



Board of Finance

Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall

<https://zoom.us/j/98634433649>

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

1. Agenda

Subject	1.1. Motion to adopt agenda
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	1. Agenda
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to adopt agenda

2. Public Forum

Subject	2.1. Verbal Comments
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	2. Public Forum
Department	Council and Board

Type	Action Procedural
Recommended Action	open Public Forum close Public Forum

3. Consent Agenda

Subject	3.1. Motion to adopt the consent agenda and take the actions indicated
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Council and Board
Type	Action (Consent) Procedural
Recommended Action	Motion to adopt the consent agenda and take the actions indicated
Subject	3.2. Lease at Roosevelt Park - BPRW
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Parks, Recreation, & Waterfront
Type	Action (Consent)
Recommended Action	to approve and recommend that the City Council authorize the lease of the building located at 57 Oak Street, Roosevelt Park to the Boys and Girls Club of Burlington for a ten-year period, and to authorize Mayor Emma Mulvaney-Stanak to execute the lease agreement and any related documents, subject to review by the City Attorney's office
Subject	3.3. June 17, 2024 Board of Finance Meeting Minutes, Draft
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Information Minutes
Recommended Action	approve the minutes
Subject	3.4. June 24, 2024 Board of Finance Meeting Minutes, Draft
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda

Department	Clerk/Treasurer's Office
Type	Action (Consent) Information Minutes
Recommended Action	approve the minutes
Subject	3.5. Approval to accept Planning Grant Continuum of Care VT - 501 & Permanent Supportive Housing Grant Agreements in SFY25 - CEDO: VT0030L1T012314 - \$330,188 New Horizons Renewal, September 1, 2024 VT0053L1T012308 - \$269,172 Beacon Renewal, September 1, 2024 VT011L1T012300 - \$54,627 CoC Planning Grant VT - 501, January 1, 2025
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Community & Economic Development Office (CEDO)
Type	Action (Consent)
Recommended Action	move to approve and recommend that the City Council approve the acceptance of three U.S. Dept. of Housing and Urban Development Continuum of Care FFY23 grants VT0030L1T012314 - VT0053L1T012308 - VT011L1T012300) to begin in SFY25 and authorize the Director of CEDO to execute all contracts and documents necessary to accept the total funding of \$653,987 from HUD, subject to the review and approval of the City Attorney's Office
Subject	3.6. Sponsorship Agreements for The Caroline Fund, United Immigrant and Refugee Communities of Vermont, Obieze Ebo, Gallop to Success, and Arbai Huhina and Samuel Dingba in Collaboration with AALV - REIB
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Racial Equity, Inclusion, & Belonging (REIB)
Type	Action (Consent)
Recommended Action	The Office of Racial Equity, Inclusion, and Belonging requests the Board of Finance approve the following motions: 1. To retroactively approve and authorize the Interim Director of the Racial Equity, Inclusion, and Belonging Office and the Chief Administrative Officer to issue a grant in the amount of \$15,000 to The Caroline Fund from the FY24 Empower Fund GL, and to execute a grant agreement memorializing the same, subject to review by the City Attorney's Office. 2. To approve and authorize the Interim Director of the Racial Equity, Inclusion, and Belonging Office and the Chief Administrative Officer to issue grants of City funds in a total amount not to exceed \$43,150 from the FY '25 Empower Fund GL, and to execute grant agreements memorializing the same, subject to review by the City Attorney's Office, as follows:

- a. to the United Immigrant and Refugee Communities of Vermont, Inc. for a total authorized grant amount of \$15,000; and
- b. to Obieze Ebo for a total authorized grant amount of \$6,450;
- c. to Gallop to Success for a total authorized grant amount of \$11,000; and
- d. to Arbai Muhina and Samuel Dingba in collaboration with AALV for a total authorized grant amount of \$10,700

Subject	3.7. Authorization to Sign Property Lease with The Jones Payne Group, Inc. at 1200 Airport Drive, South Burlington, VT - Airport
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Airport
Type	Action (Consent)
Recommended Action	to approve and recommend that the City Council authorize the leasing of certain identified space at the Patrick Leahy Burlington International Airport to The Jones Payne Group, Inc. and to authorize the Mayor to execute the lease, subject to final review and approval by the City Attorney's Office
Subject	3.8. Recommendation to the Board of Finance to Accept and Execute a contract in the amount of \$94,000 dollars with a 15% contingency with ECI (Engineers Construction Inc) for the Mill & overlay of Aviation Avenue and Eagle Drive - Airport
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Airport
Type	Action (Consent)
Recommended Action	to approve and recommend to the City Council to authorize the Director of Aviation to execute a contract with ECI (Engineers Construction Inc) for the Mill & Overlay of Aviation Avenue and Eagle Drive in the amount of \$94,000, with a contingency of 15% for a total of \$108,100, subject to review and approval of the City Attorney's Office
Subject	3.9. Water Treatment Plant Elevator Modernization Agreement Authorization to Execute Contract with Mack Brothers Elevator - DPW/Water Resources
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Public Works Department - Water Resources
Type	Action (Consent)
Recommended Action	1. to approve and recommend that the City Council authorize the Director of Public Works to execute a Construction Contract with Mack Brothers Elevator with a maximum limiting amount of \$180,000 subject to review and approval by the City

Attorney.

2. to approve and recommend that the City Council authorize the Chief Administrative Officer, or their designee, to effect all necessary budget amendments in substantial conformance with the attached budget transfer request

Subject	3.10. Authorization to Sign a Contract for Facility repairs with Farrington Construction - Police
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Police Department
Type	Action (Consent)
Recommended Action	to approve and recommend that the City Council approve and authorize the Chief of the Burlington Police Department to enter into a contract with Farrington Construction in an amount not to exceed \$129,179.50, contingent upon the successful funding authorization from the Capital Committee and subject to review by the City Attorney's Office
Subject	3.11. Impact Fees Budget Amendments - DPW/Parking & Traffic
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Public Works Department
Type	Action (Consent)
Recommended Action	to authorize, and recommend the City Council authorize, the Chief Administrative Officer to implement FY24 budget amendments, in substantial conformance with the attached Budget Amendment Request to reallocate \$120,000 in traffic impact fee revenues (Fund 264)
Subject	3.12. Authorization for a \$130,000 budget neutral amendment - DPW/Water Resources
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Public Works Department - Water Resources
Type	Action (Consent)
Recommended Action	to approve and recommend that the City Council authorize the Chief Administrative Officer, or their designee, to effect a \$130,000 budget neutral amendment in substantial conformance with the attached budget transfer request

Subject	3.13. Approval for MuniCap, Inc., FY25-27 TIF District Administration Consultant Contract - Capital
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent)
Recommended Action	to approve and recommend that City Council approve and authorize the Chief Administrative Officer to enter into an agreement with MuniCap, Inc., for a three-year contract (FY25-27) not to exceed \$60,000 per year, subject to review by the City Attorney's Office
Subject	3.14. Monthly Financial Review-Budget to Actual as of May 31st, 2024 - C/T
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Information Communication Action (Consent)
Recommended Action	waive the reading, accept the communication and place it on file
Subject	3.15. Authorization to accept grant funds for the operation of the Elmwood Emergency Shelter Community - Housing Opportunity Grant Program SFY 2025 \$1,290,576.00 - CEDO
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Community & Economic Development Office (CEDO)
Type	Action (Consent)
Recommended Action	to approve and recommend that the City Council approve the acceptance of SFY 2025 grant funds in the amount of \$1,290,576 from the State of Vermont Housing and Opportunities Program for the operations of the Elmwood Emergency Shelter Community and authorize the Director of CEDO to execute all contracts and documents necessary to accept the funding through the period of July 1, 2024 – June 30, 2025, including retroactive approval for the period of July 1 st to July 17, 2024, subject to the final review and approval of the City Attorney's Office

Subject	3.16. Resolution: Annual Tax Assessments On The Property Grand List Of The City For The Fiscal Year Beginning July 1, 2024 And Ending June 30, 2025 As Amended On July 15, 2024 - Assessor
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	3. Consent Agenda
Department	Assessor's Office
Type	Action (Consent) Resolution
Recommended Action	to recommend that City Council approve the amended property tax rate resolution for FY25 for annual tax assessment of the property grand list of the City to show the Local Agreement rate change from \$0.0011 to \$0.0005

4. Deliberative Agenda

Subject	4.1. Security Services for City Hall - HR/Safety Manager
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	4. Deliberative Agenda
Department	Human Resources
Type	Action
Recommended Action	to approve and recommend that the City Council authorize the contract with Chocolate Thunder Security to provide security services at City Hall for a total contract amount not to exceed \$120,000 and to authorize Timothy Williams, Safety Manager, to execute the contract and any related documents, subject to review by the City Attorney's Office
Subject	4.2. Recommendation to Board of Finance for Approval and Recommendation to City Council for Authorization to Execute and Award the Marketing and Promotional Services Contract to Hagan Associates - Airport
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	4. Deliberative Agenda
Department	Airport
Type	Action
Recommended Action	to approve and recommend to the City Council to authorize the Director of Aviation to enter into a contract, with the selected Media and Advertising concessionaire of Hagan Associates for a five (5) year term, subject to final review and approval of the City Attorney's Office
Subject	4.3. Authorization to accept an amended ARPA Grant and to execute an amended MOA for a Public-Private Partnership Stormwater Quality project - DPW/Water Resources
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall

Category	4. Deliberative Agenda
Department	Public Works Department
Type	Action
Recommended Action	1. to approve and recommend to the City Council that the Director of the Department of Public Works be authorized to execute an amended grant agreement with Vermont DEC for up to \$2,029,673 for final design and construction of the P3 project involving the "South Meadow Apartments" and the "Shelburne Road Shopping Plaza" property, subject to final review and approval by the City Attorney's Office 2. to authorize the execution of an amended MOA between the City and the P3 private parties: Antonio B. Pomerleau, LLC and Champlain Housing Trust, reflecting the increased grant funding, subject to final review and approval by the City Attorney's Office
Subject	4.4. Great Streets Main Street Contract Amendments - DPW
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall

Category	4. Deliberative Agenda
Department	Public Works Department
Type	Action
Recommended Action	1. To approve and recommend that the City Council authorize the Director of Public Works to execute an amendment to the contract, subject to City Attorney review and approval, with S.D. Ireland Brothers Corporation in the amount of \$547,386, bringing the total contract value up to \$26,509,929.26, with the previously authorized the use of an additional \$2,596,254.83 in contingency funds to be available to use toward any necessary future contract amendments needed to accomplish the construction work herein contemplated, and further authorize execution of any such necessary amendments upon review and approval by the City Attorney's Office, for a total authorized amount not to exceed \$29,106,184.09 for the development of the design of the Great Streets Main Street project. 2. To approve and recommend that the City Council authorize the Director of Public Works to execute a Memorandum of Understanding, subject to City Attorney review and approval, with Burlington Electric Department in the amount of \$549,810, for the lighting construction of the Great Streets Main Street project. 3. To approve and recommend that the City Council authorize the Chief Administrative Officer, or their designee, to effect all necessary budget amendments and transfers of funds to and from the above-referenced funding sources as needed to pay the above-referenced project expenses in FY25 and Overall Project Budgets, in substantial conformance with the attached budget transfer request

Subject	4.5. Ambulance Fee Increase - Fire
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	4. Deliberative Agenda
Department	Fire Department
Type	Action

Recommended Action	to approve and recommend that the City Council approve and authorize the increased fee structure for ambulance services effective upon passage as described in the table herein this Ambulance Fee Increase memo by Chief LaChance dated July 7, 2024
Subject	4.6. Authorization to Sign Contracts for Two-Way Radio Communication Fiber Lines with Consolidated Communications, Inc. and Burlington Telecom Business Services - Police
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	4. Deliberative Agenda
Department	Police Department
Type	Action
Recommended Action	to approve and recommend that the City Council approve and authorize the Chief of the Burlington Police Department or the Director of Information and technology to enter into the following agreements for radio communication fiber lines and service upgrades: a. A five-year service contract with Consolidated Communications, Inc. in an amount not to exceed \$112,376,40; and b. A contract amendment to the existing Telecommunications Services Agreement with Burlington Telecom Business Services adding a scope of work and in amounts not to exceed \$90,000 for a five-year term for dark fiber services and \$46,800 for a three-year term for dark fiber services with First Light through BT, for combined total expenditure not to exceed \$249,177 over the next five years, subject to review by the City Attorney's Office
Subject	4.7. Approval of Four Resolutions for Annual Borrowing for FY25 for City and School - C/T
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	4. Deliberative Agenda
Department	Clerk/Treasurer's Office
Type	Action
Recommended Action	Move to approve and recommend that the City Council adopt the following resolutions related to FY25 borrowing: 1. Resolution for the \$7M annual borrowing for FY25 (BED, City and BSD); 2. Resolution for up to \$5.8M capital improvement bonds (voter approved March 2022); 3. Resolution for up to \$7.7M in bonds for BSD Integrated Arts Academy (voter approved March 2017); and 4. Resolution for up to \$15M in bonds for the Burlington High School (voter approved November 2022).

5. Adjournment

Subject	5.1. Motion to adjourn
Meeting	July 8, 2024 - Board of Finance Meeting - Monday, July 8, 2024, 5:30 PM, Bushor Conference Room 1st Floor, City Hall
Category	5. Adjournment

Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to adjourn



To: Board of Finance and City Council

From: Cindi Wight, Director of Parks, Recreation & Waterfront

Date: July 8 and 15, 2024

Re: Lease at Roosevelt Park

Request:

Approve a ten-year lease with the Boys and Girls Club to continue use of the building within Roosevelt Park.



Background:

In 2014, the Boys and Girls Club ("Club") raised over \$100,000 in donated funds and materials to renovate the existing shelter and maintenance shed at Roosevelt Park into a combined academic center and overall programming space for their growing program serving youth primarily from the Old North End (ONE) of Burlington. The City signed an MOU with the Club for ten years, with all maintenance responsibility falling



to the Club, including the landscaping immediately around the building. The Club provides access to and cleaning the public restrooms for Little League games, the summer meals program, BPRW programs, and BPRW special events. The renovations to the Roosevelt Park building have created benefits for the city. By providing positive activities in the park, from games to music to basic foot traffic, the Club's presence has made a consistent difference in creating and maintaining the park as a vibrant space for people of all ages. It is also a benefit to the City to have its young people engaged in safe, fun activities guided by caring mentors.

The building continues to function as an essential space for the 600+ young people who access the Boys & Girls Club throughout the course of each year. It is used by the Club for academic programs for all ages, particularly teens, as the primary space for summer campers who are in grades 1 through 3, and provides office space for Boys and Girls Club staff. With limited space in their main building on Oak Street this space within Roosevelt Park is very important to the Club's ability to offer these programs to youth.

The Club has been a great partner for BPRW, not only within Roosevelt Park but also in allowing access to their gymnasium for our youth basketball league for no cost.

In recognition of the Club's investment in the building and its responsibility of maintaining it and providing access to the restrooms, the City did not charge a fee for the use of the building for the first term of the lease. The recommendation is to continue to offer the use of the building for no fee under similar terms.

Motions:

Board of Finance Motion

To approve and recommend that the City Council authorize the lease of the building located at 57 Oak Street, Roosevelt Park to the Boys and Girls Club of Burlington for a ten-year period, and to authorize Mayor Emma Mulvaney-Stanak to execute the lease agreement and any related documents, subject to review by the City Attorney's office.

City Council Motion

To approve and authorize the lease of the building located at 57 Oak Street, Roosevelt Park to the Boys and Girls Club of Burlington for a ten-year period, and to authorize Mayor Emma Mulvaney-Stanak to execute the lease agreement and any related documents, subject to review by the City Attorney's office.

Board of Finance and City Council Submission Checklist

Department: BPRW Submitter: Cindi Wight

Title/Subject: Boys and Girls Club Lease

	Approval:	Meeting Date:
☒	Board of Finance	7/8/24
☒	City Council	7/15/24
☐	Concurrent	

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	6/7/24	Cindi Wight
Mayor's Office informed and approved memo	Yes	7/1/24	Erin Jacobson
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	N/A	Click or tap to enter a date.	Hayley McClenahan – finalizing draft after BOF/CC approves
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	7/1/24	Hayley McClenahan
CAO has reviewed budget, financing, and memo	Yes	7/1/24	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	N/A	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.

**BURLINGTON BOARD OF FINANCE
BUSHOR CONF. ROOM, FIRST FLOOR, CITY HALL *OR*
REMOTE MEETING WITH CALL-IN NUMBER
BURLINGTON, VERMONT
MINUTES OF MEETING
DRAFT
June 17, 2024**

MEMBERS PRESENT:

Ben Traverse
Sarah E Carpenter
Joe Kane
Emma Mulvaney-Stanak

OTHERS PRESENT:

Katherine Schad
Erik Ramakrishnan
Cindi Wight
Scot Barker
Chapin Spencer
Tony Berry
Nathan Lavery
Laura Wheelock
Megan Moir
Matt Dow
Martin Lee
Caleb Manna
Nic Longo
Marie Friedman
Larry Lackey
Brad Kukenberger

1.0 CALL TO ORDER and AGENDA

1.1 Motion to amend/adopt the agenda

Mayor Mulvaney-Stanak called the Board of Finance meeting to order at 5:32 PM

MOTION by Councilor Carpenter, SECOND by Councilor Kane, to adopt the agenda.

VOTING: unanimous; motion carries.

2.0 PUBLIC FORUM

2.1 Verbal Comments

Liz Gamache spoke as a representative of the United Way Working Bridges program, which has been delivering services over the last year to Burlington. She noted that their contract will not be renewed on July 1st and asked that the City reconsider a recommendation to put that forward. She said that the Working Bridges program provides an on-site resource coordinator to help promote job and financial stability for employees, noting that this is particularly important to employees at the lower end of the wage scale. She acknowledged that it has been a difficult year, but said that the services have been valuable.

Sharon Bushor spoke about the items related to reclassifications of employees for various City departments. She said that it would be helpful to know the current step and compensation, the proposed step and compensation, and the difference between the two for each reclassification, which would show the full impact of these reclassifications on the budget, as well as the funding sources identified to fund these reclassifications. She also asked about the total number of employees in the Wastewater Division.

3.0 CONSENT AGENDA

3.1 Motion to adopt the consent agenda and take the actions indicated.

3.2 June 3, 2024 Board of Finance Meeting Minutes, Draft – approve the minutes.

3.3 Three FY'24 Parking-Related Budget Amendments – DPW/Parking and Traffic – authorize and recommend that the City Council authorize, the Chief Administrative Officer to implement FY24 budget amendments, in substantial conformance with the following: Parking Services budget amendment dated May 31, 2024 in the amount of \$66,699; Parking Facilities budget amendment dated May 31, 2024 in the amount of \$61,000; Traffic Fund Budget amendment dated May 28, 2024 in the amount of \$130,000.

3.4 Contract Renewal for Barracuda Security Solutions – I&T - approve and authorize the Chief Innovative Officer to execute a three-year contract with Barracuda Security Solutions, Inc. in an amount not to exceed \$95,000, to purchase the Barracuda Security Solutions modules and services, subject to final contract review and approval by the City Attorney's Office.

3.5 Contract Renewal for Continuing Engagement with Managed Security Services Provider – I&T – approve and recommend that the City Council authorize the Chief Innovation Officer to execute a two-year contract with a vendor identified through the 2018 RFP Process seeking MSSPs to provide managed security services in an amount up to \$110,000 (paid in two annual installments), subject to contract approval by the City Attorney's Office.

3.6 Authorization to Execute a Contract with BP Wastewater Services, LLC for Catch Basin Cleaning Services – DPW/Water Resources – approve and recommend that the City Council authorize Chapin Spencer, the Director of Public Works, to execute a contract with BP Wastewater Services, LLC with a maximum limiting amount of \$63,875 for catch basin cleaning services in Fiscal Year 2025, with the option to renew the contract for one additional 1-year term, subject to review by the City Attorney's Office.

3.7 Juneteenth Donation Acceptance and Budget Amendment – REIB – 1. Retroactively approve and authorize the Interim Director of Racial Equity, Inclusion, and Belonging to accept the following donations from the following community partners to support the 2024 Juneteenth Celebration, for a total donation acceptance of \$33,000.00, subject to review and approval by the Chief Administrative Officer: Northfield Savings: \$10,000; University of Vermont Medical Center: \$7,500; Seventh Generation: \$2,500; Hello Burlington: \$2,500; National Life Group: \$2,500; BlueCross BlueShield: \$1,500; Main Street Landing: \$1,000; Rhino Foods: \$1,000; City Market Onion River Co-op: \$1,000; Cabot: \$500; Burlington Electric Department: \$500; Champlain Housing Trust: \$500; Price Chopper: \$500; CVOEO: \$500; HOPE Works: \$500; Bolton: \$500; and 2. Approve and authorize a budget amendment as follows in furtherance of covering all expenses related to the Juneteenth Event: \$47,000.00 from GL 101-09-000.6500_118 to Community Celebration GL 101-09-000.7651, as further detailed in the attached budget amendment form, and to further authorize the Chief Administrative Officer or designee to effect such amendment and all necessary transfers of funds in furtherance of the same.

3.8 BPRW Budget Neutral Amendments – BPRW – approve and recommend that the City Council approve and authorize the budget neutral adjustments as detailed in the attached budget amendment forms, in furtherance of funding security needs at North Beach, and further

authorize the Chief Administrative Officer to effect all necessary transfers of funds to carry out such amendments, subject to the final review and approval of the Chief Administrative Officer.

3.9 Monthly Financial Review – Budget to Actual as of April 30, 2024 – C/T – ****NOW AGENDA ITEM 5.0****

MOTION by Councilor Carpenter, SECOND by Councilor Kane, to adopt the consent agenda and take the actions indicated for items 3.1-3.9.

VOTING: unanimous; motion carries.

4.0 DELIBERATIVE AGENDA

4.1 Reclassification of one position, the Lead Urban Park Ranger, in the Department of Parks, Recreation, and Waterfront – BPRW
Director Wight said that this reclassification relates to the Lead Urban Park Ranger, which has been in the works for quite some time. She noted that they are requesting retroactive pay for this reclassification back to 2022, when many of the complexities around the unhoused in the City's parks began, which was originally a very small portion of the job description for this position.

Councilor Carpenter noted that supporting staff to deal with the City's housing issue is part of this Administration's larger agenda, and she said she would like to make sure that this proposal does not complicate that. Mayor Mulvaney-Stanak replied that the City is looking to improve coordination across departments on dealing with issues related to housing and the unhoused. She said that this reclassification in particular has been on hold for several months and the City is looking to evolve this role to respond to situations that are frankly outside of the City's control. She noted that this is part of a larger conversation on how to deliver services from the City in an efficient way.

City Council President Traverse asked if the union has approved the reclassification request and retroactive pay. Director Wight replied that they approved the reclassification. City Council President Traverse asked if this is a supervisory position, and Director Wight replied that it is.

MOTION by City Council President Traverse, SECOND by Councilor Kane, to approve and recommend that the City Council authorize the reclassification of the Lead Urban Park Ranger, a regular, full-time, non-exempt, AFCSME, Grade 16 position, to a regular, full-time, non-exempt, AFCSME, Grade 17 position in the Department of Parks, Recreation, and Waterfront, and further authorize back pay in the amount of \$9,196.86 to the incumbent retroactive to May 16, 2022.

VOTING: unanimous; motion carries.

4.2 Innovation & Technology Position Changes – I&T/HR

Chief Innovation Officer Barker said that this is a request to eliminate two vacant positions and create a third position for a Cybersecurity Analyst.

Councilor Carpenter asked if all of the reclassifications before the Board of Finance truly need to come before the Board, if some of them are budget neutral. Mayor Mulvaney-Stanak spoke about efforts later this month to look at Board of Finance policies and procedures and determine what decisions truly need to be brought before the Board for deliberation and what can be approved by consent or other mechanisms, in order to more efficiently use Board of Finance and staff time.

Mayor Mulvaney-Stanak noted that Champlain College has an evolving cybersecurity program and that she had mentioned to their leadership that she would love to see more collaboration and partnership between the college and the City, potentially in the areas of internships or apprenticeships.

MOTION by Councilor Carpenter, SECOND by Councilor Kane, to approve and recommend that the City Council 1. Eliminate the open but unfilled IT Project Manager position, a Regular-Full-Time, Exempt, Non-Union, Market Factor position that was recently vacated by retirement; 2. Eliminate the open but unfilled Technology Support Specialist position, a Regular, Full-Time, Union, Non-Exempt, Market Factor position; and 3. Create a new Cybersecurity Analyst Position, a Regular, Full-Time, Non-Union, Grade 19, Exempt position.

VOTING: unanimous; motion carries.

4.3 Proposed DPW ROW Technician I & II Working Foreperson I & II Upward Tiering – DPW

Director Spencer said that this item relates to creating tiered positions within DPW, to allow for more of a career ladder and professional growth for current employees without having to wait for other positions to open up. He said that this benefits the employee, who gets to initiate that development, but also helps the City in terms of tapping into and evolving its talented workforce. He said that the financial implications of the first upward tiering on the Street Maintenance Team is that if 75% of the staff become classified in tier 2, the impact would be around \$52,000. He said that this would be paid for by reducing the FTE count in the Street Maintenance Team by 3 positions this year by transferring them over to the Water Division to do specific water-related work. He said that the remaining people would have higher billable earned revenue for the General Fund than current. He spoke about the partnership with the union in these proposed changes.

MOTION by Councilor Carpenter, SECOND by Councilor Kane, to approve and recommend that the City Council authorize: 1. Retitling and tiering of the Street Maintenance Worker, a Regular, Full-time, Non-Exempt, AFCSME, Grade 14 position as follows: a. Right-of-Way Field Technician I, a Regular, Full-time, Non-Exempt, AFCSME, Grade 14 position. This will be the first of two tiers for this position; and b. Right-of-Way Field Technician II, a Regular, Full-time, Non-Exempt, AFCSME, Grade 15 position. This will be the second of two tiers for this position; 2. Retitling and tiering of the Street Maintenance Working Foreman: a Regular, Full-time, Non-Exempt, AFCSME, Grade 16 position as follows: a. Right-of-Way Field Technician/Working Foreperson I, a Regular, Full-time, Non-Exempt, AFCSME, Grade 16 position. This will be the first of two tiers for this position; and b. Right-of-Way Field Technician/Working Foreperson II, a Regular, Full-time, Non-Exempt, AFCSME, Grade 17 position. This will be the second of two tiers for this position.

