of affordable housing is directly correlated to rates of homelessness, which in turn is directly related to mental health, substance abuse, and the need to support vulnerable populations such as our seniors, New Americans, and low income youth and adults. If housing can't keep up, we must invest in a wider variety of transportation to allow for green, affordable, and reliable options for people to move outside of Burlington but to continue to work here. Also, we should be considering increased public transportation as an equity and environmental issue. Lets connect people to recreation areas and in doing so, make wellness a priority for our citizens Shuttle buses to skiing? To hiking? To small towns to boost their economies while enhancing the mental health of Burlingtonians? Fast trains. More service between BTV and Montpelier, perhaps a commuter train? Bring back Jetblue.

Until we have more affordable housing, we need more shelters for unhoused folks. I know it is complicated. I just feel like if folks were off the streets and treated with dignity, crime and disruptions would decrease.

The 5000+ undergraduates from UVM who move into rental units in BTV are squeezing out Vermont young workers from living in the city. The best return on federal money would be awarding housing funds to UVM to

Admit mistake of less public safety realize we are a college town and demand for drugs will never go away... pulling over people is not profiling it is just good po

I have spoken to the Mayor & the head of D.P.W. on numerous occasions all to no avail. They listen, they sympathize and they continue to ignore. Apparently there is money for a new City Hall Park & to widen Main St., but no money for people who have lived & paid taxes for 44 years to have a side walk to safely walk on.

The lack of low cost housing is driving both homelessness, shortage of workers. Next up is health care. Then support for the immigrant community.

Yes, there is little regard within the city or its planning for long-term environmental needs, ie, stormwater, air quality (incl sound), water quality (lake & streams), rebuilding our earth for food security. Climate concerns are more than energy & BED projects: we lose track that coherent public transportation is key; that new highways do not build community, & that electrical cars are still single-occupancy vehicles! Banks, Developers and Institutions need to be part of the civic innovations for the future, but there is no comprehensive out-of-the-box thinking, only a repetition of what's already been done.

The new buildings going in downtown are generic flat surfaced glass and steel boxes. Urban planners have no vision. Paving City Hall Park. Allowing Cumbrian Rise to block

the the.best. view in the City. City Planners need to require architecture that reflects the aesthetic of what is here .

my personal experience is that the price and availability of housing is negatively affecting my professional development and usefulness to the community. Addressing long term mental health does not have quick results but it's a major issue.

Without affordable housing, nothing else matters. There's no workforce, no shoppers, no safety, no community. Instead, there's just desperation and increasingly high costs to support folks who can't afford a home.

As a community we need affordable housing that is SAFE, there is currently too few housing options and ones that are available are often unsafe while tenants have to pay for rent increases every year while salaries do not go up at the same rate.

Have the Hospital/Airport buses stop at Tilley Drive (during the open hours at those locations) - financed by UVMMC if necessary.

"Public Safety" is a euphemism for "building back the police force" and should read "Community Safety" instead to address how social determinants of health and barriers are interconnected to people's basic needs not being met.

I worked to base my choices on root causes of our struggles. Hard to have only six choices.

We need alternative routes of transportation - i.e. more bike routes that are safe for cyclists and their families riding them to and from work and school

Allowing denser housing contributes to solving so many of the issues on this list in the long term (lowers the price of housing, decreases the homeless population, which in turn helps with public safety and drug use)

I've been homeless and displaced from Hate Crimes for 3 years in Vermont.

1. Not enough dots! I feel most of the areas mentioned above are important and need work. 2. Keep gentrification in mind when planning to address housing needs. 3. We do not need more tiny apartments for 1 - 3 individuals, occupied largely by college students, but housing (apartments or houses) for families. 4. People need green space where they live, especially children, and a big part of what is important to Burlington's character is it's green spaces: in considering development please include green areas for the occupants. 5. Building high rises for housing will negatively affect Burlington's character and attraction for both residents and visitors - making everything much larger will not necessarily solve all our problems. Which is NOT to say that housing is not a huge problem - both the quantity and the cost. 6. Our infrastructure does need attention, what concerns me individually is the state of the sidewalks in some neighborhoods, and the lack of painted lines for crosswalks, for designating lanes, stop lines, etc.

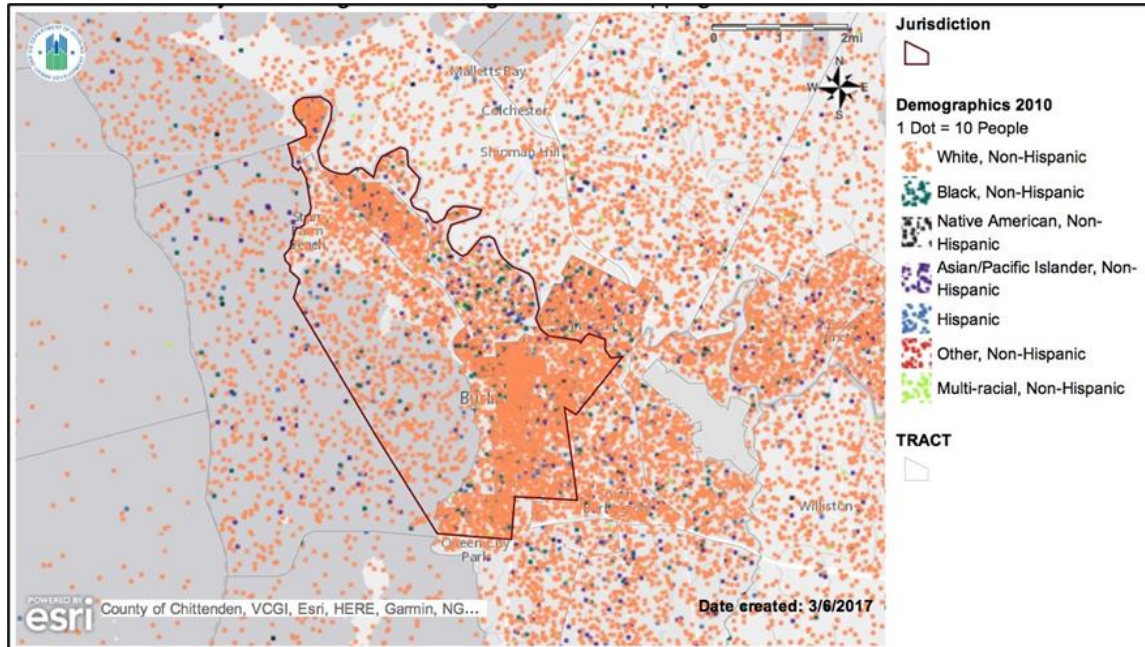
Stand up to UVM! They're a big part of the problem.

We need to worry more about streets that need fixing more than flower pots parades and flags!! Public safety needs to be addressed also my son had a man threatening his

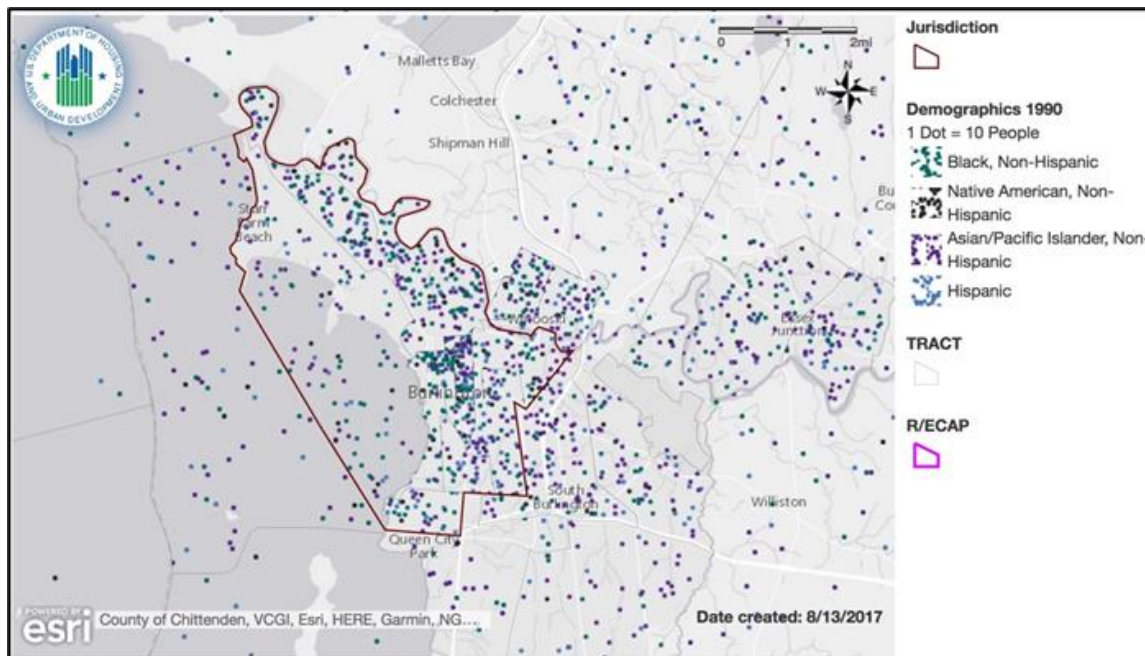
life downtown at work he kept pacing outside so he called the police they did not respond or even do a welfare check on him!! Our taxes is out of control driving out the older people this city just sucks now!!! Burlington taxpayers paying for what???

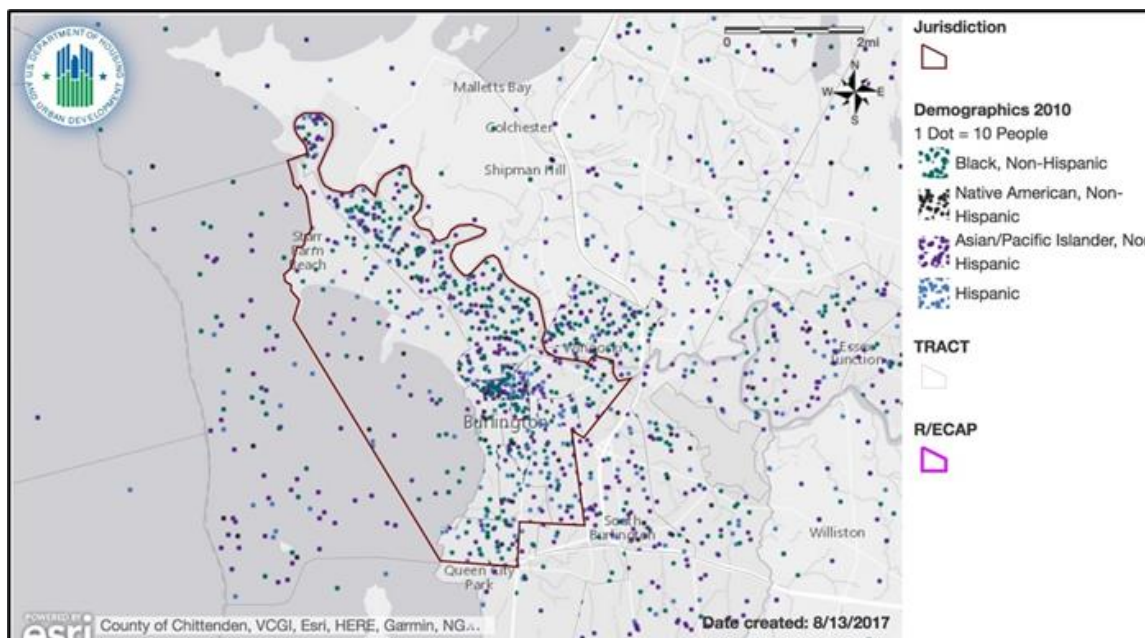
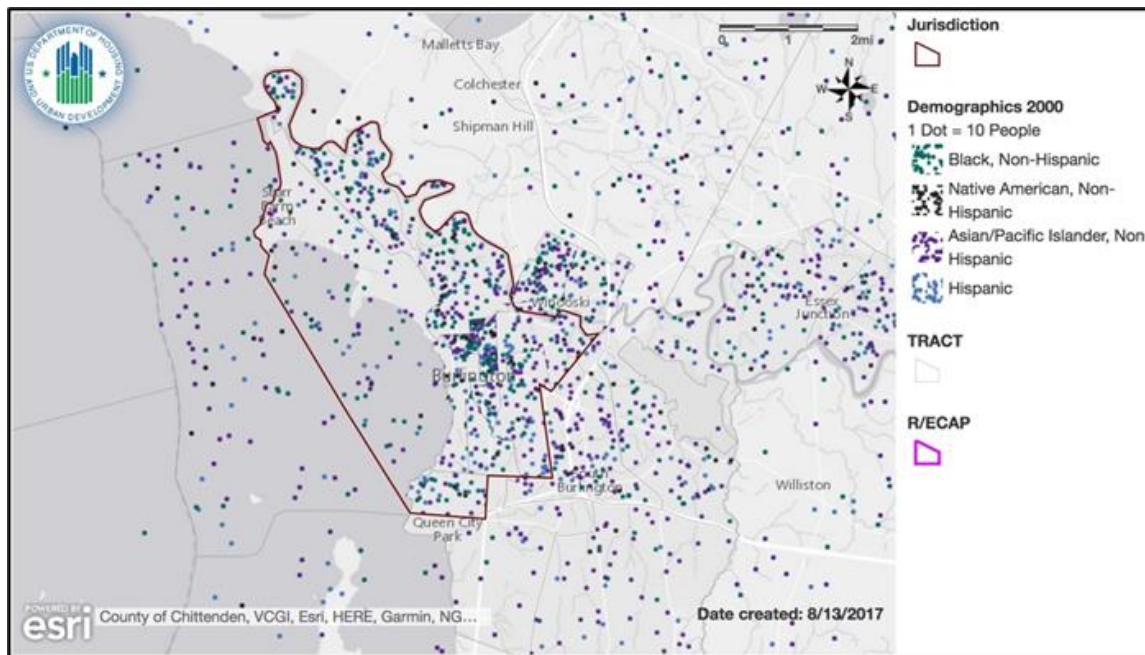
ATTACHMENT C – MAPS OF POPULATION DENSITY BY RACIAL AND ETHNIC GROUP

Map 1: Population density in Burlington-South Burlington by racial and ethnic group. Note that including the white, non-Hispanic population makes it difficult to see population densities of other racial or ethnic groups (source: 2010 Decennial Census)



Maps 2-4: Population density by racial and ethnic group in 1990, 2000, and 2010. Note that White population density data was removed (source: Decennial Census)





ATTACHMENT D – AFFORDABLE HOUSING INVENTORY CHART

Project Name	Address	Total	LIHTC and/or VHC B restrictions	Project-based Section 8 vouchers	Rental Assistance Demonstration	Housing Trust Fund Requirements	Private Developer Inclusionary Zoning
	322 St. Paul St.	4	?	?			
	278 Main St.	10	X	X			
	700 Riverside Ave.	8	?	?			
Avenue Apartments (CHT)	1179 North Ave.	28	X			X	
Arroway	41 Spruce St.	7					
Bobbin Mill	234 S. Champlain St.	51	X	X		X	
	235 Pine St.	0				x	
Bright Street Cooperative	33-42 Bright St.	38	x			x	
Bus Barns	343 N. Winooski Ave.	12	x			x	
	640 Riverside Ave.	13	x			x	
	337 No. Winooski Ave.	0				x	
Callahan	33 North St.	6	x			x	
	132-135 North St.	11	x			x	
	44 Front	3	x			x	
	163-165 Intervale Ave.	3	x			x	
	171-173 Intervale Ave.	3	x			x	
	177 Intervale Ave.	2	x			x	
Cathedral Sq. Assisted Living	3 Cathedral Square	100	x			x	
Champlain Apartments	10 N. Champlain St.	50			X		
Chickenbone (BRHIP&ONE&Mill View)	62-68 N. Champlain St.	6	x			x	
	43-45 King St	2	x			x	
	86 Oak St.	2	x			x	
	189, 191 and 193-197 Pine St.	6	x			x	
	52 and 52 1/2 Hyde St.	4	x			x	

	16 North Ave.	4	x			x	
	95 Grant St./95 Union	4	x			x	
	267 N. Winooski Ave.	2	x			x	
	43-45 Manhattan Dr.	3	x			x	
	310-312 and 316-318 and 326-328 Manhattan Dr.	6	x			x	
	33-35 and 37-39 Murray St.	5	x			x	
	11 1/2 Cedar St.	4	x			x	
	222 Riverside Ave.	12	x			x	
City Neighborhoods	54 N. Champlain St.	6	x			x	
	57 N. Champlain St.	6	x			x	
	52 N. Champlain St.	4	x			x	
	27-31 Peru St.	3	x			x	
	22-26 Johnson St.	2	x			x	
	221 Pine St.	6	x			x	
	299 N. Winooski Ave.	2	x			x	
Converse Home	272 Church St.	21	x			x	
COTS 95 North	95 North Ave.	14	x	x		x	
COTS 278 Main St.	278 Main St.	16	x	x			
Decker Towers	230 St. Paul St.	160			X		
Dettman Place	30-42 King St.	14					
Dismas	96 Buell St.	7					
Duggan Row	94-106 Maple St.	16					
ECHO	92 North Ave.	8	x			x	
	21-23 N. Champlain St.	4	x			x	
	211 Park St.	3	x			x	
	75-77 North Ave.	3	x			x	
	115-117 Archibald St.	3	x			x	
	16-18 1/2 Decatur St.	3	x			x	
	58-60 N. Champlain St.	4	x			x	

	257-259 N. Winooski Ave.	4	x			x	
Fern Hill	214 N. Prospect St.	60					
Flynn Ave Coop	288 Flynn Ave.	14	x	x		x	
Franklin Square	1-60 Franklin Square	60			X		
Gable Apts. (Randall)	323-325 St. Paul St.	11		x			
Harrington Apts.	145-153 Maple St.	5		x			
Heineberg Senior Housing	72 Heineberg Rd.	81	x			x	
Hillside Terrace	22-91 Hillside Terrace	26			X		
	20 S. Willard St.	6					
	141 Maple St.	9					
Howard MH Group Home	72 N. Winooski Ave.	7					
Johnson Street	22-26 and 29 Johnson St.	5	?	?			
Juniper at Cambrian Rise	35 Cambrian Way	60	X	X		x	
King Street Housing	88 King St.	20	x			x	
King St Apts.	73-75 and 128 King St.	7	x			x	
Lake Champlain Apts.	185 Pine St.	27	x	x			
	243-247 Church St.	0	x	x			
Laurentide at Cambrian Rise	65 Cambrian Way	68	X	X		x	
Maple St Apts. (Wharf Lane)	57-61 Maple St.	37	x	x		x	
	174 Maple St.	0	x	x		x	
McAuley Square - Independence Place	140 Mansfield Ave.	7	x			x	
McAuley Square - Scholars House	110 Mansfield Ave.	12	x			x	
McAuley Square Senior Housing	130 Mansfield Ave.	55	x			x	
McKenzie House	43 Elmwood Ave.	41		x			
Monroe Place	29 N. Champlain St.	15					
North St - Shriner	268 and 272 North St.	4	?	?			
Northgate	275 Northgate Ave.	336	x	x		x	
North Avenue Cooperative	1106 North Ave.	70				X	

Park Place	123-127and 129-135 St Paul	34	x			x	
Pearl and Union SRO	204 Pearl St./106 S. Union Ave.	18	x			x	
Pennington House	1822 North Ave.	6					
Peterson Place	97-103 King St.	13	x				
	195 St. Paul St.	0	x				
Phoenix House	37 Elmwood Ave.	10					
Riverside Apts.	669 Riverside Ave.	48		x	X		
Rose St. Coop	78 Rose St.	12	x	x		x	
Ruggles House	262 S. Prospect St.	15	x	x		x	
Safe Haven	133 King St.	8					
Salmon Run	220 Riverside	79	x			x	
Sarah Cole	415 S. Union St.	12					
Smith House	30-32 N. Winooski Ave.	9					
Sophie's Place	40 Red Maple Lane	11					
	1562 North Ave.	1					
South End Community Housing	336 St. Paul St.	6					
South Meadow	One Raymond Place	65	X			x	
South Square	101 College St.	65	x	x			
South St Paul Townhouses	355 St. Paul St.	15	x				
St. John's Hall	184 Elmwood Ave.	22					
STAR	221 Pine St.	6	X	?			
	73-75 Sherman St.	2	X	?			
	52-54 and 57-63 N. Champlain St.	15	X	?			
	36 Convent Sq.	1	X	?			
	104 Intervale Ave.	3	X	?			