VOTING: unanimous; motion carries.

4.4 Reclassification of one (1) DPW – Technical Services Position – DPW

Senior Engineer Wheelock noted that this is for a financial position that has been vacant for a year and requires a re-write of the job description. She said that they have found that the position as described was not very marketable and didn't fit the City's needs, and is hoping that re-describing it will help with recruitment efforts. She noted that this is budget-neutral for the department. She also noted that if the operational efficiency study determines that this position is better suited for another department, they are also willing to place it elsewhere. Mayor Mulvaney-Stanak noted that the operational efficiency study results were due today, but they anticipate them being available tomorrow morning.

MOTION by Councilor Carpenter, SECOND by Councilor Kane, to approve and recommend that the City Council approve the reclassification of the Public Works Project Accountant, Technical Services: a Regular, Full-Time, Non-Exempt, AFSCME, Grade 16 position to a Billing and Administrative Accountant, Technical Services; a Regular, Full-Time, Non-Exempt, AFSCME, Grade 17 position.

VOTING: unanimous; motion carries.

4.5 Water Resources Wastewater Personnel Reorganization – Various – DPW/Water Resources

Division Director Moir said that this is a follow-up as part of the FY25 proposed budget, and is the wastewater portion of the staffing resiliency plan that was put forth in the budget proposal. They said that tiering is the best way to achieve what staff were requesting in terms of a higher level of certification and knowledge necessary. They also noted that this would include the transfer of three street maintenance workers from the street maintenance to the wastewater team, to allow them to focus on the collection system. They also spoke about activities around right-sizing management within the Water Resources Division, given that there is not enough capacity at higher management levels. They noted that they examined BED's organization charts and saw that they have additional layers of management and leadership, which allows them to have personnel focus on innovation, strategy, and continuous improvement, while also having personnel available to address emergent or urgent needs. They said that functionally, this represents an increase of one position to the DPW team, and an increase of four positions to the Wastewater team.

Councilor Carpenter asked if this results in one departmental additional position for management, and Division Director Moir confirmed this.

City Council President Traverse asked if there are incumbents in the positions that are being moved over from the street maintenance team to the wastewater team. Division Director Moir replied that there is one individual who is already specializing in the water components of street maintenance, and that they anticipate posting the other positions internally to determine who is interested in transferring over to the wastewater team. City Council President Traverse asked if there will be cross-training for the street maintenance workers across street maintenance and water resources. Director Spencer replied that the agreement for allowing this action is predicated on written commitments that these positions could be pulled into plowing in the winter if needed. He noted that the four divisions within DPW are relatively permeable, in order to address needs.

MOTION by Councilor Carpenter, SECOND by Councilor Kane, to recommend that, contingent upon the approval of the FY25 Wastewater and Stormwater Budgets, the City Council approve the: 1. Reclassification of the Wastewater Plant Operator, a Regular, Full-time, Non-Exempt, AFCSME, Grade 17 position, to the tiered Wastewater Plant Operator I/II position as follows: a. Wastewater Plant Operator I, a Regular, Full-time, Non-Exempt, AFCSME, Grade 17 position, the first of two tiers for this position; and b. Wastewater Plant Operator II, a Regular, Full-time, Non-Exempt, AFCSME, Grade 18 position, the second of two tiers for this position; 2. Reclassification of the Senior Plant Operator – Main, a Regular, Full-time, Non-Exempt, AFCSME, Grade 18 position, to Senior Plant Operator – Main, a Regular, Full-time, Non-Exempt, AFCSME, Grade 19 position; 3. Reclassification and retitling of one Wastewater Plant Operator, a Regular, Full-time, Non-Exempt, AFCSME, Grade 17 position to Senior Plant Operator – North and East, a Regular, Full-time, Non-Exempt, AFCSME, Grade 19 position; 4. Reclassification of the Senior Plant Mechanic, a Regular, Full-time, Non-Exempt, AFCSME, Grade 18 position to Senior Plant Mechanic, a Regular, Full-time, Non-Exempt, AFCSME, Grade 19 position; 5. Creation of a Collection System Maintenance Manager, a Regular, Full-time, Non-Exempt, AFCSME, Grade 20 position; 6. Reclassification, retitling, and reorganization of one Street Maintenance Division to Senior Collection System Operator, a Regular, Full-time, Non-Exempt, AFCSME, Grade 14 position in the Maintenance Division to Senior Collection System Operator, a Regular, Full-time, Non-Exempt, AFCSME, Grade 17 position in the Water Resources

Division, reporting to the Collection System Maintenance Manager; 7. Reclassification, retitling, and reorganization of two Street Maintenance Workers, Regular, Full-time, Non-Exempt, AFCSME, Grade 14 positions in the Maintenance Division to a tiered Collection System Operator I/II position in the Water Resources Division reporting to the Collection System Maintenance Manager, as follows: a. Collection System Operator I, a Regular, Full-time, Non-Exempt, AFCSME, Grade 15 position, the first of two tiers for this position; and b. Collection System Operator II, a Regular, Full-time, Non-Exempt, AFCSME, Grade 16 position, the second of two tiers for this position; 8. Reclassification, retitling, and reorganization of one Wastewater Plant Operator, a Regular, Full-time, Non-Exempt, AFCSME, Grade 17 position reporting to the Chief of North, East, and Pump Stations to Lead Pump Station Operator, a Regular, Full-time, Non-Exempt, AFCSME, Grade 18 position reporting to the Collection System Maintenance Manager; 9. Redescription, retitling, and reorganization of one Wastewater Plant Operator, a Regular, Full-time, Non-Exempt, AFCSME, Grade 17 position reporting to the Chief of North, East, and Pump Stations to Pump Station Operator, a Regular, Full-time, Non-Exempt, AFCSME, Grade 17 position reporting to the Collection System Maintenance Manager.

VOTING: unanimous; motion carries.

MOTION by Councilor Carpenter, SECOND by Councilor Kane, to approve and recommend that the City Council authorize the Chief Administrative Officer to approve budget neutral amendments to the FY25 Wastewater and Stormwater budgets to move budgeted amounts from Salaries and Wages Total Compensation Contingency lines 480-19-425-000.5000_910 and 245-19-000.5000_910 to the appropriate personnel and benefits expense lines as needed to implement the above actions.

VOTING: unanimous; motion carries.

4.6 Authorization for \$12,886,920 Step III Loan from Vermont Clean Water State Revolving Fund and for \$2,077,120 Amended Engineering Contract with Wright-Pierce for the Stage 0 Upgrade of the City's Three Wastewater Treatment Plants – DPW/Water Resources Engineer Manager Lee said that this relates to the headworks improvement project and moving large pieces of equipment. He noted that they are seeking approval for \$12.8 million from the State's Clean Water Revolving Loan Fund for the overall cost of the project. He noted that the work in this phase of the project is work that can happen regardless of what kind of improvements the City would like to see in the future. Division Director Moir noted that there is still some bond money that can be used for this.

City Council President Traverse asked about the proposed rate increase for FY27, and Division Director Moir replied that it is challenging to calculate exactly what the rate increase will be, since there is a fixed charge and a volumetric charge component, and one could argue that the debt service could be part of the fixed rate or the volumetric rate. City Council President Traverse noted that the overall cost will be fairly substantial for all phases of this project and said he would like to get an update on that when it's ready. Division Director Moir said that they plan to hold extensive discussions and updates on the larger costs of the project and the enhancements to the Division's affordability program that will hopefully be in place to help deal with this particular rate impact.

MOTION by City Council President Traverse, SECOND by Councilor Carpenter, to recommend that the City Council approve the attached resolution.

VOTING: unanimous; motion carries.

4.7 Vermont Gas Systems Franchise Agreement – DPW

Senior Engineer Wheelock said that this relates to the franchise agreement with Vermont Gas Systems. Excavation Inspector Manna said that DPW is requesting a new agreement with Vermont Gas Systems. He noted that there was a 30-year franchise agreement in place between the City and the gas company prior to this. He noted that franchise agreements are similar to leases and are for-profit entities with infrastructure in public rights-of-way, and they assign maintenance and responsibility rights and rights to access the streets to repair their infrastructure. He said that the City is proposing a five-year term in a substantially similar format to prior agreements, and with greater financial benefit to the City and the General Fund. Mayor Mulvaney-Stanak expressed appreciation for a five-year agreement to allow for a deeper analysis on user fees and leveraging what the City can in franchise fees.

City Council President Traverse asked whether negotiations with Vermont Gas have indicated that a five-year term is acceptable to them, and Assistant City Attorney Ramakrishnan replied that yes, they are amenable to the term.

MOTION by City Council President Traverse, SECOND by Councilor Carpenter, to approve the Franchise Agreement between the City and Vermont Gas Systems Inc., in order to execute a new agreement through June 30, 2029, granting use of the City right-of-way for utility infrastructure and annual payments of franchise fees as detailed in the agreement; and, to recommend the Mayor to execute the Franchise Agreement in substantial conformity with the Agreement attached—subject to approval by the City Attorney’s Office—on behalf of the City of Burlington.

VOTING: unanimous; motion carries.

4.8 Approving the Issuance of Grant Anticipation Notes for the Costs of Certain Airport Improvement Projects – C/T

Chief Administrative Officer Schad said that this is a \$10 million grant anticipation note for airport improvement projects and it is the same item that was approved last year. She said that the Airport has 23 grants from the Federal Aviation Administration (FAA) and that because these are reimbursable grants, the City may need financing, and the FAA has allowed for grant anticipation notes as part of their grants. She noted that all of the costs associated with borrowing are reimbursable, so the City is not incurring additional debt. She noted that the borrowing is not backed by the full faith and credit of the City, but backed by the grants themselves, so it is very low risk for the City.

Councilor Carpenter asked who uses these grant anticipation notes, and Chief Financial Officer Friedman replied that the Airport uses Key Bank, which provides this courtesy for the City.

MOTION by Councilor Carpenter, SECOND by City Council President Traverse, to recommend that the City Council approve the attached resolution.

VOTING: unanimous; motion carries.

4.9 Request to Execute a Construction Manager at RISK (CMAR) Contract with Engelberth Construction, Inc. (ECI) for Project NexT the North Concourse Replacement Project to accept and execute a Federal Aviation Administration (FAA) Grant Application and accept and execute a Northern Borders Regional Commission (NBRC) grant for design, construction manager at risk coordination and selection, pricing, construction in section and construction of the North Concourse Replacement Project “Project NexT” – Airport

Aviation Director Longo said that they will be coming to the full City Council to present this in a more visual context, but for now, they are requesting three items: a contract with Engelberth Construction, receiving an additional grant, and a grant through the Northern Borders Regional Commission for the mass timber for the airport terminal. He said that Project NexT is a 25,000 square foot addition to the north concourse of the Airport building and is critical to the future success of the Airport. Director Lackey spoke about the sustainability portion of

the project, including geothermal wells for heating and cooling, solar panels, and mass timber (instead of steel). Aviation Director Longo said that the financial piece of this project is large. He noted that Engelberth was one of five bidders on the project, and that the Airport used a construction manager at risk process to expedite some of the pre-work to get started on the project more quickly. He said that \$34 million for the project was approved by the City Council in March, and that they are requesting contingency of \$7.9 million and a \$1.8 million potential grant. He noted that the remaining portion of this is funded by local funds, because it isn't eligible for FAA granting. He said that the final component of funding is the Passenger Facility Charge program, which is charged on every ticket purchased through the Airport. He also noted \$16 million in funding that is through the Airport Improvement Grant Program (and that the \$7.9 million in contingency is part of this).

MOTION by Councilor Carpenter, SECOND by Councilor Kane, to approve and recommend that the City Council authorize the Director of Aviation to execute a Construction Manager at Risk (CMAR) contract with Engelberth Construction Inc. (ECI) in the amount of up to \$47,931,525.00 with a 15% contingency totaling up to \$55,121,253.90, as allowed by the grant for the construction of Project NexT – North Concourse Replacement Project, subject to review and approval of the City Attorney's Office.

VOTING: unanimous; motion carries.

MOTION by Councilor Carpenter, SECOND by Councilor Kane, to approve and recommend that the City Council authorize the Director of Aviation to execute an additional grant from the FAA to accept an amount up to \$6,922,436, with a 15% contingency totaling up to \$7,960,801.40, as allowed under the grant, for design, construction manager at risk coordination and selection, pricing, construction in section and construction of the North Concourse Replacement Project "Project NexT" Grant Application subject to review by the City Attorney's Office.

VOTING: unanimous; motion carries.

MOTION by Councilor Carpenter, SECOND by Councilor Kane, to approve and recommend that the City Council accept and execute a Northern Borders Regional Commission (NBRC) Grant in the amount of up to \$1,778,400.00 for utilization of domestic mass timber construction materials in construction of the North Concourse Replacement Project "Project NexT", subject to review by the City Attorney's Office.

VOTING: unanimous; motion carries.

5.0 MONTHLY FINANCIAL REVIEW

5.1 Monthly Financial Review – Budget to Actual as of April 30, 2024 – C/T

Finance Director Kukenberger said that staff have prepared a monthly financial review for the period ending April 30, 2024. He said that this provides an overall review of revenues and expenditures and a comparison of revenues received and expenses incurred against benchmarks. He said that as of April 30, they are projecting revenue to be \$234,000 in surplus of forecasted expenditure. He said that in addition to an overview, they are also presenting revenue and expense information for the five largest department budgets, which include Non-Departmental, Police, Fire, Parks, Recreation, and Waterfront, and the Department of Public Works. He said that they plan to provide these budgetary updates on a monthly basis. He noted that book close for a given month on the 15th of the next month, that those figures are then sent to department heads for review, and that if there is a deviation from projections of 5-10% or \$10,000, departments are required to provide comments as to why.

Councilor Kane noted that expenditures are currently running ahead of revenues, and asked how that gap is paid for at any given time. Director Kukenberger replied that the City tracks its cash on hand every day to ensure that there is enough cash on hand to cover expenditures. He said that there is typically a cash reserve to pay bills. He explained that a number of revenue lines come in on a monthly basis, but that some expenditures flow out on a daily basis. Chief Administrative Officer Schad noted that May is typically one of the more cash poor months because the June property tax is the largest and the City is coming up on its end-of-year expenses. She also noted that there are intergovernmental transfers that can occur if the City needs to borrow money from the retirement fund, for example.

City Council President Traverse asked why debt service is higher than projected, and Director Kukenberger replied that he'll look into this and provide a response. City Council President Traverse noted that the regional programs budget has incurred \$2.7 year-to-date but that they anticipate paying out another \$1.2 million by the end of the fiscal year and asked about the timing around this. Mayor Mulvaney-Stanak replied that some of the grantees in this budget invoice the City late in the fiscal year, which leads to expenditures incurred late in June in this budget in particular. Chief Administrative Officer Schad said that they can also review the \$1.2 million and determine whether they anticipate receiving the invoices for all of it. City Council President Traverse asked whether any surplus from FY24 goes into the unassigned fund balance. Director Kukenberger replied that it remains in the FY24 balance and that in some circumstances, the departments with an available balance can request the use of that fund balance in the next fiscal year, but otherwise it will go into the unassigned fund balance. City Council President Traverse voiced support for funding the United Way Working Bridges Program in FY25.

6.0 ADJOURNMENT

6.1 Motion to Adjourn

With no further business and without objection the meeting was adjourned at 6:55 PM.

RScty: AACoonradt

**BURLINGTON BOARD OF FINANCE – SPECIAL MEETING
BUSHOR CONF. ROOM, FIRST FLOOR, CITY HALL *OR*
REMOTE MEETING WITH CALL-IN NUMBER
BURLINGTON, VERMONT
MINUTES OF MEETING
DRAFT
June 24, 2024**

MEMBERS PRESENT:

Ben Traverse
Mark Barlow
Sarah E Carpenter
Joe Kane
Emma Mulvaney-Stanak

OTHERS PRESENT:

Katherine Schad

1.0 CALL TO ORDER and AGENDA

1.1 Motion to amend/adopt the agenda

Mayor Mulvaney-Stanak called the Board of Finance meeting to order at 6:02 PM

MOTION by Councilor Carpenter, SECOND by Councilor Barlow, to adopt the agenda.

VOTING: unanimous; motion carries.

2.0 PUBLIC FORUM

2.1 Verbal Comments

None.

3.0 CONSENT AGENDA

3.1 Motion to adopt the consent agenda and take the actions indicated.

3.2 June 10, 2024 Board of Finance Meeting Minutes, Draft – approve the minutes.

MOTION by Councilor Carpenter, SECOND by Councilor Kane, to adopt the consent agenda and take the actions indicated for items 3.1-3.2.

VOTING: unanimous; motion carries.

4.0 DELIBERATIVE AGENDA

4.1 Resolution: Annual Appropriation and Budget For Fiscal Year Beginning July 1, 2024, and Ending June 30, 2025

Mayor Mulvaney-Stanak noted that the budget represents strong work and collaboration between the Mayor's Office and City Council and itemizes a number of priorities, both for the Administration and for the City Council in terms of what is needed for this next year's budget. She said that it reflects transparency around changing course on the use of one-time funds to shore up the budget, examines what tools have been available to increase revenue, such as increasing fees, and moving forward on collective goals around community safety. She said that it represents a true commitment to affordability, sustainability, and right-sizing government for that sustainability and affordability. She said that it contains an itemized list of how the \$50,000 in funding that is proposed for the encampment response will be spent, which came up as a question at a prior meeting.

Councilor Barlow asked about the \$125,000 for the senior advisor on community safety, and whether that line item is for salary and benefits or just for salary. Mayor Mulvaney-Stanak replied that it is for salary and benefits. She also noted that the Administration is attempting to secure grants or Congressional funding for the position, rather than depending fully on the General Fund. Councilor Barlow said he is appreciative of the additional itemization within the budget for the public safety services.

City Council President Traverse expressed appreciation for the work the Administration has put into this budget, given the tight timeframe since the start of the Mayor's term and the beginning of the new fiscal year. He noted the Democratic caucus's proposal to fund additional CSO positions, including the Housing Administrator position in the budget again, and increasing funding for recruitment, in addition to the other investments the Mayor's Office proposed for public safety.

MOTION by City Council President Traverse, SECOND by Councilor Carpenter, to recommend that the City Council approve the attached resolution.

VOTING: unanimous; motion carries.

4.2 Resolution: Annual Tax Assessments On The Property Grand List Of The City For The Fiscal Year Beginning July 1, 2024 And Ending June 30, 2025

Chief Administrative Officer Schad said that this relates to obtaining the City Council's authority to assess taxes based on the resolution that was just approved by the Board of Finance related to the FY25 budget. She said that the tax resolution lays out the details of the 18 splinter taxes and how they are apportioned.

MOTION by Councilor Barlow, SECOND by Councilor Carpenter, to recommend that the City Council approve the attached resolution.

VOTING: unanimous; motion carries.

5.0 ADJOURNMENT

5.1 Motion to Adjourn

With no further business and without objection the meeting was adjourned at 6:14 PM.

RScty: AACoonrad



COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

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MEMORANDUM

TO: Board of Finance, City Council

FROM: Brian Pine, Director CEDO

CC: Mayor Emma Mulvaney- Stanak
Katherine Schad, CAO
Erik Ramakrishnan, Assistant City Attorney, City Attorney's Office
Marcella Gange, Community Development Manager, CEDO
Todd Rawlings, Assistant Director, Grants & Finance Community & Economic Development Office (CEDO)
Sarah Russell, Special Asst to End Homelessness

RE: **Approval to accept Planning Grant Continuum of Care VT-501 & Permanent Supportive Housing Grant Agreements in SFY25**
VT0030L1T012314 - \$330,188 New Horizons Renewal, September 1, 2024
VT0053L1T012308 - \$269,172 Beacon Renewal, September 1, 2024
VT011L1T012300 – \$54,627 CoC Planning Grant VT-501, January 1 ,2025

Summary

This communication seeks Board of Finance and City Council approval to accept \$653,987 for two separate Continuum of Care (CoC) Permanent Supportive Housing (PSH) Grants and the Continuum of Care (CoC) VT-501 Planning Grant from the U.S. Department of Housing and Urban Development (HUD) FFY23 and to authorize the CEDO Director to sign contracts and any necessary documents related to accepting these funds. The above referenced grants will continue to support the City and Continuum of Care efforts by utilizing federal funding to support housing for those in our community with a disabling condition and experiencing chronic homelessness, as well as to provide for coordination and planning support to the activities of the Continuum of Care.

Background

Permanent supportive housing pairs long-term tenant-based rental assistance in permanent housing with case management and supportive services to address the needs of people with a disabling condition who are currently experiencing chronic homelessness. The services are designed to build independent living and tenancy skills and connect people with community-based health care, treatment, and employment services. In addition to ending homelessness for people experiencing chronic homelessness, research has demonstrated that permanent supportive housing can also increase housing stability and improve health.

A cost-effective solution, permanent supportive housing has been shown to lower public costs associated with the use of crisis services such as shelters, hospitals, and the judicial system.

Chittenden County accesses funding for PSH grants through the Burlington/Chittenden CoC as part of its commitment to making homelessness rare and brief. The two CoC PSH grants for these funds were assumed for administration by the City of Burlington in 2021 and are operated in partnership with Burlington Housing Authority (BHA) and with Community Health Centers of Burlington - Safe Harbor and Pathways Vermont, as service providers. As the Collaborative Applicant for the Burlington/Chittenden CoC, CEDO, City of Burlington has administered the Planning Grant funds since 2014. The Planning Grant funds serve to assist the CoC to carry out a number of responsibilities including coordination, planning, and conducting the annual Point in Time count, as well as drafting the application, reporting, and monitoring of funds awarded by HUD to the CoC. These grants maintain important funding that brings a combined value of approximately \$650,000 and leverages a total value of more than \$815,000, including the matching funds from the services provides in these partnerships.

Administration of the PSH grants requires at least a 0.1 FTE CEDO staff. The responsibility to oversee these grants are currently integrated and budgeted into the Senior Community Development Manager role. CEDO is working with HUD on budget amendments to assure additional administrative funds are available within the grants. Administering the PSH grants gives the City the opportunity to engage more fully, with allocated staff time, on homelessness and housing response. This complements CEDO's current work as Collaborative Applicant with the CoC. Staff time for administering the CoC Planning Grant is funded by the grant.

Requested Actions:

Board of Finance: Move to approve and recommend that the City Council approve the acceptance of three U.S. Dept. of Housing and Urban Development Continuum of Care FFY23 grants **VT0030L1T012314 - VT0053L1T012308 - VT011L1T012300**) to begin in SFY25 and authorize the Director of CEDO to execute all contracts and documents necessary to accept the total funding of \$653,987 from HUD, subject to the review and approval of the City Attorney's Office.

City Council: Move to approve the acceptance of three U.S. Dept. of Housing and Urban Development Continuum of Care FFY23 grants **VT0030L1T012314 - VT0053L1T012308 - VT011L1T012300**) to begin in SFY25 and authorize the Director of CEDO to execute all contracts and documents necessary to accept the total funding of \$653,987 from HUD, subject to the review and approval of the City Attorney's Office.

Board of Finance and City Council Submission Checklist

Department: CEDO Submitter: Marcella Gange

Title/Subject: Communication Acceptance Grants HUD CoC PSH and PG FY25

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☒	City Council	7/15/2024
☐	Concurrent	Click or tap to enter a date.

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	6/28/2024	Brian Pine
Mayor's Office informed and approved memo	Yes	7/1/2024	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	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	6/28/2024	Erik Ramakrishnan
CAO has reviewed budget, financing, and memo	Yes	7/1/2024	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?	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?	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

Date: July 8, 2024
To: Board of Finance

From: Phet Keomanyvanh, Interim Director of Racial Equity, Inclusion, and Belonging
CC: Katherine Schad, Chief Administrative Officer

Re: **Sponsorship Agreements for The Caroline Fund, United Immigrant and Refugee Communities of Vermont, Obieze Ebo, Gallop to Success, and Arbai Huhina and Samuel Dingba in Collaboration with AALV**

Request

The Office of Racial Equity, Inclusion, and Belonging (REIB) is seeking approval and authorization to execute five sponsorship agreements subject to review by the City Attorney's Office, granting \$15,000 to The Caroline Fund for legal services for marginalized communities, particularly women, children, refugees, and immigrants as part of the People's Legal Services and Education program; granting \$15,000 to the United Immigrant and Refugee Communities (UIRC) of VT, Inc. to train ten to twenty interpreters; granting Obieze Ebo \$6,450 to hold an Afro Code event to celebrate African and African Diaspora culture; granting Gallop to Success \$11,000 for Inclusivity Family Weekend to provide diverse youth and families with access to therapeutic benefits of horseback riding and horsemanship; granting Arbai Huhina and Samuel Dingba in collaboration with the Association of Africans Living in Vermont (AALV) \$10,700 to create a youth swim program for immigrant and refugee children.

Background

The Empowerment Fund was first established with ARPA funding to support local disenfranchised communities and respond to the COVID crisis and will be funded by the General Fund in FY25. These grants feature low-barrier applications and requirements, aiming to empower directly organizations and individuals serving Burlington. The REIB, using a rubric approved by the REIB City Council Committee and as to form the City Attorney's Office, selected The Caroline Fund for funding in FY24 and the following organizations and individuals for funding in FY25, pending BOF approval:



- 1) The REIB Office is allocating \$15,000 to The Caroline Fund to support its People's Legal Services and Education Program, aimed at addressing critical legal and educational needs within marginalized communities in Burlington. The funding will be used to provide legal services related to family law, including issues such as divorce, child custody, parentage, domestic violence, and child support, which are often inadequately addressed by existing legal service providers. The legal services will be provided in conjunction with the development and implementation of educational initiatives tailored to the specific needs of these communities, including workshops, seminars, and cultural events designed to enhance legal literacy, empower individuals to navigate the legal system more effectively, and encourage greater community engagement and advocacy. Through these comprehensive efforts, The Caroline Fund seeks to empower marginalized individuals to access justice, build resilience, and advocate for their rights within the Burlington community.
- 2) REIB Office is allocating \$15,000 to United Immigrant and Refugee Communities (UIRC) of Vermont to support the training of ten to twenty participants in UIRC's interpreter training program. Increasing the number of trained interpreters is aligned with UIRC's mission to support refugees and immigrants and would strengthen its extensive services, ensuring dignified transitions and advocating for refugee and immigrant rights. A greater number of trained interpreters means increased language supports for immigrant and refugee communities and would improve access to healthcare, education, and other essential services.
- 3) The REIB Office is allocating \$6,450 to Obieze Ebo to host, "Afro Code," a celebration of African culture and the culture of the African Diaspora at Red Square in Downtown Burlington. The event will be organized by a local African artist, Obienze Ebo and aims to support and celebrate the diverse African diaspora, fostering participation and learning among attendees of all backgrounds. The potential impact on reducing racial disparities and promoting equity is significant, as it aims to bridge cultural gaps and promote understanding and inclusivity by celebrating African music and music from the African Diaspora and culture in a public space.
- 4) The REIB Office is allocating \$11,000 to Gallop to Success (GTS) to fund Inclusivity Family Weekend at Kimberly Farms in North Bennington, VT. Although the organization is not based in Burlington, the weekend will be for Burlington youth and families. GTS will partner with local organizations, including the King Street Center, AALV, EJH Futures, Shelburne Farms, and the Howard Center School Clinicians at Burlington High School, to engage youth who typically do not have access to horses and their therapeutic benefits. This is an opportunity to build community and a sense of



belonging for Black and Brown youth in Burlington while creating more equitable access to horseback riding.

- 5) The REIB is allocating \$10,700 to fund a multicultural youth swimming program specifically designed for immigrant and refugee children, organized by Arbai Muhina in partnership with Sam Dingba from AALV. The program aims to promote physical well-being, social integration, emotional resilience, and empowerment through swimming lessons. It includes age-appropriate swimming lessons taught by certified instructors, cultural exchange activities, mentorship, water safety education, and family engagement. Additionally, it will provide scholarships, transportation, swimwear, and towels to ensure equitable access for all participants, fostering community, inclusion, and a sense of belonging.

Funding for Project

The Empowerment Fund grants total \$58,150. The Caroline Fund was paid \$15,000 out of FY24 Empowerment Funds, and Funds totaling \$44,000 were rolled over from FY24 and are included in the assigned fund balance and will be used. The remaining funds will come from REIB's FY25 Empowerment Fund GL.

Department Contact

If you have any questions, please contact Phet Keomanyvanh, Interim Director of Racial Equity, Inclusion, and Belonging, at pkeomanyvanh@burlingtonvt.gov.

Motions

The Office of Racial Equity, Inclusion, and Belonging requests the Board of Finance approve the following motions:

1. To retroactively approve and authorize the Interim Director of the Racial Equity, Inclusion, and Belonging Office and the Chief Administrative Officer to issue a grant in the amount of \$15,000 to The Caroline Fund from the FY24 Empower Fund GL, and to execute a grant agreement memorializing the same, subject to review by the City Attorney's Office.
2. To approve and authorize the Interim Director of the Racial Equity, Inclusion, and Belonging Office and the Chief Administrative Officer to issue grants of City funds in a total amount not to exceed \$43,150 from the FY '25 Empower Fund GL, and to execute grant agreements memorializing the same, subject to review by the City Attorney's Office, as follows:



- a. to the United Immigrant and Refugee Communities of Vermont, Inc. for a total authorized grant amount of \$15,000; and
- b. to Obieze Ebo for a total authorized grant amount of \$6,450;
- c. to Gallop to Success for a total authorized grant amount of \$11,000; and
- d. to Arbai Muhina and Samuel Dingba in collaboration with AALV for a total authorized grant amount of \$10,700.

Empowerment Fund Scoring Rubric

	1	2	3	4	5
Representation : evaluate the extent to which the individual, organization, or project serves and includes racially diverse communities	Limited Representation: The organization or project has minimal representation of racially diverse communities. There is little effort to engage or include marginalized communities	Some Representation: The organization or project has made some effort to include racially diverse communities, but representation is limited. There may be a small number of diverse staff or participants, but it is not reflective of the target population.	Moderate Representation: The organization or project demonstrates moderate representation of racially diverse communities. Efforts have been made to engage and include marginalized communities, but there is room for improvement with regard to diversity and inclusivity.	Strong Representation: The organization or project shows strong representation of racially diverse communities. There is significant effort to engage and include marginalized communities, and the organization's leadership and staff reflect the diversity of the target population.	Excellent Representation: The organization or project excels in the representation of racially diverse communities. It goes above and beyond to ensure meaningful inclusion and belonging for marginalized communities. The organization's leadership and staff are highly diverse and representative of the target population.
Impact: assess the potential impact of the funding on reducing racial disparities and promoting equity.	Minimal Impact: The organization or project has minimal impact in reducing racial disparities and promoting equity. There is little evidence of addressing systemic barriers or promoting social justice	Limited Impact: The organization or project has made some effort to address racial disparities and promote equity, but the impact is limited. There may be small-scale initiatives or programs in place, but they have not yet resulted in significant change.	Moderate Impact: The organization or project demonstrates moderate impact in reducing racial disparities and promoting equity. Efforts have been made to address systemic barriers and promote social justice, resulting in some positive outcomes for marginalized communities	Significant Impact: The organization or project shows significant impact in reducing racial disparities and promoting equity. There is evidence of meaningful change and measurable outcomes that have positively affected marginalized communities.	Transformational Impact: The organization or project has achieved transformational impact in reducing racial disparities and promoting equity. It has successfully addressed systemic barriers, created sustainable change, and has had a profound and lasting effect on marginalized communities
Community Engagement: Evaluate the level of community engagement and involvement in the project or organization.	Limited Engagement: The organization or project has minimal engagement with the community. There is little effort to involve community members in decision-making processes or build	Some Engagement: The organization or project has made some effort to engage the community, but the level of engagement is limited. There may be occasional community consultations or partnerships, but they	Moderate Engagement: The organization or project demonstrates moderate engagement with the community. Efforts have been made to involve community members in decision-making	Strong Engagement: The organization or project shows strong engagement with the community. There is a significant effort to involve community members in decision-making processes,	Excellent Engagement: The organization or project excels in community engagement. It goes above and beyond to ensure meaningful participation of community members in

	partnerships with community based-organizations.	are not consistently integrated into the organization's work	processes, seek their input, and establish partnerships with community-based organizations.	actively seek their input, and establish meaningful partnerships with community-based organizations.	decision-making processes, actively seeks their input, and establishes strong and collaborative partnerships with community-based organizations.
Cultural competence/humility: assess the individual or organization's cultural competence and ability to understand and respond to the needs of diverse communities.	Limited Cultural Competence/Humility : The organization or project demonstrates limited cultural competence and cultural humility. There is little effort to understand and respond to the needs of diverse communities, and there may be instances of cultural insensitivity or lack of awareness.	Some Cultural Competence/Humility : The organization or project has made some effort to develop cultural competence and cultural humility. There may be some training or awareness programs in place, but there is room for improvement in understanding and responding to the needs of diverse communities.	Moderate Cultural Competence/Humility : The organization or project demonstrates moderate cultural competence and cultural humility. Efforts have been made to understand and respond to the needs of diverse communities, and there is evidence of cultural competency training and awareness programs for staff.	Strong Cultural Competence/Humility : The organization or project shows strong cultural competence and cultural humility. There is a significant effort to understand and respond to the needs of diverse communities, and cultural competency training and awareness programs are well-integrated into the organization's practices.	Excellent Cultural Competence/Humility : The organization or project excels in cultural competence and humility. It goes above and beyond to understand and respond to the needs of diverse communities, and cultural competency training and awareness programs are comprehensive and ongoing.
Sustainability: consider the long-term sustainability of the project or organization in addressing racial equity, inclusion, and belonging	Limited Sustainability: The organization or project has limited sustainability. There is little evidence of financial stability, strategic planning, or capacity-building efforts to ensure long-term viability.	Some Sustainability: The organization or project has made some effort towards sustainability. There may be some financial stability or strategic planning in place, but there is room for improvement in terms of long-term viability and capacity-building.	Moderate Sustainability: The organization or project demonstrates moderate sustainability. Efforts have been made towards financial stability, strategic planning, and capacity-building, but there is still room for improvement in terms of long-term viability.	Strong Sustainability: The organization or project shows strong sustainability. There is evidence of financial stability, strategic planning, and capacity-building efforts that contribute to long-term viability and organizational resilience.	Excellent Sustainability: The organization or project excels in sustainability. It has achieved a high level of financial stability, has a well-developed strategic plan, and has implemented comprehensive capacity-building efforts to ensure long-term viability and impact.
Accountability: evaluate the individual or organization's commitment to transparency, accountability, and continuous improvement in addressing racial equity, fostering	Limited Accountability: The organization or project demonstrates limited accountability. There is little evidence of transparency, regular reporting on progress, or mechanisms for feedback.	Some Accountability: The organization or project has made some effort towards accountability. There may be occasional reporting on progress and feedback mechanisms, but they are not consistently implemented or transparent.	Moderate Accountability: The organization or project demonstrates moderate accountability. Efforts have been made to ensure transparency, regular reporting on progress, and feedback mechanisms for stakeholders, but there is	Strong Accountability: The organization or project shows strong accountability. There is evidence of transparency, regular reporting on progress, and feedback mechanisms that actively engage stakeholders. The organization or individual	Excellent Accountability: The organization or project excels in accountability. It goes above and beyond to ensure transparency, regular reporting on progress, and meaningful feedback mechanisms that actively engage stakeholders. The

inclusion, and contributing to a sense of belonging.			room for improvement in terms of consistency and responsiveness.	is responsive to feedback and demonstrates a commitment to learning and improvement.	organization is highly responsive to feedback, demonstrates a commitment to learning and improvement, and holds itself accountable to its mission and values.
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Board of Finance and City Council Submission Checklist

Department: REIB Submitter: Phet Keomanyvanh, Interim Director
REIB grant funding for The Caroline Fund, United Immigrant and Refugee
Communities of Vermont, Obieze Ebo, Gallop to Success, and Arbai Huhina and
 Title/Subject: Samuel Dingba in Collaboration with AALV

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☐	City Council	Click or tap to enter a date.
☐	Concurrent	Click or tap to enter a date.

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	7/1/2024	Department Head initiated
Mayor's Office informed and approved memo	Yes	7/1/2024	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.	
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	7/1/2024	Hayley McClenahan
CAO has reviewed budget, financing, and memo	Yes	7/1/2024	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?	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.

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

FROM: Nicolas Longo, Director of Aviation

DATE: July 8, 2024

SUBJECT: Authorization to Sign Property Lease with The Jones Payne Group, Inc. at 1200 Airport Drive, South Burlington, VT

Request:

The Patrick Leahy Burlington International Airport (Leahy BTV) seeks Board of Finance recommendation and City Council authorization to enter into a building lease agreement with The Jones Payne Group, Inc (Jones Payne).

Summary:

The property, which is located inside the airport terminal building, is owned by the City of Burlington, Patrick Leahy Burlington International Airport. The Burlington-based Project Administrator for Jones Payne, who is a main point of contact for the residents participating in the Residential Sound Insulation Program (RSIP), will be utilizing this space as an office. After considerable coordination and discussion with The Jones Payne Group, creating a space that residents can meet at and learn about the RSIP program is a critical component of creating a transparent program. The Jones Payne Project manager will have office hours and in the future start utilizing the space to display model windows, doors, and other eligible noise mitigation products. This will also be a central location for information related to the program, along with our website dedicated to all of our noise programs located at btvsound.com

The space is 432 square feet and rent is set at \$23 per square feet, totaling \$828 a month, or \$9,936.00 annually, with a 3% annual escalation. The lease will be for a term of one year and will continue on a month-to-month basis, if approved by the airport. Further, the tenant is responsible for all fit up of the existing space.

Recommended Motions:

Board of Finance:

“To approve and recommend that the City Council authorize the leasing of certain identified space at the Patrick Leahy Burlington International Airport to The Jones Payne Group, Inc. and to authorize the Mayor to execute the lease, subject to final review and approval by the City Attorney’s Office.”

City Council:

“To authorize the leasing of certain identified space at the Patrick Leahy Burlington International Airport to The Jones Payne Group, Inc. and to authorize the Mayor to execute the lease, subject to final review and approval by the City Attorney’s Office.”

Thank you for your continued support.

Board of Finance and City Council Submission Checklist

Department: Airport Submitter: H. Dusablon

Title/Subject: Jones Payne Group Lease

	Approval:	Meeting Date:
☒	Board of Finance	07/08/2024
☒	City Council	07/15/2024
☐	Concurrent	

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	06/25/2024	N. Longo
Mayor's Office informed and approved memo	Yes	07/03/2024	E. Jacobsen
Board/Commission, if required	Yes	07/02/2024	
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	07/03/2024	K. Sturtevant
CAO has reviewed budget, financing, and memo	Yes	07/03/2024	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?	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.

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

From: Nic Longo, Director of Aviation
Larry Lackey, Director of Planning, Engineering and Sustainability

Date: July 8, 2024

Subject: Recommendation to the Board of Finance to Accept and Execute a contract in the amount of \$94,000 dollars with a 15% contingency with ECI (Engineers Construction Inc) for the Mill & Overlay of Aviation Avenue and Eagle Drive.

Request

The Patrick Leahy Burlington International Airport (Leahy BTV) seeks approval and authorization to enter into a contract with ECI in the amount of \$94,000 dollars with a 15% contingency, totaling \$108,100 for the Mill & Overlay of Aviation Avenue and Eagle Drive.

Summary

In May, Leahy BTV acquired proposals from contractors to perform a 1-1/2" asphalt Mill & Overlay for approximately 10,254 square yards of asphalt pavement along Aviation Avenue & Eagle Drive. BTV received a total of 4 contractor bids for this project. After thorough review, ECI (Engineers Construction Inc) was selected as the lowest responsible bidder.

Project Benefits

The anticipated benefits of Milling & Overlaying Aviation Avenue and Eagle Drive is to repair the excessive wear and tear the road has seen over the last few years. The existing pavement is at its end of useful life and this project will bring the road up to current standards to extend the life of the road for future years. This pavement project is part of an overall plan throughout the airport to repair non-airfield related roads/paved surfaces.

Funding Sources

This project will be funded through the fiscal year 2025 approved Operating and Maintenance budget.

Proposed Motions

Board of Finance:

“To approve and recommend to the City Council to authorize the Director of Aviation to execute a contract with ECI (Engineers Construction Inc) for the Mill & Overlay of Aviation Avenue and Eagle Drive in the amount of \$94,000, with a contingency of 15% for a total of \$108,100, subject to review and approval of the City Attorney’s Office.”

City Council:

“To authorize the Director of Aviation to execute a contract with ECI (Engineers Construction Inc) for the Mill & Overlay of Aviation Avenue and Eagle Drive in the amount of \$94,000, with a contingency of 15% for a total of \$108,100, subject to review and approval of the City Attorney’s Office.”

Thank you for your time and consideration.

Board of Finance and City Council Submission Checklist

Department: Airport Submitter: H. Dusablon

Title/Subject: Eagle Drive Road Paving Memo

	Approval:	Meeting Date:
☒	Board of Finance	07/08/2024
☒	City Council	07/15/2024
☐	Concurrent	

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	06/25/2024	N. Longo
Mayor's Office informed and approved memo	Yes	07/03/2024	E. Jacobsen
Board/Commission, if required	Yes	07/02/2024	
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	07/03/2024	K. Sturtevant
CAO has reviewed budget, financing, and memo	Yes	07/03/2024	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?	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.



City of Burlington
Department of Public Works
Water Resources Division
234 Penny Lane
Burlington, VT 05401
802.863.4501 P
www.burlingtonvt.gov/DPW

Chapin Spencer
PUBLIC WORKS DEPARTMENT DIRECTOR

Megan Moir
WATER RESOURCES DIVISION DIRECTOR

MEMORANDUM

TO: Board of Finance and City Council

FROM: Megan Moir, DPW Division Director – Water Resources

DATE: July 8, 2024 / July 15, 2024

CC: Chapin Spencer, DPW Director
Martin Lee, PE, Water Resources Engineering Manager

RE: Water Treatment Plant Elevator Modernization Agreement
Authorization to Execute Contract with Mack Brothers Elevator

REQUEST:

The Department of Public Works (DPW) and its Water Resources Division (WRD) are seeking authorization to execute a contract with Mack Brothers Elevator with a maximum limiting amount of \$180,000 for modernization of the existing elevator located at the Water Treatment Plant (235 Penny Lane).

BACKGROUND

The existing elevator at the Water Treatment Plant (WTP) was manufactured by Dover Corporation and has been in service since approximately 1983. Many of the components of the elevator experience wear and possibly corrosion due to the damp environment of the WTP. The existing two-stop passenger elevator has reached the end of its reliable service life.

WRD has confirmed with building professionals that an elevator is required in this municipal building to access the office areas and labs (totaling more than 1,000 sf), where it is possible that employees may need Americans with Disabilities Act (ADA) access. Stair Lifts are no longer allowed in public buildings, the only option would be a Limited Use Limited Access lift which would occupy the same space as the elevator, would likely cost more than the proposed upgrade and would require a variance from the Access Board. WRD is seeking to modernize the existing elevator systems to provide for ongoing, reliable, and safe passenger service and to avoid a potential long shutdown and period of non-compliance with the ADA in the event of equipment failure. The modernization project will include the replacement or addition of the following elevator components: controller, emergency battery lowering device, power unit, top of

car equipment, door operator and protection, door opening/closing devices, electrical wiring, car operating panel, hall fixtures and new cab interior.

The elevator is just one of many assets in the WTP that are at or near the end of their service life. The last comprehensive upgrade of the WTP was in the early 1980's (40 years ago) and the WRD team is beginning the initial assessment and conceptual design work for a future, larger modernization project.

REQUEST FOR PROPOSALS & SELECTION

WRD released a Request for Proposals (RFP) for elevator modernization services associated with the WTP elevator on January 3rd, 2024. A non-mandatory pre-proposal site meeting was held on January 17th with no interested firms in attendance. One (1) proposal was received by the January 24th deadline by Mack Brothers Elevator (MBE) for \$230,000. On February 8th WRD staff met with a representative from MBE onsite to review existing site conditions and clarify project requirements. Following the onsite meeting, MBE submitted a revised proposal on February 15th with the following results:

<u>Bidder</u>	<u>Total Bid</u>
Mack Brothers Elevator	\$150,000

Mack Brothers Elevator's proposal was responsive to both the price and non-price proposal components required by the RFP and submitted a Pre-Qualification of Construction Contractor Application prior to the bid due date. Based on MBE being the only proposal received, the responsiveness of the proposal and the identified relevant project experience, WRD contacted MBE's project references. The references we contacted were pleased with MBE's prior elevator related services and did not identify any substantive concerns with the firm. Furthermore, MBE has been recently selected by the Parks, Recreation & Waterfront Department for the elevator modernization effort at City Hall. WRD recommends carrying an approximate 20% contingency to support any equipment cost increases that may be realized since the development of the proposal and appropriate project scope changes that may be identified during construction. This recommended contingency level is included in the requested maximum limiting amount authorization of \$180,000.

Funding

This project was planned to be funded out of Water Fund 460 fund balance. The cash on hand was \$5.3M at end of FY23 and is projected (conservatively) to be \$4.9M at end of FY24, with approximately \$2.4M of that being above the 120 days of cash on hand target for operating expenses. A budget amendment will be executed for \$180,000 to increase 460-19-400-000.9500 (draft budget amendment request attached).

MOTIONS:

The Department of Public Works Water Resources Division respectfully requests that the Board of Finance and City Council approve the following motions:

Board of Finance Actions:

1. "To approve and recommend that the City Council authorize the Director of Public Works to execute a Construction Contract with Mack Brothers Elevator with a maximum limiting amount of \$180,000 subject to review and approval by the City Attorney."

2. To approve and recommend that the City Council authorize the Chief Administrative Officer, or their designee, to effect all necessary budget amendments in substantial conformance with the attached budget transfer request.

City Council Actions:

1. "To approve and authorize the Director of Public Works to execute a Construction Contract with Mack Brothers Elevator with a maximum limiting amount of \$180,000, subject to review and approval by the City Attorney."
2. To approve and authorize the Chief Administrative Officer, or their designee, to effect all necessary budget amendments in substantial conformance with the attached budget transfer request.

Thank you for your consideration of this request.

Board of Finance and City Council Submission Checklist

Department: DPW – Water Resources Submitter: Megan Moir

Title/Subject: Water Treatment Plant Elevator Modernization Agreement

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☒	City Council	7/15/2024
☐	Concurrent	

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	6/28/2024	Click or tap here to enter text.
Mayor's Office informed and approved memo	Yes	7/2/2024	Click or tap here to enter text.
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	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	7/2/2024	Erik Ramakrishnan
CAO has reviewed budget, financing, and memo	Yes	7/2/2024	Click or tap here to enter text.
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?	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: City of Burlington, Finance Board
City of Burlington, City Council

FROM: Jon Murad, Chief of Police *Chief #389*

CC: Shannon Trammell

DATE: July 8 (BoF) / July 15 (CC) , 2024

SUBJECT: Authorization to Sign a Contract for Facility Repairs with Farrington Construction.

REQUEST

The BPD seeks Board of Finance recommendation and City Council authorization to execute a Construction Contract for Facility Repairs at One North Avenue, because of an arson and fire and water damage at its facility, with Farrington Construction in the amount of \$129,179.50.

EXECUTIVE SUMMARY

Background:

On November 13, 2023 at approximately 2:00 am, an arsonist set fire to the vestibule of the front entrance of 1 North Avenue. The sprinkler system activated causing a significant amount of water damage throughout the building, in addition to the fire damage.

The damages from this incident extend throughout several areas of BPD's facility, including by not limited to: the Kevin P. Scully Community Room, wall and flooring damage to the administrative offices of several employees, flooring damage to storage closets, floor damage to the roll call room, and the entire front entrance and vestibule of BPD's facility.

Emergency water mitigation services were required to dry the inundated areas and continued for a week following the incident. In the months that followed, BPD worked with the City's insurance company and various adjusters to bring this claim to resolution, which finally concluded on June 21, 2024.

Project Funding:

The total cost of the Arson damage is \$144,915.19. Of that, \$15,735.69 is for emergency water mitigation services to ServPro and \$129,179.50 is for construction repairs to Farrington Construction.

The BPD submitted payment to ServPro for services rendered from its FY24 budget, G/L: 101-17-050-6500_118 “Professional and Consultant Svs Contractual Services.”

On June 21, 2024, an insurance claim payment for this loss was issued by Liberty Mutual, in the total amount of \$64,812.67, and was calculated by Liberty Mutual as follows:

Cost to replace	\$129,523.37
Depreciation	-\$14,710.70
Policy deductible	-\$50,000.00
Actual cash value	\$64,812.67

BPD is coordinating with the Capital Program Director to submit a funding request to the Capital Committee for an amount up to \$65,000 to fund the remaining balance for repairs. The Capital Program Director has identified available bond funds in the Capital Contingency project, and is expecting the Committee to formally review the funding request on July 11, 2024. Given the emergent nature of this request, the Capital Program Director is expecting the Committee will approve the request. In the meantime, any Board of Finance approval will be contingent upon the Capital Committee’s formal approval.

Bidding and Contractor Selection:

Because of the nature of the insurance claim’s process, sole-source approval was given by the CAO for the selection of a contractor to work with the insurance company in order for them to determine coverage and loss estimates.

The City’s Facility Team was consulted and provided the initial project scope and walk-through with the contractor, Farrington Construction. In the months that followed, the BPD and Farrington Construction met with several adjusters and conducted numerous walk-throughs in order to bring this claim to resolve.

Department Contact:

If you have any questions, please contact Shannon Trammell, Executive Manager at strammell@bpdvt.org or (802) 540-2107.

ATTACHMENTS

- A. Farrington Construction Cost Proposals
- B. ServPro Invoice

MOTIONS

The Burlington Police Department respectfully requests the Board of Finance and City Council approve the following motions:

Board of Finance:

To approve and recommend that the City Council approve and authorize the Chief of the Burlington Police Department to enter into a contract with Farrington Construction in an amount not to exceed \$129,179.50, contingent upon the successful funding authorization from the Capital Committee and subject to review by the City Attorney's Office.

City Council:

To approve and authorize the Chief of the Burlington Police Department to enter into a contract with Farrington Construction in an amount not to exceed \$129,179.50, contingent upon the successful funding authorization from the Capital Committee and subject to review by the City Attorney's Office.

Thank you for your continued support.