Thayer House I	1197 North Ave.	33	x	x		x	
Thayer House II	1197 North Ave.	36	x	x		x	
Thelma Maple Coop	81-101 and 85-109 Archibald St.	20	X			x	
Thirty Four Two	30-42 King St.	16					
Varney House	76 Cherry St.	11					
Victoria Place	76-90 Pearl St.	34	X				
Waterside (aka Waterfront)	300 Lake St.	22	X			x	
River Watch	Hildred Drive (1 - 422 Hildred Drive)	30					X
Valade Park	Valade Park (18-120 Valade St)	10					X
Red Rocks	161 Austin Dr.	15					X
	700 Riverside Ave.	1					X
Queen City Park	Queen City Park	2					X
	693 Riverside Ave.	2					X
High Grove Court	20 & 24 High Grove Ct.	2					X
Commodore Point	33 North Ave.	2					X
Main Street Landing	1 Steele St. (aka 1 Main St.)	2					X
	284 Grove St. (aka 300 Grove)	2					X
	1144 North Ave.	1					X
	1044 North Ave.	1					X
	106 Rose St.	1					X
Bove's/Pearl	68 Pearl St.(aka 64 Pearl)	5					X
Hood Plant	187 South Winooski Ave.	1					X
Venus Ave	140 Venus Ave. (original address)	1					X
	81 South Willams St.	3					X
Manhattan Hts.	354 Manhattan Dr.	1					X
Benway Common	235 Park St.	1					X

East Village Co-Housing	180 East Ave./East Village Dr	5					X
Millview Court Condominium	50 Barrett St.	1					X
Westlake	35 Cherry St.	0					X
	155 Plattsburgh Ave.	1					X
	144 North Champlain St.	1					X
	23 Church St.	1					X
Packard Lofts	237 North Ave.	4	x				X
	371 Pearl St.	2	x				X
Stratos	183-187 St. Paul St. (aka 193 St. Paul St.)	5					X
Abe's Corner	200 North St.	1					X
Maiden Lane	237 N. Winooski Ave.	4					X
Bayberry Apartments	140 Grove St.	35					X
	179 Elmwood Ave.	1					X
	247-249 Pearl St.	4					X
	289 College St.	2					X
Silversmith Commons	258-260 N. Winooski Ave.	3					X
	185-195 College St.	5					X
Eagle's Landing	194 St. Paul St.	17					X
	95 North Ave.	2					X
Bel-Aire Motel	109-111 Shelburne St.	1					X
	316-322 Flynn Ave.	4					X
	85 North Ave.	6					X
	188 South Champlain St.	1					X
	77 Pine St.	5					X
	79 Pine St.	7					X

CITIZEN PARTICIPATION PLAN

The City of Burlington, through its Community & Economic Development Office (CEDO), strongly encourages public involvement in the City's 5-year Consolidated Plan for Housing and Community Development ("Consolidated Plan") process, the development of the Assessment Fair Housing (AFH) Plan, and use of Community Development Block Grant funding, including Section 108 guarantee loan funds. These Plans are required for the City to receive Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) funding from the U.S. Department of Housing and Urban Development (HUD). This Citizen Participation Plan outlines the City's policies and procedures regarding that public involvement.

In the development of the Consolidated Plans, Annual Action Plans, AFH Plan, and any substantial amendments to these Plans, the City of Burlington will encourage the participation residents, local and regional institutions as well as the Chittenden County Homeless Alliance (the Continuum of Care for Chittenden County), nonprofit, philanthropic, community-based and faith based organizations, as well as businesses and developers. In order to respond to the needs of the more than 2,000 Limited English Proficient (LEP) Burlington residents, as well as other stakeholders, and ensure they are able to fully access and participate in the development of these plans, CEDO will assess its language needs and identify any need for translation of notices and other vital documents.

The Citizen Participation Plan, together with the Consolidated Plan, the Annual Action Plans, any substantial amendments to these Plans, and the annual performance reports on the progress of the Consolidated Plan and the AFH, are available at the Community & Economic Development Office, on its website as well as list the other public places it is available.

This Plan, together with all other materials relating to the City's CDBG and HOME programs, are available in alternative formats for persons with disabilities. For information, contact the Community & Economic Development Office at 865-7144.

Advisory Board for CDBG Entitlement Funds

The City of Burlington solicits applications for CDBG funding during an annual Notice of Funding Availability (NOFA) application period which is typically released in December for awards to be made the following July. An Advisory Board will make recommendations each year to the Mayor and City Council on the allocation of CDBG Entitlement funds for projects administered by external subgrantees. The City's Advisory Board reviews all eligible programs, and recommends award amounts to the Mayor and City Council, separately for Development and Public Service projects. HUD regulations limit Public Service program funding to a relatively low amount (typically 15% of the City's annual CDBG allocation) and given the need/demand for services, these funds are always the most competitive.

1. The Board will include:
 - Representatives from each of the City’s wards chosen through the Neighborhood Planning Assemblies (NPAs). CEDO will attempt to ensure, to the fullest extent possible, that NPAs have the opportunity to choose representatives;
 - Representatives from community partners such as the United Way and the State of Vermont;
 - Up to three appointments by the Mayor. The Mayor will attempt to ensure, to the fullest extent possible, that the Board represents the existing racial and economic diversity of the community.
2. The members of the City Council Community Development & Neighborhood Revitalization Committee will serve as *ex officio* members of the Board.

Occasionally there are years with insufficient requests for Development funding or funding becomes available outside of the NOFA period. In both circumstances, the City will accept Development applications outside the NOFA period for programs that fall within the City’s stated priorities in the Consolidated Plan and for the pertinent Action Plan year.

Public Hearings

1. The City will hold at least two public in-person hearings during the year to obtain residents’ views about housing and community development needs, development of proposed activities, and review of program performance. Virtual meeting may be allowed during the COVID-19 pandemic. At least one public hearing will be held to obtain the views of residents on housing and community development needs (including priority non-housing community development needs) before the Consolidated Plan is published for comment and before any application for Section 108 loan guarantee assistance is submitted. The City will also hold at least one public hearing during the update of the Assessment Fair Housing Plan.
2. The City will ensure adequate public notice before each virtual or in-person public hearing, with sufficient information published about the subject of the hearing to permit informed comment. Public hearings will be announced online and in the newspaper. Residents will be notified of the public hearings two weeks before they are held. Residents must be notified of public hearings a minimum of four days during the COVID-19 pandemic.
3. Advanced public notice will also be given of all public meetings relating to the Consolidated Plan and performance progress.
4. The City will hold all public hearings at times and locations convenient to potential and actual beneficiaries and accommodations will be made for people with disabilities. All hearings will be held in accessible locations, and sign language interpreters will be made available upon advance request except when they are held

online due to public safety measures in place during the COVID-19 pandemic. Public hearings will be televised on the local public access channel.

5. The City will provide interpretation services for non-English speaking residents at public hearings upon advance request, provided such services are available in the community.

Development of the Consolidated Plan

1. The City, through CEDO, will make a concerted effort to notify residents, agencies and organizations of the development of the Consolidated Plan and the availability of CDBG funds through mailings, online postings and public notices in the newspaper. In addition, CEDO will notify the Steering Committees of the City's Neighborhood Planning Assemblies.

2. CEDO will conduct workshops at various and convenient times to inform and educate residents on the development of the Consolidated Plan and the availability of funds. CEDO will provide technical assistance to all applicants, with special efforts to assist groups which represent predominately low- and moderate-income persons.

3. Before the City adopts the Consolidated Plan, the City will make available to residents, public agencies and other interested parties information that includes the amount of assistance the City expects to be made available and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low and moderate income.

3. The City will publish its proposed Consolidated Plan for review and comment. The City will publish a newspaper summary describing the contents and purpose of the Consolidated Plan and listing the locations where the entire plan may be examined. The entire plan will be made available for review and examination at the Community & Economic Development Office, on its website as well as list the other public places it is available. The City will provide a reasonable number of free copies of the Plan to residents and groups that request it.

4. The City will receive and consider comments on the proposed Consolidated Plan for 30 days before preparing the final Consolidated Plan. A summary of any comments or views not accepted and the reasons why, shall be attached to the final Con Plan.

Development of Section 108 Loan Guarantee Assistance Applications

1. Before the City submits an application for Section 108 loan guarantee assistance, the City will make available to residents, public agencies and other interested parties information that includes the amount of assistance the City expects to be made available (including program income), the range of activities that may be undertaken, the estimated amount that will benefit

- persons of low- and moderate-income, and any activities likely to result in displacement.
2. The City will publish its proposed application for review and comment. The City will publish a newspaper summary describing the contents and purpose of the application and listing the locations where the entire application may be examined. The entire application will be made available for review and examination at the Community & Economic Development Office and on its website.
 3. The City will receive and consider comments on the proposed application for 30 days before preparing the final application.

Development of the Affirmatively Furthering Fair Housing (AFFH) Plan

1. Before the City submits an AFH Plan, the City will ensure meaningful community participation to include residents, other interested members of the public, populations who have historically experienced exclusion, including racial and ethnic minorities, residents of predominately low-and moderate-income neighborhoods, LEP persons, residents of public and assisted housing developments neighborhoods where CDBG funds are proposed to be used and persons with disabilities. This will include members of the public in the jurisdictions of each collaborating program participant (Burlington and Winooski Housing Authorities) and not just of the City of Burlington as the lead entity.
2. The City will make any proposed analysis and the relevant documents, including the HUD-provided data and any other data to be included in the AFH, available to the public.
3. The City will consult with agencies and organizations identified in the consultation requirement.
4. The City will publish its proposed AFH Plan for review and comment. The City will publish a newspaper summary describing the contents and purpose of the Plan. The entire plan will be made available for review and examination at the Community & Economic Development Office and on its website, as well as list the other public places it is available. The City will provide a reasonable number of free copies of the Plan to residents and groups that request it.
5. The City will receive and consider comments on the proposed AFH Plan for 30 days before preparing the final AFH Plan. A summary of any comments or views not accepted and the reasons why, shall be attached to the final AFFH plan.
6. The City will provide for at least one public hearing during the development of the AFH and provide sufficient notice of this public hearing.

Amendments to the Consolidated Plan

1. The City will consider the following changes to be amendments to the Consolidated Plan, and the Annual Action Plan, and subject to the citizen participation process, in accordance with its Citizen Participation Plan. A substantial change is defined as one of the following occurrences:

- A change that adds a new project not previously mentioned in the Action Plan;
- A change that cancels a project that involves more than 10% or more of the fiscal year's funding allocation;
- A significant change in the allocation priorities or change in method of distribution of funds;

2. Substantial amendments to the approved Consolidated Plan or Action Plan must be authorized by the Mayor and the Board of Finance, and will be made public by postings and public notices in the newspaper.

3. The City will receive and consider comments on substantial amendments to the Consolidated Plan or Action Plan for 30 days before implementing those amendments. During the COVID-19 pandemic, the City will receive and consider comments on substantial amendments to the Consolidated Plan or Action Plan for at least seven days before implementing those amendments.

Amendments to the AFH Plan

1. The City will consider the following changes or revisions to be amendments to an accepted AFH Plan, and subject to the citizen participation process, in accordance with its Citizen Participation Plan. A material change is defined as when the information on which the AFH is based on, no longer reflect actual circumstances.

- Presidentially declared disasters;
- Significant demographic changes;
- New significant contributing factors in the participant's jurisdiction;
- Civil rights findings, determinations, settlements (including Voluntary Compliance Agreements), or court orders; or
- HUD's written notification specifying a material change that requires the revision.

2. A revision may not necessarily require the submission of an entirely new AFH. The revision need only focus on the material change and appropriate adjustments to the analyses, assessments, priorities, or goals.

3. Where a revision is required for any reason other than a Presidentially Declared Disaster, the revision shall be submitted within 12 months of the onset of the material change, or at such later date as HUD may provide. Where the material change is the result of a Presidentially Declared Disaster, such time shall be automatically extended to the date that is 2 years after the date the disaster declaration is made, and HUD may extend such deadline, upon request, for good cause shown.

4. If HUD required the revision, HUD will specify a date by which the City must submit the revision of the AFH to HUD. Should the City not agree with the need to revise the AFH, the City must notify HUD with the reasons why the City believes a revision is not required within 30 calendar days. HUD will respond on or before 30 calendar days following the date of the receipt of the City's communication and will advise in writing whether HUD agrees or disagrees with the City. If HUD disagrees, the City must proceed with the revision. HUD may establish a new due date that is later than the date originally specified.
5. Material change amendments to an accepted AFH must be authorized by the Mayor and the Board of Finance, and will be made public by postings and public notices in the newspaper.
6. The City will receive and consider comments on material change amendments for 30 days before implementing those amendments. A summary of any comments or views not accepted and the reasons why, shall be attached to the final material change amendments to the AFH plan.

Performance Reports

1. The City will prepare a performance report each year on the progress of the Consolidated Plan in accordance with the requirements of the U.S. Department of Housing & Urban Development.
2. Residents will be afforded notice of the performance report through online postings and newspapers. The performance report will be available at CEDO, on its website for review as well as list the other public places it is available.
3. The City will receive and consider comments on the performance report for 15 days before the report is submitted to HUD.

Access to Information and Records

1. The City, through CEDO, will provide residents, public agencies, and other interested parties with reasonable and timely access to information and records relating to the City's Consolidated Plan and the City's use of funds under the CDBG and HOME programs during the preceding five years.
2. The City, through CEDO, will regularly communicate with residents and applicants for CDBG funds regarding the progress of the Consolidated Plan. Neighborhood Planning Assembly representatives of the Advisory Board will be encouraged to communicate with the Neighborhood Planning Assemblies on the progress of the Advisory Board.

Comments and Complaints

1. The City will consider any comments or views of residents received in writing or orally at public hearing, in preparing this Citizen Participation Plan, the final Consolidated Plan, substantial amendments to either Plan, the annual performance reports, and the AFH Plan. A summary of these comments or views will be attached to the Citizen Participation Plan, the final Consolidated Plan, substantial amendment, performance report, or AFH Plan.

2. The City, through CEDO, will respond to written complaints received by CEDO relating to the Consolidated Plan, any amendments to the Plan, the AFH and the annual performance reports. Upon request, CEDO will transcribe oral complaints for signature by the complaining person or organization. Where practicable, CEDO will respond to complaints within 15 working days of receiving the written complaint.

Displacement

The City will minimize displacement of persons (families, individuals, businesses, nonprofit organizations, and farms) and will assist any persons displaced as a result of projects assisted with CDBG and/or HOME funds in accordance with the City of Burlington's Housing Initiatives Program Displacement Policy. That policy is available upon request from CEDO.

City of Burlington

2024-2028 Consolidated Plan for Housing and Community Development and 2024 Action Plan



June 3, 2024

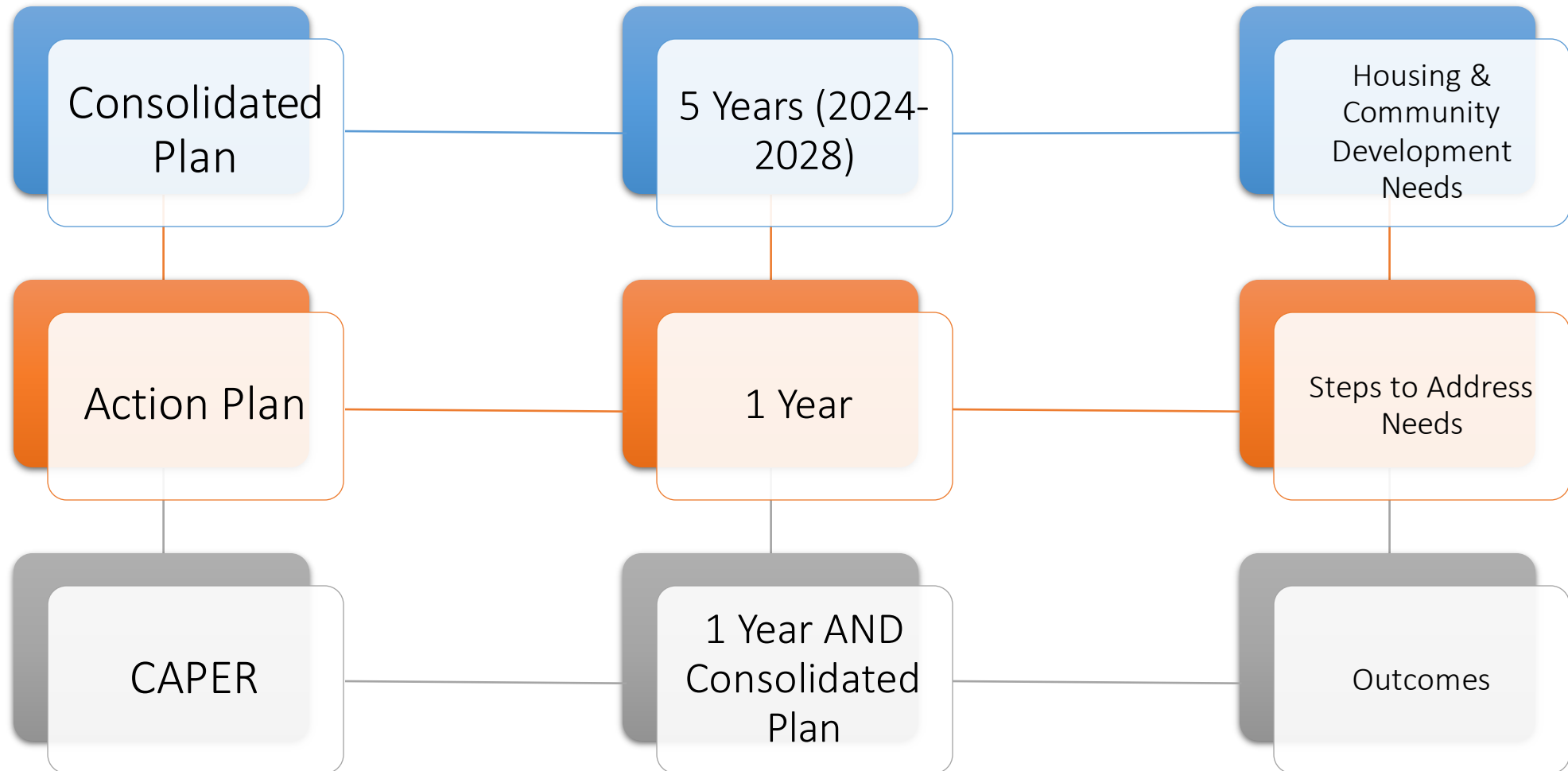
Overview

- Address needs of low- and moderate-income households
- U.S. Department of Housing & Urban Development (HUD) funding
 - Community Development Block Grant (CDBG) \$732,602 (2024 award)
 - HOME Investment Partnership Program (HOME) \$347,049 (2024 award)
- July 1, 2024 – June 30, 2029
- Consolidated Plan
 - Needs assessment
 - Market analysis
 - Strategic plan
- 2024 Action Plan

Motion Request

To approve the Burlington Five-Year Consolidated Plan and 2024 Burlington One-Year Action Plan, adopt the attached resolution relating to the authorization to submit the 2024-2028 Burlington Five-Year Consolidated Plan and 2024 Burlington One-Year Action Plan, and authorize the Mayor or her designee to execute all necessary documents related to the Consolidated Plan and 2024 Burlington One-Year Action Plan.

HUD Housing & Community Development



Consolidated Plan Timeline

- September 2023 to March 2024 - Community Needs Assessment
- April 3 – Draft plan for public comment
- June 3 – Approval by *Board of Finance*
- June 3 – Approval by *City Council*
- June 6 – Finalized and submitted to HUD

Outreach and Feedback

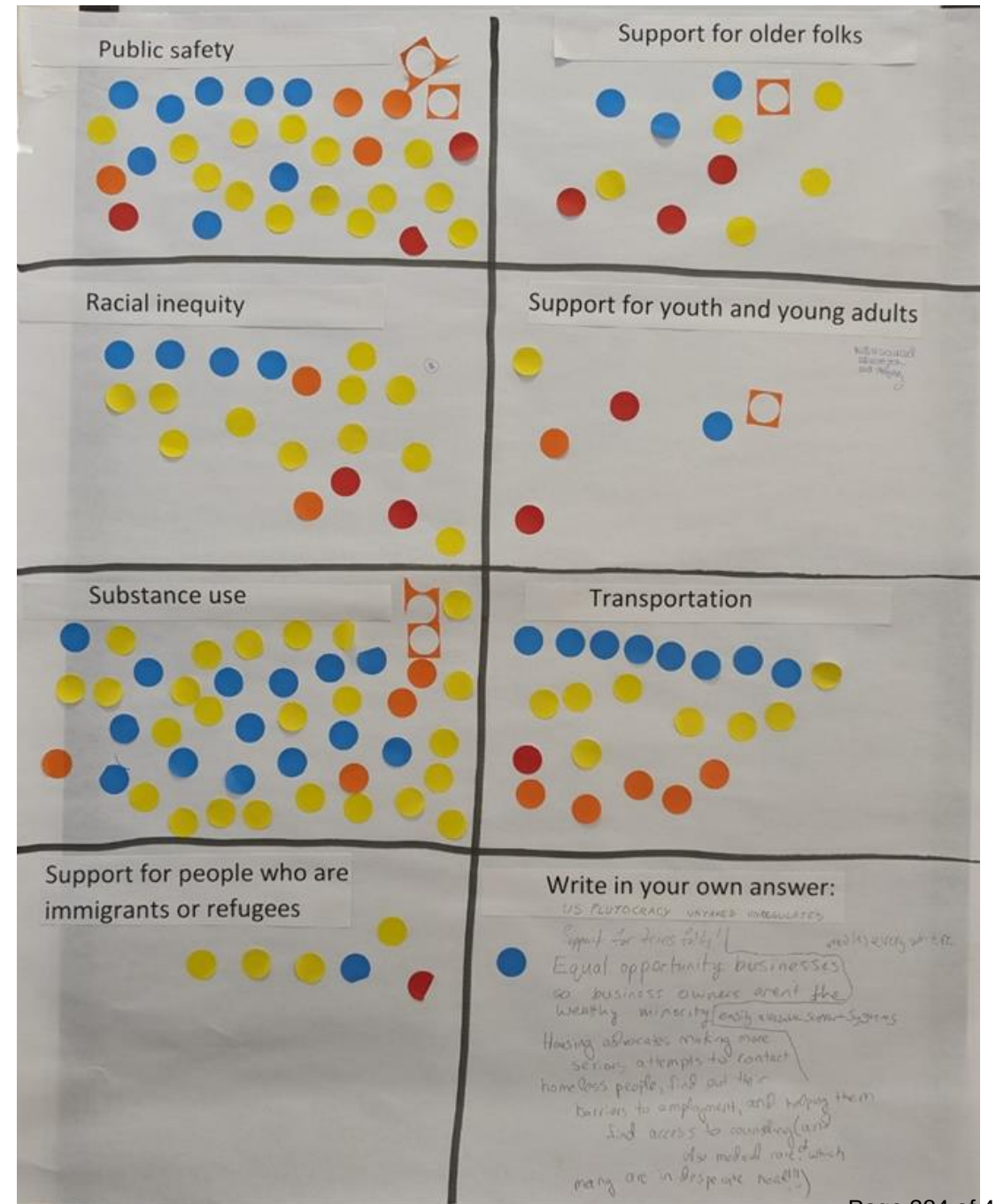
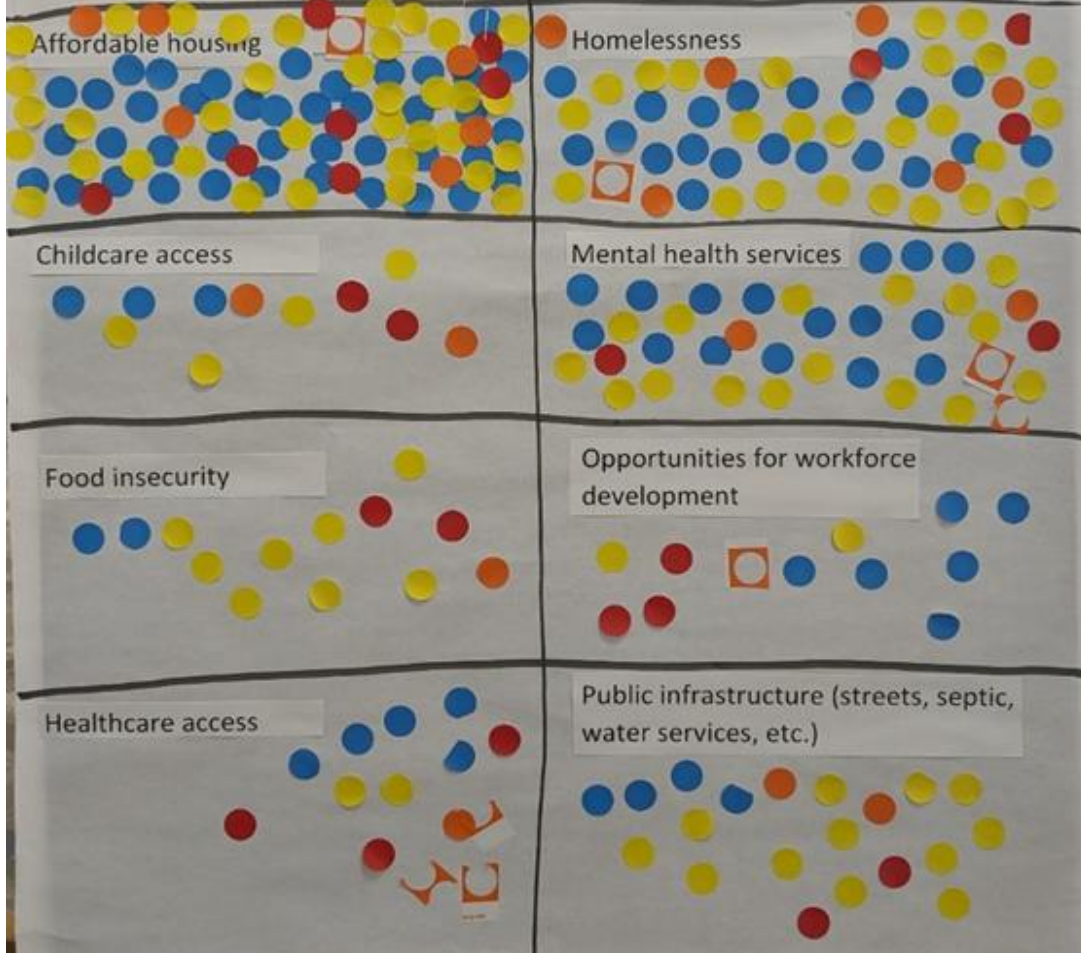
- Online Survey
 - 1000 visitors
 - 890+ Responses
 - 400+ Written Comments
- In-Person Dot Surveys
- Meetings
 - 40+ hours
 - 124 Individuals
 - 39 organizations

affordablehousing all issues also Substance Use
Mental Health Services other live homelessness more t help
support so people from out need home community needs
Burlington public safety who up drug safe work build now Get
income than s they think taxes just do homeless what make

		Response Percent	Response Count
Affordable housing		23.1%	1,237
Childcare access		3.6%	195
Food insecurity		2.1%	114
Healthcare access		2.3%	123
Homelessness		14.7%	788
Mental health services		9.9%	531
Opportunities for workforce development		1.6%	86
Public infrastructure (streets, septic, water services, etc.)		4.9%	261
Public safety		12.4%	664
Racial inequity		2.1%	111
Support for older folks		2.1%	114
Support for people who are immigrants or refugees		1.8%	94
Support for youth and young adults		2.0%	105
Substance use		11.8%	629
Transportation		2.5%	134
Other		1.5%	80

What do you think are the greatest challenges in Burlington?

Use 6 dots to identify where you think the city should prioritize resources. You can use dots in different areas, or use multiple dots (or all dots) in a single area.



What do you think are the greatest challenges in Burlington?

Use 6 dots to identify where you think the city should prioritize resources. You can use dots in different areas, or use multiple dots (or all dots) in a single area.

Affordable housing	Homelessness
Childcare access	Mental health services
Food insecurity	Opportunities for workforce development
Healthcare access	Public infrastructure (streets, septic, water services, etc.)

Public safety	Support for older folks
Racial inequity	Support for youth and young adults
Substance use	Transportation
Support for people who are immigrants or refugees	Write in your own answer:

Recurrent Feedback

- Housing
 - Not enough
 - Costs too much
- Safety
 - Needles
 - Approaches by strangers
 - Graffiti
 - Gun violence
- Homelessness
 - Visibility
 - Intensity of needs
- Substance Use
 - Open use in public spaces
 - Lack of options (treatment, harm reduction)
 - New/different drugs
- Mental Health
 - Public behaviors

Priority Needs

- Affordable Housing
- Addressing Homelessness
- Community Services and Safety
- Economic Development
- Public Facilities and Infrastructure Improvements
- Planning and Administration

Goals

Priority	Goals
Affordable Housing	- Create new affordable housing - Improve existing affordable housing - Public services
Addressing Homelessness	- Create new affordable housing - Improve existing affordable housing - Improve public facilities and infrastructure - Public services
Community Services and Safety	- Improve public facilities and infrastructure - Improve economic opportunities
Economic Development	- Economic development - Improve economic opportunities
Public Facilities and Infrastructure Improvements	- Improve public facilities and infrastructure
Planning and Administration	- Planning and administration

2024-2025 CDBG Development Awards

Organization	Program Name	Awards for 2024 Action Plan	Program Summary	# of Beneficiaries (proj ected)
Living Well Group	Ethan Allen Residence Lighting Upgrade	\$13,000	Replace all fluorescent lighting and fixtures in Ethan Allen Residence with new LED lighting	45 persons
Mercy Connections	Small Business Equity Project	\$75,000	Entrepreneurial and ELL education for small businesses with a focus on BIPOC individuals	100 persons
CVOEO	Micro Business Development Program	\$70,642	Classes and technical assistance for low-mod micro businesses	80 persons
Champlain Housing Trust (CHT)	Community Resource Center/Feeding Chittenden Addition	\$200,000	Construct a two-story addition to the Feeding Chittenden building to better accommodate the staffing and services of the food shelf and Community Resource Center (CRC)	700 households
Business & Workforce Development	Microenterprise Technical Assistance	\$40,000	Technical assistance for entrepreneurs and small businesses	25 persons
Project to be determined		\$129,550		

Total Development Awards

\$528,192

2024-2025 CDBG Public Service Awards

Organization	Program Name	Awards for 2024 Action Plan	Program summary	# of Beneficiaries (projected)
Pathways Vermont	Housing First Services in Chittenden County	\$25,000	Permanent housing placement along with intensive community-based services for individuals with histories of homelessness	45 households
Vermonters for Criminal Justice Reform (VCJR)	VCJR Re-Entry and Recovery Center with Contingency Management	\$20,000	A specialized re-entry and recovery center and overdose prevention for people living with substance use disorders and co-occurring mental health disorders	100 persons
Steps to End Domestic Violence	Safe Tonight	\$25,000	Emergency housing and support services for adults and children fleeing domestic violence	251 adults; 119 children
CVOEO	Volunteer Income Tax Assistance (VITA)	\$15,000	Free tax preparation and electronic filing services for low-mod households	500 households
Lund	Lund's Residential and Community Treatment Services	\$24,890	Childcare services, treatment, and family support for vulnerable children and families	62 households
CEDO	Personal Care Assistant (PCA) Plus Workforce Training Program	\$35,000**	PCA job training for low-income BIPOC individuals including immigrants and refugees	25 persons

Total Public Service Awards

\$144,890

2024 Funding Summary

Community Development Block Grant Funding		Amount
2024 CDBG HUD Allocation		\$732,602
- 2024 Funds for Projects		\$586,082
- 2024 Funds for Admin and Planning		\$146,520
<i>Carryover Funds for Projects</i>		<i>\$87,000</i>
Total Available CDBG Funds 2024		\$819,602
HOME Investment Partnership Funding		Amount
2024 HOME HUD Allocation		\$347,049
- 2024 Funds for Affordable Housing Projects		\$260,287
- 2024 15% CHDO Set-Aside		\$52,057
- 2024 Funds for Admin and Planning		\$34,705
<i>Carryover Funds for Projects</i>		<i>\$1,140,797</i>
Total Available HOME Funds 2024		\$1,487,846

Questions?

- Brian Pine, CEDO Director (578-6953)
- Todd Rawlings, CEDO Assistant Director, Grants & Finance (881-3783)
- Rebeka Lawrence-Gomez, Housing Program Manager (734-8019)

Board of Finance and City Council Submission Checklist

Department: CEDO Submitter: Rebeka Lawrence-Gomez

Title/Subject: Consolidated Plan and Action Plan Approval Memo and Materials

	Approval:	Meeting Date:
☐	Board of Finance	
☐	City Council	
☒	Concurrent	06/03/2024

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	5/24/24	Brian Pine
Mayor's Office informed and approved memo	Yes	5/29/24	Joe Magee
Board/Commission, if required	N/A	-	
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A	-	
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes memo, motions and resolution	5/28/24	Erik Ramakrishnan
CAO has reviewed budget, financing, and memo	Yes	5/28/24	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	-	
CIO, if an IT-related investment/purchase	N/A	-	

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Labeled "BoF and CC Consolidated Plan and Action Plan memo"
Contract Attached, if applicable?	N/A	
Additional Materials, if necessary	Yes	Overview presentation slides, Consolidated Plan/Action Plan document
Draft Resolution or Motion?	Yes	Motion included in memo – resolution to be submitted by attorney's office
If for submission to Council, are sponsors identified?	Yes	Board of Finance

Resolution Relating to

AUTHORIZATION TO SUBMIT 2024-2028 BURLINGTON
FIVE-YEAR CONSOLIDATED PLAN 2024 BURLINGTON
ONE-YEAR ACTION PLAN

RESOLUTION 6.2.

Sponsor(s): Bd. of Finance
Introduced: 06/03/24
Referred to: _____
Action: adopted
Date: 06/03/24
Signed by Mayor: 06/04/24

CITY OF BURLINGTON

In the year Two Thousand Twenty-Four.....

Resolved by the City Council of the City of Burlington, as follows:

1 That WHEREAS, Burlington, Vermont (the “City”) is eligible to participate in the Federal U.S Department
2 of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME
3 Investment Partnership Programs (HOME) as an entitlement jurisdiction; and

4 WHEREAS, the City of Burlington is required by HUD to adopt a Five-Year Consolidated Plan and
5 One-Year Action Plan as part of the federal requirements for these two formula grant programs; and

6 WHEREAS, the City has prepared a 2024-2028 Consolidated Plan that contains a housing and
7 community development needs assessment, a survey of available resources, and a five-year strategy that
8 specifies achievable housing and community development goals and programs; and

9 WHEREAS, the City has prepared a one-year action plan (Annual Action Plan) that is reflective of the
10 2024-2028 Consolidated Plan; and

11 WHEREAS, the 2024 Annual Action Plan establishes a one-year program in compliance with HUD
12 funding allocations and requirements; and

13 WHEREAS, citizen participation leading to the development of the 2024-2028 Consolidated Plan and
14 One-Year Action Plan included workshops; public meetings; consultation with community and state agencies;
15 and a Citizen Advisory Board which made recommendations on the allocation of 2024 CDBG funds for sub-
16 grantees; and

17 WHEREAS, notice of the public hearing for the Consolidated Plan and Action Plan was circulated in
18 late January by notice published in Seven Days, a weekly newspaper, and online on the website of the
19 Community & Economic Development Office, and by e-mail notice to all City Councilors, to the CDBG
20 mailing list, to the CDBG Advisory Board, to the Continuum of Care mailing list, and to city residents via
21 social media; and

22 WHEREAS, a duly warned public hearing was held on February 12, 2024 to receive further input; and

23 WHEREAS, early April of 2024, the City published a notice in Seven Days and circulated to interested
24 parties and online on the website of the Community & Economic Development Office that the 2024-2028

* * * * *

DISTRIBUTION:

I hereby certify that this resolution
has been sent to the following
department(s) on

ORIGINAL

RESOLUTION RELATING TO

.....
.....
.....

Adopted by the City Council

....., 20

..... Clerk

Approved....., 20

..... Mayor

Vol. Page

* * * * *

Five-Year Consolidated Plan and a proposed 2024 One-Year Action Plan would be posted for public comment on April 5, 2024; and

WHEREAS, the 2024-2028 Five-Year Consolidated Plan, the recommendations of the Citizen Advisory Board, and a proposed 2024 One-Year Action Plan were published for public comment on April 5, 2024; and

WHEREAS, the 30-day comment period on the 2024-2028 Five-Year Consolidated Plan and the 2024 One-Year Action Plan was held from April 5, 2024 through May 5, 2024, and

WHEREAS, public comment was received and considered during the public comment period, and responsive edits were made to the proposed Five-Year Consolidated Plan and 2024 One-Year Action Plan;

NOW, THEREFORE, BE IT RESOLVED that City Council hereby adopts the 2024-2028 Five-Year Consolidated Plan and the 2024 One-Year Action Plan; and

BE IT FURTHER RESOLVED that Mayor Emma Mulvaney-Stanak is hereby authorized to sign on behalf of the City of Burlington the application for CDBG and HOME funding which accompanies this 2024-2028 Consolidated Plan and 2024 One-Year Action Plan, and any and all documents deemed necessary or convenient to accept and disperse such Department of Housing and Urban Development grant funds, subject to the review and approval of the City Attorney's Office; and

BE IT FURTHER RESOLVED that the City Council hereby approves the expenditure of 2024 Community Development Block Grant Entitlement and HOME funds as described in the 2024 One-Year Action Plan.

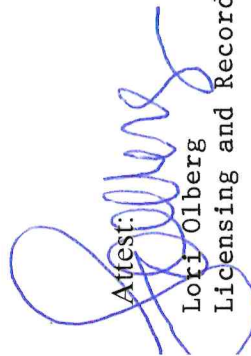
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DISTRIBUTION:

I hereby certify that this resolution
has been sent to the following
department(s) on

CEDO

* * * * *

Attest: 
Lori Olberg
Licensing and Records Coordinator

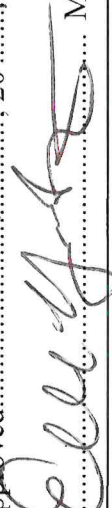
ORIGINAL

RESOLUTION RELATING TO

Authorization To Submit 2024-2028 Burlington Five-Year Consolidated Plan
2024 Burlington One-Year Action Plan
.....

Adopted by the City Council

June 3 20 24
 Clerk

Approved June 4 20 24
 Mayor

Vol. Page



To: Mayor Emma Mulvaney Stanek and Burlington City Council

From: Burlington Electric Commission

Date: May 28, 2024

Re: Annual Commission Report

On behalf of the members of the Burlington Electric Commission, we offer this report to Mayor Emma Mulvaney-Stanak and the City Council about our progress and challenges at Burlington Electric Department (BED) during the past year. Our BED mission is to serve the energy needs of our customers in a safe, reliable, affordable, sustainable, and socially responsible manner. Despite economic challenges remaining from the pandemic and exacerbated by volatile power markets and inflation, BED continues to meet our mission as we pursue Burlington's Net Zero Energy (NZE) goal. The Commission has prioritized a number of items over the past year, including continued focus on the financials and strengthening credit rating metrics, review and engagement on the district energy project in the lead-up to the 2023 City Council process on that topic, review and public engagement on updates to miscellaneous fees, review of street lighting policies, and reviews and recommendations on a variety of innovative rate programs.