4724 SPEAR STREET
SHELBURNE, VERMONT 05482

Date: 10-January-2024

Burlington Police Department
ATTN: Shannon Trammell
Re: Fire Damage

Farrington Construction is pleased to offer the following proposal for the above referenced project. Scope and costs are as follows:

	<u>Units</u>	<u>Material</u>	<u>Labor</u>		
General Conditions	LS		\$ 11,500.00	\$	11,500.00
Includes supervision, debris removal, furniture moving, protect and cover Etc.					
Carpentry		\$ 306.00	\$ 850.00	\$	1,156.00
Repair damaged trim on trophy case					
Walk Off Mat	121	\$ 363.00	\$ 1,815.00	\$	2,178.00
Install New Walk off Mat in vestibule					
VCT	518	\$ 1,036.00	\$ 1,554.00	\$	2,590.00
Install new VCT in Property room as well as storage closet in meeting room					
Commercial Broadloom Carpet	2255	\$ 6,765.00	\$ 6,765.00	\$	13,530.00
Remove existing carpet, install new carpet in meeting room					
Carpet Tile	1682	\$ 6,728.00	\$ 8,410.00	\$	15,138.00
Remove Carpet Tile, Prep as necessary, install new carpet tile					
Cove Base	304	\$ 304.00	\$ 608.00	\$	912.00
Install new cove base as needed					
Patch & Paint	LS		\$ 35,077.00	\$	35,077.00
Install drywall as needed, tape and patch as needed, paint all walls in affected rooms					
ACT Replacement	24 pc.	\$ 48.00	\$ 336.00	\$	384.00
Remove and replace damaged ceiling tiles as needed. 2x4					
Plumbing	LS		\$ 730.00	\$	730.00
Remove bathroom fixtures, reinstall when work is complete					
Total Costs				\$	82,465.00
OH&P (10%OH,5%P)				\$	12,369.75
Total Amount of This Proposal				\$	94,834.75

Thank you,

Mark J. Farrington
Project Manager
Farrington Construction Company



4724 SPEAR STREET
SHELBURNE, VERMONT 05482

Date: 17-January-2024

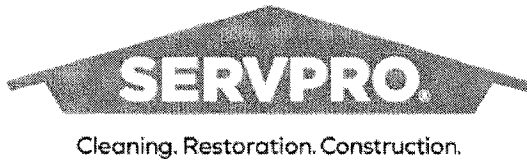
Burlington Police Department
ATTN: Shannon Trammell
Re: Sprinkler Leak Damage

Farrington Construction is pleased to offer the following proposal for the above referenced project. Scope and costs are as follows:

	<u>Unit</u>	<u>Material</u>	<u>Labor</u>		
General Conditions	LS		\$ 9,800.00	\$	9,800.00
Includes supervision, debris removal, furniture moving, protect and cover Etc.					
VCT		144 \$ 288.00	\$ 432.00	\$	720.00
Install new VCT in Property room as well as storage closet in meeting room					
Commercial Broadloom Carpet		986 \$ 22,958.00	\$ 2,958.00	\$	5,916.00
Remove existing carpet, prep, install new carpet in meeting room					
Cove Base		315 \$ 315.00	\$ 630.00	\$	945.00
Install new cove base as needed					
Patch & Paint	LS		\$ 11,520.00	\$	11,520.00
Intsall drywall as needed, tape and patch as needed, paint all walls in affected rooms					
Plumbing	LS		\$ 964.00	\$	964.00
Remove bathroom fixtures, reinstall when work is complete					
Total Costs				\$	29,865.00
OH&P (10%OH,5%P)				\$	4,479.75
Total Amount of This Proposal				\$	34,344.75

Thank you,

Mark J. Farrington
Project Manager
Farrington Construction Company



MCL Enterprises Inc.
198 S Meadow Road
Plymouth, MA 02360
(508) 746-9500
office@servproplymouth.com

BILL TO

Shannon Trammell
Burlington Police Department
1 North Ave
Burlington, VT 05401 USA

SHIP TO

Shannon Trammell
1 North Ave
Burlington, VT 05401 USA

INVOICE # 3907**DATE 11/29/2023****DUE DATE 11/29/2023****TERMS** Due on receipt

ACTIVITY	DESCRIPTION	AMOUNT
Water Remed	Water Restoration	15,735.69

Please make checks payable and mail to:

BALANCE DUE**\$15,735.69**

SERVPRO
198 S. Meadow Rd
Plymouth, MA 02360

Tax ID: 84-1905128

Thank you for your business!
The best compliment you can give us is a referral

Board of Finance and City Council Submission Checklist

Department: Burlington Police Dept. Submitter: Jon Mruad

Title/Subject: BPD Facility Repairs from Arson

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☒	City Council	7/15/2024
☐	Concurrent	

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	7/2/2024	J. Murad
Mayor's Office informed and approved memo	Yes	7/2/2024	E. Jacobson
Board/Commission, if required	N/A		
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	No	pending	In review. H. McClenahan
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	7/2/2024	H. McClenahan
CAO has reviewed budget, financing, and memo	Yes	7/2/2024	K. 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	
Contract Attached, if applicable?	No	Pending review in City Attorney's office
Additional Materials, if necessary	Yes	Project quotes & invoices
Draft Resolution or Motion?	Yes	
If for submission to Council, are sponsors identified?	N/A	



Memo

Date: July 8, and 15, 2024

To: Board of Finance / City Council

From: Jackie Esperti, Division Director, Parking and Traffic

CC: Chapin Spencer, DPW Director

Subject: Impact Fees Budget Amendments

Request

The Department of Public Works ("DPW") seeks approval and authorization from the Board of Finance and City Council to a budget amendment (BA) for Traffic and Signals (Fund 264) as detailed below.

Background:

The Traffic Fund (Fund 264) has been allocated \$120,000 in impact fee revenue for FY24, and subsequently budgeted an expense line with the same dollar amount. We are asking to amend the GL, as the funds were allocated to the incorrect ledger. The dollar amount will not change. DPW proposes to use the budgeted funds to improve efficiency, capacity and safety of up to 11 signalized intersections in the City. The new controllers, conflict monitors and video detection systems will enable the signalized intersections to operate more dynamically and thereby improve the efficiency, capacity and safety of the intersection for all modes of traffic (vehicular, pedestrian, bicycle, transit, etc.).

Impact Fees - \$120,000 allotted

Coltran 332L-Controller Box	(1)	\$13,000
Controllers	(11)	\$51,381
Conflict Monitors	(10)	\$12,500
Traffic Detection	(2)	\$41,000

Total **\$117,881** (estimated)

Proposed Intersection Upgrades Include:

- Shore Road & North Avenue: Coltran box, controller, conflict monitor and video detection
- Battery Street & Maple Street: Controller, conflict monitor and video detection
- Upgrades to various other intersections throughout the city based on the asset management condition assessment underway

We expect all work to be completed within 4 months of receiving all materials.

Conclusion:

These funds will be used to directly improve traffic flow at key intersections that are experiencing additional traffic due to development in the City. With the traffic detection technology, we will be able to directly measure the impact that these upgrades have in a quantifiable fashion.

Motions:

Board of Finance:

- To authorize, and recommend the City Council authorize, the Chief Administrative Officer to implement FY24 budget amendments, in substantial conformance with the attached Budget Amendment Request to reallocate \$120,000 in traffic impact fee revenues (Fund 264).

City Council:

- To authorize the Chief Administrative Officer to implement FY24 budget amendments, in substantial conformance with the attached Budget Amendment Request to reallocate \$120,000 in traffic impact fee revenues (Fund 264).

Should you have any questions or concerns regarding this matter, please do not hesitate to reach out to me directly.

Attachments:

1. Traffic and Signals Fund Budget amendment

Board of Finance and City Council Submission ChecklistDepartment: DPW – Parking Submitter: Jackie EspertiTitle/Subject: Impact Fee Budget Amendment

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☒	City Council	7/15/2024
☐	Concurrent	Click or tap to enter a date.

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	6/27/2024	Chapin Spencer Approved
Mayor's Office informed and approved memo	Yes	7/3/2024	Joe Magee Approved.
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	6/28/2024	Erik Ramakrishnan Approved
CAO has reviewed budget, financing, and memo	Yes	7/1/2024	Katherine Schad Approved
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?	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.



MEMORANDUM

To: Board of Finance
City Council

From: Megan Moir, Division Director Water Resources

Date: July 8, 2024/ July 15, 2024

Cc: Chapin Spencer, DPW Director

RE: Authorization to for a \$130,000 budget neutral amendment

Request:

The Water Resources Division (WRD) of the Department of Public Works seeks approval and authorization for a budget neutral amendment in the amount of \$130,000 to the Fiscal Year 2024 Water Fund 460 budget.

Background:

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

INCREASE: Fees for Service- Street Division Services (460-19-400-411.6800_172): The Street Maintenance Division provides concrete and pavement restoration services for water service line and water main repairs performed by the Water Distribution team. Since much of this work is reactive and not predictable, during budgeting it is hard to know what volume of work will need to occur over the course of the year. An additional \$130,000 is needed to cover the May and estimated June bills from Street Maintenance.

DECREASE: Salaries and Wages Regular, Full Time (460-19-400-411.5000_100): There were a number of position vacancies in this team of 10 people over the course of FY24, leaving more than sufficient funds remaining at year end to fund the increase needed in the Street Division Services line. A budget decrease of \$130,000 is proposed.

Budget Amendment:

A budget amendment is drafted and shown as Attachment A.

Motions

The WRD respectfully request the Board of Finance and City Council approve the following motions:

Board of Finance:

1. To approve and recommend that the City Council authorize the Chief Administrative Officer, or their designee, to effect a \$130,000 budget neutral amendment in substantial conformance with the attached budget transfer request.

City Council:

1. To approve and authorize the Chief Administrative Officer, or their designee, to effect a \$130,000 budget neutral amendment in substantial conformance with the attached budget transfer request.

**CITY OF BURLINGTON, VT
BUDGET AMENDMENT REQUEST**

Department: Water Resources

Requested By: _____

Date: _____

Reviewed By: _____

Date: _____

Dept (up to \$10k): _____

Date: _____

CT Staff Review _____

Date

CAO (up to \$25k) (Or Designee): _____

Date: _____

Mayor (\$25k-\$50k): _____

Date: _____

Briefly explain the reason for the amendment:

The Street Maintenance Division performed more billable work (concrete and pavement restoration) for Water distribution projects than budgetted for. Funds are available from unused budget in the Distribution salaries line since there was a long period of staff vacancies earlier in FY24.

Net Revenues = -

Net Expenses = -

Fund Balance = -

Org Set	GL #	Type	GL Description	Increase/ (Decrease)
460-19-400-411	6800_172	E	Fees for Services - Street Division Services	130,000
460-19-400-411	5000_100	E	Salaries and Wages - Regular, Full Time	(130,000)
.	.	.	.	.
.	.	.	.	.

Board of Finance and City Council Submission ChecklistDepartment: DPW – Water Resources Submitter Megan MoirTitle/Subject: Authorization to for a \$130,000 budget neutral amendment

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☒	City Council	7/15/2024
☐	Concurrent	Click or tap to enter a date.

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	7/1/2024	Chapin Spencer
Mayor's Office informed and approved memo	Yes	7/2/2024	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	7/2/2024	Erik Ramakrishnan
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	Click or tap to enter a date.	
CAO has reviewed budget, financing, and memo	Yes	7/2/2024	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?	No	Click or tap here to enter text.
Additional Materials, if necessary	Yes	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.

City of Burlington Capital Program



MEMORANDUM

To: Board of Finance and City Council

Fr: Ashley Parker, Capital Program Director

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

Re: Approval for MuniCap, Inc., FY25-27 TIF District Administration Consultant Contract

Date: July 8, 2024 & July 15, 2024

Summary

The Clerk/Treasurer's (CT) Office seeks Board of Finance and City Council approval of a three-year contract not to exceed \$60,000 a year with MuniCap, Inc. to continue supporting City Staff across Departments by providing administrative services for the City's two tax increment financing (TIF) districts.

MuniCap is a public finance consulting firm based in Columbia, Maryland, that specializes in the administrative and accounting aspects of public finance, specifically with TIF Districts, and has been working with the City on better management of the Downtown and Waterfront TIF Districts for the last two years. During the Waterfront TIF State Audit, the State Auditor's Office recommended that the City engage with MuniCap to develop and implement best practices for TIF District administration, and approval of this request will allow the City to continue this effort through the end of FY27, when a majority of the capital improvements in both Districts are projected to be completed.

Justification

MuniCap, Inc., has assisted with almost \$8.0 billion in bonds, primarily with the use of TIF and provides services for over 300 public-private partnership development projects across the country. As a result, MuniCap is familiar with specific issues related to TIF. MuniCap's broad experience in many states has facilitated a thorough knowledge of public policy issues and the many various techniques and methodologies employed in public-private partnerships across the country. As a result of this experience, MuniCap is aware of national best practices and evolving trends.

In addition, MuniCap has been working for the City over the past two years, assisting City staff in developing best management practices for the administration of TIF, leading to better documentation and accounting of TIF projects and their expenses. This work has included the development of procedures for better tracking and documentation of project costs and increment calculation, the actual calculation of increment for both Districts, the review and compilation of bond requisitions to the City's Trustee, and support with documentation related to the City's Waterfront & Downtown TIF audits. This work has provided the City with better processes and

training for staff to administer the TIF Districts, and has given the State Auditor's Office confidence that the City is making progress on improving its administration of TIF.

In FY24, MuniCap continued to provide increment calculation support and review of capital improvement requisitions for both the Downtown and Waterfront Districts. They also assisted in the development of increment calculation procedures that have provided City staff with the framework for doing these calculations independently of MuniCap. Therefore, the FY25 scope of work proposed to MuniCap removes the increment calculation task, but maintains their administrative support in the review of capital improvement requisitions. The requisition review will be significant as the City Place Partners look to submit reimbursements for their work in the Waterfront District in FY25. MuniCap has reviewed the scope of work that covers both the Downtown and Waterfront TIF Districts, and has agreed to provide the identified services for an amount of \$54,000 in FY25. This contract will allow the City to continue developing procedures that will strengthen the City's administration of TIF, while also ensuring proper project and accounting documentation is in place for future audits. The proposed scope of work also provides an option to add on increment services on an as-needed basis. The proposed contracts and all relevant documents are enclosed for your review.

Funding

MuniCap's services are considered to be eligible related costs per TIF statute, which also means they are eligible for reimbursement by TIF increment. The project expenses have been included in the FY25 Capital Budget for TIF Related Costs. As MuniCap's scope of work has tasks defined per TIF District (Downtown and Waterfront), the subsequent invoices will also be broken up to specify tasks covered each pay period for each District. All Downtown TIF District MuniCap invoices will be eligible for Downtown TIF increment; and all Waterfront TIF District MuniCap invoices will be eligible for Waterfront TIF increment.

Motions

For Board of Finance –

To approve and recommend that City Council approve and authorize the Chief Administrative Officer to enter into an agreement with MuniCap, Inc., for a three-year contract (FY25-27) not to exceed \$60,000 per year, subject to review by the City Attorney's Office

For City Council –

To authorize the Chief Administrative Officer to enter into an agreement with MuniCap, Inc., for a three-year contract (FY25-27) not to exceed \$60,000 per year, subject to review by the City Attorney's Office.

Encl: Draft Contract with MuniCap, Inc., including all contract documentation (i.e.: Proposed SOW and Consultant's Estimated Costs)

CITY OF BURLINGTON
DRAFT MUNICAP, INC
TIF ADMINISTRATION FY25-27
CONTRACTOR CONTRACT

This Contractor Contract (“Contract”) is entered into by and between the City of Burlington, Vermont (“the City”), and MuniCap, Inc. (“Contractor”), a Maryland corporation located at 8965 Guilford Rd., Suite 210, Columbia, Maryland 21046, registered with the Secretary of State to do business in Vermont.

Contractor and the City agree to the terms and conditions of this Contract.

1. DEFINITIONS

The following terms shall be construed and interpreted as follows:

- A. “Contract Documents”** means all the documents identified in Section 7 of this Contract.
- B. “Effective Date”** means the date on which this Contract is approved and signed by the City, as shown on the signature page.
- C. “Party”** means the City or Contractor, and “Parties” means the City and Contractor.
- D. “Project”** means the Administrative support for the City of Burlington Downtown & Waterfront TIF Districts as further defined in the attached Scope of Services.
- E. “Work”** means the services described in Section 5 (Payment for Services) of this Contract, along with the specifications contained in the Contract Documents as defined in Section 4 (Scope of Work) below.

2. RECITALS

- A. Authority.** Each Party represents and warrants to the other that the execution and delivery of this Contract and the performance of such Party’s obligations have been duly authorized.
- B. 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 Contract.
- C. Purpose.** The City seeks to employ the Contractor to provide administrative services to the City as further described in the scope of services detailed in Section 4.

3. EFFECTIVE DATE & TERM

A. Effective Date. This Contract shall not be valid or enforceable until the Effective Date. The City shall not be bound by any provision of this Contract before the Effective Date and shall have no obligation to pay Contractor for any performance or expense incurred before the Effective Date or after the expiration or termination of this Contract.

B. Term. This Contract and the Parties' respective performance shall commence on the Effective Date and expire on June 30, 2027, or upon the satisfaction of the City, unless sooner terminated as provided herein. The Parties reserve the right to evaluate the need for services and update the scope of services pending agreement on any proposed changes by both Parties and that such agreement will be reached prior to the expiration of the term stated herein.

4. SCOPE OF WORK

For Fiscal Year 2025, Contractor shall perform the Scope of Work attached hereto as Attachment A and in accordance with the budget attached as Attachment B. In future fiscal years, the Scope of Work shall generally consist of the same or similar services, the specific scope and budget to be confirmed on an annual basis by letter from the City's Chief Administrative Officer or designee. All services shall be performed to the reasonable satisfaction of the Chief Administrative Officer or designee, and nothing herein shall be construed as a promise of any amount of work in any fiscal year.

5. PAYMENT FOR SERVICES

A. Amount. The City shall pay the Contractor for completion of the Work in accordance with hourly rates set forth in Attachment B (Contractor's Burlington SOW and Estimated Costs FY25).

Contractor agrees to accept this payment as full compensation for performance of all services and expenses incurred under this Agreement.

B. Payment Schedule. The City shall pay the Contractor in the manner and at such times as set forth in the Contract Documents. The City seeks to make payment within thirty days of receipt of an invoice and any backup documentation requested under subsection D (Invoice) below.

C. Maximum Limiting Amount. The total amount that may be paid to the Contractor for all services and expenses under this Contract shall not exceed the maximum limiting amount of \$60,000.00 per year. The City shall not be liable to Contractor for any amount exceeding the maximum limiting amount without duly authorized written approval.

- D. Invoice.** Contractor shall submit one copy of each invoice, including rates and a detailed breakdown by task for each individual providing services, and backup documentation for any equipment or other expenses to the following:

City of Burlington, Vermont
Clerk Treasurer's Office
149 Church Street
Burlington, VT 05401
Attention: Ashley Parker, Capital Program Director
Email: aparker@burlingtonvt.gov

The City reserves the right to request supplemental information prior to payment. Contractor shall not be entitled to payment under this Contract without providing sufficient backup documentation satisfactory to the City.

6. SECTION & ATTACHMENT HEADINGS

The article and attachment headings throughout this Contract are for the convenience of City and Contractor and are not intended nor shall they be used to construe the intent of this Contract or any part hereof, or to modify, amplify, or aid in the interpretation or construction of any of the provisions hereof.

7. CONTRACT DOCUMENTS & ORDER OF PRECEDENT

- A. Contract Documents.** The Contract Documents are hereby adopted, incorporated by reference, and made part of this Contract. The intention of the Contract Documents is to establish the necessary terms, conditions, labor, materials, equipment, and other items necessary for the proper execution and completion of the Work to ensure the intended results.

The following documents constitute the Contract Documents:

Attachment A: Proposed Scope of Work to MuniCap FY25
Attachment B: Contractor's Burlington SOW and Estimated Costs FY25
Attachment C: Burlington Standard Contract Conditions for Contractors
Attachment D: Burlington Livable Wage Ordinance Certification
Attachment E: Burlington Outsourcing Ordinance Certification
Attachment F: Burlington Union Deterrence Ordinance Certification
Attachment G: Contractor's Certificate of Insurance & Endorsements
Attachment H: MuniCap MSRB Notices

- B. Order of Precedent.** To the extent a conflict or inconsistency exists between the Contract Documents, or provisions therein, then the Contract take precedent. Any Request for Proposals or other solicitation, Additional Contract Provisions, and the City Ordinance

Certifications shall prevail over any inconsistency with the Contractor's Scope of Work and Cost Proposal.

8. [Reserved]

— Signatures follow on the next page —

DRAFT

SIGNATURE

Persons signing for the Parties hereby swear and affirm that they are authorized to act on behalf of their respective Party and acknowledge that the other Party is relying on their representations to that effect. This Contract may be executed in counterparts, each of which may be deemed an original. This Contract may be executed electronically, and an electronic copy or other facsimile shall be treated as an original.

Contractor MuniCap, Inc.	
By: _____	By: _____
Date: _____	Date: _____

City of Burlington Clerk/Treasurer's Office
By: _____ Katherine Schad Chief Administrative Officer
Date: _____

Attachment A:
Proposed Scope of Work to MuniCap FY25-26

DRAFT

ATTACHMENT A

FY25 Proposed Scope of Work to MuniCap – Dated: May 2024

Burlington Downtown TIF District:

- Assist in the preparation, review, and updating of policies and procedures associated with the administration of the District.
 - To include: Cost Procedures (Related & Construction); Accounting Procedures (Debt Service, Increment tracking, Reimbursement Processing); Creation of TIF Parcel Value Reports & Certifications
- Assistance in review and compiling of City generated invoice requisitions associated with related costs and construction costs.
 - Assist in reconciliation of invoices and payments against contracts, POs, accounts receivable journals, accounts payable, and trustee bond statements.
 - Confirm compliance with relevant bond documents and applicable Vermont TIF law.
 - Assist in the review and reconciliation of bond transactions.
- Confirm the adequacy of records that support expenditures and investments of bond proceeds and tax increment.

Burlington Waterfront TIF District:

- Assist in the preparation, review, and updating of policies and procedures associated with the administration of the District.
 - To include: Cost Procedures (Related & Construction); Accounting Procedures (Debt Service, Increment tracking, Reimbursement Processing); Creation of TIF Parcel Value Reports & Certifications
- Assistance in the review of documentation submitted by the City Place Partners as required by the ARDA and for reimbursement by TIF District funds.
 - Coordinate responses related to cost eligibility to the developer with City staff, including requests for additional or supplemental documentation.
 - Set up filing system to compile all necessary documentation for future audits.
 - Provide recommendations to City staff regarding any eligibility questions that arise as part of this task.
- Assistance in review and compiling of City generated invoice requisitions associated with related costs and construction costs.
 - Assist in reconciliation of invoices and payments against contracts, POs, accounts receivable journals, accounts payable, and trustee bond statements.
 - Confirm compliance with relevant bond documents and applicable Vermont TIF law.
 - Assist in the review and reconciliation of bond transactions.
- Confirm the adequacy of records that support expenditures and investments of bond proceeds and tax increment.

Optional Items (as needed):

These items are not included in final SOW and cost estimate provided by MuniCap, including the final agreement covering FY2025-2026. Any additional item will require an amendment to the FY2025-2026 agreement, to include cost estimates for any new task.

- Support the City Assessor with tasks associated with the calculation of tax increment revenues:
 - Estimate and reconcile tax increment revenues (including tracking of municipal and education tax increment over time).
 - Coordinate with the City's Assessor to review and confirm valid parcel report for coming fiscal year.
 - Provide support to the City when submitting calculation reports to outside entities, like VEPC, the State Auditor's Office, or Marcum, the City's auditing team.
 - Confirm parcel information included in the City's Parcel Value Reports for both Districts annually.
- Cash Flow Verification Reports
 - Identify and track annual expenses of the Districts, including: debt service, administrative expenses, and provision for delinquencies.
 - Prepare year-end reconciliation to determine surplus tax increment revenues, interest earnings, and other credits.
 - Determine if the tax increment revenues and other credits are sufficient to cover the annual expenses for the upcoming year.
 - Prepare a report detailing these calculations and certifying the cash flows for the year.

Attachment B:
Contractor's Burlington SOW and Estimated Costs FY25-26

DRAFT

ATTACHMENT A	
Proposed Scope of Work to MuniCap – May 2024	
	Estimated FY25
<u>Burlington Downtown TIF District:</u>	Annual Cost
* Assist in the preparation, review, and updating of policies and procedures associated with the administration of the District. - To include: Cost Procedures (Related & Construction); Accounting Procedures (Debt Service, Increment tracking, Reimbursement Processing); Creation of TIF Parcel Value Reports & Certifications	\$ 3,000.00
* Assistance in review and compiling of City generated invoice requisitions associated with related costs and construction costs. - Assist in reconciliation of invoices and payments against contracts, POs, accounts receivable journals, accounts payable, and trustee bond statements. - Confirm compliance with relevant bond documents and applicable Vermont TIF law. - Assist in the review and reconciliation of bond transactions.	\$ 10,000.00
* Confirm the adequacy of records that support expenditures and investments of bond proceeds and tax increment.	\$ 8,000.00
	\$ 21,000.00
<u>Burlington Waterfront TIF District:</u>	
* Assist in the preparation, review, and updating of policies and procedures associated with the administration of the District. - To include: Cost Procedures (Related & Construction); Accounting Procedures (Debt Service, Increment tracking, Reimbursement Processing); Creation of TIF Parcel Value Reports & Certifications	\$ 3,000.00
* Assistance in the review of documentation submitted by the City Place Partners as required by the ARDA and for reimbursement - Coordinate responses related to cost eligibility to the developer with City staff, including requests for additional or supplemental documentation. - Set up filing system to compile all necessary documentation for future audits. - Provide recommendations to City staff regarding any eligibility questions that arise as part of this task.	\$ 5,000.00
* Assistance in review and compiling of City generated invoice requisitions associated with related costs and construction costs. - Assist in reconciliation of invoices and payments against contracts, POs, accounts receivable journals, accounts payable, and trustee bond statements. - Confirm compliance with relevant bond documents and applicable Vermont TIF law. - Assist in the review and reconciliation of bond transactions.	\$ 17,500.00
* Confirm the adequacy of records that support expenditures and investments of bond proceeds and tax increment.	\$ 7,500.00
	\$ 33,000.00
Optional Items (as needed):	
These items are not included in final SOW and cost estimate provided by MuniCap, including the final agreement covering FY2025-2026.	
Any additional item will require an amendment to the FY2025-2026 agreement, to include cost estimates for any new task.	
* Support the City Assessor with tasks associated with the calculation of tax increment revenues:	
- Estimate and reconcile tax increment revenues (including tracking of municipal and education tax increment over time).	
- Coordinate with the City's Assessor to review and confirm valid parcel report for coming fiscal year.	
- Provide support to the City when submitting calculation reports to outside entities, like VEPC, the State Auditor's Office, or Marcum, the City's auditing team.	
- Confirm parcel information included in the City's Parcel Value Reports for both Districts annually.	
* Cash Flow Verification Reports	
- Identify and track annual expenses of the Districts, including: debt service, administrative expenses, and provision for delinquencies.	
- Prepare year-end reconciliation to determine surplus tax increment revenues, interest earnings, and other credits.	
- Determine if the tax increment revenues and other credits are sufficient to cover the annual expenses for the upcoming year.	
- Prepare a report detailing these calculations and certifying the cash flows for the year.	

**Attachment C:
Burlington Standard Contract Conditions For Contractors**

DRAFT

Attachment C-1
Insurance & Indemnification

INSURANCE: Prior to beginning any work, the Contractor 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 Contract. If this Contract 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 Contractor is responsible to verify and confirm in writing to the City that: (i) all subcontractors must comply with the same insurance requirements as the Contractor; (ii) all work activities related to the Contract 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 Contractor for the Contractor's operations. These are solely minimums that have been developed and must be met to protect the interests of the City.