Highlights from the past year include:

- **Making progress along the path to Net Zero Energy:**

- Over the past year, BED continued to focus on making progress toward our NZE goal.
- BED continues to work with Synapse Energy Economics to track Net Zero Energy Roadmap data annually on progress toward the Roadmap goals. The 2023 data was shared by General Manager Darren Springer with the Mayor and City Council during the April 15 City Council meeting at which time GM Springer share this [presentation](#), including the positive news that greenhouse gas emissions in ground transportation and thermal/buildings sector were down 18.2 percent in 2023 relative to the 2018 baseline.
- In March 2024, as well as in both January 2022 and January 2023, BED announced new and updated incentives supporting customers by investing in cold climate heat pumps (CCHPs), electric vehicles (EVs), EV charging stations at rental and multi-family buildings, electric lawn care equipment, electric bicycles, induction cooking, heat pump water heaters, and additional technologies. As part of the incentives introduced in March 2024, BED launched a first-in-the-nation utility enhanced incentive for "superusers," who are the most gasoline-burdened drivers, to help them make the switch to EVs. BED continues to offer enhanced incentives for low-income customers.
- Last September, BED was proud to host for the community our second annual Net Zero Energy Festival at 585 Pine Street. We had kids' activities, EV test drives, E-bike test rides, solar and heat pump vendors, electric lawn equipment demos, live music, a lineup of City fleet EVs, fossil-fuel free food trucks, and much more. Please plan to join us on September 21, 2024 (September 22 rain date) for our third annual Net Zero Energy Festival.
- BED continued to use funding from the \$20 million 2022 Net Zero Energy Revenue Bond to finance capital improvements in FY24, making investments in grid reliability, EV charging, new electric fleet vehicles, a new customer portal and grid analytics software, and renewable energy plant maintenance. BED also used the additional liquidity provided by the bond funds to continue making enhanced investment in key electrification programs, such as heat pump

and EV incentives. BED now has more than 25 times as many heat pumps installed for customers under our Tier 3 incentive program as in June of 2020 when BED launched the Green Stimulus program.

- BED has continued to innovate in its rates and programs to create incentives for customers to electrify. BED will be filing an update to its EV tariff to discount off-peak EV charging at public chargers in un-metered parking places, as well as to implement a pilot heat pump rate that has the goal of making heat pump operational costs more competitive with natural gas.
- BED's innovative and forward-thinking approaches were recognized by several funding entities. In FY24, BED installed five pole-mounted, Level 2 EV chargers in residential neighborhoods as a pilot program to expand access to charging for renters and others who lack access to at-home charging. This effort was funded by a Vermont Department of Public Service (DPS) grant. Further, BED was selected for a prestigious U.S. Department of Energy (DOE) Grid Resiliency & Innovation Program (GRIP) grant of \$1.2 million to thermal load control in residential and commercial buildings. The DOE also selected BED as a host institution for a Clean Energy Fellow. Finally, BED, in partnership with the Vermont Public Power Supply Authority (VPPSA) and Washington Electric Cooperative, was awarded three other DPS grants to fund a distributed energy resources management system and residential battery storage.

- **Enhancing equity and community outreach:**

- BED continues to prioritize equity in its programs and services. BED's Policy and Equity Analyst directly engages with key community stakeholders and partners, such as the Burlington Housing Authority, Munt Family Room, Association of Africans Living in VT, Neighborhood Planning Assemblies, and Champlain Valley Office of Economic Opportunity (CVOEO) to ensure that all of BED's customers – regardless of language spoken at home, homeownership status, income, and other variables - are receiving accessible information about BED's programs and incentives and that BED is responsive to its customers' energy questions, needs, and concerns. BED's sustainability and equity team has spearheaded many impactful projects, including: translation of various existing documents into languages other than English; development of new materials in multiple languages, including educational material on energy use at home; and creation of new, translated videos explaining the Energy Assistance Program (EAP) and how to read an electric bill. BED also was awarded an American Public Power Association (APPA) grant to support the creation of four additional videos that will be translated into between nine and 15 languages.
- BED continues to engage the community through events like Art Hop, Lake Monsters Games, farmers markets, Summervale, its annual Net Zero Energy Festival, and more. BED also expanded its outreach by holding "office hours" at the King Street Laundromat and by hosting a tent at Burlington's annual Juneteenth event.

- **Delivering strong results for safety, reliability, and customer care:**

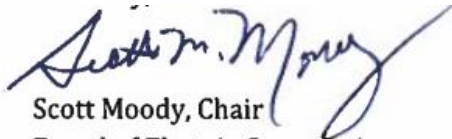
- At BED, safety is our number one value.
- BED continued to have strong metrics for safety and reliability (number and length of outages) in FY24, with a continued focus on field visit reporting from the Safety Team. Customers continue to prioritize reliability above all other items, and BED continues to deliver strong outage response and to make system reliability investments. In FY25, BED will replace our existing Supervisory Control and Data Acquisition (SCADA) system, installing a new, modern grid system video wall for our Dispatch Team, to support outage response.
- BED achieved its sixth consecutive year without a single complaint escalated to the Department of Public Service about its Customer Care Team.

- **Further strengthening the working relationship with the IBEW:** BED management continues to work on maintaining a strong relationship with the International Brotherhood of Electrical Workers (IBEW), evidenced by a four-year agreement that began implementation in FY23. BED management and the IBEW work well together to achieve common goals around safety, Net Zero Energy, and other topics.

- **Progressing with energy efficiency:** BED has developed and administered energy efficiency programs that have achieved success for residential and commercial customers over several decades. Burlington's total electricity consumption in calendar year 2023 (CY23) was approximately 11 percent lower than in 1989 when the efficiency programs began. From 1989-2023, New England's residential electric consumption increased approximately two percent, and U.S. residential electric consumption over 15 percent during same time period. As both a distribution and energy efficiency utility, BED is in a unique and strong position to offer customers a full suite of efficiency and beneficial electrification solutions. Please visit the [BED website](#) for more information.
- **Supporting our customers and community, while navigating volatile energy markets and addressing economic challenges:**
 - After 12 consecutive years without a rate increase, BED began making annual rate changes in FY22 to respond to rising inflation and maintain strong credit rating metrics. BED's goal is to make modest, annual rate changes in the low- to mid-single digits to minimize volatility for customers. BED's FY24 rate increase of 5.5 percent was approved by the Vermont Public Utility Commission (PUC) in February 2024. For FY25, BED has proposed a budget that includes an up to 5.5 percent rate increase. BED has worked hard to keep requested rate changes as low as possible, and well below the inflation rate, by holding controllable operating expenses (non-transmission and non-power supply) below FY23 and FY24 levels despite continued upward cost pressure from inflation and labor COLAs. As we have seen other utilities around our region requesting double-digit rate increases due to fuel price volatility, BED is partly protected from these impacts through its renewable energy contracts and its own renewable generation plants such as the McNeil Generating Station, Winooski One Hydro, and solar installations.
 - While final financial results for FY24 are not yet complete, the Burlington Electric Commission has monitored monthly results throughout the fiscal year. As of March 2024, BED has a net income of \$2.3 million, which is \$1.3 million better than budget projections. Sales to customers have been on budget throughout the year, while renewable energy credit (REC) revenues have been worse than budget due to lower renewable production volumes (such as lower wind production) in prior periods. This past winter was relatively mild, causing energy prices to remain relatively low; by decreasing McNeil production to conserve wood supply, BED was able to minimize negative impacts so that, as of March, overall net power supply expense was on budget. As in past years, BED's days cash on hand metric is projected to be near or at our 90-day target, while the FY24 adjusted debt service coverage ratio metric is projected to be above expectations.
 - In December 2023, BED filed notice with the PUC that it intended to make the pilot EAP a permanent, tariffed rate. The EAP provides a 12.5 percent discount to income-qualified customers. Enrollment in the program has grown steadily, with 238 customers enrolled as of April 2024, and BED has focused on EAP outreach during FY24, engaging CEDO, Water Resources, VT Department of Children & Families, CVOEO, the Burlington and Winooski Housing Authorities, Champlain Housing Trust, and other partners to help spread the word. As part of making the EAP permanent, the program will support additional options for income verification and auto-enrollment with an opt-out option to significantly expand participation.
 - BED's Town Meeting Day ballot item to increase its line of credit limit from \$5 million to \$10 million was approved overwhelmingly by Burlington voters, with 73.49 percent voting in favor. The charter change passed the Vermont Legislature this session and is now with the Governor for signature. This community support will allow BED to replace its existing credit line, which expires at the end of June 2024, at the new, \$10 million level, which will bolster BED's Moody's rating and provide assurance of ready access to working capital in case of emergency at a level more commensurate with today's operating expenses.
- **Implementing IT Forward and strengthening cybersecurity:**

- In FY24, BED reached several more key milestones in our “IT Forward” plan to replace and refresh several enterprise IT systems. BED’s new customer portal went live in August 2023, now providing customers access to usage and payment/account management information in the same place. This winter, BED also installed new grid analytics modules as part of its new meter data management system (MDMS), providing new capabilities for analyzing transformer loading, line losses, and voltage. BED also selected a new advanced distribution management system (ADMS) in FY24 to replace our existing SCADA system and provide new outage management and distribution management functionality. BED is in the process of selecting a new customer information system (CIS) for implementation in FY25, to be followed by a selection process for a new financial information system (FIS).
- BED has continued to invest in infrastructure modernization, cybersecurity, and disaster recovery through the following steps: creating its first dedicated Cybersecurity Engineer position; continuing trainings and relationships with Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency, DPS, Vermont Public Safety, and others; serving as the utility representative on the newly formed Vermont Cybersecurity Advisory Council; upgrading major network systems and increasing network redundancy; and continuing cybersecurity trainings and awareness campaigns for all BED users.

Thank you for the opportunity to serve the Burlington community and to present this report. We appreciate all the impactful work you do for Burlington.


Scott Moody, Chair
Board of Electric Commissioners

Bethany Whitaker, Vice Chair



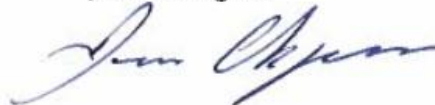
Lara Bonn



Andy Vota



James Chagnon





MEMORANDUM

To: Burlington Board of Finance and City Council

From: Darren Springer, General Manager
Emily Stebbins-Wheelock, CFO and Manager of Strategy & Innovation

Date: 6/3/2024

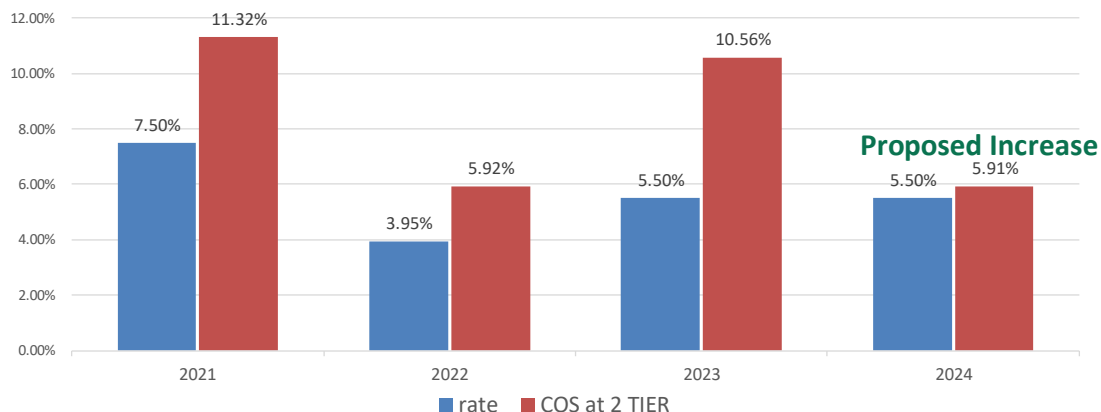
Subject: **BED FY25 Rate Change**

Introduction

Following Burlington Electric Department's (BED) first rate change in 12 years in FY22, BED informed customers and Councilors that we would likely need more frequent rate adjustments going forward, but that our goal was to keep them more moderate. For context, while BED sought a 7.5 percent increase in FY22, our documented need during the Public Utility Commission (PUC) process was 11.32 percent, meaning we asked for less than what was necessary. In FY23, BED sought a 3.95 percent increase, while our documented need for the PUC process was 5.92 percent. That trend continued in FY24 with BED requesting a 5.5 percent increase even with justification for a 10.56 percent increase. BED has asked for less than what is justified to limit the impacts on our customers, particularly coming out of the pandemic and with continued economic challenges such as relatively high inflation.



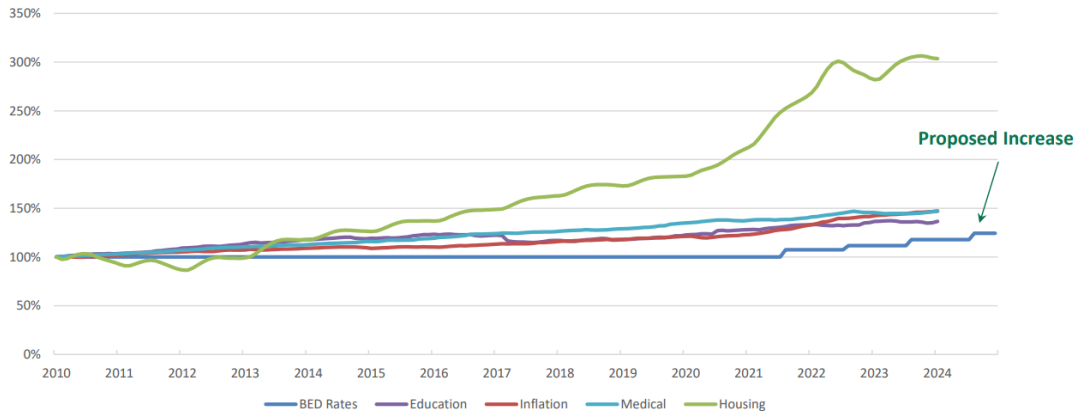
BED Requested Rate Changes vs. Cost of Service since 2021



For FY24, BED is proposing a 5.5 percent rate increase. All told, BED's rate changes over the past several years (including the proposed 5.5 percent in FY25) would still be below inflation rates during that time period (see graph below), and even with this rate change BED's total rates will remain low compared to the Vermont utility average.



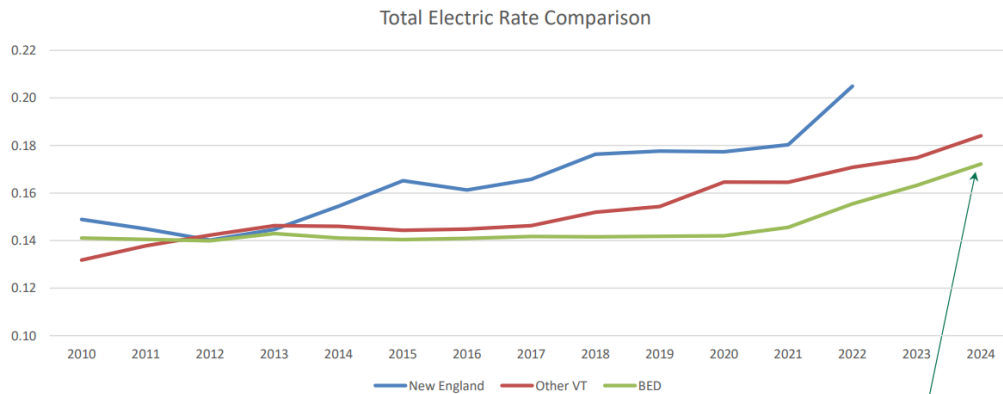
Change in Cost of BED Electricity vs. Other Goods/Services since 2010



¹ Data sources from FRED Economic Data and BED sales



Rate Comparison: Total Cost to Serve, 2010-2024



Source: BED sales data, EIA data up to 2022, Other VT 2023 and 2024 based on GMP rate increases

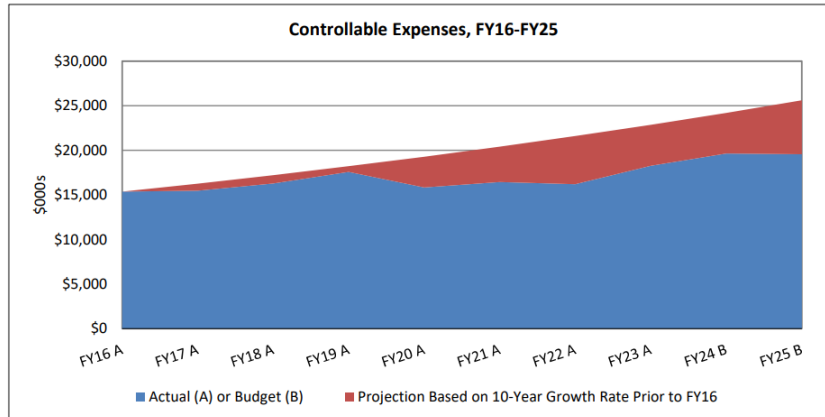
Proposed Increase

BED has worked diligently to reduce costs for FY25, holding controllable operating expenses lower in FY25 than the FY24 level.



Holding Down Controllable Expenses

Controllable, non-power supply O&M expenses 0.4% or \$80K lower than FY24 budget

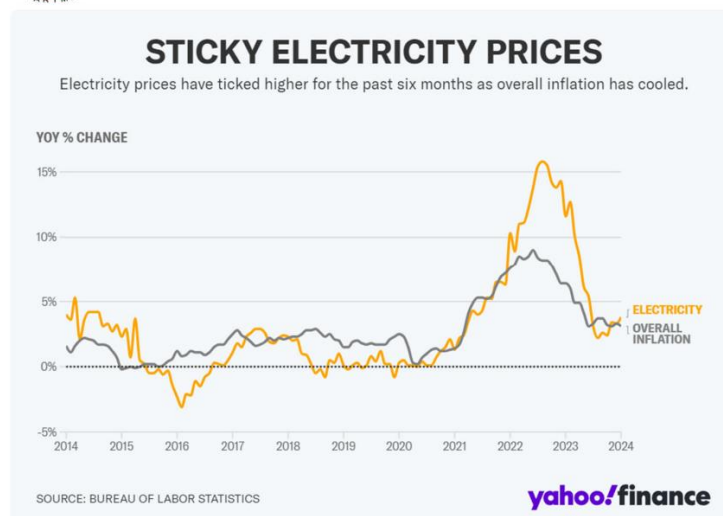


Continued fiscal discipline since FY16 has moderated annual increases in controllable expenses to 3.3% on average, compared to 5.84% between FY07-FY16

At the same time, BED faces increased cost pressures from several factors, some of which are outside of our control, including increased transmission costs, relatively flat sales to customers, implementation of COLAs under the current 4-year labor contract, lower forward prices for the sale of excess winter energy, and power supply costs. Electricity costs in general across the nation have been rising at rates above inflation levels, as outlined in the following graph:



U.S. Electricity Prices Rising Faster than Inflation



- Nationally, electricity averaging 7.7% annual increases over past three years
- Transmission cost increases, volatility in fuel prices are drivers

<https://www.utilitydive.com/news/us-electricity-prices-rise-customer-eia-outlook/710113/> and <https://money.usnews.com/investing/articles/5-areas-where-inflation-is-highest>

The FY25 rate change will help BED to maintain credit rating and financial metrics that are in-line with expectations, and continue to invest in critical Net Zero Energy related incentives and infrastructure for

our customers, supported by capital financing and liquidity from our Net Zero Energy Revenue Bond. As we expect to spend the remainder of the proceeds from our 2022A revenue bond in FY25 and we look at the options for issuing a next revenue bond to support additional progress towards Net Zero Energy and grid reliability, maintaining strong financial metrics for our credit rating will remain important.