- A. Commercial General Liability: With respect to all operations performed by the Contractor, subcontractors, agents or workers, it is the Contractor's responsibility to ensure that commercial general liability insurance coverage, covering bodily injury and property damage, on an occurrence form, 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. Medical Expenses

Coverage limits shall not be less than:

- | | | |
|----|-------------------------------|-------------|
| 1. | General Aggregate | \$2,000,000 |
| 2. | Products-Completed/Operations | \$2,000,000 |
| 3. | Personal & Advertising Injury | \$1,000,000 |
| 4. | Each Occurrence | \$1,000,000 |
| 5. | Damage to Rented Premises | \$ 250,000 |
| 6. | Med. Expense (Any one person) | \$ 5,000 |

- B. Workers' Compensation/Employer Liability: With respect to all operations performed, the Contractor shall carry workers' compensation insurance in accordance with the laws of the State of Vermont and ensure that all subcontractors 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

For contracts involving work of any kind or nature on Lake Champlain, Workers' Compensation/Employer's Liability policy shall include a Maritime Endorsement (USL&H).

C. 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.

D. Professional Liability/Errors & Omissions:

1. General: The Contractor shall carry appropriate professional liability insurance covering errors and omissions made during their performance of contractual duties with the following minimum limits:
 - (a) \$2,000,000 - Annual Aggregate/Policy Limit
 - (b) \$1,000,000 - Per Claim/Occurrence
2. Deductibles: The Contractor is responsible for any and all deductibles.
3. Coverage: The Contractor shall maintain continuous professional liability coverage for the period of the Contract and for a period of five years following substantial completion of construction.

E. Special Coverages

- a. Cyber liability, including privacy liability: \$1,000,000

F. Umbrella/Excess Liability:

1. \$1,000,000 Each Event Limit
2. \$1,000,000 General Aggregate Limit
3. Umbrella/Excess Liability is excess above Commercial General Liability, Automobile Liability, and Workers' Compensation/Employer Liability.

All policies shall be endorsed to provide the City thirty (30) days' notice of cancellation. Each policy (except workers compensation/employers' liability and errors & omissions/professional 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 (except errors & omissions/professional liability) shall be endorsed to waive subrogation against the City.

INDEMNIFICATION: Contractor 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 Contract or Contractor’s operations hereunder, excepting any Claims arising from the City’s own gross negligence or willful misconduct. Contractor’s indemnification and defense obligations shall survive termination of this Contract, and Contractor shall ensure that any subcontract for work under this Contract requires the subcontractor to satisfy the same indemnification and defense obligations in favor of the Indemnitees.

**Attachment D:
Burlington Livable Wage Ordinance Certification**

DRAFT

Certification of Agreement to Comply with the City of Burlington's Livable Wage Ordinance

I, _____, on behalf of _____ ("the Contractor"), in connection with a contract for _____

services to be provided to the City of Burlington ("the City"), hereby certify, under oath, that the Contractor (and any of its subcontractors or subgrantees under this contract) shall comply with the City's Livable Wage Ordinance ("LWO"), B.C.O. 21-80 et seq., and that:

- (1) The Contractor shall pay all "covered employees" as defined by the LWO (including covered employees of subcontractors or subgrantees) a livable wage (as determined, or adjusted, annually by the City's chief administrative officer), and shall provide required paid time off for the term of the contract (*or the duration of the contracted project*);
 - (a) Full-time employees are entitled to 12 days of paid time off per year; and
 - (b) Part-time employees are entitled to 12 days of paid time off per year on a prorated basis;
 - (c) For a covered employer that provides employer assisted health care, the livable wage shall be at least \$17.96 per hour; and
 - (d) For a covered employer that does not provide employer assisted health care, the livable wage shall be at least \$19.15 per hour.
- (2) The Contractor shall post a notice regarding the applicability of the LWO in the workplace or in other locations where covered employees normally work, and where such notice can be readily seen;
- (3) Upon request of the City's chief administrative officer, the Contractor, for itself and, as applicable, for any of its subcontractors or subgrantees, shall provide payroll records, health insurance enrollment records, and other relevant documentation, as deemed necessary by the chief administrative officer, within ten (10) business days from receipt of the City's request;
- (4) The Contractor shall cooperate in any investigation conducted pursuant to the LWO by the City's designated accountability monitors or the City's Office of City Attorney & Corporate Counsel;
- (5) The Contractor shall not retaliate, nor allow any of its subcontractors or subgrantees to retaliate, against an employee or other person because such employee or person has exercised rights or is planning to exercise rights protected under the LWO, or has cooperated in an investigation conducted pursuant to the LWO;
- (6) The Contractor is required to insert in all subcontracts the requirements of the LWO. The Contractor is liable for violations of the LWO committed by its covered subcontractors.

Date: _____

By: _____

Contractor, or its duly authorized agent

Subscribed and sworn to before me:

Date: _____

Notary Public

**Attachment E:
Burlington Outsourcing Ordinance Certification**

DRAFT

I, _____, on behalf of

_____ (Contractor) and in connection with the

_____ [project], hereby certify under oath that (1) Contractor shall comply with the City of Burlington's Outsourcing Ordinance (Ordinance §§ 21-90 – 21-93); (2) as a condition of entering into this contract or grant, Contractor confirms that the services provided under the above-referenced contract will be performed in the United States or Canada.

By: _____
Duly Authorized Agent

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**Attachment F:
Burlington Union Deterrence Ordinance Certification**

DRAFT

Certification of Compliance with the City of Burlington's
Union Deterrence Ordinance

I, _____, on behalf of _____
(Contractor) and in connection with _____ (City
contract/project/grant), hereby certify under oath that _____
(Contractor) has not advised the conduct of any illegal activity, and it does not currently, nor will
it over the life of the contract advertise or provide union deterrence services in violation of the
City's union deterrence ordinance.

Dated at _____, Vermont this ____ day of _____, 20__.

By: _____
Duly Authorized Agent

**Attachment G:
Contractor's Certificate of Insurance & Endorsements**

DRAFT

**Attachment H:
MuniCap MSRB Notices**

DRAFT

MuniCap MSRB Notices

Consultant is registered as a “municipal advisor” under Section 15B of the Securities Exchange Act of 1934 and rules and regulations adopted by the Securities Exchange Commission (the “SEC”) and the Municipal Securities Rulemaking Board (the “MSRB”). Pursuant to MSRB Rule G-10, Consultant (MuniCap, Inc.) is required to provide Client with the following information.

Consultant has determined, after exercising reasonable diligence, that it has no known material conflicts of interest that would impair its ability to provide advice to Client in accordance with its fiduciary duty to municipal-entity clients and the standard of care required by MSRB Rule G-42(a)(i) concerning obligated person clients. To the extent any material conflicts of interest arise after the date of this agreement, Consultant will provide information concerning any material conflicts of interest in the form of a written supplement to this agreement.

As part of this registration, the Consultant is required to disclose any legal or disciplinary event that is material to the client’s evaluation of the Consultant or the integrity of its management or advisory personnel. The Consultant has determined that no such event exists.

Copies of Consultant filings with the SEC are available via the SEC’s EDGAR system by searching “Company Filings,” which is available via the Internet at:

<https://www.sec.gov/edgar/searchedgar/companysearch.html>. Search for “MuniCap” or for Consultant’s CIK number, which is 0001614774.

The MSRB has made available on its website (www.msrb.org) a municipal advisory client brochure that describes the protections that may be provided by MSRB rules and how to file a complaint with the appropriate regulatory authority.

Board of Finance and City Council Submission ChecklistDepartment: CT Office Submitter: Ashley ParkerTitle/Subject: Multi-Year Contract with MuniCap, Inc. for TIF Administration Services (FY25-27)

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☒	City Council	7/15/2024
☐	Concurrent	Click or tap to enter a date.

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	7/1/2024	Katherine Schad
Mayor's Office informed and approved memo	Yes	7/2/2024	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	Yes	7/1/2024	Erik Ramakrishnan
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	7/1/2024	Erik Ramakrishnan
CAO has reviewed budget, financing, and memo	Yes	7/1/2024	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	Proposed Contract Documentation
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.



OFFICE OF THE CLERK TREASURER
City of Burlington
City Hall, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000
Fax (802) 865-7014

To: Board of Finance
From: Bradley Kukenberger, Director of Finance, Clerk Treasurer's Office
Date: July 8, 2024
Subject: Monthly Financial Review – Budget to Actual as of May 31st, 2024

Assessment and Projections

- **Current Status as of May 31st**
 - The General Fund is tracking under budget for both revenues and expenditures as of May 31st, 2024. As a barometer, May 31st is 92% of the fiscal year.
 - Revenues: \$80,606,822 (80%)
 - Expenditures: \$86,930,655 (86%)
- **Projection for June 30**
 - Projecting through the end of the year, however, General Fund Revenues are expected to catch-up and marginally surpass General Fund Expenditures. We forecast ending the year with a \$602,097 surplus.
 - Projected Revenues: \$96,259,372
 - Projected Expenditures: \$95,658,817
 - Many FY2024 revenues are booked in June and in the following accrual/adjust or “true-up” period in early July. Our forecast predicts a 99% property tax collection rate, which is in line with historical trends.

Revenue Category	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	% Used/Rec'd	Projected Revenue	Prior Year Total
Tax & Tax Equivalents	\$ 66,636,101	\$ 35,000	\$ 66,671,101	\$ 55,776,761	84%	\$ 65,998,238	\$ 62,955,557
PILOT, Dev Fees, FFS	\$ 8,033,488	\$ 25,000	\$ 8,058,488	\$ 6,790,289	85%	\$ 8,058,488	\$ 7,428,738
Property Taxes	\$ 48,037,613	\$ -	\$ 48,037,613	\$ 40,778,163	85%	\$ 47,893,500	\$ 45,349,606
Sales Tax Equivalents	\$ 10,565,000	\$ 10,000	\$ 10,575,000	\$ 8,208,308	78%	\$ 10,046,250	\$ 10,177,214
Direct	\$ 13,404,338	\$ 129,398	\$ 13,533,736	\$ 11,330,501	85%	\$ 12,857,049	\$ 12,569,333
FFS & Sales	\$ 13,404,338	\$ 129,398	\$ 13,533,736	\$ 11,330,501	85%	\$ 12,857,049	\$ 12,569,333
Non-Receipts	\$ 12,055,150	\$ (748,155)	\$ 11,291,995	\$ 5,026,203	42%	\$ 7,423,365	\$ 7,278,902
Budget Balancing	\$ 4,784,424	\$ (1,098,750)	\$ 3,670,674	\$ -	0%	\$ -	\$ 3,504
Intra-City Xfers	\$ 7,270,726	\$ 350,595	\$ 7,621,321	\$ 4,995,519	69%	\$ 7,392,681	\$ 7,257,790
Pass-Through	\$ -	\$ -	\$ -	\$ 30,684	0%	\$ 30,684	\$ 17,609
Ancillary	\$ 5,517,326	\$ (775,478)	\$ 4,741,848	\$ 4,912,982	89%	\$ 5,362,734	\$ 6,227,028
Fines & Penalties	\$ 1,853,000	\$ -	\$ 1,853,000	\$ 1,676,157	90%	\$ 1,828,535	\$ 1,716,734
Investments & Savings	\$ 1,631,678	\$ (186,794)	\$ 1,444,884	\$ 2,013,867	123%	\$ 2,196,946	\$ 3,374,500
Leases & Rent	\$ 1,018,146	\$ 7,000	\$ 1,025,146	\$ 1,114,466	109%	\$ 1,215,782	\$ 1,075,928
Miscellaneous	\$ 1,014,502	\$ (595,684)	\$ 418,818	\$ 108,491	11%	\$ 121,472	\$ 59,866
Charity	\$ 3,551,506	\$ 1,228,602	\$ 4,780,108	\$ 3,560,376	100%	\$ 4,617,986	\$ 3,029,441
Contributions, Donations, Gifts	\$ 905,750	\$ 147,331	\$ 1,053,081	\$ 816,712	90%	\$ 890,959	\$ 912,503
Foundations & Grants	\$ 2,645,756	\$ 1,081,271	\$ 3,727,027	\$ 2,743,664	104%	\$ 3,727,027	\$ 2,116,938
Revenue Total	\$ 101,164,421	\$ (130,633)	\$ 101,018,788	\$ 80,606,822	80%	\$ 96,259,372	\$ 92,060,261
Expense Category	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	% Used/Rec'd	Projected Expenses	Prior Year Total
Personnel Services	\$ 61,541,877	\$ (240,636)	\$ 61,301,241	\$ 54,895,008	90%	\$ 59,469,592	\$ 56,166,012
Capital Equipment	\$ 547,737	\$ 82,808	\$ 630,545	\$ 229,691	36%	\$ 630,538	\$ 958,416
General Operating	\$ 15,998,375	\$ 505	\$ 15,998,880	\$ 11,558,218	72%	\$ 12,608,965	\$ 13,697,525
Regional Programs	\$ 4,046,123	\$ 23,950	\$ 4,070,073	\$ 3,293,034	81%	\$ 3,592,401	\$ 3,419,778
Debt Service	\$ 7,097,110	\$ -	\$ 7,097,110	\$ 7,276,971	103%	\$ 7,414,121	\$ 6,264,144
Interfund	\$ 11,933,200	\$ 10,000	\$ 11,943,200	\$ 9,677,733	81%	\$ 11,943,200	\$ 12,303,509
Expense Total	\$ 101,164,422	\$ (123,373)	\$ 101,041,049	\$ 86,930,655	86%	\$ 95,658,817	\$ 92,809,383
						600,555	Projected Surplus/(Deficit)

Review of Largest Departments

Non-Departmental

Revenues						
Division	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	YTD Expected	Actual vs Expected \$ difference
Non-Departmental	69,732,315.00	35,000.00	69,767,315.00	57,495,350.52	63,953,372.08	(6,458,021.56)
				82.41%		
Expenses						
Division	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	YTD Expected	Actual vs Expected \$ difference
Non-Departmental	20,619,588.00	35,000.00	20,654,588.00	18,470,542.77	18,933,372.33	(462,829.56)
				89.43%		

- The below-target revenue figures in the Non-Departmental budget are driven primarily by Local Option Sales Tax and Gross Receipts. The Local Option Tax is paid to Burlington by the State in quarterly payments and is expected to be on target by the end of FY2024 (the last quarterly payment is not received until August).
- FY2024 Debt Service payments are nearly all accounted for through May 31st. Only a portion of Debt Service Interest for the Sustainable Infrastructure Bond is outstanding (\$137k)

Police Department

Revenues						
Division	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	YTD Expected	Actual vs Expected \$ difference
Police	2,545,000.00	-	2,545,000.00	1,195,671.24	2,332,916.67	(1,137,245.43)
				46.98%		
Expenditures						
Division	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	YTD Expected	Actual vs Expected \$ difference
Admin	1,193,621.00	-	1,193,621.00	1,120,372.31	1,094,152.58	26,219.73
Grants	-	-	-	5,341.53	-	5,341.53
Uniform Services	13,817,190.00	-	13,817,190.00	11,930,205.87	12,665,757.50	(735,551.63)
Airport Services	698,146.00	-	698,146.00	763,788.11	639,967.17	123,820.94
Dispatch & Communications	1,310,759.00	-	1,310,759.00	1,444,027.75	1,201,529.08	242,498.67
Community Support	1,689,662.00	-	1,689,662.00	1,102,844.05	1,548,856.83	(446,012.78)
CAIP	-	-	-	14,812.43	-	14,812.43
Total	18,709,378.00	-	18,709,378.00	16,381,392.05	17,150,263.17	(768,871.12)
				87.56%		

- Revenues below target are isolated to the Use of Fund Balance (\$1,300,000 FY23 Carryforward). All other BPD revenues are tracking close to target.
- Vacancy savings in Uniform Services and Community Support is responsible for the aggregate Police Department budget to be under-budget for expenditures.

Fire Department

Revenues						
Division	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	YTD Expected	Actual vs Expected \$ difference
Fire	3,777,480.00	137,925.00	3,915,405.00	2,559,909.29	3,589,121.25	(1,029,211.96)
				65.38%		
Expenditures						
Division	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	YTD Expected	Actual vs Expected \$ difference
Admin	6,715,887.00	49,853.00	6,765,740.00	6,300,672.04	6,201,928.33	98,743.71
Fire & Medical Services	8,719,414.00	157,699.00	8,877,113.00	7,815,755.08	8,137,353.58	(321,598.50)
Grants	135,864.00	(33,559.00)	102,305.00	23,183.30	93,779.58	(70,596.28)
Total	15,571,165.00	173,993.00	15,745,158.00	14,139,610.42	14,433,061.50	(293,451.08)
				89.80%		

- Revenues below target are isolated to the Use of Fund Balance (\$791,666 of FY23 Carryforward). All other BFD revenues are tracking close to target.
- Similar to BPD, the Fire Department expenditures are under-budget across all divisions due to vacancy savings or other personnel related line-items.

Burlington Parks, Recreation & Waterfront (BPRW)

Revenues						
Division	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	YTD Expected	Actual vs Expected \$ difference
BPRW	5,716,044.00	(133,185.00)	5,582,859.00	4,661,862.93	5,117,620.75	(455,757.82)
				83.50%		
Expenditures						
Division	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	YTD Expected	Actual vs Expected \$ difference
Admin	2,689,549.00	(341,448.00)	2,348,101.00	2,170,548.19	2,152,425.92	18,122.27
Grants	68,000.00	121,501.00	189,501.00	88,299.31	173,709.25	(85,409.94)
Parks	3,479,830.00	27,608.00	3,507,438.00	2,986,488.85	3,215,151.50	(228,662.65)
Recreation	1,314,271.00	20,000.00	1,334,271.00	1,055,851.31	1,223,081.75	(167,230.44)
Waterfront	1,437,225.00	15,306.00	1,452,531.00	1,125,630.37	1,331,486.75	(205,856.38)
Recreation Facilities	1,171,610.00	23,848.00	1,195,458.00	1,072,732.27	1,095,836.50	(23,104.23)
Total	10,160,485.00	(133,185.00)	10,027,300.00	8,499,550.30	9,191,691.67	(692,141.37)
				84.76%		

- Revenues below target are isolated to the Interfund Transfer Proceeds CIP (\$426,015) All other BPRW revenues are tracking close to target.
- Lower-than-expected personnel costs are responsible for BPRW budgets in total to be under-budget for expenditures.

Department of Public Works (DPW)

Revenues						
Division	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	YTD Expected	Actual vs Expected \$ difference
DPW	6,226,679.94	-	6,226,679.94	4,375,883.28	5,707,789.95	(1,331,906.67)
				70.28%		
Expenditures						
Division	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	YTD Expected	Actual vs Expected \$ difference
Admin	1,437,602.00	-	1,437,602.00	1,656,270.67	1,317,801.83	338,468.84
Parking Services	622,384.00	-	622,384.00	512,784.56	570,518.67	(57,734.11)
Engineering	1,359,988.73	-	1,359,988.73	914,944.50	1,246,656.34	(331,711.84)
Equipment Maintenance	2,750,310.00	26,000.00	2,776,310.00	2,005,301.82	2,544,950.83	(539,649.01)
Streets	2,474,576.00	(26,000.00)	2,448,576.00	1,884,911.82	2,244,528.00	(359,616.18)
Recycling	889,677.00	-	889,677.00	323,478.70	815,537.25	(492,058.55)
Total	9,534,537.73	-	9,534,537.73	7,297,692.07	8,739,992.92	(1,442,300.85)
				76.54%		

- Lower-than-anticipated collection of Fees for Services make up all of the revenue gaps for DPW (see more below).
- Fleet related transfers and vacancy savings result in the majority of under-budget line-items for DPW to date.

Action Items

- **Required Actions**
 - Minor budget amendments, transfers, and true-up accruals are the only actions required at this time. These will be performed by the CT office per the standard year-end close process.

Conclusion

As of May 31, 2024, the General Fund of the City of Burlington is performing under budget for both revenues and expenditures. Current figures show revenues at 80% and expenditures at 86% of the fiscal year budget. Despite this, projections for June 30th anticipate that revenues will slightly exceed expenditures, resulting in an estimated surplus of \$602,097. This forecast is supported by expected revenue collections in June and early July, including a strong property tax collection rate.

Each major department shows a trend of expenditures being below budget, primarily due to vacancy savings and other personnel-related cost savings. However, revenues in certain areas, such as the Non-Departmental budget, the Police Department, the Fire Department, Burlington Parks Recreation & Waterfront, and the Department of Public Works, are currently below target due to timing differences in revenue collection and specific shortfalls in expected income sources.

Given the narrow projected FY2024 margin, it is recommended that any available funds, particularly the projected surplus, be allocated to the General Fund Unassigned Fund Balance. This will enhance the city's financial stability and provide a buffer for unforeseen expenditures or revenue shortfalls in FY2025. By saving these funds, the city can ensure stronger financial health and readiness for future fiscal challenges.

Glossary for Revenue Categories

Classes	Description																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													</
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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

DATE: June 26, 2024
TO: Board of Finance, City Council
FROM: Sarah Russell, Special Assistant to End Homelessness
CC: Mayor Emma Mulvaney-Stanak
Katherine Schad, CAO
Brian Pine, CEDO Director
Erik Ramakrishnan, Asst. City Attorney

RE: Authorization to accept grant funds for the operation of the
Elmwood Emergency Shelter Community – Housing Opportunity
Grant Program SFY 2025 \$1,290,576.00

Request:

The Community and Economic Development Office (“CEDO”) is requesting Board of Finance and City Council approval to accept \$1,290,576 in FY25 grant funds from the State of Vermont, Department of Children and Families Office of Economic Opportunity Housing and Opportunities Program (SoV OEO HOP) and authorization for the CEDO Director to execute all documents necessary to accept the funding. The above referenced grant will support operations and services of the Elmwood Emergency Shelter Community, an activity of the City of Burlington’s Initiative to End Homelessness.

Background:

The number of people experiencing homelessness and housing insecurity continues to be almost triple those pre-pandemic and access to emergency housing is restricted and often times far too inaccessible. Mayor Miro Weinberger launched a 10 point action plan to fulfill the promise of housing as a human right in Burlington in 2021 and on October 25th 2021, the City Council called for the use of ARPA funds to meet the needs of those experiencing homelessness.

In February 2022, the Council approved the allocation of \$2.975 million in ARPA dollars to address the issue of chronic homelessness in the City of Burlington, which included the creation of an emergency shelter community and a community resource center.

The emergency shelter commenced operations in January, 2023. The Elmwood Emergency Shelter Community offers a service enriched environment and 24 hour per day low-barrier emergency shelter for up to 35 individuals experiencing unsheltered homelessness. The emergency shelter operations are

managed by Champlain Housing Trust and Champlain Valley Office of Economic Opportunity provides essential services.

The Department for Children and Families Office of Economic Opportunity Housing Opportunity Grant Program provides funding to operate emergency overnight shelter for the State of Vermont. HOP funds provide essential services to shelter guests; provide transitional housing where appropriate; rapidly rehouse homeless individuals and families; prevent individuals and families experiencing a housing crisis from becoming homeless; implement coordinated entry to streamline client access to resources; and administer the Homeless Management Information System (HMIS).

Funding for the Elmwood Emergency Shelter Community

On February 7, 2022, the Board of Finance and City Council approved the allocation of \$2.975M in ARPA funds for the specific purpose of addressing and ameliorating homelessness in the City of Burlington including \$1.47M for the construction and operation of a new low barrier emergency shelter community. In addition, the City has now been awarded the second year of annual operating funds from the SoV OEO HOP for the operation of the Elmwood Emergency Shelter Community. City staff will continue to identify additional funding sources.

Motions

Action for Board of Finance:

To approve and recommend that the City Council approve the acceptance of SFY 2025 grant funds in the amount of \$1,290,576 from the State of Vermont Housing and Opportunities Program for the operations of the Elmwood Emergency Shelter Community and authorize the Director of CEDO to execute all contracts and documents necessary to accept the funding through the period of July 1, 2024 – June 30, 2025, including retroactive approval for the period of July 1st to July 17, 2024, subject to the final review and approval of the City Attorney's Office.

Action for City Council:

To approve and the acceptance of SFY 2025 grant funds in the amount of \$1,290,576 from the State of Vermont Housing and Opportunities Program for the operations of the Elmwood Emergency Shelter Community and authorize the Director of CEDO to execute all documents and contracts necessary to accept the funding through the period of July 1, 2024 – June 30, 2025, including retroactive approval for the period of July 1 – July 17, 2024, subject to the final review and approval of the City Attorney's Office.

Attachments

City Council ARPA Resolution 02-07-2022

Resolution Relating to

DESIGNATION OF 51 ELMWOOD AVENUE AS A
SANCTIONED SITE FOR TEMPORARY EMERGENCY
HOUSING IN THE CITY OF BURLINGTON.