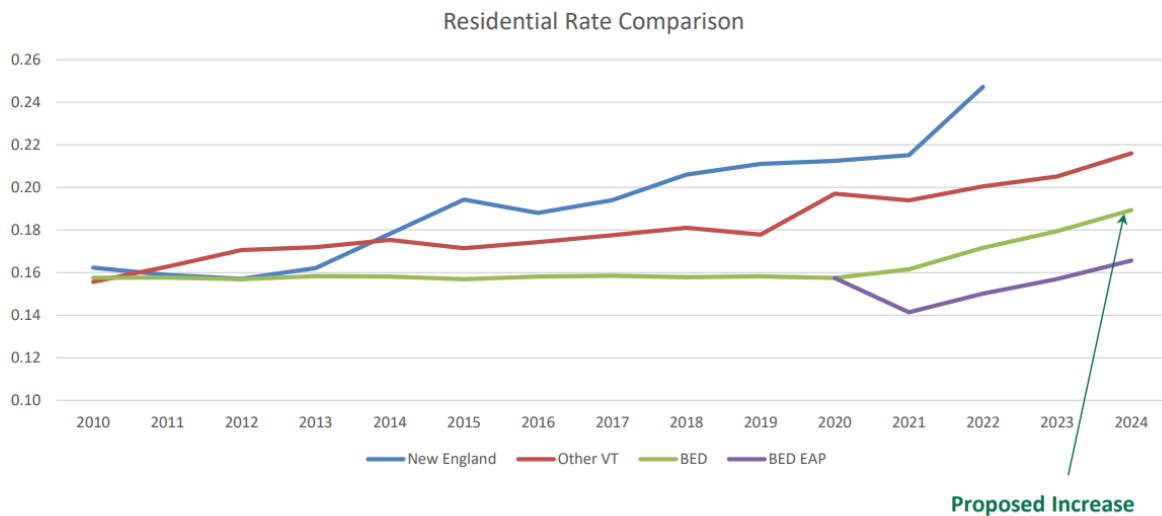
Attached to this memo are BED's FY25 rate change slides, as they were presented to the Board of Finance on May 13th.

Rate Change

For BED's residential customers, even with the proposed change, rates will remain lower than the Vermont and New England average.



Rate Comparison: Residential, 2010-2024



Source: BED sales data, EIA data up to 2022, Other VT 2023 and 2024 based on GMP rate increases

While average residential bills would increase by approximately \$4.51 per month, BED's Energy Assistance Program, which provides income-qualified residential customers with a 12.5 percent bill discount, was just approved on 5/21 as a permanent program. The PUC has also approved BED's proposed "automatic opt-in" enrollment for customers we know are eligible, which we anticipate could quadruple enrollment in the near-term. Eligibility requirements include being enrolled in the State of Vermont Fuel Assistance Program, the federal Housing Choice Voucher (Section 8) Program, or 3SquaresVT, which support customers with eligible incomes. In addition, BED has a lower customer charge than other utilities and discounts the first 100 kWh used as part of a statewide energy procurement program. This effectively provides a significant discount to customers who use less electricity than to customers using more.

For the bulk of BED's commercial customers (who are on the small general service rate), the average bill increase would be about \$5.71 per month. BED's commercial rate is not perfectly analogous to the

combined commercial/industrial rate of other utilities used in our slides, but as noted in the slides the commercial rate with the proposed increase may be slightly higher than the Vermont average (full data for utility rates for 2023/2024 is not yet available). We will be watching closely to ensure our commercial rates remain competitive going forward.

Timeline

The Burlington Electric Commission reviewed BED's FY25 budget, discussed the proposed rate change, and unanimously recommended the proposed rate change to the City Council by a vote at their meeting on May 8, 2023.

After BED files its rate case with the PUC, members of the Burlington community will have the opportunity to provide comment at public hearings and through written testimony during the PUC's thorough rate review process, which is expected to span at least several months. The rates charged to customers of Vermont public utilities must be reviewed and will be approved only if the PUC determines that the proposed rates are just and reasonable. Prior to a final decision from the PUC and in accordance with PUC rules, BED will add a 5.5 percent rate surcharge on customer bills beginning September 1, 2024. This surcharge will continue until the rate case is finalized, at which time BED will adjust customer bills based on the outcome of the rate case. The public can learn more about PUC rate case procedures by visiting https://puc.vermont.gov/sites/psbnew/files/doc_library/rate-case-procedures.pdf.

BED's FY25 budget assumes implementation of the 5.5 percent rate surcharge mentioned above starting with bills rendered on or after September 1, 2024. In order to meet that timeline BED must file the rate case with the Vermont PUC by mid-June 2024.

Forward-Looking Steps

BED has taken several steps since last year to support strong financial metrics and reduce future upward rate pressure for customers, including:

- **Increase to the credit line** – BED proposed a charter change to voters on Town Meeting Day 2024 to increase our line of credit from \$5 million to \$10 million, and voters approved. The line of credit is considered in our days cash on hand metric for our Moody's credit rating. The charter change was incorporated into H. 881, which passed the Vermont House and Senate and was signed by the Governor on May 29th, 2024. As a result, BED is bringing forward (also at the June 3 Board of Finance and City Council meetings) an item to enter a new line of credit agreement at the \$10 million level so ratepayers can benefit immediately from this change.
- **Net Zero Revenue Bond 2.0** – BED had estimated a capital need of approximately \$40 million originally for a Net Zero Energy Revenue bond, but sought half of that (approved by voters in December 2021) for the initial Net Zero Energy Revenue Bond issued in March 2022. BED is continuing to review its capital needs, and is planning to propose a future revenue bond finance proposal for later in 2024 or early 2025 for voters to consider. It is also possible that BED would seek approval at that time to issue taxable revenue bonds to support our continued investment in VELCO equity, which yields a positive return for our customers, but which also is challenging to continue to invest in without financing from a cash standpoint.

- **H. 289** – The Vermont Renewable Energy Standard legislation update includes a provision that would permit municipalities to avoid fully litigated rate cases when rate requests are 3 percent or less in a given year, up to a maximum of 10% cumulatively prior to needing a fully litigated rate case. Rate case litigation is costly from a staff time and outside counsel standpoint, and this could reduce BED expenditures in future rate cases if we can keep rate requests at or below the 3 percent level if H. 289 is enacted.

Conclusion

BED is aware of the continued challenging environment for our customers and the economy due to some persistence in elevated inflation rates, and the cumulative burden from other rate and tax changes more broadly. We have worked to keep this rate request as low as possible while still investing in key initiatives and infrastructure to provide reliable energy to our community and maintaining strong credit rating and financial metrics. BED's renewable energy assets continue to mitigate volatility from market-based fossil fuel resources and help BED avoid the more dramatic double- or even triple-digit rate increases that have been seen elsewhere in New England in recent years.

BED staff will be present at the Board of Finance meeting and City Council meetings on June 3, 2024 to answer any questions Councilors may have.

Motions

Board of Finance:

To approve and recommend that the City Council authorize the General Manager of the Burlington Electric Department or their designee to file tariff amendments and supporting documents with the Vermont Public Utility Commission requesting an increase in Burlington Electric Department rates of 5.5 percent on bills rendered on or after September 1, 2024 as proposed.

City Council:

To approve and authorize the General Manager of the Burlington Electric Department or their designee to file tariff amendments and supporting documents with the Vermont Public Utility Commission requesting an increase to Burlington Electric Department rates of 5.5 percent on bills rendered on or after September 1, 2024 as proposed.

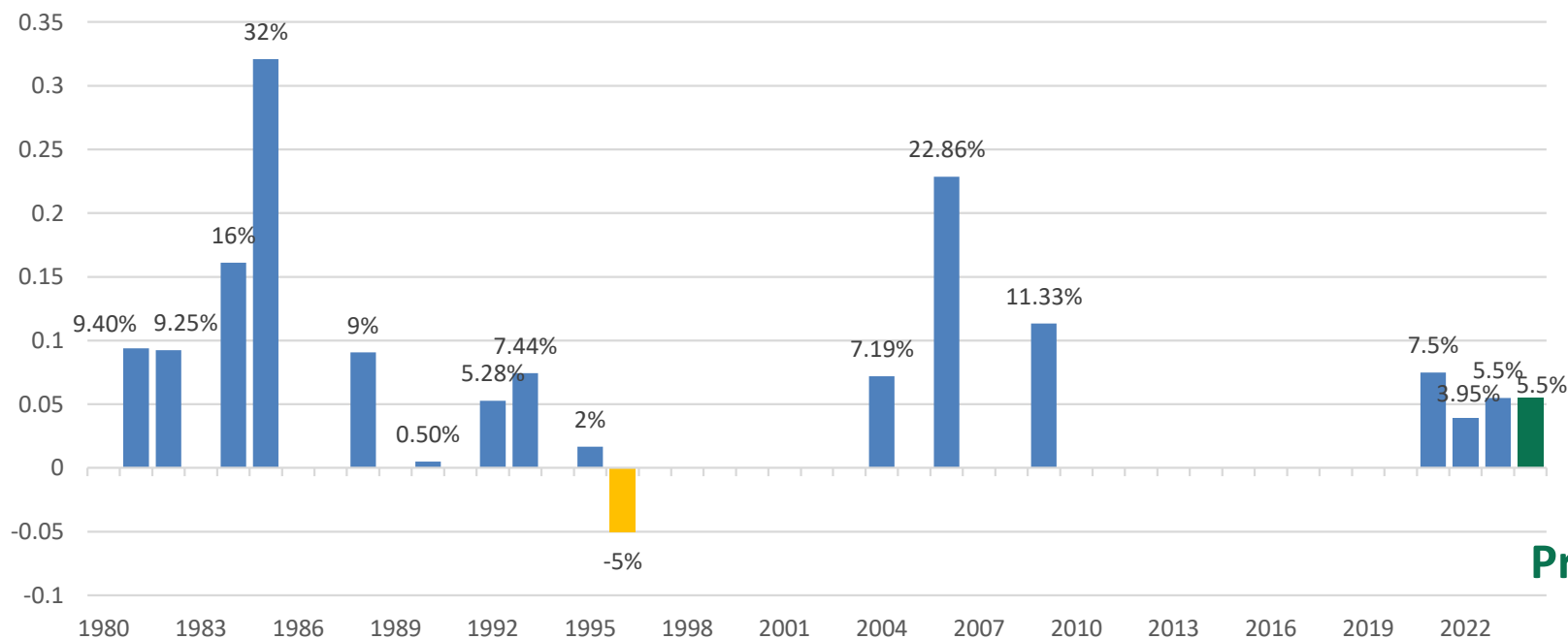


FY25 Rate Case – 5.5%

Burlington Board of Finance
Burlington City Council
June 3, 2024



BED Rate Changes Since 1980



Proposed Increase

Rate Increase	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
BED	11.33%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	7.50%	3.95%	5.50%	5.50%
GMP	0.00%	0.00%	0.00%	0.00%	0.00%	0.40%	2.00%	-1.46%	0.73%	0.93%	5.43%	-0.50%	2.70%	4.69%	2.34%	5.29%
WEC	0.00%	0.00%	0.00%	0.00%	0.00%	4.00%	0.00%	0.00%	5.95%	4.00%	5.95%	0.00%	0.00%	14.19%	12.83%	0.00%
VEC	0.00%	0.00%	0.00%	0.00%	2.93%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	3.29%	0.00%	1.96%	8.19%	8.76%



Rate Increase Drivers

Need to increase operating revenues commensurate with increased operating expenses to maintain strong credit rating and adequate cash reserves

- Flat sales to customers
- Flat/declining REC revenues due to relatively stable prices and variation in production across the portfolio
- Higher purchased power costs due to lower forward prices for sale of excess winter energy
- Increased transmission costs
- Continued inflationary pressures in other O&M expenses
- 3 years of rate increases < demonstrated need



BED Requested Rate Changes vs. Cost of Service since 2021



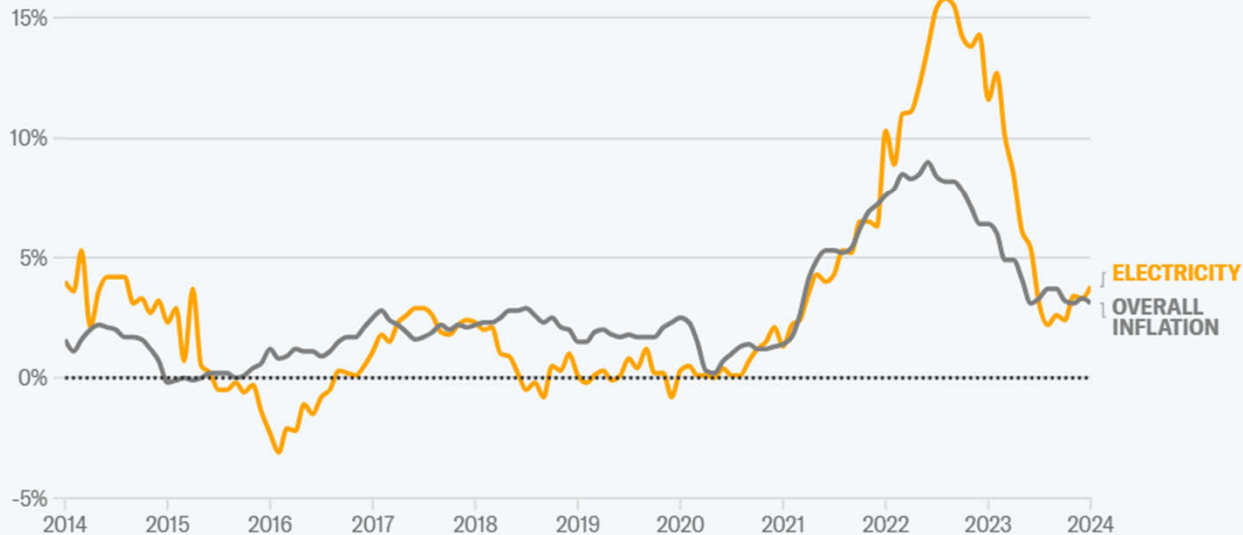


U.S. Electricity Prices Rising Faster than Inflation

STICKY ELECTRICITY PRICES

Electricity prices have ticked higher for the past six months as overall inflation has cooled.

YOY % CHANGE



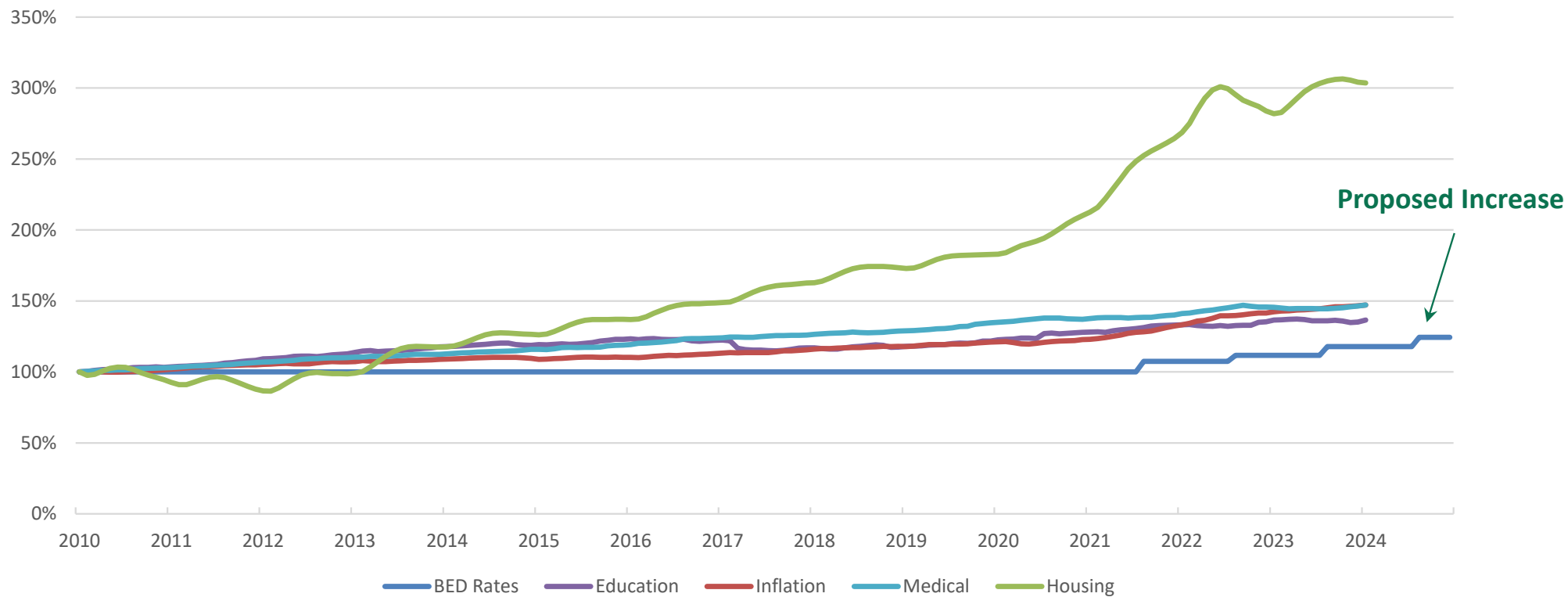
SOURCE: BUREAU OF LABOR STATISTICS

yahoo!finance

- Nationally, electricity averaging 7.7% annual increases over past three years
- Transmission cost increases, volatility in fuel prices are drivers
- <https://www.utilitydive.com/news/us-electricity-prices-rise-customer-eia-outlook/710113/> and <https://money.usnews.com/investing/articles/5-areas-where-inflation-is-highest>



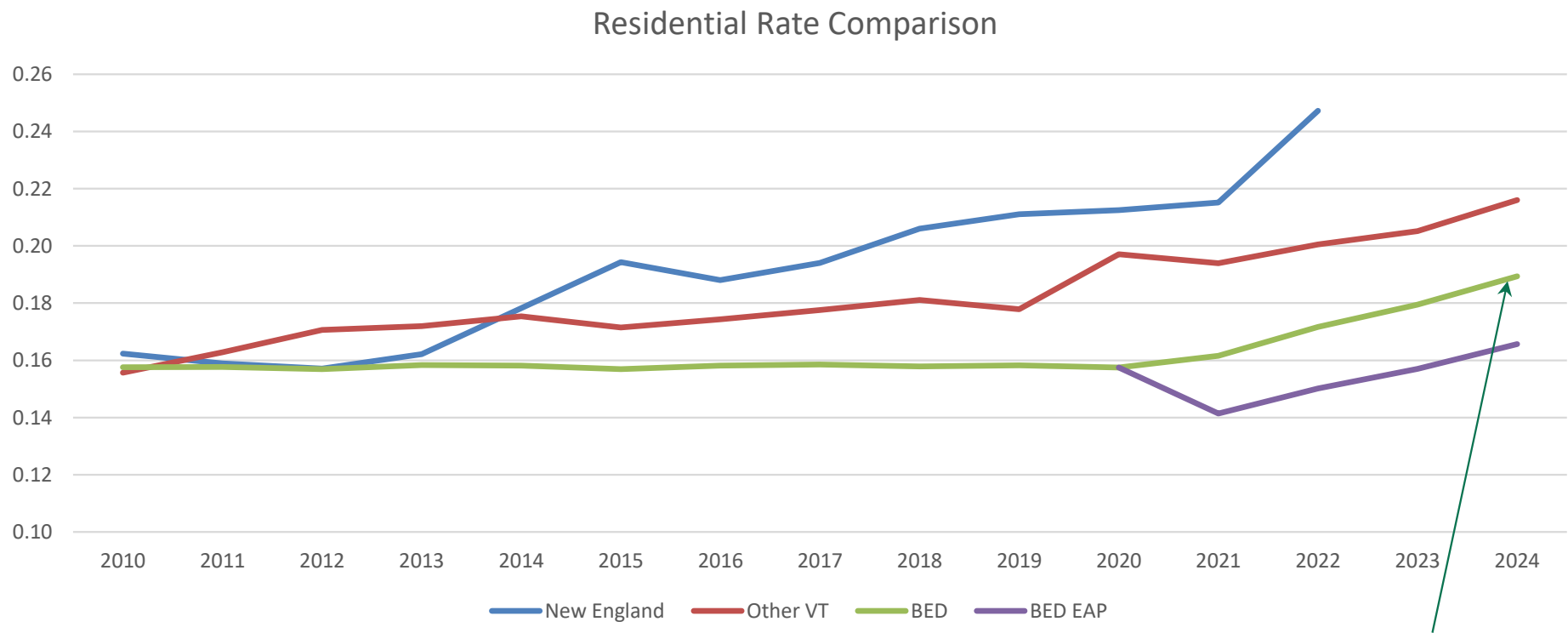
Change in Cost of BED Electricity vs. Other Goods/Services since 2010