RESOLUTION 6.06

Sponsor(s): Councilor Magee

Introduced: 03/21/22

Referred to: _____

Action: adopted

Date: 03/21/22

Signed by Mayor: 03/29/22

CITY OF BURLINGTON

In the year Two Thousand Twenty-Two

Resolved by the City Council of the City of Burlington, as follows:

1 That WHEREAS, the number of people experiencing homelessness and housing insecurity continues to be
2 almost triple that of pre-pandemic times; and

3 WHEREAS, the public response to the survey on how to spend American Recovery Plan Act (ARPA)
4 funds found that investing in solutions to homelessness is the top priority for our community; and

5 WHEREAS, the City has engaged the public on the issue and they have indicated that the Burlington
6 community strongly desires to expend City resources to address chronic homelessness and to implement
7 solutions to find humane housing for all; and

8 WHEREAS, on December 16, 2021, Mayor Weinberger released an action plan to fulfill the promise of
9 housing as a human right; and

10 WHEREAS, that plan included a number of initiatives including the creation of a new low-barrier shelter
11 pod community and Community Resource Center (CRC) in Burlington; and

12 WHEREAS, the shelter pod approach has proven effective in acting as a bridge to permanent housing in
13 cities across the United States, as well as a cost-effective tool for sheltering the most vulnerable in a relatively
14 quick manner; and

15 WHEREAS, on February 7th, 2022, the City Council approved an allocation of \$2.975M in ARPA funds,
16 to be used to target the homelessness crisis in Burlington; and

17 WHEREAS, this allocation of ARPA funds specifically included \$1.47M for the construction and
18 operation of a low barrier, shelter pod community along with provisions for social services; and

19 WHEREAS, this allocation of ARPA funds specifically included \$970,000 for the construction and
20 operation of a low barrier daytime Community Resource Center; and

21 WHEREAS, in response to the allocation of ARPA funds and the Mayor's action plan, CEDO embarked
22 on the process of developing an in-depth plan to procure a CRC, shelter pods and associated infrastructure, along
23 with identifying potential locations for temporary emergency shelter; and

24 WHEREAS, CEDO and staff from other City departments considered a number of possible locations
25 across the city to build the low barrier shelter pod community and it was decided that the city owned parking lot

* * * * *

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

* * * * *

Resolution Relating to **DESIGNATION OF 51 ELMWOOD AVENUE AS A SANCTIONED SITE FOR TEMPORARY EMERGENCY HOUSING IN THE CITY OF BURLINGTON.**

at 51 Elmwood Avenue is the most suitable of the considered sites, as it provides both the necessary space and is within close proximity to other essential resources, including transportation, city water and sewer, human services; and

WHEREAS, the city is proposing to utilize the parking lot for up to 36 months, to serve as a location for the temporary emergency shelter and the Community Resource Center; and

WHEREAS, as previously authorized, CEDO has engaged with shelter pod manufacturers and executed contracts for the procurement of shelter pods of 64 square feet, designed to provide heat and electricity, a place to sleep and a space to store personal belongings; and

WHEREAS, 51 Elmwood Avenue has been identified as city owned property; and

WHEREAS, the Burlington Public Works Commission on March 16, 2022, temporarily decommissioned the property at 51 Elmwood Avenue as a city parking lot until April 30, 2025 in anticipation of the property being used for temporary emergency shelter;

NOW, THEREFORE, BE IT RESOLVED that to carry out the action plan intended to address the issue of chronic homelessness in Burlington, the City Council approves the use of 51 Elmwood Avenue as the location for temporary emergency shelter in the form of a shelter pod community and Community Resource Center through April 30, 2025, and authorizes CEDO to seek all necessary permits to ensure the property comports with any land use zoning and/or regulations pertinent to the parcel.

* * * * *

DISTRIBUTION:

I hereby certify that this resolution
has been sent to the following
department(s) on

CEDO Director Pine

ORIGINAL

RESOLUTION RELATING TO

Designation..Of..51..Elmwood..Avenue..As..A Sanctioned Site For Temporary Emergency
Housing..In..The..City..Of..Burlington.....

Adopted by the City Council

March 21, 20 22

Clerk

Approved March 29, 20 22

Mayor

Attest:

Lori Olberg

Licensing, Voting and Records Coordinator Vol. Page

* * * * *

Board of Finance and City Council Submission Checklist

Department: CEDO Submitter: Sarah Russell

Title/Subject: Communication Acceptance of SoV HOP grant FY25 Elmwood Emergency Shelter

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☒	City Council	7/15/2024
☐	Concurrent	Click or tap to enter a date.

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 Approved	Note
Department Head	Yes	06-27-2024	Brian Pine
Mayor's Office informed and approved memo	Yes		
Board/Commission, if required	N/A	Click or tap to enter a date.	
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A		Will be approved upon receipt
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	06-27-2024	Erik Ramakrishnan
CAO has reviewed budget, financing, and memo	Yes	07-01-2024	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?	No	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	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	N/A	Click or tap here to enter text.

Resolution Relating to

ANNUAL TAX ASSESSMENTS ON THE PROPERTY
GRAND LIST OF THE CITY FOR THE FISCAL YEAR
BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025
AS AMENDED ON JULY 15, 2024

RESOLUTION _____

Sponsor(s): Mayor Mulvaney-Stanak;
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, the taxes on the Property Grand List of the City made up in 2024 (the “Grand List”) hereby are levied and assessed for the fiscal year beginning July 1, 2024, and ending June 30, 2025 (“the Fiscal Year ending June 30, 2025” or “FY 25”), as follows:

FIRST: that a tax of nineteen and fifty-two one-hundredths cents (\$.1952), one-half cent (\$.0050) of which is dedicated to the Bike Path Maintenance and Improvement Fund, on the dollar of said Grand List is levied and assessed for City purposes to meet the accrued and accruing liabilities of the City for the Fiscal Year ending June 30, 2025; and

SECOND: that a tax of five and fifty-one-hundredths cents (\$.0550), thirty-two-hundredths of a cent (\$.0032) of which is dedicated to tree and green belt improvements, on the dollar of said Grand List is levied and assessed to pay for keeping the streets of the City in repair during the Fiscal Year ending June 30, 2025; and

THIRD: that a tax of nine and eight-five one-hundredths cents (\$.0985) on the dollar of said Grand List is levied and assessed to meet the facility and other needs of the City Police Department and the City Fire Department for the Fiscal Year ending June 30, 2025; and

FOURTH: that a tax of one cent (\$.0100) on the dollar of said Grand List is levied and assessed to provide funding for open space land conservation for the Fiscal Year ending June 30, 2025; and

FIFTH: that a tax of one cent (\$.0100) on the dollar of said Grand List is levied and assessed to provide funding for the Housing Trust Fund for the Fiscal Year ending June 30, 2025; and

SIXTH: that a tax of four and fifty-one-hundredths cents (\$.0450) on the dollar of said Grand List is levied and assessed for the care and improvement of park property and expenses of the parks and recreation department for the Fiscal Year ending June 30, 2025; and

SEVENTH: that a tax of one cent (\$.0100) on the dollar of said Grand List is levied and for the funding of the “Penny for Parks” program administered by the Parks and Recreation Department for the Fiscal Year ending June 30, 2025; and

25 EIGHTH: that a tax of three and twelve one-hundredths cents (\$.0312) on the dollar of said Grand List
26 is levied and assessed to pay for keeping the highways of the City in repair during the Fiscal Year ending June
27 30, 2025; and

28 NINTH: that a tax of fifty one-hundredths of a cent (\$.0050) on the dollar of said Grand List is levied
29 and assessed for the purchase of books and other media and other book acquisition related expenses for the
30 Fletcher Free Library for the Fiscal Year ending June 30, 2025; and

31 TENTH: that a tax of three and forty-two one-hundredths cents (\$.0342) on the dollar of said Grand
32 List is levied and assessed to pay for transportation (Green Mountain Transit) for the Fiscal Year ending June
33 30, 2025; and

34 ELEVENTH: that a tax of forty-one one-hundredths of a cent (\$.0041) on the dollar of said Grand List
35 is levied and assessed to pay the County tax against the City for the Fiscal Year ending June 30, 2025; and

36 TWELFTH: that a tax of nineteen and twenty-eight one-hundredths cents (\$.1928) on the dollar of said
37 Grand List is levied and assessed to provide the funds required for the appropriations to be paid to the
38 Burlington Employees' Retirement system for the Fiscal Year ending June 30, 2025 under the provision of the
39 Ordinance relating thereto; and

40 THIRTEENTH: that a tax of fourteen and sixteen one-hundredths cents (\$.1416) on the dollar of said
41 Grand List is levied and assessed for payments of bonds due for general City purposes for the Fiscal Year
42 ending June 30, 2025; and

43 FOURTEENTH: that a tax of three- and fifty one-hundredth cents (\$.0350) on the dollar of non-
44 residential properties located in the downtown improvement district of said Grand List is levied and assessed
45 for the purposes of a downtown parking program for the Fiscal Year ending June 30, 2025; and

46 FIFTEENTH: that the total Municipal Tax Rate for the year ending June 30, 2025, which includes all
47 elements set forth above (except paragraph Fourteenth) is eighty-three and twenty-six one-hundredths cents
48 (\$.8326) on the dollar of said Grand List for the Fiscal Year ending June 30, 2025;

49 NOW, THEREFORE, BE IT RESOLVED that the City Clerk-Treasurer's office is directed to include
50 in the preparation of tax bills for the year ending June 30, 2025, the Local Agreement Tax Rate required by 32
51 V.S.A. §5404a (d), which shall be of five one-hundredth cents on the dollar (\$.0005), and this tax rate shall be
52 shown as a separate and distinct tax rate; and

53 BE IT FURTHER RESOLVED that the City Clerk Treasurer's office is directed to include in the
54 preparation of tax bills the annual tax assessment for the Burlington School Department as directed by the
55 Board of School Commissioners in accordance with the City Charter and State law; and

56 BE IT FURTHER RESOLVED that the Chief Administrative Officer is directed to make out tax rate
57 bills of all the foregoing taxes as soon as can be completed for the collection properly certified according to
58 law.

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ER/KS/Resolutions 2024/*Annual Tax Assessments on the Property Grand List of the City for the Fiscal Year Beginning July 1, 2024 and Ending
June 30, 2025 as Amended on July 15, 2024*
July 8, 2024

City of Burlington Assessor's Office



MEMORANDUM

To: Board of Finance and City Council

Fr: Joe Turner, City Assessor

Cc: Emma Mulvaney-Stanak, Mayor
Katherine Schad, CAO
Erin Jacobson, Chief of Staff

Re: Approval for Local Agreement Tax Rate Amendment for Fiscal Year 2025

Date: July 8, 2024 & July 15, 2024

Summary

The Assessor's Office seeks Board of Finance and City Council approval of an amendment to the previously approved property tax rate resolution for FY25, specifically as relates to the Local Agreement rate in the Annual Tax Assessment of the Property Grand List of the City. The local agreement rate reflects how much education tax revenue was foregone as a result of any local agreements associated with tax value reductions. It is a product of state law and is required under 32 V.S.A §5404a (d). The only amendment of the previously approved resolution occurs on line 51 with a reduction to the Local Agreement rate from \$.0011 to \$.0005. This rate change is revenue neutral for the City and was amended based on a revised education tax revenue contribution. This results in an approximately \$33,000 reduction in taxpayer liability.

Motions

For Board of Finance –

To recommend that City Council approve the amended property tax rate resolution for FY25 for annual tax assessment of the property grand list of the City to show the Local Agreement rate change from \$.0011 to \$.0005.

For City Council –

To approve the amended annual tax assessment of the property grand list of the city for the fiscal year beginning July 1 to show the Local Agreement rate change from 0.0011 to 0.0005.

Encl: Amended Annual Assessment of the Property Grand List of the City for the Fiscal Year Beginning July 1.

Board of Finance and City Council Submission ChecklistDepartment: Assessor's Office Submitter: Joe TurnerTitle/Subject: Local Agreement Rate Amendment FY25

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☒	City Council	7/15/2024
☐	Concurrent	Click or tap to enter a date.

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	7/2/2024	Joe Turner
Mayor's Office informed and approved memo	Yes	7/2/2024	Erin Jacobson
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	7/2/2024	Erik Ramakrishnan
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	7/2/2024	Erik Ramakrishnan
CAO has reviewed budget, financing, and memo	Yes	7/2/2024	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	Choose an item.	Click or tap to enter a date.	
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	Amended Resolution
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.

HUMAN RESOURCES DEPARTMENT

CITY OF BURLINGTON

200 Church Street, Suite 102, Burlington, VT 05401

Phone: (802) 865-7145

Fax (802) 864-1777

Vermont Relay: 7-1-1 or 800-253-0191



MEMO

Date:

To: Board of Finance and City Council

From: Timothy Williams, Safety Manager (HR), Scot Barker, Chief Innovation Officer (IT), Sarah Montgomery, Assistant City Clerk (CT), Ana-Maria Robu, Community Engagement Office Assistant (CEDO)

CC: Lynn Reagan Acting Director of Human Resources Director

Re: Security Services for City Hall

i. Purpose

This memo seeks approval to authorize the execution of a one year contract with Chocolate Thunder Security to provide security services at City Hall, and authorization for an option to extend contract for an additional two years.

ii. Background

The City of Burlington requires security services at City Hall to ensure the safety and well-being of staff, visitors, and the general public while providing exceptional customer services.

iii. Process

On March 28, 2024, the City issued an RFP for security services at City Hall. The RFP was publicly advertised on the City's website and other platforms to attract qualified security service providers. Proposals were due by May 10, 2024. The evaluation committee, consisting of members of City Hall Departments with high potential contact with security personnel, and the City's Safety Manager reviewed the submissions based on criteria such as experience, approach, and pricing.

Three bids were received during the posting period, below is a table showing the hourly billed rate for each security provider, the committee's assigned ranking of the RFP and notes from the committee's discussion of the bids. The evaluation committee selected Chocolate Thunder Security as providing the best value to the City although it was not the lowest bidder. Chocolate Thunder Security was rated as the top-rated proposal due to their competitive pricing and detailed security plan that includes the use of body cameras, clear communication protocols, and a strong emphasis on both security and customer service. Additionally, the committee would like to recognize Chocolate Thunder Security as having a strong working relationship with City Hall departments, and a clear understanding of current City policies and procedures. The committee wishes to recognize work of that goes into submitting an RFP especially for small local businesses, and was pleased to see two well-written proposals from local vendors.



The City of Burlington does not discriminate on the basis of political or religious affiliation, race, color, national origin, age, sex, sexual orientation, marital status, veteran status or disability. The City is also committed to providing proper access to services, facilities, and employment opportunities.

For accessibility information or alternative formats, contact Human Resources Department at 802-540-2505.

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Vendor	Billed Hourly Rate	Committee Ranking(1 - 3)	Notes
Chocolate Thunder Security	\$50/ hour FY25 \$50/ hour FY26 \$52.50/ hour FY27	1	Overall, the City has had positive relationship with the vendor, the owner and scheduling team are fantastic. Empathetic. Always available when needed. Local, small business, and is a minority owned business, with a diverse workforce, approach to security has been seen to be customer/guest service oriented, is open to leveraging digital incident reporting.
GMCS	\$40/ hour FY25 \$42/ hour FY26 \$43/ hour FY27 +595/ week admin, & fees = ~ \$50/hour	2	Local Business, currently holds contracts for security services at both the Waterfront with the City and, City owned/operated parking garages. Uneven performance record with these contracts
Securitas	\$35.95/ hour FY25 = Fees Did not provided rate for FY26 or FY27 *States they may make bill rate adjustments for increases in their costs.	3	Non-local company would need to recruit from local guards to provide coverage to location – uncertain ability to do so.

iv. Compensation to the Vendor & Terms of Agreement

FY24 July 1st 2024 – June 30th 2025 \$50.00/hr for 1 guard, and \$47.50/hr for a second guard. This is the same-billed hourly rate from FY23.

Option Year 1 FY25 – July 1st 2025 – June30th 2026 \$50.00/hr for 1 guard, and \$47.50/hr for a second guard.



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Option Year 2 FY26 – July 1st 2026 – June 2027 \$52.50/hr for 1 guard, and \$50.00/hr for a second guard.

Services will be paid from the non-departmental budget line 6500_103 Professional and Consultant Svs. Security Contracts.

Recommendation

Board of Finance Motion:

To approve and recommend that the City Council authorize the contract with Chocolate Thunder Security to provide security services at City Hall for a total contract amount not to exceed \$120,000 and to authorize Timothy Williams, Safety Manager, to execute the contract and any related documents, subject to review by the City Attorney's Office.

City Council Motion:

To approve and authorize the contract with Chocolate Thunder Security to provide security services at City Hall for a total contract value not to exceed \$120,000 and to authorize Timothy Williams, Safety Manager, to execute the contract and any related documents, subject to review by the City Attorney's Office.



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Board of Finance and City Council Submission Checklist

Department: Human Resources Submitter: Timothy Williams

Title/Subject: Contracted Security Services at City Hall

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☐	City Council	Click or tap to enter a date.
☐	Concurrent	Click or tap to enter a date.

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	6/26/2024	Kerin Durfee Lynn Reagan (07.01.24)
Mayor's Office informed and approved memo	Yes	7/1/2024	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			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	06/26/24	Erik Ramakrishnan
CAO has reviewed budget, financing, and memo	Yes	07/01/24	
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	To be reviewed by City Atty.
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?	Choose an item.	Click or tap here to enter text.

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

From: Nicolas Longo, Director of Aviation
Jeffrey Bartley, Director of Innovation and Marketing

Date: July 8, 2024

SUBJECT: Recommendation to Board of Finance for Approval and Recommendation to City Council for Authorization to Execute and Award the Marketing and Promotional Services Contract to Hagan Associates

Background

On April 9, 2024, the Patrick Leahy Burlington International Airport (“Leahy BTV”) issued a Request for Proposals (“RFP”) for Marketing and Promotional Services.

On May 7, 2024, proposal submissions were due, and seven (7) total proposals were received from Hagan Associates, Redhead Media/BootstrapVT, Tenth Crow Creative, Place Creative Company, Four Nine Design, RoAds Marketing and Karen Fahey Advertising.

Upon receipt, scoring and evaluation, utilizing the evaluation criteria outlined within the RFP, Hagan Associates was unanimously selected by the evaluation committee. Our budget for this project was equal among all proposals as the airport set the maximum marketing pricing, whereas, the evaluation criteria also included: experience, scope of services, and Airport Concessions Disadvantaged Business Enterprise (ACDBE) participation. Hagan and associates scored high in all criteria while also being creative on the marketing scope.

The proposed marketing budget for FY 2025 is \$450,000, which will be the associated not to exceed value of the contract based on media placement purchases. Future years will be tougher to predict, as the marketing budget will fluctuate with changes to the overall budget, of which Hagan Associates is aware.

The allocated Fiscal Year 2025 budget will be utilized for this contract.

Proposed Motions

Board of Finance:

“To approve and recommend to the City Council to authorize the Director of Aviation to enter into a contract, with the selected Media and Advertising concessionaire of Hagan Associates for a five (5) year term, subject to final review and approval of the City Attorney’s Office.

City Council:

“To authorize the Director of Aviation to enter into a contract, with the selected Media and Advertising concessionaire Hagan Associates for a five (5) year term, subject to final review and approval of the City Attorney’s Office.

Thank you for your time and consideration.

Board of Finance and City Council Submission ChecklistDepartment: AirportSubmitter: H. DusablonTitle/Subject: Marketing and Promotional Services Contract Memo

	Approval:	Meeting Date:
☒	Board of Finance	07/08/2024
☒	City Council	07/15/2024
☐	Concurrent	

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	06/25/2024	N. Longo
Mayor's Office informed and approved memo	Yes	07/03/2024	E. Jacobsen
Board/Commission, if required	Yes	07/02/2024	
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	07/03/2024	K. Sturtevant
CAO has reviewed budget, financing, and memo	Yes	07/03/2024	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?	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
City Council

From: Megan Moir, Division Director Water Resources

Date: July 8, 2024/ July 15, 2024

Cc: Chapin Spencer, DPW Director
Seth Kuchenbecker, Stormwater Program Manager
Eleonore Walker, Policy and Program Advisor

RE: Authorization to accept an amended ARPA Grant and to execute and amended MOA for a Public-Private-Partnership Stormwater Water Quality Project

REQUEST

The Department of Public Works, Water Resources Division (WRD) seeks Board of Finance and City Council authorization to:

1. Accept a grant amendment of \$1,324,169 to the previous \$705,504 of pass-through American Rescue Plan Act (ARPA) funds for a total of \$2,029,673 through the execution of an amended grant agreement with the Vermont Department of Environmental Conservation (VTDEC) for a Public-Private-Partnership (P3) Project; and
2. Authorize the execution of an amended Memorandum of Agreement (MOA) between the City and the P3 private parties to reflect the increase pass through grant amount of \$2,029,673.

EXECUTIVE SUMMARY

Background

In May/June 2023, the Water Resources Division (WRD) of the Department of Public Works received approval from the Board of Finance and City Council to execute a grant agreement for \$705,504 of pass through ARPA funds to support a P3 project with by Champlain Housing Trust (CHT) and Pomerleau, LLC (Pomerleau). The City is participating as the pass-through entity given the positive environmental and regulatory compliance benefits of this project, including reduction of stormwater peak flows to Potash Brook and reduction of phosphorus pollution to Lake Champlain. There is no local match obligation for the City.

Pomerleau is contributing funding to the project and CHT is contributing land and in exchange they are meeting their regulatory obligations under the State's 3-acre stormwater permit framework, which requires parcels with greater than 3 acres of impervious to retrofit or install modern stormwater

treatment in order to reduce nutrient pollution to Lake Champlain. The full background of this project was provided in the May 2023 memo and is provided as Attachment A.

As with many projects that originated in the Covid years, the final actual construction costs (\$2,730,832) are significantly higher than the estimate used during the grant application in March 2021, even after multiple rounds of redesign and intensive value engineering. See Attachment B which outlines the cost escalation history of this project.

Faced with this funding challenge, the P3 partners approached the State to request additional funding for this shovel ready project in June 2024. Given the positive environmental benefits of the project and its readiness to construct, the State has awarded an additional \$1,324,169 of ARPA funding to the grant, for a total grant of \$2,029,673. This grant has put the construction of the project back on the fast track, with construction set to begin August of 2024. The other partners (Pomerleau and CHT) will be responsible for the balance of the project cost.

In order to advance, the City needs to accept the amended grant with the higher award and also needs to amend the original MOA with the P3 parties to reflect the higher grant value.

ATTACHMENTS

- A. May 2023/June 2023 Board of Finance and City Council memo
- B. Memo from CHT and Pomerleau to the State detailing construction cost escalations

MOTIONS

The Water Resources Division respectfully request the Board of Finance and City Council approve the following motions:

Board of Finance:

1. To approve and recommend to the City Council that the Director of the Department of Public Works be authorized to execute an amended grant agreement with Vermont DEC for up to \$2,029,673 for final design and construction of the P3 project involving the "South Meadow Apartments" and the "Shelburne Road Shopping Plaza" property, subject to final review and approval by the City Attorney's Office.
2. To authorize the execution of an amended MOA between the City and the P3 private parties: Antonio B. Pomerleau, LLC and Champlain Housing Trust, reflecting the increased grant funding, subject to final review and approval by the City Attorney's Office.

City Council:

1. To approve and recommend to the City Council that the Director of the Department of Public Works be authorized to execute an amended grant agreement with Vermont DEC for up to \$2,029,673 for final design and construction of the P3 project involving the "South Meadow Apartments" and the "Shelburne Road Shopping Plaza" property, subject to final review and approval by the City Attorney's Office.

2. To authorize the execution of an amended MOA between the City and the P3 private parties: Antonio B. Pomerleau, LLC and Champlain Housing Trust, reflecting the increased grant funding, subject to final review and approval by the City Attorney's Office."



Attachment A

Burlington Water Resources Division
Megan J. Moir, Division Head
235 Penny Lane | P.O. Box 878
Burlington, VT 05401
(802) 863-4501
water-resources@burlingtonvt.gov

MEMORANDUM

To: Board of Finance
City Council

From: James Sherrard, Stormwater Program Manager

Date: May 30th, 2023

Cc: Megan Moir, Division Head, Water Resources
Chapin Spencer, DPW Director

RE: Authorization to accept ARPA grant funds and Execute the Associated MOU for a Public-Private-Partnership Stormwater Water Quality Project

REQUEST

The Department of Public Works, Water Resources Division (WRD) seeks Board of Finance and City Council authorization to:

1. Accept \$705,504.00 of pass-through American Rescue Plan Act (ARPA) funds through the execution of a grant agreement with the Vermont Department of Environmental Conservation (VTDEC) for a Public-Private-Partnership (P3) Project; and
2. Authorize the execution of a MOU between the City and the P3 private parties establishing the roles and responsibilities of administering said grant funds.

EXECUTIVE SUMMARY

Background

As part of its approach towards reducing phosphorus pollution from stormwater runoff, in 2020 the VTDEC issued a new round of regulations to address properties with significant amount of impervious surface (3 acres or more) that do not have modern stormwater management. These properties are required to comply with Stormwater General Permit 3-9050, known as the 3-Acre Permit, which includes requirements to evaluate the feasibility of installing stormwater treatment at existing sites (retrofits) and to build such practices no later than 2029. However, upon the acceptance of the ARPA funding the practice completion deadline will be moved up to June 30th, 2026. Retrofits are the enhancement of existing stormwater management practices or the installation of stormwater management practices where none currently exist. Nearly 700 sites were identified across the State that would need to comply with the new requirement, the majority of which are private properties.

A Public-Private Partnership (P3) approach has been used across a wide variety of infrastructure-related projects to achieve shared community goals. These types of partnerships have been shown to

effectively reduce costs, improve quality control, and expedite implementation¹. In 2019, VTDEC began to assess the feasibility of P3 opportunities in Vermont, specifically for sites required to meet 3-Acre permit requirements. With their consulting partner, Watershed Consulting Associates, LLC, VTDEC assessed a number of partnership opportunities across the state, including two in Burlington. A copy of their final report is included as Attachment A.

The two sites identified in Burlington involved the “South Meadow Apartments” owned by Champlain Housing Trust (CHT) and the “Shelburne Road Shopping Plaza” property owned by Antonio B. Pomerleau, LLC (Pomerleau). Following a feasibility study, this P3 site was advanced to the 30% design stage, and ultimately recommended for State funding opportunities to cover final design and construction. Since that time a combination of private and State Block Grant funding has brought those designs to 60% completion.

In addition to this P3 site having Lake Champlain water quality related regulatory requirements via the 3-Acre permit, it is also a critical project included in the State approved Potash Brook Flow Restoration Project (FRP) which is a requirement that the City must meet as part of its Municipal Separate Storm Sewer System (MS-4) permit.

Potash Brook was designated as a stormwater-impaired watershed on the 2004 Vermont 303(d) list, due to multiple impacts associated with excess stormwater runoff related to the high imperviousness of its watershed. The VTDEC developed a Total Maximum Daily Load (TMDL) for Potash Brook which was approved by the EPA in 2006. The TMDL mandates required changes in watershed hydrology – specifically a reduction in stormwater high flows and increases in baseflow – necessary to restore water quality in the Brook. In order to achieve the identified targets DEC required the development of a FRP which identifies the scope and scale of the best management practices needed to meet the flow targets established in the TMDL, and ultimately attain compliance with the applicable Water Quality Standards.

The “Flow Restoration Scenario” included in the Potash Brook FRP completed jointly by South Burlington and Burlington includes a variety of retrofits necessary to sufficiently manage high flows to achieve the TMDL flow targets. Among the retrofits identified, the restoration plan includes the construction of a new gravel wetland located at the P3 site associated with the above mentioned ARPA funding award.

While the P3 site would need to meet its 3-Acre permitting requirements regardless of the City’s involvement, Burlington itself is responsible for compliance with the FRP TMDL requirements. This P3 partnership represents a rare opportunity to address multiple water quality permitting needs, including those born by the municipality, with funding wholly provided through private parties and ARPA grant funds.