¹ Data sources from FRED Economic Data and BED sales



Rate Comparison: Residential, 2010-2024

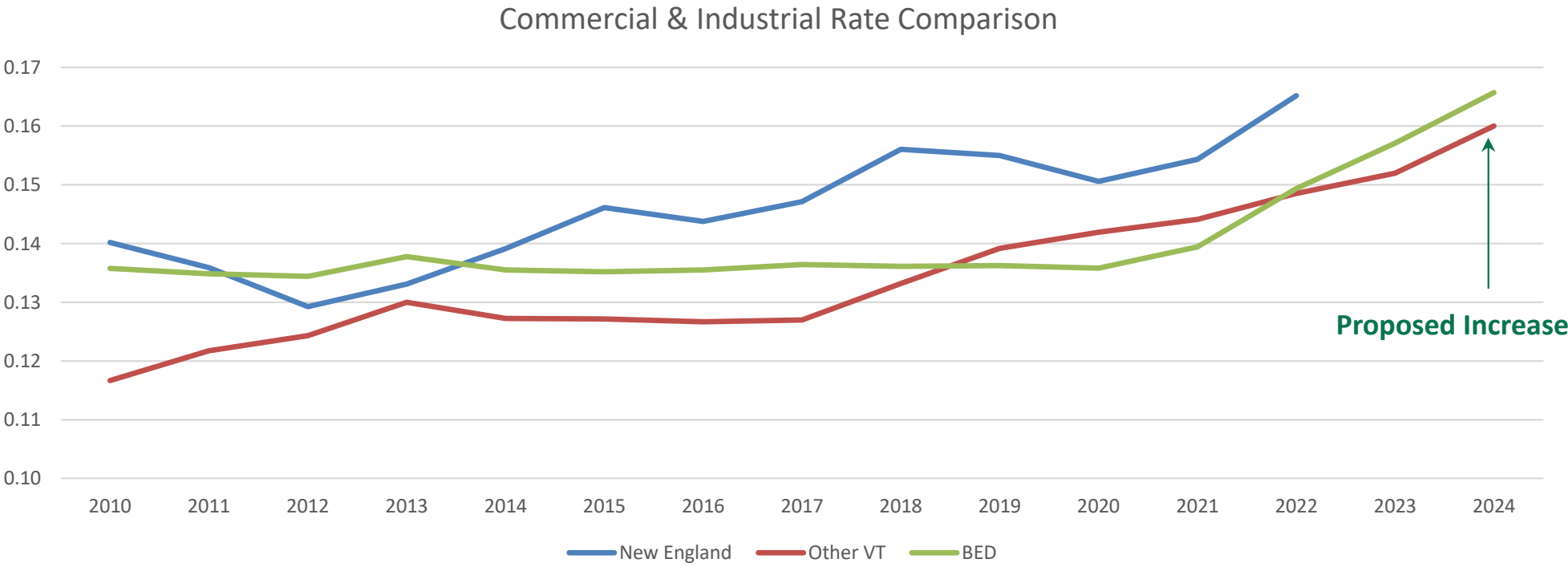


Proposed Increase

Source: BED sales data, EIA data up to 2022, Other VT 2023 and 2024 based on GMP rate increases



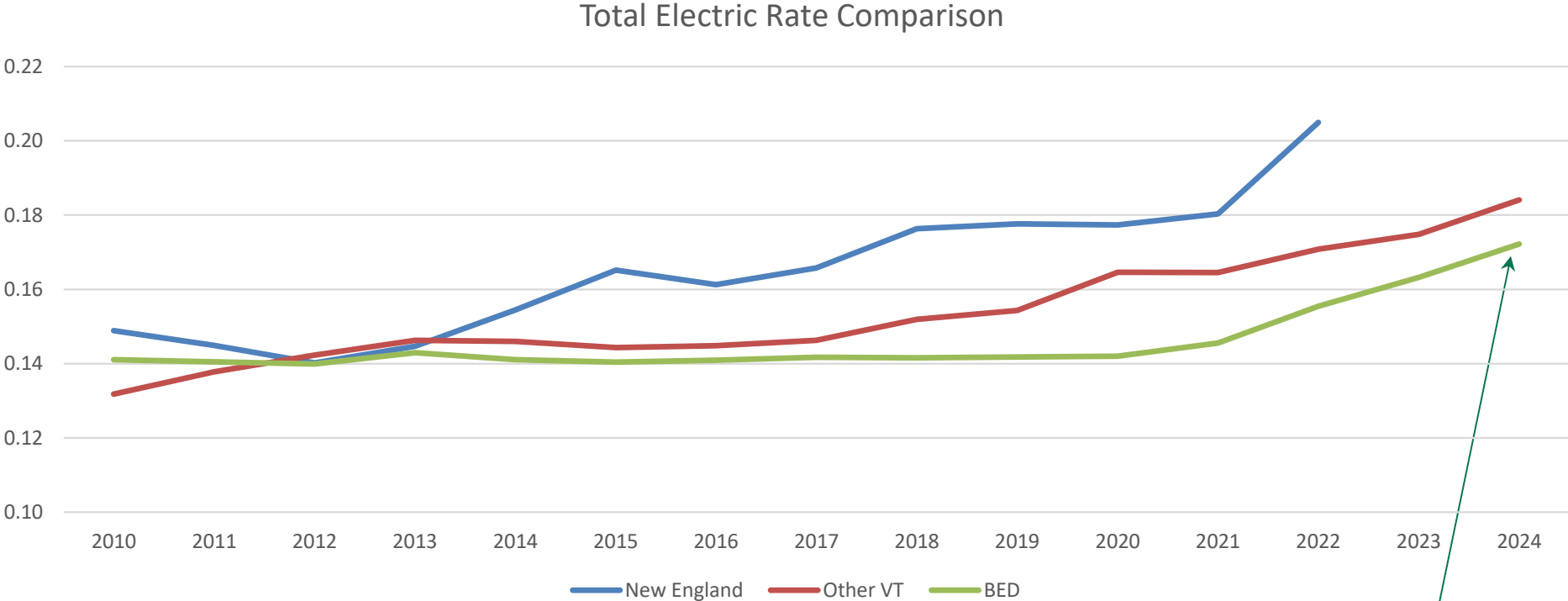
Rate Comparison: Commercial & Industrial, 2010-2024



Source: BED sales data, EIA data up to 2022, Other VT 2023 and 2024 based on GMP rate increases



Rate Comparison: Total Cost to Serve, 2010-2024



Source: BED sales data, EIA data up to 2022, Other VT 2023 and 2024 based on GMP rate increases

Proposed Increase



Effect on Customer Bills

Group	Average Monthly Use (kWh)	Average Monthly Bill ¹		
		At Current Rate	At Proposed Rate	Increase
Residential	410	\$82.05	\$86.56	\$4.51
Small General	417	\$103.73	\$109.44	\$5.71

¹ Accounting for Franchise Fee

² Calculations based on average monthly energy for rate classes. The rate increase will have larger bill impacts for customers with higher energy usage



Effect on Energy Assistance Program Customers

- Estimated bill impact is \$5.33/month¹ on average
- EAP enrollment can mitigate the rate increase impact on the monthly bill

Period	LMI Bill (Before EAP Credit)	EAP Credit
Current Rate	\$ 96.95	-\$12.12 (12.5%)
Proposed Rate	\$ 102.28	-\$12.79 (12.5%)

- Eligibility: 185% of Federal Poverty Level & Current Participant in Vermont State Fuel Assistance Program
- 238 customers enrolled as of 4-30-24. Anticipated to help 800-1,500 residential customers based on enrollment of eligible customers for similar assistance programs²
- Pilot program still in effect – waiting for PUC to approve final tariff

¹ Low/Moderate-income usage modeled on customers currently enrolled in BED's Energy Assistance Program (489 kWh/month)

² Anticipated enrollment based on uptake of eligible customers in other Vermont Energy Assistance programs (VGS: 14%, GMP: 25%)

Board of Finance and City Council Submission Checklist

Department: BED Submitter: Darren Springer

Title/Subject: Rate Change for FY25

	Approval:	Meeting Date:
☐	Board of Finance	Click or tap to enter a date.
☐	City Council	Click or tap to enter a date.
☒	Concurrent	6/3/2024

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	5/22/2024	Darren Springer
Mayor's Office informed and approved memo	Yes	5/29/2024	Erin Jacobsen
Board/Commission, if required	Yes	5/8/2024	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	5/30/2024	Kim Sturtevant
CAO has reviewed budget, financing, and memo	Yes	5/29/2024	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	Choose an item.	Click or tap here to enter text.
Additional Materials, if necessary	Yes	BOF Budget and Rate Slides
Draft Resolution or Motion?	Yes	Motions in Memo
If for submission to Council, are sponsors identified?	Yes	Board of Finance

Resolution Relating to

APPROVING THE PLEDGING OF THE CREDIT OF THE CITY IN ANTICIPATION OF THE RECEIPT OF REVENUE FROM THE ELECTRIC DEPARTMENT

RESOLUTION _____
Sponsor(s): Bd. of Finance
Introduced: _____
Referred to: _____
Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Twenty-Four.....

Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, pursuant to Section 62(a) of the Charter of the City of Burlington (the "City"), the credit of the City may be pledged by temporary borrowing in anticipation of the receipt of revenue from the City's Electric Department in an amount not to exceed Ten Million Dollars (\$10,000,000) outstanding at any time, to provide working capital and liquidity for the Electric Department; and

WHEREAS, notes issued pursuant to such Section 62(a) shall mature within two years from the date of issue, and may be renewed or refunded by the issuance of other notes maturing within a similar period whenever such action is deemed expedient; and

WHEREAS, the City's Electric Department solicited proposals for a taxable revolving line of credit and has selected M&T Bank (the "Bank") as providing the most reasonable terms for such line of credit to support the working capital and liquidity needs of the Electric Department;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Burlington, Vermont, as follows:

- The City is hereby authorized to borrow an amount not to exceed \$10,000,000 from the Bank, or such other reputable bank or commercial lender as the Chief Administrative Officer may approve (the "Loan"), and to issue its revenue anticipation note and pledge the credit of the City for the repayment thereof (the "Note"), for the purpose of providing working capital and liquidity for the Electric Department. The Loan shall be payable from the receipt of revenues of the Electric Department. The Note shall be a general obligation of the City and shall mature within two years from the date it is extended to the City. The Loan may be made on a draw-down basis, repaid and re-borrowed during such two-year period. The Loan may be renewed so long as the Note for such Loan matures within two years of the date it is renewed and issued;
- The Mayor, Chief Administrative Officer, Director of Finance and Assistant Director of Finance are, and each one of them is, hereby authorized and empowered to execute and deliver (i) a loan agreement with the lender to evidence the Loan and the repayment thereof, (ii) the Note in the maximum principal amount of the Loan, together with any renewal notes, as and when the Loan is

26 renewed, if applicable, (iii) such documents and instruments as the lender may request in
27 connection with the Loan, in such form and with such terms as they deem necessary and in the
28 City's best interest, and (iv) such other documents and instruments necessary or convenient in
29 connection with the Loan, subject to prior review by the City Attorney or bond counsel to the City.

30

31

32 TM/Resolutions 2024/*Approving the Pledging of the Credit of the City in Anticipation of the Receipt of Revenue From the Electric Department*
33 June 3, 2024



To: Board of Finance, City Council, Mayor

From: Darren Springer, General Manager
Emily Stebbins-Wheelock, CFO and Manager of Strategy & Innovation

Re: Electric Department Line of Credit/Revenue Anticipation Note

Date: June 3, 2024

The Burlington Electric Department (BED) seeks approval to enter a loan agreement for a revolving line of credit with M&T Bank for up to \$10,000,000, pursuant to Section 62 of the Burlington City Charter.

A line of credit is a pre-approved loan or “credit facility” in which an organization enters an agreement with a bank to establish a preset borrowing limit. If the organization has a short-term need for cash (or “working capital”), it can draw down any amount up to the preset limit from the line of credit. Any amount drawn down is considered debt and as the debt is repaid, it can be borrowed again. Because a line of credit, if drawn upon, is a form of borrowing and because all forms of debt must be authorized by voters, the City of Burlington charter contains an explicit provision for a BED line of credit to allow BED to maintain the line without seeking voter approval through a ballot item year after year.

The line of credit is important to BED for two reasons. First, it provides ready access to a source of working capital if needed. Although BED has not drawn down the line of credit since 2009, in the wake of the financial crisis, and does not plan to use it again, the availability of the line of credit provides important assurance that BED could access working capital quickly if an unexpected need arose or if it was advantageous to us to do so. Second, one of the metrics Moody’s uses in BED’s rating is “days cash on hand.” The line of credit is not considered equivalent to cash, but it is noted as a positive factor in our rating report and considered qualitatively in our rating.

BED’s line of credit was set at \$5 million in 2007. On Town Meeting Day 2024, BED put forward a ballot item to amend the City charter to raise the line limit to \$10 million to make the line more commensurate with the current size of BED’s operating budget, with some room for growth. The Burlington Electric Commission, Board of Finance, and City Council each approved the ballot item unanimously, and voters approved the ballot item overwhelmingly, with 73.96% voting in favor. The Burlington delegation in the Vermont House introduced the charter change this session as bill H.881. The bill has passed both the House and the Senate and was signed into law by the Governor on May 29, 2024.

Burlington Electric Department
585 Pine Street Burlington, VT 05401
burlingtonelectric.com

Phone 802.658.0300

BED's existing line of credit with Key Bank expires on June 30, 2024. In April, BED issued a request for proposals (RFP) soliciting interest from banks and financial institutions to replace it, and asked responding firms to provide pricing at both the \$5 million and \$10 million level. BED received two responses to the RFP and has selected M&T Bank. (Key Bank did not respond to the RFP.)

BED respectfully requests approval of a new line of credit with M&T Bank of up to \$10 million for a two-year term. Final terms will be negotiated by bond counsel prior to loan execution. BED will pay an unused line fee annually of 10 basis points (0.10%), equating to approximately \$10,000 per year, to have access to the line. If BED uses the line of credit, the interest rate will be equal to the Daily SOFR rate plus 1.13%. (The current line of credit has an interest rate of the Daily SOFR rate plus 1.10%.)

BED staff will be present at the June 3, 2024 meeting to answer any questions.

Motions

Board of Finance

To approve and recommend the City Council approve:

- (1) The City's authorization to borrow an amount not to exceed \$10,000,000 from M&T Bank, or such other reputable bank or commercial lender as the Chief Administrative Officer may approve (the "Loan"), and to issue its revenue anticipation note and pledge the credit of the City for the repayment thereof (the "Note"), for the purpose of providing working capital and liquidity for the Electric Department. The Loan shall be payable from the receipt of revenues of the Electric Department. The Note shall be a general obligation of the City and shall mature within two years from the date it is extended to the City. The Loan may be made on a draw-down basis, repaid, and re-borrowed during such two-year period. The Loan may be renewed so long as the Note for such Loan matures within two years of the date it is renewed and issued.
- (2) The Mayor, the Chief Administrative Officer, and the Director of Finance are authorized and empowered to execute and deliver (i) a loan agreement with the lender to evidence the Loan and the repayment thereof, (ii) the Note in the maximum principal amount of the Loan, together with any renewal notes, as and when the Loan is renewed, if applicable, (iii) such documents and instruments as the lender may request in connection with the Loan, in such form and with such terms as they deem necessary and in the City's best interest, and (iv) such other documents and instruments necessary or convenient in connection with the Loan, subject to prior review by the City Attorney or bond counsel to the City.

City Council

To approve:

- (1) The City's authorization to borrow an amount not to exceed \$10,000,000 from M&T Bank, or such other reputable bank or commercial lender as the Chief Administrative Officer may approve (the "Loan"), and to issue its revenue anticipation note and pledge the credit of the City for the repayment thereof (the "Note"), for the purpose of providing working capital and liquidity for the Electric Department. The Loan shall be

- payable from the receipt of revenues of the Electric Department. The Note shall be a general obligation of the City and shall mature within two years from the date it is extended to the City. The Loan may be made on a draw-down basis, repaid, and re-borrowed during such two-year period. The Loan may be renewed so long as the Note for such Loan matures within two years of the date it is renewed and issued.
- (2) The Mayor, the Chief Administrative Officer, and the Director of Finance are authorized and empowered to execute and deliver (i) a loan agreement with the lender to evidence the Loan and the repayment thereof, (ii) the Note in the maximum principal amount of the Loan, together with any renewal notes, as and when the Loan is renewed, if applicable, (iii) such documents and instruments as the lender may request in connection with the Loan, in such form and with such terms as they deem necessary and in the City's best interest, and (iv) such other documents and instruments necessary or convenient in connection with the Loan, subject to prior review by the City Attorney or bond counsel to the City.

Board of Finance and City Council Submission Checklist

Department: BED Submitter: Darren Springer

Title/Subject: BED Line of Credit/Revenue Anticipation Note

	Approval:	Meeting Date:
☐	Board of Finance	Click or tap to enter a date.
☐	City Council	Click or tap to enter a date.
☒	Concurrent	6/3/2024

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	5/22/2024	Darren Springer
Mayor's Office informed and approved memo	Yes	5/29/2024	Erin Jacobsen
Board/Commission, if required	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Yes	5/30/2024	Kim Sturtevant Thomas Melloni, Bond Counsel
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	5/30/2024	Kim Sturtevant Thomas Melloni, Bond Counsel
CAO has reviewed budget, financing, and memo	Yes	5/29/2023	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	No	Final agreement to be negotiated by bond counsel
Additional Materials, if necessary	N/A	Click or tap here to enter text.
Draft Resolution or Motion?	Yes	Resolution attached
If for submission to Council, are sponsors identified?	Yes	Board of Finance

Resolution Relating to

APPROVING THE PLEDGING OF THE CREDIT OF THE
CITY IN ANTICIPATION OF THE RECEIPT OF REVENUE
FROM THE ELECTRIC DEPARTMENT

RESOLUTION 6.4.

Sponsor(s): Bd. of Finance

Introduced: 06/03/24

Referred to:

Action: adopted

Date: 06/03/24

Signed by Mayor: 06/04/24

CITY OF BURLINGTON

In the year Two Thousand Twenty-Four.....

Resolved by the City Council of the City of Burlington, as follows:

1 That WHEREAS, pursuant to Section 62(a) of the Charter of the City of Burlington (the "City"), the credit
2 of the City may be pledged by temporary borrowing in anticipation of the receipt of revenue from the City's
3 Electric Department in an amount not to exceed Ten Million Dollars (\$10,000,000) outstanding at any time, to
4 provide working capital and liquidity for the Electric Department; and

5 WHEREAS, notes issued pursuant to such Section 62(a) shall mature within two years from the date of
6 issue, and may be renewed or refunded by the issuance of other notes maturing within a similar period
7 whenever such action is deemed expedient; and

8 WHEREAS, the City's Electric Department solicited proposals for a taxable revolving line of credit
9 and has selected M&T Bank (the "Bank") as providing the most reasonable terms for such line of credit to
10 support the working capital and liquidity needs of the Electric Department;

11 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Burlington, Vermont, as
12 follows:

- 13 • The City is hereby authorized to borrow an amount not to exceed \$10,000,000 from the Bank, or
14 such other reputable bank or commercial lender as the Chief Administrative Officer may approve
15 (the "Loan"), and to issue its revenue anticipation note and pledge the credit of the City for the
16 repayment thereof (the "Note"), for the purpose of providing working capital and liquidity for the
17 Electric Department. The Loan shall be payable from the receipt of revenues of the Electric
18 Department. The Note shall be a general obligation of the City and shall mature within two years
19 from the date it is extended to the City. The Loan may be made on a draw-down basis, repaid and
20 re-borrowed during such two-year period. The Loan may be renewed so long as the Note for such
21 Loan matures within two years of the date it is renewed and issued;
- 22 • The Mayor, Chief Administrative Officer, Director of Finance and Assistant Director of Finance
23 are, and each one of them is, hereby authorized and empowered to execute and deliver (i) a loan
24 agreement with the lender to evidence the Loan and the repayment thereof, (ii) the Note in the
25 maximum principal amount of the Loan, together with any renewal notes, as and when the Loan is

* * * * *

DISTRIBUTION:

I hereby certify that this resolution
has been sent to the following
department(s) on

* * * * *

ORIGINAL

RESOLUTION RELATING TO

.....
.....
.....

Adopted by the City Council

....., 20
..... Clerk

Approved....., 20

..... Mayor

Vol. Page

Attest:

renewed, if applicable, (iii) such documents and instruments as the lender may request in connection with the Loan, in such form and with such terms as they deem necessary and in the City's best interest, and (iv) such other documents and instruments necessary or convenient in connection with the Loan, subject to prior review by the City Attorney or bond counsel to the City.

TM/Resolutions 2024/*Approving the Pledging of the Credit of the City in Anticipation of the Receipt of Revenue From the Electric Department*
June 3, 2024

* * * * *

DISTRIBUTION:

I hereby certify that this resolution
has been sent to the following
department(s) on

BED General Manager Springer

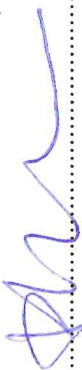
ORIGINAL

RESOLUTION RELATING TO

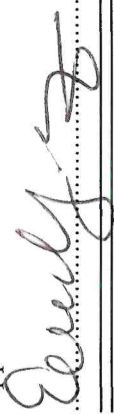
Approving The Pledging Of The Credit Of The City In Anticipation Of The Receipt Of
Revenue From The Electric Department.

Adopted by the City Council

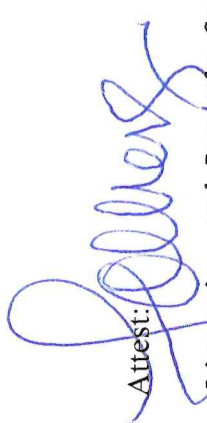
June 3 20 24

 Clerk

Approved June 4 20 24

 Mayor

Vol. Page


Attest:
Licensing and Records Coordinator
Lori Olberg

* * * * *



MEMORANDUM

To: Burlington Board of Finance and City Council

From: Darren Springer, General Manager
Emily Stebbins-Wheelock, CFO and Manager of Strategy & Innovation

Date: June 3, 2024

Subject: **Proposed Changes to BED Miscellaneous Service Fees**

The Burlington Electric Department (BED) is seeking City Council approval to file with the Vermont Public Utility Commission a request to update BED's "Miscellaneous Service Fees" tariff.

Background

Miscellaneous Services include utility services undertaken in support of or in response to a request by a unique customer. BED charges distinct fees for these services on a per-occurrence basis under a PUC-approved Miscellaneous Service Fees tariff that is appended to BED's Operating Guidelines. BED charges separately for these services in accordance with the utility rate-making principle of "cost causer pays;" because only certain customers request or require such services, it would not be just or fair to assign the cost of these services to all customers through electric service rates.

BED's Miscellaneous Service Fees have not been updated since the current fees became effective July 1, 2010. The current fees were based on FY 2009 costs and were developed prior to BED's deployment of advanced metering infrastructure (AMI), which enabled remote connection and disconnection of meters, among other functionality.

Internal Fee Review

BED began a review of its Miscellaneous Service Fees in 2023 at the request of the Burlington Electric Commission. In its review, BED performed the following analyses:

- Reviewed business processes associated with all miscellaneous service fees, including degree and nature of AMI involvement
- Reviewed and updated all time and personnel involvement with each service
- Updated labor rates to FY24
- Updated labor overhead rate to FY23 actual
- Updated minimum call and overtime rates per current IBEW contract
- Analyzed initial service performed for new vs. returning customers
(In 2023, 46% were new customers and 54% returning customers)
- Analyzed depreciation on AMI-related assets (meters, servers, software)
- Previewed changes with VT Department of Public Service

Proposed Changes

The proposed fee changes are outlined in the attached table, which shows the current and proposed fee title, description, and rate. The proposed changes include increases and decreases in rates, addition and elimination of fees, and wording changes, as follows:

- The Initial Service fee would decrease from \$30 and split into two categories, \$6 for Returning Customers and \$15 for New Customers.
- The Initial Service-after-hours fee would decrease from \$195 to \$72.
- The Reconnection fee would increase from \$20 to \$26 and charged for any reconnection, not just reconnection following a disconnection for non-payment.
- The Reconnection-after hours fee would decrease from \$195 to \$93, charged for any reconnection, not just reconnection following a disconnection for non-payment, and charged instead of the initial service fee when reconnection accompanies a request for service.
- The Temporary Service fee would increase from \$535 to \$841.
- The Returned Check fee would increase from \$10 to either \$28 if BED is charged a bank fee or \$18 if BED is not charged a bank fee. BED is awaiting a response from TD Bank on whether bank fees will be applied. The Council's approval of both fees will allow BED flexibility to adjust prior to or during its PUC filing based on updated information from TD Bank.
- The Meter Removal/Replacement fee would decrease from \$95 to \$78. Title and description changes are proposed that would make the fee more generic and more equitable by allowing BED to charge for meter pulls that are performed for reasons other than siding work.
- The Collection fee would be eliminated.
- BED is proposing that the fees currently titled "customer assistance call" be retitled as "power problem investigation-customer responsibility" based on feedback from customers that indicated that the current label is confusing. BED is also proposing updates to the description of these fees.
 - The Power Problem Investigation-Customer Responsibility fee would increase from \$28 to \$132.
 - The Power Problem Investigation-Customer Responsibility-after hours fee would increase from \$195 to \$483.
- BED is proposing new fees for on-site disconnect/reconnect assistance, to include single meter with and without underground assistance and multi-meter with and without line worker assistance with underground work. BED performed approximately 200 of these services last year, and currently does not charge for it. Typically, these requests are driven by some work being performed on the customer's electrical service to expand, upgrade, or bring it up to code, install solar, do work on the roof, or other similar situations.
 - Disconnect/Reconnect - Single-Meter fee would be \$515
 - Disconnect/Reconnect - Single-Meter, Underground fee would be \$715
 - Disconnect/Reconnect - Multi-Meter fee would be \$586
 - Disconnect/Reconnect - Multi-Meter, Underground fee would be \$785.

Electric Commission Review and Customer Engagement

The Burlington Electric Commission discussed the proposed fee changes at their January, February, and March 2024 meetings, at which BED staff provided information about the proposed changes and Commissioners asked questions and in some cases requested that additional investigation be performed.

At the request of the Electric Commission, BED posted information about the proposed fee changes on its website and solicited feedback from customers via the *North Avenue News*, Front Porch Forum, and BED's Facebook and Instagram accounts. BED received input from 21 customers, summarized as follows:

- 10 customers expressed that the customer assistance fee seems high, and/or asked questions about when this fee would and would not be charged
- 8 customers expressed that the reconnect and/or bad check fee was hurtful to customers who can least afford it
- 2 customers expressed that the temporary service fee seems high, and/or asked questions about when this fee would and would not be charged
- 6 customers expressed that the fee changes seem fair/reasonable
- 1 customer expressed a desire for no fees at all

The Electric Commission unanimously recommended the attached fee proposal to the City Council by a vote at its March 13, 2024 meeting.

Estimated Revenue Impact

BED estimates that the net effect of the proposed fee changes will be largely revenue-neutral. The reduction in the initial service fee is expected to reduce revenue by approximately \$120,000 per year, but the new disconnection/reconnection fees are expected to increase revenue by approximately \$130,000 per year.

PUC Review and Approval Process

After BED files the requested fee changes with the PUC, members of the Burlington community will have the opportunity to provide comment at public hearings and through written testimony during the PUC's thorough rate review process, which is expected to span at least several months. The rates charged to customers of Vermont public utilities must be reviewed and will be approved only if the PUC determines that the proposed rates are just and reasonable. The new fees will not go into effect unless and until approved by the PUC. The public can learn more about PUC rate case procedures by visiting https://puc.vermont.gov/sites/psbnew/files/doc_library/rate-case-procedures.pdf.

BED staff will be present at the Board of Finance meeting and City Council meetings on June 3, 2024 to answer any questions Councilors may have.

Motions

Board of Finance:

To approve and recommend the City Council authorize the General Manager of the Burlington Electric Department or their designee to file tariff amendments and supporting documents with the Vermont Public Utility Commission requesting changes in Burlington Electric Department's Miscellaneous Service Fees as proposed.

City Council:

To approve and authorize the General Manager of the Burlington Electric Department or their designee to file tariff amendments and supporting documents with the Vermont Public Utility Commission requesting changes in Burlington Electric Department's Miscellaneous Service Fees as proposed.

**Burlington Electric Department
Miscellaneous Service Fees Proposal**

Current Fee Title	Current Description	Current fees as of 7/1/10	Proposed fees 6/3/24	Proposed Fee Title	Proposed Description
Initial Service	Charged to a customer whenever the electric service is put in that customer's name at a service location	30.00	\$6.00	Initial Service-Returning Customer	Charged to <u>returning</u> customers, <u>including standing orders</u> , whenever the electric service is put in that customer's name at a service location
Initial Service	Charged to a customer whenever the electric service is put in that customer's name at a service location	30.00	\$15.00	Initial Service-New Customer	Charged to a customer <u>new</u> to BED's service territory whenever the electric service is put in that customer's name at a service location
Initial Service Fee - minimum call	Charged whenever BED personnel are called in to work during non-working hours to respond to a customer request for initial service	195.00	\$72.00	Initial Service-after-hours	Charged whenever BED personnel are called in to work <u>outside of business hours</u> to respond to a customer request for initial service
Reconnection	Charged to restore service to a customer who has been disconnected for non-payment of electric services	20.00	\$26.00	Reconnection	Charged to restore service remotely to a customer <u>whose service</u> has been disconnected; <u>this fee will be charged</u> instead of the initial service fee when <u>reconnection accompanies a request for service.</u>
Reconnection - minimum call	Charged whenever BED personnel are called in to work during non-working hours for the purpose of responding to a customer request for reconnection	195.00	\$93.00	Reconnection - after-hours	Charged to restore service remotely <u>outside of business hours</u> to a customer whose service has been disconnected; this fee will be charged instead of the <u>initial service fee when reconnection accompanies a request for service.</u>
Temporary Service	Normally for construction purposes; charged when temporary service of single phase, 240 volt, 100 amp characteristics or less is installed at a site	535.00	\$841.00		<i>No change</i>
Returned Checks	Charged each time a check is not honored by the bank	10.00	\$28.00	Returned Checks - with Bank Fee	Charged each time a check <u>or ACH/electronic payment</u> is not honored by the bank
Returned Checks	Charged each time a check is not honored by the bank	10.00	\$18.00	Returned Checks - w/o Bank Fee	Charged each time a check <u>or ACH/electronic payment</u> is not honored by the bank
Meter Removal/Replacement for Siding	Charged for removal and replacement of up to two meters at a service location for purpose of installing siding materials on a building	95.00	\$78.00	Meter Removal/Replacement for Siding	Charged for removal and replacement of up to two meters <u>during business hours</u> at a service location for purpose of installing siding materials on a building
Collection	Charged when BED personnel collects funds at a customer's service location. For example, if funds are collected during the course of the disconnection process this fee will be charged versus a disconnection fee.	20.00	\$59.00	NA	NA - recommend eliminating fee and charging only reconnect fee to restore power after payment

Current Fee Title	Current Description	Current fees as of 7/1/10	Proposed fees 6/3/24	Proposed Fee Title	Proposed Description
Customer Assistance Call	Charged whenever BED personnel are requested to visit a customer's service location and the problem is determined to be the customer's responsibility	28.00	\$132.00	Power Problem Investigation- Customer Responsibility	Charged whenever a customer asks BED personnel to visit the customer's service location to investigate a <u>problem with the customer's power</u> and the problem is determined to be the customer's responsibility. <u>BED will not perform work on equipment that is the customer's responsibility during a Power Problem Investigation.</u>
Customer Assistance Call - minimum call	Charged whenever BED personnel are called in to work during non-working hours for the purpose of responding to a customer request for assistance and the problem is determined to be customer's responsibility	195.00	\$483.00	Power Problem Investigation- Customer Responsibility-after- hours	Charged whenever a customer asks BED personnel are called in to visit the customer's service location work outside of business hours to investigate a problem <u>with the customer's power for the purpose of responding to a customer request for assistance</u> and the problem is determined to be customer's responsibility. <u>BED will not perform work on equipment that is the customer's responsibility during a Power Problem Investigation.</u>
NA - new proposed fee	NA - new proposed fee	NA	\$515.00	Disconnect/Reconnect - Single- Meter	<u>A Disconnect/Reconnect-Single-Meter Fee will be charged when a customer or their contractor asks BED field personnel to visit the customer's single-meter property during business hours to perform a disconnection and/or reconnection of electric service where no BED engineering work is required.</u>
NA - new proposed fee	NA - new proposed fee	NA	\$715.00	Disconnect/Reconnect - Single- Meter, Underground	<u>A Disconnect/Reconnect-Single-Meter with Lineworker Assistance Fee will be charged when a customer or their contractor asks BED field personnel to visit the customer's single-meter property during business hours to perform a disconnection and/or reconnection of electric service where no BED engineering work is required that also requires BED lineworkers to pull underground service.</u>
NA - new proposed fee	NA - new proposed fee	NA	\$586.00	Disconnect/Reconnect - Multi- Meter	<u>A Disconnect/Reconnect-Single-Meter Fee will be charged when a customer or their contractor asks BED field personnel to visit the customer's multi-meter property during business hours to perform a disconnection and/or reconnection of electric service.</u>
NA - new proposed fee	NA - new proposed fee	NA	\$785.00	Disconnect/Reconnect - Multi- Meter, Underground	<u>A Disconnect/Reconnect-Multi-Meter with Lineworker Assistance Fee will be charged when a customer or their contractor asks BED field personnel to visit the customer's multi-meter property during business hours to perform a disconnection and/or reconnection of electric service where no BED engineering work is required that also requires BED lineworkers to pull underground service.</u>

Board of Finance and City Council Submission ChecklistDepartment: BED Submitter: Darren SpringerTitle/Subject: Update to BED Miscellaneous Service Fees

	Approval:	Meeting Date:
☐	Board of Finance	Click or tap to enter a date.
☐	City Council	Click or tap to enter a date.
☒	Concurrent	6/3/2024

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	5/22/2024	Darren Springer
Mayor's Office informed and approved memo	Yes	5/30/2024	Erin Jacobsen
Board/Commission, if required	Yes	3/13/2024	Electric Commission
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	5/30/2024	Kim Sturtevant
CAO has reviewed budget, financing, and memo	Yes	5/30/2023	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	N/A	Click or tap here to enter text.
Additional Materials, if necessary	Yes	Misc Service Fee Proposal
Draft Resolution or Motion?	Yes	Motions in Memo
If for submission to Council, are sponsors identified?	Yes	Board of Finance

Resolution Relating to

REVIEW AND UPDATE TO RENTAL WEATHERIZATION
STANDARDS

RESOLUTION_____

Sponsor(s): Barlow
Introduced: _____
Referred to: _____

Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Twenty-Four.....

Resolved by the City Council of the City of Burlington, as follows:

1 That WHEREAS, the City of Burlington has declared a climate emergency exists, and, in 2019, the City and
2 Burlington Electric Department (BED) issued a Net Zero Energy Roadmap ("the Roadmap") to guide progress
3 in reducing greenhouse gas emissions in buildings and ground transportation; and

4 WHEREAS, the Roadmap identified emissions from buildings as the second largest source of
5 greenhouse gas emissions in the City, and recommended steps to improve energy efficiency in the built
6 environment; and

7 WHEREAS, the City subsequently enacted new ordinances, including in 2021 to address rental
8 property weatherization requirements in Burlington’s Code of Ordinances Chapter 18, Article III, Division 7
9 Minimum Energy Efficiency Standards (“Rental Weatherization Standards”), replacing the prior time of sale
10 ordinance; and

11 WHEREAS, compliance for rental properties in the first cohort of buildings began January 1, 2022 for
12 buildings using 90,000 or more BTUs annually per space conditioned square foot for heating purposes, with
13 additional cohorts entering compliance each year through 2025 until all rental properties achieve minimum
14 energy efficiency standards; and

15 WHEREAS, the work to timely achieve the weatherization standards has been negatively impacted by
16 workforce challenges in the weatherization sector and other competing demands for weatherization services;
17 and

18 WHEREAS, the City remains committed to achieving the Rental Weatherization Standards for rental
19 properties outlined in the adopted Ordinance, and wants to examine the reasons for delays in achieving the
20 weatherization work required;

21 NOW, THEREFORE, BE IT RESOLVED that the City Council hereby requests its Transportation,
22 Energy and Utilities Committee (TEUC) to hold one or more meetings to examine implementation of the
23 Rental Weatherization Standards and identify any reasons for delay in achieving the energy audits and
24 weatherization work required by Ordinance to take place, and report to the full Council on its findings; and

25 BE IT FURTHER RESOLVED that the TEUC shall also identify policy recommendations to improve
26 implementation of the Rental Weatherization Standards, and refer to the Ordinance Committee the TEUC's
27 recommendations identified; and

28 BE IT FURTHER RESOLVED that the TEUC may also identify additional policy steps to support
29 energy efficiency in rental properties regulated by the Rental Weatherization Standards, including but not
30 limited to potential electrification requirements that would improve efficiency in rental units such as installing
31 air-source heat pumps, and make recommendations on consideration of such updates to the Rental
32 Weatherization Standards to the Ordinance Committee; and

33 BE IT FURTHER RESOLVED that the TEUC may create an advisory group including members of
34 the public with interest or expertise in the Rental Weatherization Standards implementation and also
35 stakeholders in the weatherization process, to examine workforce and other challenges to implementation of
36 rental weatherization projects in Burlington and identify ways for the City through its own means, or through
37 advocacy to state or federal policymakers, to address these challenges to improve the pace of weatherization in
38 Burlington; and

39 BE IT FURTHER RESOLVED that the TEUC shall have support from relevant City Departments in
40 these efforts including Department of Permitting and Inspections, Burlington Electric Department, and CEDO;
41 and

42 BE IT FURTHER RESOLVED that no later than October 1, 2024, TEUC shall provide the full
43 Council an update on its findings and make any policy update recommendations to the Ordinance Committee.

44
45 MB/Resolutions 2024/*Review and Update to Rental Weatherization Standards*
46 June 3, 2024

Resolution Relating to

**REVIEW AND UPDATE TO RENTAL WEATHERIZATION
STANDARDS**

RESOLUTION 6.5.

Sponsor(s): Councilor Barlow

Introduced: 06/03/24

Referred to: _____

Action: adopted

Date: 06/03/24

Signed by Mayor: 06/04/24

CITY OF BURLINGTON

In the year Two Thousand Twenty-Four.....