Project Funding

The award is for up to \$705,504.00 of pass through ARPA funds (Attachment B) and does not have any match requirement from the City. Funds will cover a significant portion of the construction of a gravel wetland system and associated resident engineer (RE) services. All costs associated with this project above those provided through ARPA funds will be borne by the private parties.

¹ EPA Region 3, Water Protection Division, 2015

Due to the nature of the funding, a municipal entity must serve as recipient, which Burlington has tentatively agreed to do pending Board of Finance and City Council approval. The City has a vested interest in seeing this project completed, as it will help Burlington achieve compliance with the Potash Brook Flow Restoration Plan.

Contractor Selection & Oversight

Water Resources has developed a Memorandum of Agreement between the City, Pomerleau, and CHT to outline the responsibilities of each party (Attachment C). This Agreement also serves to protect the City from being compelled to pay any expenses that may be determined ineligible for grant reimbursement. It further ensures that Burlington is only responsible for reimbursing Pomerleau for expenses up to the amount of the grant award and that no future State Permitting requirements and/or costs associated with 3-Acre permit compliance become the responsibility of the City.

Pomerleau will be handling the procurement and construction oversight processes; however, the State requires that they adhere to the City's procurement procedure. Therefore, while the City will not be entering into an agreement with the selected contractor, selection will be consistent with the City's standards for procurement.

In the event VTDEC deems any expense ineligible, the MOU protects the City from being compelled to reimburse Pomerleau for those expenses.

ATTACHMENTS

- A. *Public-Private Partnership for Stormwater Management*, Final Report, May 2021, Watershed Consulting Associates, LLC
- B. FFA Standard Grant Agreement (ARPA Funding)
- C. Draft MOA between the City, Pomerleau and CHT

MOTIONS

The Water Resources Division respectfully request the Board of Finance and City Council approve the following motions:

Board of Finance:

1. To approve and recommend to the City Council that the Director of the Department of Public Works be authorized to execute a grant agreement with Vermont DEC for up to \$705,504.00 for final design and construction of the P3 project involving the "South Meadow Apartments" and the "Shelburne Road Shopping Plaza" property, subject to final review and approval by the City Attorney's Office.
2. To authorize the execution of a MOU between the City and the P3 private parties: Antonio B. Pomerleau, LLC and Champlain Housing Trust, establishing the roles and responsibilities of administering said grant funds, subject to final review and approval by the City Attorney's Office.

City Council:

1. To approve and recommend to the City Council that the Director of the Department of Public Works be authorized to execute a grant agreement with Vermont DEC for up to \$705,504.00 for final design and construction of the P3 project involving the "South Meadow Apartments" and the "Shelburne Road Shopping Plaza" property, subject to final review and approval by the City Attorney's Office.
2. To authorize the execution of a MOU between the City and the P3 private parties: Antonio B. Pomerleau, LLC and Champlain Housing Trust, establishing the roles and responsibilities of administering said grant funds, subject to final review and approval by the City Attorney's Office."

Attachment B

To: Madeline Russell, 3-Acre Stormwater Project Developer, Program Lead

From: Pomerleau Real Estate & Champlain Housing Trust

RE: Pomerleau Real Estate / South Meadow Apartments Gravel Wetland

Date: May 24, 2024

Background:

The project at hand, the Pomerleau Real Estate / South Meadow Apartments Gravel Wetland, has its origin in the [Public-Private-Partnership \(P3\) for Stormwater Management report funded by VT-ANR and completed in May 2021](#). The project site was one of ten locations researched by Watershed Consulting Associates that provide benefits to the private sector now having to comply with the newly issued 3-9050 (aka, "3-acre") permit while also providing public benefits. In the case of this Gravel Wetland, the project will help Pomerleau Real Estate and South Meadow Affordable Housing - Champlain Housing Trust comply with their 3-9050 permit while aiding the City by completing a major project identified in the Potash Brook Flow Restoration Plan which is part of the City's MS-4 permit.

The initial 30% design was completed as part of the original project in 2021.

The Final Design and Permitting (funded by a Design Implementation Block Grant \$110,204 from Watersheds United Vermont to the Chittenden County RPC) was completed in March 2024.

Vermont DEC has provided an ARPA grant to the City of Burlington to provide approximately \$705,400 to facilitate Construction.

South Meadow is a mixed-income community which includes:

- 64 income restricted permanently affordable apartments.
- 52 affordable apartments.
- 32 condos shared equity permanently affordable owner occupied.

The South Meadow complex will contribute the land to this effort. Pomerleau Real Estate has paid \$117,647.52 out of pocket for project design and scoping work plus \$16,272.60 for the Act 250 amendment permit fee.

Status:

The design and all permitting (3-9050, Act 250, etc.) are complete. The project has secured a contractor and has a bid for the work. The contractor is prepared to start this June and complete it by the end of the year.

The Challenge: The additional requirements of the grants and the length of time it took to get to bid, have resulted in escalation of cost by 34% since March of 2021. Additional resources will be needed to begin construction and complete this critical project.

Benefits (City and State)

The State has designated Potash as impaired. These two 3-acre sites will treat the stormwater to higher standard than other 3 acres sites, treating it to full "CPv".

This stormwater solution for these two sites will reduce flows into Potash Brook as part of the City's MS4 permit by doing projects that meet CPv. This project is a cornerstone of their Potash Brook Flow Restoration Plan approved by the State.

Assumed Project Lifespan	20 years	
Est. Total Phosphorus Reduction	9.94 kg/year	
Cost per kg TP reduced annually*	\$13,330	
	CHT - South Meadow Apartments	Pomerleau - Shelburne Road Plaza
3-Acre Parcel Area (acres)	14.86	13.67
Total Site Impervious (acres)	7.28	11.99
Managed Site Impervious Area (acres)	4.92	11.28
Percent Impervious within BMP DA^	30%	70%
Peak Flow 1-year (cfs)	16.12	30.10
Channel Protection Volume (CPv) Managed (ft ³)	40,293	72,266
Percent Contributing Peak Flow	35%	65%

Cost Escalation:

The project which started in 2020 has experienced similar cost escalations that have taken place in the construction industry over the past few years. As you can see by the table below, even after two separate rounds of redesign and intensive value engineering the cost rebounded due to these escalations. The hard construction costs have increased 34%.

Estimate	Date	notes
\$939,000	March 2021	Time of Construction Grant Application
\$1,380,000	May 2022	
\$3,036,000	November 2022	Intensive Value Engineering
\$2,341,100	September 2023	
\$2,857,609	February 2024	Intensive Value Engineering
\$2,929,284	March 2024	Testing to reduce blasting costs
\$2,730,832	April 2024	

*These numbers do not include construction soft costs for other services, engineering, and construction administration. The construction soft costs total \$168,700.

Current Total Development Cost

Hard Construction Costs		<i>April 2024</i>
	\$ 2,482,574.74	
	<u>\$ 248,257.47</u>	10% contingency
	\$ 2,730,832.21	Total hard construction cost
Soft Construction Costs		
	<u>\$ 168,700.00</u>	Construction soft cost
Total Construction cost	\$ 2,899,532.21	
	<u>-705504</u>	minus the construction grant
	\$ 2,194,028.21	Outstanding construction cost
Total Development Cost		
	\$ 2,899,532.21	Total Construction Cost
	\$ 117,647.52	Pomerleau out of pock to date
	<u>\$ 110,204.00</u>	Design & Permitting (Block Grant)
	\$ 3,127,383.73	Total Development cost

Schedule:

Schedule for this project is at a critical juncture. The outfall for the gravel wetland needs to go under the Chittenden Water Districts main supply line for Chittenden County and the new bike path that is part of the Champlain Parkway. The bike path construction is slated to begin in June. If the work for the outfall is not done at the same time it will only increase costs for the project. Also, additional delay to the project is unlikely to yield a decrease in cost. If the project receives additional funding it could be under construction in June and completed this year.

Board of Finance and City Council Submission Checklist

Department: DPW – Water Resources Submitter: Megan Moir
 Authorization to accept an amended ARPA Grant and to execute and amended MOA
 Title/Subject: for a Public-Private-Partnership Stormwater Water Quality Project

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☒	City Council	7/15/2024
☐	Concurrent	Click or tap to enter a date.

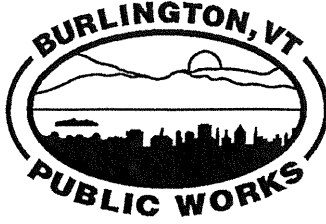
This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	7/1/2024	Chapin Spencer
Mayor's Office informed and approved memo	Yes	7/2/2024	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	7/2/2024	Erik Ramakrishnan
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	Click or tap to enter a date.	
CAO has reviewed budget, financing, and memo	Yes	7/2/2024	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?	No	Click or tap here to enter text.
Additional Materials, if necessary	Yes	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.



CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS

645 Pine Street, Suite A
Burlington, VT 05401
802.863.9094 VOICE
802.863.0466 FAX
802.863.0450 TTY
www.burlingtonvt.gov/dpw

MEMORANDUM

To: Board of Finance and City Council
Fr: Laura Wheelock, P.E., City Engineer – Div. Director of Technical Services
Madeline Suender, Public Works Engineer
CC: Chapin Spencer, Director of Public Works
Ashley Parker, Capital Program Director
Megan Moir, Div. Director – Water Resources
Brian Pine, Director of Community and Economic Development Office

Re: Great Streets Main Street Contract Amendments
Date: July 8, 2024 & July 15, 2024 (Board of Finance & City Council)

I. SUMMARY OF REQUESTS

The Department of Public Works (DPW) is seeking Board of Finance recommendation and City Council authorization to:

1. Execute Amendment with SD Ireland Brothers
2. Execute Memorandum of Understanding with Burlington Electric Department
3. Execute Budget Amendment

II. BACKGROUND

The public vote in March 2015 authorized the initiative's first efforts in the City's Downtown Tax Increment Financing (DT-TIF) District by supporting the borrowing of \$10,000,000 to make new investments in downtown public infrastructure to ensure that Burlington residents have a downtown that is a vibrant, walkable and sustainable urban center. Voters additionally supported the Great Streets Main Street Project at the March 2022 Town Meeting Day public vote with support to secure an additional \$25,920,000 in debt, matching the Vermont Economic Progress Council (VEPC) approved borrowing amount of \$35,920,000. In August 2022, the City then issued Bond Series 2022B in the original principal amount of \$30,120,000, with \$4,261,971 in Premiums received, to support the improvements associated with the Great Streets Main Street project. In March of 2024 the City received authorization from VEPC for the updated project scope and full amount of proceeds and premiums issued with the Bond.

III. CONSTRUCTION UPDATE & SCHEDULE

Construction commenced on February 5, 2024, and has been focused on replacing sewer main between Pine Street and Church St; as well as placing new sewer for the ravine bypass. Work to place the new 48" pipe has been challenging with the depth of the pipe ranging from 13' to 27' below grade, confined rights of way, aging surrounding infrastructure, overhead utilities, and historic adjacent properties.

During the work, the age and condition of the Main St sewer between 227 Main Street and South Union is such that it needs to be added back into the project for replacement. The streetscape work limits are not extending therefore this sewer is considered to be non-participating and are thus are not eligible to utilize DT-TIF funds, and shall be covered by Water Resources Capital funds.

Additionally, as the ravine bypass pipe work started down King Street, the cast iron water main on the street was found to be too brittle to keep in service during the work. It broke several times before it was necessary to install temporary water to the residences and businesses on the street and plan for the replacement of the water main.

Lastly, the trench work associated with the ravine bypass on Church Street between Maple and Main Street, as well as King Street from Church St to South Winooski Avenue, will result in 80% of the street to be repaved by the trench alone. In an effort to restore the street and take advantage of the work under the project, additional Street Capital funds are being added to repave these streets curb to curb as work completes.

Upcoming work for this season will include replacement of the water main along Main Street and continuing the installation of the ravine sewer bypass piping. It is possible that construction of the large storm water detention vaults along the north side of Main Street could be started late fall/early winter 2024. The contractor is anticipated to work throughout the winter of 2024-2025, with an overall contract completion in the fall of 2026.

Additional project information can be found on the website: greatstreetsbtv.com

IV. CONTRACT AMENDMENT WITH S.D. IRELAND BROTHERS CORPORATION

The City Council previously authorized the construction contract with S.D. Ireland at their November 20, 2023 meeting. As noted in the update above, there is additional work that DPW is seeking to have performed under the project. This work can be summarized as:

- King St water main replacement from Church St to South Winooski Ave (\$105,000)
- Main St sewer replacement from 227 Main to South Union Street (\$291,615)
- Additional Paving on Church St and King St (\$150,771)

The total for the King St water work is \$175,000, however the cost is being offset with changes to the project scope of work. Due to utility conflicts within the Main St portion of the project stormwater piping was removed and will result in \$70,000 of savings. The King St water main replacement is necessary to complete the ravine sewer work and therefore eligible to be completed with DT-TIF funds. Details of the additional funding are outlined below.

Change to the contract with SD Ireland Brothers Corporation will increase their contract by \$547,386.

V. MEMORANDUM OF UNDERSTANDING WITH BURLINGTON ELECTRIC DEPARTMENT

DPW and Burlington Electric Department (BED) are working to jointly enter into a new Memorandum of Understanding (MOU) for construction work of decorative street lighting associated with this project. This MOU will lay out a scope for BED to facilitate implementation of new lighting and electric along the project limits. Per BED's Lighting Policy, the project shall be responsible for Decorative Street Lighting and Standard Street Lighting costs for any sections that currently meet Illuminating Engineering Society (IES) recommendations. BED will be responsible for costs for Standard Street Lighting for sections that do not currently meet IES recommendations. The curb line and reconstruction of the street trigger the need for a full redesign and illumination with IES compliant lighting. BED's estimate of the standard lighting, which would be required from the streets redesign shall be provided as a credit to DPW's decorative IES lighting design.

Decorative Street Lighting Inspection and Engineering – Phase 1	\$614,262
Standard Street Lighting Inspection and Engineering – Phase 1	\$(64,452)
Resulting Total	\$549,810

Existing Lighting Removal costs will be borne by BED based on the significant relocation of streetscape elements and need to update lighting within project limits.

VI. PROJECT FINANCIALS

To date the project has expensed approximately 36% of the previously approved contract total; this higher amount accounts for mobilization and payment of stockpiled materials. The project is tracking significant use of contingency funds to mitigate some of the challenges encountered with ravine sewer bypass construction and unforeseen need/use of flaggers. The known/estimated contingency costs are approximately 40% of the previously approved amount or approximately \$1,040,000. DPW is closely tracking these items and other project variables to work to keep the project within budget.

Downtown TIF

Phase 1 of Great Streets Main Street is being defined as Main Street improvements from Pine Street to South Winooski, including Ravine Sewer work. The majority of this project is to be funded by Downtown Tax Increment Financing as approved by the Vermont Economic Progress Council (VEPC) and Burlington voters in March of 2015 (\$10,000,000), and again in March of 2022 (\$25,920,000). Following these approvals, the City then bonded for the design and construction of the project in August of 2022. The resulting bond proceeds totaled \$30,120,000, and \$4,261,971 in premiums.

The original November 2021 VEPC approval included a total project budget of \$30,658,933. Upon procurement of the final bonding City staff submitted a substantial change request to VEPC in July of 2023. Within this request, one of the items was to update the Main Street Project Budget to a total of \$34,381,971. This accounts for use of the full Bond Proceeds and Bond Premiums procured under the voter authorization. This substantial change request was reviewed and approved by VEPC in March of 2024.

Street Capital Funding

Street Capital tax revenues from FY25 have been budgeted for use on items in the project that are not DT-TIF eligible, as well as supporting the reconstruction of other sidewalks and street sections within the

project area. This original approval included \$395,706.03; and the request for consideration will add \$150,771 for a total of \$546,477.03.

Water Resources Funding

Water capital funds will be used to fund the costs that are not DT-TIF eligible (\$105,000) of the replacement of the King Street Water main. These funds are made up of unused FY24 Water distribution capital funds (\$70,723) and budgeted FY25 capital funds (\$34,277). The remainder of the work (\$70,000) will be funded with the savings from the removal of the stormwater pipe work on Main Street as discussed earlier.

Wastewater capital funds will be used to fund costs that are not DT-TIF eligible for the replacement of the Main St sewer main from 226 Main to South Union St (\$291,615). These funds are unused FY24 funds allocated for capital work.

An updated project budget is included in the attachments, including account details and projects.

VII. MOTIONS

Board of Finance:

1. To approve and recommend that the City Council authorize the Director of Public Works to execute an amendment to the contract, subject to City Attorney review and approval, with S.D. Ireland Brothers Corporation in the amount of \$547,386, bringing the total contract value up to \$26,509,929.26, with the previously authorized the use of an additional \$2,596,254.83 in contingency funds to be available to use toward any necessary future contract amendments needed to accomplish the construction work herein contemplated, and further authorize execution of any such necessary amendments upon review and approval by the City Attorney's Office, for a total authorized amount not to exceed \$29,106,184.09 for the development of the design of the Great Streets Main Street project.
2. To approve and recommend that the City Council authorize the Director of Public Works to execute a Memorandum of Understanding, subject to City Attorney review and approval, with Burlington Electric Department in the amount of \$549,810, for the lighting construction of the Great Streets Main Street project.
3. To approve and recommend that the City Council authorize the Chief Administrative Officer, or their designee, to effect all necessary budget amendments and transfers of funds to and from the above-referenced funding sources as needed to pay the above-referenced project expenses in FY25 and Overall Project Budgets, in substantial conformance with the attached budget transfer request.

City Council:

1. To authorize the Director of Public Works to execute an amendment to the contract, subject to City Attorney review and approval, with S.D. Ireland Brothers Corporation in the amount of \$547,386,, bringing the total contract value up to \$26,509,929.26, with the previously authorized the use of an additional \$2,596,254.83 in contingency funds to be available to use toward any necessary future contract amendments needed to accomplish the construction work herein contemplated, and further authorize execution of any such necessary amendments upon review and approval by the City Attorney's Office, for a total

Re: Great Streets Main Street Contract Amendments

- authorized amount of \$29,106,184.09 for the development of the design of the Great Streets Main Street project.
2. To authorize the Director of Public Works to execute a Memorandum of Understanding, subject to City Attorney review and approval, with Burlington Electric Department in the amount of \$549,810, for the lighting construction of the Great Streets Main Street project.
 3. To authorize the Chief Administrative Officer, or their designee, to effect all necessary budget amendments and transfers of funds to and from the above-referenced funding sources as needed to pay the above-referenced project expenses in FY25 and Overall Project Budgets, in substantial conformance with the attached budget transfer request.

VIII. ATTACHMENTS

- A. Project Budget
- B. DRAFT Budget Amendment

NEW WORLD Project Name: 853 Main St

Project Manager: Madeline Suender
 Project Supervisor: Laura Wheelock
 Last Updated: 7/15/2024

G/L NUMBER AND NAME	Detailed Project Name	NOTES	Total
REVENUE:			
853-19-700.4990_236	853 MAIN ST, DT TIF - Capital	DT TIF VA BOND - Construction	\$23,391,722.00
853-19-700.4990_236	853 MAIN ST, DT TIF - Capital Premiums	DT TIF VA PREMIUMS	\$4,261,971.06
853-19-700.4990_236	853 MAIN ST, DT TIF - Public Art	Public Art	\$500,000.00
853-19-700.4990_236	853 MAIN ST, DT TIF - Ravine Sewer	Ravine Sewer	\$6,228,278.00
843-19-700.4875_130	842 Street Reconstruction - Paving	Street Capital	\$546,477.03
861-19-700.4990_460	861 Water Capital Projects	Water Capital	\$105,000.00
862-19-700.4990_480	862 Wastewater Capital Projects	Wastewater Capital	\$291,615.00
		Subtotal	\$35,325,063.09
EXPENSES:			
853-19-700.9500_236	853 MAIN ST, DT TIF - Capital	Design consultant - (Main St. & Ravine)	VHB/Agency/DG \$2,545,677.00
		Redesign	VHB/Agency/DG \$128,274.00
		Water/Sewer Special Inspection	VHB/Agency/DG \$182,400.00
		QEP Inspection	VHB/Agency/DG \$304,137.00
853-19-700.9500_236	853 MAIN ST, DT TIF - Public Art	Public Art (Design& Construction)	Nancy Winship Milliken, WOWHAUS, Pixel Patch Creative, Lydia Kern Studio \$500,000.00
853-19-700.9500_236	853 MAIN ST, DT TIF - Capital	Street Lighting (Decorative)	BED MOU \$549,810.00
853-19-700.9500_236	853 MAIN ST, DT TIF - Capital	RE and Outreach Consultant	EIV Fee with Contingency \$1,800,000.00
853-19-700.9500_236	853 MAIN ST, DT TIF - Capital	RE and Outreach Consultant	EIV Amendment #1 \$298,974.00
853-19-700.9500_236	853 MAIN ST, DT TIF - Capital	Construction Road/Utilites	SD Ireland \$14,865,588.17
853-19-700.9500_236	853 MAIN ST, DT TIF - Capital Premiums	Construction Road/Utilites	SD Ireland \$4,261,971.06
853-19-700.9500_236	853 MAIN ST, DT TIF - Ravine Sewer	Ravine Sewer	SD Ireland \$6,228,278.00
843-19-700.8040_840	842 Street Reconstruction - Paving	Paving	SD Ireland \$546,477.03
861-19-700.9500_110	861 Water Capital Projects	Water	SD Ireland \$105,000.00
862-19-700.9500_110	862 Wastewater Capital Projects	Sewer	SD Ireland \$291,615.00
		Contingency	10% (Design/BED/RE/Const) \$2,716,861.83
		Subtotal	\$35,325,063.09
		NET	\$0.00

Board of Finance and City Council Submission Checklist

Laura Wheelock, Madeline Suender,

Department: Public Works Submitter: Megan Moir

Title/Subject: Main Street Contract Amendments

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☒	City Council	7/15/2024
☐	Concurrent	Click or tap to enter a date.

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	7/1/2024	Chapin Spencer
Mayor's Office informed and approved memo	Yes	7/3/2024	Joe Magee
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	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	7/1/2024	Erik Ramakrishnan
CAO has reviewed budget, financing, and memo	Yes	7/2/2024	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?	No	Contract subject to review by City Attorney
Additional Materials, if necessary	Choose an item.	Budget Amendment documents
Draft Resolution or Motion?	Yes	Motions - Memo
If for submission to Council, are sponsors identified?	Yes	Board of Finance



Burlington Fire Department



136 South Winooski Avenue
Burlington, Vermont 05401-8378

(802) 864-4554 • (802) 658-2700 (TTY)

Business Fax (802) 864-5945 • Central Station Fax (802) 865-5387

To: Board of Finance and City Council

From: Michael LaChance, Fire Chief

Date: July 8, 2024 (BoF)/ July 15, 2024 (CC)

RE: Ambulance Fee Increase

The Department seeks approval to increase the billing rates charged for ambulance services. These modest changes, made in response to the user fee study, and with an eye to affordability are projected to increase annual revenue collections by \$102,000. The Department has based its FY25 revenue estimate on these changes to increase revenue and reduce the burden on the general fund.

The Department last increased ambulance rates in 2022. It should be noted that these increases will not affect patients covered by Medicare or Medicaid. Patients with either of these insurance providers have payment limitations, and the City must write off the excess balance. Ultimately, these proposed rate increases affect approximately 13 percent of those we transport with commercial insurance and a small percentage of self-paying customers.

The chart below shows the Medicare and Medicaid limits currently in place.

Charge Description	Medicare	Medicaid
Basic Life Support (BLS) – Emergency	\$431.24	\$432.45
Advanced Life Support (ALS) 1 – Emergency	\$512.10	\$513.54
Advanced Life Support (ALS) 2 – Emergency	\$741.19	\$743.28
Mileage	\$8.94	\$8.71
Oxygen	\$0	\$19.26
IV	\$0	\$35.01
Defibrillator	\$0	\$23.02
Treatment w/o Transport	\$0	\$108.11

The following charts are based on ambulance transports in the calendar year 2023.

Charge Type	Count	Percent of Total
BLS – Emergency	3,537	66%
ALS 1 – Emergency	1,794	33%
ALS 2 – Emergency	36	1%
Total	5,367	100%

Payer Type	Count	Percentage of Total
Commercial	630	13%
Medicare	2,606	49%
Medicaid	1,915	35%
Self-Pay	216	3%

Total	5,367	100%
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The increases provided in the schedule below would be effective upon passage by the Board of Finance and City Council, and a description of each charge is outlined in Appendix A. The treatment w/o transport line is new to this proposal. This allows the department to assess a service fee even if the patient is not transported by ambulance to the hospital. The Department arrived at the proposed increase fee in coordination with the user fee study and our billing vendor. This vendor works extensively with insurance companies and understands the pricing environment. While the proposed recommendation would surpass some agencies in Chittenden County, it is in line with the Towns of Colchester, Milton, and Williston and others plan to raise their rates later this year. The objective is to raise rates to maximize revenue without being considered unreasonable for our area. We believe the proposal below meets that objective.

Appendix A includes a summary of the billing charges by other ambulance service providers in the area.

The Department is recommending the following changes to the fee schedule:

Charge Description	Current Charge	Proposed Increase \$	Proposed Increase %	New Charge
BLS – Emergency	\$900.00	\$75.00	8.4%	\$975.00
ALS 1 – Emergency	\$1,150.00	\$100.00	8.7%	\$1,250.00
EKG	\$50.00	\$25.00	50%	\$75.00
ALS 2 – Emergency	\$1,550.00	\$130.00	8.4%	\$1,680.00
Mileage	\$20.00	\$3.00	15%	\$23.00
Treatment w/o Transport	\$0	\$275.00	All	\$275.00

Requests:

Board of Finance Motion:

To approve and recommend that the City Council approve and authorize the increased fee structure for ambulance services effective upon passage as described in the table herein this Ambulance Fee Increase memo by Chief LaChance dated July 7, 2024.

City Council Motion:

To approve and authorize the increased fee structure for ambulance services effective upon passage as described in the table herein this Ambulance Fee Increase memo by Chief LaChance dated July 7, 2024.

Thank you for considering these requests.

Appendix A

Description of Transport Types

Basic Life Support (BLS) – Includes the provision of medically necessary supplies and services and BLS ambulance transportation as defined by the State where you provide the transport. An emergency response is one that, at the time you are called, you respond immediately. A BLS emergency is an immediate emergency response in which you begin as quickly as possible to take the steps necessary to respond to the call.