Resolved by the City Council of the City of Burlington, as follows:

1 That WHEREAS, the City of Burlington has declared a climate emergency exists, and, in 2019, the City and
2 Burlington Electric Department (BED) issued a Net Zero Energy Roadmap ("the Roadmap") to guide progress
3 in reducing greenhouse gas emissions in buildings and ground transportation; and

4 WHEREAS, the Roadmap identified emissions from buildings as the second largest source of
5 greenhouse gas emissions in the City, and recommended steps to improve energy efficiency in the built
6 environment; and

7 WHEREAS, the City subsequently enacted new ordinances, including in 2021 to address rental
8 property weatherization requirements in Burlington's Code of Ordinances Chapter 18, Article III, Division 7
9 Minimum Energy Efficiency Standards ("Rental Weatherization Standards"), replacing the prior time of sale
10 ordinance; and

11 WHEREAS, compliance for rental properties in the first cohort of buildings began January 1, 2022 for
12 buildings using 90,000 or more BTUs annually per space conditioned square foot for heating purposes, with
13 additional cohorts entering compliance each year through 2025 until all rental properties achieve minimum
14 energy efficiency standards; and

15 WHEREAS, the work to timely achieve the weatherization standards has been negatively impacted by
16 workforce challenges in the weatherization sector and other competing demands for weatherization services;
17 and

18 WHEREAS, the City remains committed to achieving the Rental Weatherization Standards for rental
19 properties outlined in the adopted Ordinance, and wants to examine the reasons for delays in achieving the
20 weatherization work required;

21 NOW, THEREFORE, BE IT RESOLVED that the City Council hereby requests its Transportation,
22 Energy and Utilities Committee (TEUC) to hold one or more meetings to examine implementation of the
23 Rental Weatherization Standards and identify any reasons for delay in achieving the energy audits and
24 weatherization work required by Ordinance to take place, and report to the full Council on its findings; and

* * * * *

DISTRIBUTION:

I hereby certify that this resolution
has been sent to the following
department(s) on

ORIGINAL

RESOLUTION RELATING TO

.....
.....
.....

Adopted by the City Council

....., 20

..... Clerk

Approved....., 20

..... Mayor

Vol. Page

* * * * *

BE IT FURTHER RESOLVED that the TEUC shall also identify policy recommendations to improve implementation of the Rental Weatherization Standards, and refer to the Ordinance Committee the TEUC's recommendations identified; and

BE IT FURTHER RESOLVED that the TEUC may also identify additional policy steps to support energy efficiency in rental properties regulated by the Rental Weatherization Standards, including but not limited to potential electrification requirements that would improve efficiency in rental units such as installing air-source heat pumps, and make recommendations on consideration of such updates to the Rental Weatherization Standards to the Ordinance Committee; and

BE IT FURTHER RESOLVED that the TEUC may create an advisory group including members of the public with interest or expertise in the Rental Weatherization Standards implementation and also stakeholders in the weatherization process, to examine workforce and other challenges to implementation of rental weatherization projects in Burlington and identify ways for the City through its own means, or through advocacy to state or federal policymakers, to address these challenges to improve the pace of weatherization in Burlington; and

BE IT FURTHER RESOLVED that the TEUC shall have support from relevant City Departments in these efforts including Department of Permitting and Inspections, Burlington Electric Department, and CEDO; and

BE IT FURTHER RESOLVED that no later than October 1, 2024, TEUC shall provide the full Council an update on its findings and make any policy update recommendations to the Ordinance Committee.

* * * * *

DISTRIBUTION:

I hereby certify that this resolution
has been sent to the following
department(s) on

TEUC Members

ORIGINAL

RESOLUTION RELATING TO

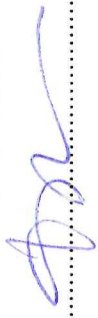
Review And Update To Rental Weatherization Standards

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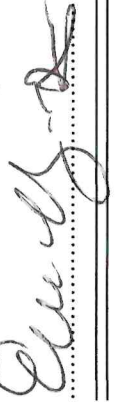
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Adopted by the City Council

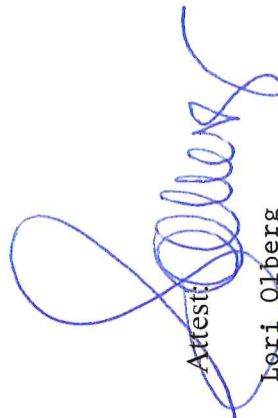
June 3....., 20 24.....

 Clerk

Approved June 4....., 20 24.....

 Mayor

Vol. Page


Attest:
Lori Olberg
Licensing and Records Coordinator

* * * * *

CITY OF BURLINGTON

ORDINANCE _____

Sponsor: Councilors Shannon,
Traverse, Brown McKnight
Public Hearing Dates: _____

First reading: _____

Referred to: _____

Rules suspended and placed in all
stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

In the Year Two Thousand Twenty-Four

An Ordinance in Relation to

CHAPTER 18 HOUSING ARTICLE V. REGULATION OF
CONVERSION OF RENTAL HOUSING TO CONDOMINIUMS
OR COOPERATIVES

It is hereby Ordained by the City Council of the City of Burlington as follows:

That Chapter 18, Article V, of the Code of Ordinances of the City of Burlington be and hereby is amended
by amending Section 18-300, Statement of purpose; 18-303, Definitions; 18-304, Notice to tenants; deleting
Section 18-306, Application fee; and Section 18-307, Condominium conversion fee, thereof to read as
follows:

18-300 Statement of purpose.

The intent and purpose of this article is as follows:

(1) To support the retention of rental housing in the city;

(2) To prevent large scale displacement of low-and moderate-income persons;

(3) To mitigate the impact on tenants displaced or threatened by displacement by the conversion of rental housing to
condominiums or cooperatives;

(4) To mitigate the impact of such displacement on the city's housing market;

(5) To provide opportunities for tenants and/or public entities to purchase rental housing in order to maintain perpetual
affordability of that housing;

(6) To provide broad opportunities for persons to rent or own housing that will be perpetually affordable;

~~(7) To provide funds to replace low and moderate income housing lost through conversion of rental housing to
condominiums and cooperatives;~~

~~(78)~~ To promote the rehabilitation and construction of housing for low-and moderate-income persons; and

~~(98)~~ To follow recommendations of the Burlington Affordable Housing Task Force regarding the problems created by the
conversion of rental housing to condominiums or cooperatives; and

~~(940)~~ To expand on existing Vermont law related to conversions to address specific concerns of the city and its citizens and
provide special benefits to existing tenants, especially elderly and disabled people.

(Ord. of 3-30-87)

18-301 Authority and applicability.

This article is enacted under the specific authority granted to Vermont towns and cities by 24 V.S.A. § 2293 and is applicable to the conversion of rental housing in the City of Burlington.

(Ord. of 3-30-87)

18-302 Exemptions.

(a) This article shall not be applicable to single-family homes and duplexes.

(b) This article shall not be applicable to properties that meet all of the following requirements:

(1) land tract with ten (10) or fewer housing units;

(2) a deed restriction making at least twenty-five (25) per cent of the housing units affordable to low income tenant households; and

(3) located in United States Census Bureau tract that contains less than fifty (50) per cent home ownership.

(c) This article shall not be applicable to short term rentals.

(Ord. of 3-30-87; Amend. of 1-8-07, eff. 2-14-07; Ord. of 6-27-22)

18-303 Definitions.

The following definitions shall apply in the interpretation and enforcement of this article:

~~Application fee means a fee of twenty five dollars (\$25.00) per residential rental unit proposed to be converted to a condominium or cooperative. The application fee shall be paid to the city, and the proceeds from this fee shall be used by the city for the specific purpose of administering this article. The amount paid as the application fee shall be deductible from the amount due as the impact fee if the conversion actually takes place.~~

Certified tenant organization means a bona fide association of resident tenants of a rental property, as certified by the community and economic development office. To receive such certification, the tenant organization of a property having three (3) to ten (10) rental units must represent at least fifty (50) per cent of the units occupied by tenants who have lived in their unit for more than ninety (90) days; the tenant organization of a property having more than ten (10) units must represent at least thirty (30) per cent of the units occupied by tenants who have lived in their unit for more than ninety (90) days.

~~Condominium conversion fee means a four (4) per cent fee on the actual sale price of residential units converted from rental housing to condominium or cooperative ownership. The condominium conversion fee is due at the time of property transfer of each individual residential unit prior to the recording of the deed or the proprietary lease for the transfer with the city clerk. The condominium conversion fee applies only at the time of the original conversion of the residential unit to a condominium or cooperative and not to any subsequent sale or transfer of the condominium or cooperative unit.~~

Conversion means a change in character of residential real property from a rental to an ownership basis. A condominium, stock cooperative or similar arrangement shall be deemed such a change in character of ownership.

Designated housing agency means a public entity or a 501 (c)(3) tax-exempt, nonprofit corporation whose purpose is creating or preserving housing for low-and moderate-income persons. The city's designated housing agency or agencies shall be designated by the city council.

Disabled tenant means a tenant who has a physical or mental impairment which restricts one or more major life activities, including functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning or working.

Elderly tenant means a tenant who is sixty-two (62) years of age or older or the surviving spouse of such a tenant who is at least fifty (50) years of age.

63 *Low-income tenant household* means a household having an income not exceeding eighty (80) per cent of median income for area
64 of residence as set forth in regulations promulgated from time-to-time by the United States Department of Housing and Urban
65 Development pursuant to 42 U.S.C. section 1437 et seq.

66 *Moderate-income tenant household* means a household having an income not exceeding one hundred ten (110) per cent of median
67 income for area of residence as set forth in regulations promulgated from time-to-time by the United States Department of Housing
68 and Urban Development pursuant to 42 U.S.C. section 1437 et seq.

69 *Notice to tenants* means the written notice to vacate or purchase a residential unit that a landlord is required to send by certified
70 and regular mail to the current tenants of any rental property that is slated for conversion.

71 (Ord. of 3-30-87; Amend. of 1-8-07, eff. 2-14-07)

72 **18-304 Notice to tenants.**

73 (a) When an owner of rental housing decides to convert that housing to condominium or cooperative ownership, the owner shall
74 give to each tenant the following minimum written notice to vacate or purchase the unit: ~~Four-Two (24)~~ years to elderly and
75 disabled tenants; ~~two-one (12)~~ years to all other tenants. The burden shall be on the tenant to prove that ~~he or she~~ they ~~qualifies~~
76 qualify as meeting the definition of "elderly" or "disabled" as defined in this article.

77 (b) The notice shall state that the rental housing is to be converted to condominium or cooperative ownership. It shall set forth
78 generally the rights of tenants and certified tenant organizations under this article and the Vermont statute related to conversions
79 (27 V.S.A. section 1331 et seq.). The notice shall be given by certified mail, return receipt requested, at the address of the housing
80 unit or any other mailing address provided by the tenant. A copy of the notice shall also be sent by regular mail to the address of
81 the housing unit or any other mailing address provided by the tenant. Failure to give notice as required by this article and the
82 Vermont statute is a defense to an action for possession.

83 (c) During the notice period, a tenancy ~~may not be required to vacate~~ terminated except for a reason specified in subsection (a)
84 or (b) of Section 4467 of Title 9 of Vermont Statutes Annotated.

85 (d) During the notice period, rent increases shall be limited to an amount which reflects reasonable profits, actual increased costs
86 of maintenance and operation of the housing unit subject to conversion. Costs associated with the proposed conversion are not a
87 permissible basis for a rent increase.

88 (e) After receipt of the notice, prescribed in paragraph (a) above, a tenant may terminate the rental agreement upon thirty (30)
89 days' written notice to the owner.

90 (f) Nothing in this section permits termination of a written lease by an owner in violation of its terms.

91 (g) The notice requirements imposed by this article shall not affect the right of an owner to transfer ownership interests in
92 housing units which are not subject to those requirements or as to which the notice period has expired.

93 (h) The notice period shall end ~~four-two (24)~~ years after the receipt of the written notice for elderly tenants, or ~~two-one (12)~~ years
94 after the receipt of the notice for all other tenants, or when the existing lease ends, whichever is later.

95 (Ord. of 3-30-87; Amend. of 1-8-07, eff. 2-14-07)

96 **18-305 Right of tenant organizations, public entities, nonprofit corporations, and individual tenants to purchase.**

97 (a) A certified tenant organization or the City of Burlington or the city's designated housing agency shall have the first right to
98 purchase any rental housing that is proposed to be converted to condominium or cooperative ownership.

99 (b) This first right to purchase in a certified tenant organization, the city or its designee goes into effect at the time the first notice
100 to tenants required by this article is issued by the owner. A copy of all such notices shall be sent to the certified tenant
101 organization, the city and the city's designated housing agency or agencies. This first right to purchase shall be a prior right to the
102 right of an individual tenant to purchase his or her individual unit described in paragraph (i) below.

- 103 (c) At the request of the certified tenant organization, the city or the city's designated housing agency, the owner shall provide
104 within seven (7) working days of the request the following materials:
- 105 (1) A copy of any bona fide contract for sale which already exists between the owner and a third party;
- 106 (2) A rent schedule for the housing units;
- 107 (3) Operating expenses and income for the property for the previous two (2) years;
- 108 (4) List of capital expenditures for the previous five (5) years;
- 109 (5) Floor plans of the housing units and any common areas, if available; and
- 110 (6) A list of any outstanding mortgages or liens against the property.
- 111 (d) The parties which have a first right to purchase the property have ninety (90) days to sign a purchase and sale agreement with
112 the owner, contingent upon the prospective buyer's ability to obtain financing. If the owner has not provided the information listed
113 in paragraph (c) above to the certified tenant organization, the city or the city's designated housing agency within the specified
114 seven (7) working days, each day's delay shall be added to this ninety-day period. The city or its designated housing agency may
115 enter into such an agreement if and only if a certified tenant organization does not choose to do so.
- 116 (e) The sale price of the property shall be set either by a bona fide contract of sale which already exists with a third party at the
117 time of the notice to tenants or by an appraisal process which has both the owner and prospective buyer commissioning an
118 independent appraisal and a third appraiser reviewing the two (2) appraisals if the two (2) parties cannot agree on a price or the
119 two (2) original appraisals are more than ten (10) per cent apart.
- 120 (f) As part of a purchase and sale agreement, an owner may require a deposit of earnest money by the certified tenant
121 organization, the city or its designated housing agency. The owner shall not require an earnest money deposit which is more than
122 five (5) per cent of the total purchase price, nor can the owner require this deposit to be nonrefundable.
- 123 (g) After signing the purchase and sale agreement, the prospective buyer shall have an additional one hundred eighty (180) days
124 to obtain financing and to settle.
- 125 (h) If the first right to purchase the rental housing is not exercised by the certified tenant organization, the city or the city's
126 designated housing agency, the owner is free to proceed with the conversion of the property to condominium or cooperative
127 ownership subject to the provisions of this article, the city's zoning ordinance and Vermont statutes.
- 128 (i) After the time period for the certified tenant organization, the city or the city's designated housing agency to exercise its first
129 right to purchase expires, individual tenants in housing units proposed to be converted to condominiums or cooperatives shall have
130 the ninety-day exclusive right to purchase their individual unit, the right to be offered and to accept comparable housing, and the
131 right to receive relocation costs as provided in 27 V.S.A. sections 1334, 1335 and 1336. The additional protections offered to
132 tenants by 27 V.S.A. sections 1337, 1338 and 1339 are also specifically protected by this article.
- 133 (Ord. of 3-30-87)
- 134 **~~18-306 Application fee.~~**
- 135 ~~(a) —An application fee of twenty-five dollars (\$25.00) per rental unit proposed to be converted by an owner to condominium or~~
- 136 ~~cooperative ownership shall be payable to the city at the time the original notices to tenants are issued by the owner. The amount~~
- 137 ~~of the application fee may be adjusted as necessary by the city council.~~
- 138 ~~(b) —This fee is for the specific purpose of covering the cost of administering this article by the city.~~
- 139 ~~(c) —The application fee shall be nonrefundable, but shall be deductible from any impact fee which shall be due if the conversion~~
- 140 ~~takes place.~~
- 141 ~~(Ord. of 3-30-87)~~

~~18-307~~ **Condominium conversion fee.**

~~(a) If a conversion of rental housing to condominium or cooperative ownership occurs, the seller of the units shall pay to the city a condominium conversion fee of four (4) per cent of the actual purchase price of each unit, assuming this purchase price is based upon the fair market value of the unit as determined by a certified appraiser. There shall be no reduction in this fee for closing or rehabilitation costs.~~

~~(b) The condominium conversion fee shall be paid prior to the recording of the deeds or proprietary leases for the transfer of the housing units.~~

~~(c) Prior to the recording of the deeds or proprietary leases for any transfer of the housing units, the seller shall provide documentation to the city that the notice requirements have been met, and that the first right of purchase processes set out in this article have been followed.~~

~~(d) The city shall certify that the article has been complied with and that the condominium conversion fee has been received prior to the recording of the deed or proprietary lease for the transfer of the property.~~

~~(e) The condominium conversion fee applies to the conversion from rental housing to condominium or cooperative ownership only and not to any subsequent sale(s) of the condominium or cooperative unit.~~

~~(f) The proceeds from the condominium conversion fee shall be paid into a trust fund established by the city council for the promotion, retention and creation of low and moderate income housing in the city and for the accomplishment of the goals set out in the statement of purpose of this article.~~

~~(g) The condominium conversion fee provision shall not apply to the acquisition of and conversion to condominium or cooperative ownership of rental housing by the certified tenant association, the city or the city's designated housing agency. Also, the condominium conversion fee provision shall not apply to sales of individual condominium or cooperative units to the tenant who resided in such unit at the time that the notice required by section 18-304(a) was given.~~

~~(Ord. of 3-30-87; Amend. of 1-8-07, eff. 2-14-07)~~

18-3068 Circumventing of this article.

An owner shall not attempt to circumvent the provisions of this article; nor shall any person willfully cause a tenant to vacate a dwelling unit or to be evicted from the unit without good cause in contemplation of conversion before the issuance of the notice prescribed in section 18-304(a).

(Ord. of 3-30-87)

18-3079 Penalty; civil remedies.

(a) It is hereby declared that any person who is found guilty of violating any provision of this article shall be deemed to have committed a civil ordinance violation which shall be punishable by a fine of not less than two hundred (\$200.00) dollars and not more than five hundred (\$500.00) dollars, and such violation shall be abated as a nuisance. Each day of such violation shall constitute a separate offense.

(b) In addition, any person who is injured as a result of a violation of this article may seek to recover damages and other just relief as contemplated by Section 54 of the Charter of the City of Burlington. Also, the City of Burlington may bring an action for equitable relief in the Chittenden Superior Court to restrain actual or threatened violations of this article as contemplated by Section 49 of the Charter of the City of Burlington.

(Ord. of 3-30-87; Amend. of 1-8-07, eff. 2-14-07)

18-30810 Severability.

The provisions of this article shall be regarded as severable and should any portion thereof be held invalid, such invalidity shall not affect any other portion of such article.

(Ord. of 3-30-87)

18-30911 Additional regulations to administer this article.

The city council shall have the authority to promulgate additional regulations if necessary to administer the provisions of this article.

(Ord. of 3-30-87)

18-3102 Relocation costs.

(a) The owner shall pay the actual documented cost of relocation, not to exceed ~~one-two~~ thousand dollars (\$21,000.00), to any tenant entitled to receive notice under section 18-304 who does not purchase the unit which he or she occupies or another unit in the same building or buildings.

(b) Relocation costs shall be payable within ten days after the date the tenant vacates the unit; provided, however, that no tenant is eligible for relocation costs unless:

(1) all rent due and payable has been paid by the tenant prior to the date on which the unit is vacated; and

(2) the tenant has voluntarily vacated the unit on or before the expiration of half the applicable notice period.

(Amend. of 1-8-07, eff. 2-14-07)

18-3113—18-399 Reserved.

* Material stricken out deleted.

** Material underlined added.