Advanced Life Support, Level 1 (ALS1) – Includes providing medically necessary supplies and services and an ALS assessment or at least one ALS intervention. An ALS crew performs an ALS assessment as part of an emergency response that is necessary because the beneficiary's reported condition at the time of dispatch indicates only an ALS crew is qualified to perform the assessment. An ALS assessment does not necessarily determine that the beneficiary requires an ALS transport level. In the case of an appropriately dispatched ALS emergency service, if the ALS crew completes an ALS assessment, the services provided by the ambulance transportation service provider or supplier shall be covered at the ALS emergency level. Regardless of whether the beneficiary required ALS intervention services during the transport, provided the ambulance transportation itself was medically reasonable and necessary, and all other coverage requirements were met. An ALS intervention is a procedure that must be performed by an emergency medical technician-intermediate (EMT-Intermediate) or an EMT-Paramedic following State and local laws. An ALS1 emergency is an immediate emergency response in which you begin as quickly as possible to take the steps necessary to respond to the call.

EKG - An EKG (electrocardiogram) charge for ambulance transport refers to the fee associated with performing an EKG test during the transport of a patient in an ambulance.

Advanced Life Support, Level 2 (ALS2) – Includes the provision of medically necessary supplies and services, involving At least three separate administrations of one or more medications by intravenous push/bolus or by continuous infusion (excluding crystalloid fluids) or at least one of these ALS2 procedures:

- Manual defibrillation/cardioversion
- Endotracheal intubation
- Central venous line
- Cardiac pacing
- Chest decompression
- Surgical airway or
- Intraosseous line

Treatment Without Transport - Treatment without transport fees typically refers to situations where a patient receives medical care on-site or at home without the need for transportation to a medical facility.

Ambulance Billing Rate Survey

Transport	BLS	ALS1	ALS 2	Mileage	Non-
	Emerg rate	Emerg rate	Rate	Rate	Rate
Burlington Proposed	\$975	\$1,250	\$1,680	\$23	\$269
Burlington Current	\$900	\$1,150	\$1,550	\$20	\$0
Colchester	\$1,233	\$1,730	\$1,979	\$34	\$0
Milton	\$1,057	\$1,524	\$1,932	\$30.54	\$0
Charlotte	\$900	\$1,050	\$1,525	\$22	\$0
Williston*	\$850	\$1,050	\$1,400	\$22	\$0
S. Burlington*	\$825	\$1,050	\$1,400	\$21.50	\$0
Essex*	\$825	\$1,000	\$1,400	\$30.54	\$150
Richmond	\$805	\$945	\$1,320	\$22.50	\$805

* Will be proposing increases to their municipalities for FY25

Board of Finance and City Council Submission ChecklistDepartment: Fire Submitter: M. LaChanceTitle/Subject: Ambulance Rate Increases

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☒	City Council	7/15/2024
☐	Concurrent	Click or tap to enter a date.

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	7/2/2024	LaChance
Mayor's Office informed and approved memo	Yes	7/2/2024	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	N/A		
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	7/2/2024	McClenahan
CAO has reviewed budget, financing, and memo	Yes	7/1/2024	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?	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: City of Burlington, Finance Board
City of Burlington, City Council

FROM: Jon Murad, Chief of Police *Chief #387*

CC: Shannon Trammell

DATE: July 8 (BoF) /July 15 (CC) , 2024

SUBJECT: Authorization to Sign Contracts for Two-Way Radio Communication Fiber Lines with Consolidated Communications, Inc. and Burlington Telecom Business Services

REQUEST

The BPD seeks Board of Finance recommendation and City Council authorization to execute two agreements for Two-Way radio Communication Fiber Lines services: a service contract with Consolidated Communications, Inc. for \$112,376.40 for a 5-year term; and an addendum to the existing Telecommunications Services Agreement with Burlington Telecom Business Services for an additional \$90,000 for a 5-year term and \$46,800 for a 3- year term (which covers services through First Light for a remote area that is not serviceable from BT or Consolidated).

EXECUTIVE SUMMARY

Background:

The BPD and the BFD have been operating their two-way radio communications on the same system since 2005. The system is comprised of five receiver sites and one transmitter site. The receivers pick up signals from the field radios and are sent over copper phone lines or unlicensed microwave to 1 North Ave and then "repeated" from the transmitter at 100 Bank Street. The equipment has now reached end-of-life and parts of the system have failed. Some have failed beyond repair, leaving the departments with only four receivers.

A new simulcast system, part of the Public Safety Communications Capital Upgrade Project, has been developed and is in the final process of being installed. The new system has only three receiver sites but also adds three transmitter sites to increase coverage. For the new Simulcast System to work, fiber optic lines from BT and Consolidated are needed to send the received transmissions back to 1 North Ave and also to make sure that the transmissions go to the three transmitters at the same time. Fiber optic lines are much faster and more reliable than copper lines.

We require service from both companies (BT & Consolidated) to create a redundant back-up. If one carrier goes down, critical communication can still be relayed to each site and back to 1 North Ave, so that both BPD and BFD have radio communications at all times.

Project Funding:

Currently the BPD funds both its and BFD's two-way radio communication lines with Consolidated Communications through G/L: 101-17-050-6400_125 "Utilities Telecommunications." BPD will continue to fund these new services, from both companies, through that G/L.

The current charges for the degraded lines will become obsolete and the charges for those lines will be replaced with the fiber lines and new services from Consolidated Communications, Inc. and Burlington Telecom Business Services. An increase of \$19,000 to this G/L was recently approved in the FY25 budget process to fund the remaining amount for these two contracts.

Any one-time fees for installation are being covered by the Public Safety Communications Capital Upgrade Project.

Bidding and Contractor Selection:

There are very few carriers that provide services for "dark fiber" and "carrier ethernet service" in this area. Burlington Telecom was chosen because it is the only provider that could provide "dark fiber" to all of the locations. The City also has a Telecommunications Service Agreement with Burlington Telecom for many City technology needs, coordinated through Information and Technology. This approval would add an additional scope of work to the existing agreement. Consolidated Communications was chosen for redundancy because BPD and BFD use its "carrier Ethernet service" for three types of systems in other areas, and it is very responsive to service issues when emergency services require immediate response. Sole-source approval through the CAO was given based on the limited service options available.

Department Contact:

If you have any questions, please contact Shannon Trammell, Executive Manager at strammell@bpdvt.org or (802) 540-2107.

ATTACHMENTS

- A. Consolidated Communications Exhibit A – Cost Proposal
- B. Telecommunications Services Agreement Cost Proposal

MOTIONS

The Burlington Police Department respectfully request the Board of Finance and City Council approve the following motions:

Board of Finance:

To approve and recommend that the City Council approve and authorize the Chief of the Burlington Police Department or the Director of Information and Technology to enter into the following agreements for radio communication fiber lines and service upgrades:

- a. A five-year service contract with Consolidated Communications, Inc., in an amount not to exceed \$112,376.40; and
- b. A contract amendment to the existing Telecommunications Services Agreement with Burlington Telecom Business Services adding a scope of work and in amounts not to exceed \$90,000 for a five-year term for dark fiber services and \$46,800 for a three-year term for dark fiber services with First Light through BT.

for combined total authorized expenditure not to exceed \$249,177 over the next five years, subject to review by the City Attorney's Office.

City Council:

To approve and authorize the Chief of the Burlington Police Department or the Director of Information and Technology to enter into the following agreements for radio communication fiber lines and service upgrades:

- a. A five-year service contract with Consolidated Communications, Inc., in an amount not to exceed \$112,376.40; and
- b. A contract amendment to the existing Telecommunications Services Agreement with Burlington Telecom Business Services adding a scope of work and in amounts not to exceed \$90,000 for a five-year term for dark fiber services and \$46,800 for a three-year term for dark fiber services with First Light through BT;

for combined total authorized expenditure not to exceed \$249,177 over the next five years, subject to review by the City Attorney's Office.

Thank you for your continued support.

MSA ID:	00036480
MSA Attachment:	1
Service Order Term Length:	60 Months

**EXHIBIT A
INITIAL SERVICE ORDER**

SERVICES REQUESTED. The Service(s) requested by you and to be provided by us under the Agreement are as follows:

Location Name:	1 North Avenue	
Address:	1 North Avenue, Burlington, Vermont, 05401	Site MRC: \$167.64 Site NRC: \$0.00

Services	Quantity	MRC	Total MRC	NRC	Total NRC
Port & Access 10Mbps	1	\$101.90	\$101.90	\$0.00	\$0.00
Switched Ethernet EVC 20Mbps	1	\$65.74	\$65.74	\$0.00	\$0.00

Site Name	Site Notes
1 North Avenue	

SERVICES REQUESTED. The Service(s) requested by you and to be provided by us under the Agreement are as follows:

Location Name:	100 Bank Street	
Address:	100 Bank Street, Burlington, Vermont, 05401	Site MRC: \$118.15 Site NRC: \$0.00

Services	Quantity	MRC	Total MRC	NRC	Total NRC
Port & Access 3Mbps	1	\$118.15	\$118.15	\$0.00	\$0.00

Site Name	Site Notes
100 Bank Street	

SERVICES REQUESTED. The Service(s) requested by you and to be provided by us under the Agreement are as follows:

Location Name:	85 South Prospect Street	
Address:	85 South Prospect Street, Burlington, Vermont, 05401	Site MRC: \$118.15 Site NRC: \$0.00

Services	Quantity	MRC	Total MRC	NRC	Total NRC
Port & Access 3Mbps	1	\$118.15	\$118.15	\$0.00	\$0.00



Site Name	Site Notes
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85 South Prospect Street	
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SERVICES REQUESTED. The Service(s) requested by you and to be provided by us under the Agreement are as follows:

Location Name:	193 Prim Road		
Address:	193 Prim Road, Colchester, Vermont, 05446	Site MRC:	\$1,469.00
		Site NRC:	\$0.00

Services	Quantity	MRC	Total MRC	NRC	Total NRC
Port & Access 3Mbps	1	\$1,469.00	\$1,469.00	\$0.00	\$0.00

Site Name	Site Notes
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193 Prim Road	
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CHARGES AND FEES. The following reflect the charges and fees applicable to the Services ordered:

(a) Total of Monthly Recurring Charges ("MRC"):	\$1,872.94
(b) Total of Non-Recurring Charges ("NRC"):	\$0.00

Any and all taxes, fees, universal service and similar public policy assessments, are in addition to the amounts set out above, and are also payable by you. If a tariff governs a Service, the terms of the tariff will take precedence over this Agreement. All pricing is exclusive of any non-recurring charges incurred that are not reflected above, including charges related to any needed extension of facilities or additional work necessary to provide the Services. These charges may include after-hours installation charges for requested installations between 5:00 p.m. and 6:59 a.m. Monday through Thursday or weekend installation charges for requested installations between 5:01 p.m. Friday and 6:59 a.m. Monday. All extension or installation work will only be performed upon your agreement to pay the associated charges, and if you do not agree to pay such charges, this Agreement (or any applicable Service) will be subject to cancellation by us. Pricing is also exclusive of: (i) any usage or variable charges, (ii) all taxes and fees, and (iii) all charges incurred in connection with governmental or quasi-governmental assessments, all of which are payable by you. We reserve the right to adjust monthly service rates due to increases in other tariffed services that are outside of our control, or where third-party vendors increase rates for third-party services, and you will not be entitled to terminate this Agreement as a result of any such increase. Notwithstanding any other terms in this Agreement, this pricing is good only in areas where the Service is commercially available. You understand that the Service selected may not be commercially available at the rates, speeds or bandwidth set forth herein in your area, and that this Service Order is subject to our final acceptance. Any long distance package pricing excludes charges related to international calls, which will be payable as incurred according to then-applicable rates. You are responsible for all individually charged calls, whether domestic or international, and whether through hosted services or otherwise, including charges that are unauthorized or fraudulently incurred. All Services are

provided subject to verification of good credit before installation, your timely payment and your continued good credit.

TERM OF SERVICES. This Service Order is binding on you when you sign it. The initial term for each Service is 60 Months. The billing for each Service will commence on that date upon which the Service is made available by CCI for use by you, unless, prior to commencement, you notify us in writing that the Service provided does not meet an applicable Service performance specification. The Contract Term will not be less than a term of 12 months from the Service availability date except where "month-to-month" is the contracted term or where applicable law provides otherwise. During the initial term, we may make changes to the Services, including by adding to or modifying the features associated with the Services, but we will not materially reduce your Service functionality during the initial term. In some cases, new or modified Service features may require your payment of additional charges. If a new or modified Service feature requires your payment of an additional charge, we will notify you and will provide an opt-out period during which you will be able to opt-out of the applicable feature and the corresponding charge. If you do not opt-out during the opt-out period, your continued use of the Service following the opt-out period signifies your acceptance of the new or modified Service feature and your agreement to pay the corresponding charge. After the initial term, this Agreement and the term for each Service will automatically be extended on a month-to-month basis, unless either party provides at least 30 days' written notice of termination to the other. Upon the commencement of any such month-to-month renewal term, any discounted or promotional pricing will expire, and pricing will automatically be adjusted to reflect our then-current rates for the Services. During the renewal term, we may discontinue or modify the Service or increase Service charges at any

Business customer care: consolidated.com | 844.968.7224

Telecommunications Services Agreement

This Telecommunications Services Agreement ("Services Agreement") is made between **Burlington Police Department** a corporation duly organized and existing under the laws of the State of Vermont ("Customer"), and Champlain Broadband LLC, d/b/a Burlington Telecom ("Burlington Telecom"), a limited liability company duly organized and existing under the laws of the State of Vermont, with its principal office at 200 Church Street, Suite 201 Burlington, VT 05401, (collectively the "Parties" or individually as "Party"), is for the provision of telecommunications services ("Services"). This Services Agreement shall not be effective and binding on Burlington Telecom until it has been executed by an authorized Burlington Telecom representative. In consideration of the mutual promises and covenants contained herein, the Parties agree that Customer will purchase from Burlington Telecom, Service(s) at the cost(s) and for the term(s) as set forth in the following table.

Quantity	Description of Services	Term in Months	Installation Cost Per Unit	Total Install Cost	Monthly Recurring Cost Per Unit	Term Discount Per Unit	Extended Monthly Recurring Cost
1	Dark Fiber Pair A Term: 1 North Ave Z Term: 193 Prim Rd, Colchester	36	\$1,500	\$1,500	\$1,300		\$1,300
1	Dark Fiber Pair A Term: 1 North Ave Z Term: Jeffords Hall, 63 Carrigan Drive, Burlington, VT	60	\$800	\$800	\$750.00		\$750.00
1	Dark Fiber Pair A Term: 1 North Ave Z Term: 100 Bank St, Burlington	60	\$800	\$800	\$750.00		\$750.00
		Total*		\$3,100	\$2,800.00		\$2,800.00

* Local, State, Federal, and/or international taxes, fees, assessments, and/or surcharges are not included and will be charged in accordance with Burlington Telecom's tariffs and/or international, federal, state, or local laws.

Customer Information & Acceptance:

In executing this Services Agreement, I acknowledge my understanding and acceptance that the Services selected above will be provided in accordance with, and governed by, the terms, conditions and rates in this Services Agreement, including the "Additional Terms and Conditions," which are attached hereto and incorporated herein. In addition, I hereby authorize Burlington Telecom to review the customer service record for the Customer listed below. Customer acknowledges that under no circumstances may Customer resell any of the Services provided to it by Burlington Telecom unless explicitly authorized in writing by Burlington Telecom. By signing this Services Agreement, I further acknowledge that I have read and understand each of the Terms and Conditions of this Services Agreement, agree on behalf of Customer to be bound by them and that I am duly authorized to order and/or modify Services on behalf of Customer.

Customer's Legal Name: Burlington Police Department Signature: _____

State of Organization/Incorporation: Vermont Name: _____

Billing Address: 1 North Ave, Burlington, VT 05401 Title: _____

Customer Billing Telephone Numbers: 802.658.2700 Date: _____

Burlington Telecom Acceptance:

Name: Michael Loucy

Signature: _____

Board of Finance and City Council Submission ChecklistDepartment: Police Department Submitter: Chief Jon MuradTitle/Subject: Radio Communication Line Upgrades + Service

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☒	City Council	7/15/2024
☐	Concurrent	

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	7/1/2024	J. Murad
Mayor's Office informed and approved memo	Yes	7/2/2024	E. Jacobson
Board/Commission, if required	N/A		
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Yes	6/27/2024	H. McClenahan
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	7/2/2024	H. McClenahan
CAO has reviewed budget, financing, and memo	Yes	7/2/2024	K. 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	
Contract Attached, if applicable?	Yes	Cost portions of contract only
Additional Materials, if necessary	N/A	
Draft Resolution or Motion?	Yes	Included in Memo
If for submission to Council, are sponsors identified?		



OFFICE OF THE CLERK/TREASURER City of Burlington

City Hall, Room 20, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000

Fax (802) 865-7014

TTY (802) 865-7142

MEMORAN DUM

TO: Board of Finance and City Council

FROM: Darlene Bayko, Assistant Director of Finance
Brad Kukenberger, Director of Finance

DATE: July 8 and 15, 2024

RE: Approval of Four Resolutions for Annual Borrowing for FY25 for City and School

Overview

The Clerk Treasurer's Office and the Burlington School District present several resolutions for annual FY25 borrowing for capital needs, specifically:

1. Resolution for the \$7M annual borrowing for FY25 (BED, City and BSD);
2. Resolution for up to \$5.8M capital improvement bonds (voter approved March 2022);
3. Resolution for up to \$7.7M in bonds for BSD Integrated Arts Academy (voter approved March 2017); and
4. Resolution for up to \$15M in bonds for the Burlington High School (voter approved November 2022).

Please note that we expect the true interest cost for any and all financing to be less than 6.5% and will come back to the Board of Finance for additional approval if the true interest cost exceeds 6.5%.

For ease, these resolutions may be considered as a slate.

Specifics

1. The first Resolution is for \$7M in annual borrowing for FY25, specifically \$2M to accommodate the working capital and capital improvement needs of the City; \$3M for capital improvements, additions and replacements required for the efficient operation of BED; and \$2M to accommodate the working capital and capital improvement, additions and replacements required for the efficient and economical operation of BSD.
2. The second Resolution is for up to \$5.8M of capital improvement bonds, which is a part of the March 1, 2022, annual meeting vote to authorize City Council to issue general obligation bonds in an aggregate amount not to exceed \$23.8M. Note that on June 27, 2022 the City Council approved the issuance of general obligation bonds of \$13M and on July 24, 2023 the City Council approved the issuance of general obligation bonds of \$5M.

3. The third Resolution is for up to \$7.7M in bonds for the BSD Integrated Arts Academy. On March 7, 2017, voters approved a ballot question and authorized the City Council to issue general obligation bonds in an amount not to exceed \$19M. Pursuant to such voter authorization, the City previously issued its \$300,000 General Obligation Public Improvement Bonds Series 2017C, its \$6M General Obligation Public Improvement Bonds Series 2018B, its \$2M General Obligation Public Improvement Bonds Series 2023A, and its \$7.7M General Obligation Public Improvement Bonds Series 2024A for Burlington School District. The Board of School Commissioners, at its board meeting held June 25, 2024, has requested that the City Council issue general obligation bonds or notes in a principal amount not to exceed \$7.7M pursuant.
4. The fourth Resolution is for up to \$15M in bonds for the Burlington High School. On November 8, 2022, voters of the City of Burlington authorized the City Council to issue general obligation bonds or notes in an aggregate amount not to exceed \$165M. Pursuant to such voter authorization, the City previously issued its \$130M General Obligation Public Improvement Bonds Series 2023A, of which \$40M in principal amount was to be used to refinance a prior note issued, and its \$15M General Obligation Public Improvement Bonds Series 2024A for the Burlington School District. The Board of School Commissioners, at its June 25, 2024 meeting, requested that the City Council approve the issuance of \$15M of bonds or notes pursuant to the November 8, 2022 voter approval, for the Project.

Board of Finance Motion

Move to approve and recommend that the City Council adopt the following resolutions related to FY24 borrowing:

1. Resolution for the \$7M annual borrowing for FY25 (BED, City and BSD);
2. Resolution for up to \$5.8M capital improvement bonds (voter approved March 2022);
3. Resolution for up to \$7.7M in bonds for BSD Integrated Arts Academy (voter approved March 2017); and
4. Resolution for up to \$15M in bonds for the Burlington High School (voter approved November 2022).

City Council Motion

To approve the attached Resolutions;

Resolution Relating to

AUTHORIZATION FOR CAPITAL PUBLIC
IMPROVEMENT INFRASTRUCTURE BONDS – MARCH 1,
2022 VOTER AUTHORIZATION

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:

1 That WHEREAS, at a special meeting held on March 1, 2022, voters of the City of Burlington, by in excess
2 of 2/3rds of the voters voting at such meeting, authorized the City Council to issue general obligation bonds or
3 notes in one or more series in an aggregate principal amount not to exceed Twenty Three Million Eight
4 Hundred Thousand Dollars and 00/100 (\$23,800,000.00) for the purpose of funding capital improvement
5 infrastructure projects of the City and its departments (the “Projects”); and

6 WHEREAS, pursuant to such voter authorization, the City Council by Resolution adopted June 27,
7 2022, approved the issuance of general obligation bonds and notes in a principal amount not to exceed
8 Thirteen Million Dollars (\$13,000,000) of the total amount approved, which bonds were issued August 31,
9 2022 as the General Obligation Public Improvement Bonds, Series 2022A; and

10 WHEREAS, pursuant to such voter authorization, the City Council by Resolution adopted July 24,
11 2023, approved the issuance of general obligation bonds and notes in a principal amount not to exceed Five
12 Million Dollars (\$5,000,000) of the total amount approved, which bonds were issued September 13, 2023 as
13 the General Obligation Public Improvement Bonds, Series 2023A; and

14 WHEREAS, the City Council now intends to approve the issuance of general obligation bonds or notes
15 in a principal amount not to exceed Five Million Eight Hundred Thousand Dollars (\$5,800,000) representing
16 the balance of the total amount approved by the voters, to be issued in one or more series to finance a portion
17 of the Projects for the City and its departments (the “Bonds”); and

18 WHEREAS, the City expects to engage in the process of soliciting proposals from qualified
19 underwriting firms and financial institutions to sell, in a competitive or negotiated sale, the Bonds to finance
20 the Projects; and

21 WHEREAS, the City intends to use the proceeds of tax-exempt bonds or other debt to pay the costs of
22 the Projects, and may incur some capital costs prior to the issuance of the Bonds to finance the Projects of the
23 City and its departments; and

24 NOW, THEREFORE, BE IT RESOLVED that the City Council has determined that it is necessary to
25 pledge the credit of the City and to issue the Bonds in connection therewith in the principal amount not to
26 exceed Five Million Eight Hundred Thousand Dollars (\$5,800,000); and

27 BE IT FURTHER RESOLVED that such Bonds may be sold in a private placement, public offering,
28 competitive sale, or negotiated sale with one or more underwriters or underwriting firms, and may be sold and
29 issued together with other general obligation bonds of the City; and

30 BE IT FURTHER RESOLVED that the pledging of the City's credit for such Bonds is hereby
31 authorized, with the amount of indebtedness and the form of the evidence of indebtedness to be issued, the
32 interest rates, and payment schedule to be determined by the Chief Administrative Officer; provided that the
33 true interest cost for the Bonds as determined by the Chief Administrative Officer, the Director of Finance, or
34 the Assistant Director of Finance shall not exceed six and one-half percent (6.50%) per annum; and

35 BE IT FURTHER RESOLVED that in the event that the true interest cost of the Bonds would exceed
36 six and one-half percent (6.50%) per annum, the prior approval of the City's Board of Finance shall be
37 required; and

38 BE IT FURTHER RESOLVED that the Bonds, when issued and delivered, shall be valid and binding
39 general obligations of the City payable according to the terms and tenor thereof from unlimited *ad valorem*
40 taxes duly assessed on the grand list of all taxable property in the City; and

41 BE IT FURTHER RESOLVED that the Mayor, the Chief Administrative Officer, the Director of
42 Finance, and the Assistant Director of Finance are, and each one of them is, hereby authorized and directed to
43 prepare one or more Official Statements of the City as they deem necessary in the City's best interest. The
44 Mayor, the Chief Administrative Officer, the Director of Finance, and the Assistant Director of Finance are,
45 and each one of them is, hereby authorized to execute and deliver one or more final Official Statements and to
46 execute and deliver such agreements approved as to form by legal counsel, including one or more bond
47 purchase agreement with the underwriter or underwriters for the Bonds, continuing disclosure certificates,
48 certificates as to use of proceeds and all other documents, agreements and instruments necessary or convenient
49 in connection with the issuance of the Bonds; and

50 BE IT FURTHER RESOLVED that, in order to obtain efficiency in the issuance of such Bonds,
51 reduce transaction expenses, and seek the potential opportunity for more favorable interest rates, the Chief
52 Administrative Officer may combine the issuance of the Bonds in one or more series with other bonds or notes
53 as authorized by the City Council for other capital projects; and

54 BE IT FURTHER RESOLVED that, if in the opinion of the Chief Administrative Officer it is
55 desirable and in the City’s best interest to obtain bond insurance for the Bonds, the Mayor, the Chief
56 Administrative Officer, the Director of Finance, and the Assistant Director of Finance are, and each one of
57 them is, hereby authorized to enter into such agreements and instruments approved as to form by legal counsel
58 with the bond insurer in order to obtain bond insurance for the Bonds; and

59 BE IT FURTHER RESOLVED that it is the official intent of the City Council to reimburse some
60 capital expenditures made during the City’s 2025 fiscal year in furtherance of the Projects, in an amount not to
61 exceed \$1,000,000 in the aggregate, with the proceeds of tax-exempt bonds, in accordance with the
62 requirements of Section 1.150-2 of the Treasury Regulations adopted under the Internal Revenue Code of
63 1986, as amended; and

64 BE IT FURTHER RESOLVED that the City reasonably expects on the date hereof that it will
65 reimburse such expenditures with the proceeds of tax-exempt bonds; and

66 BE IT FURTHER RESOLVED that the City’s Chief Administrative Officer, the Director of Finance,
67 and the Assistant Director of Finance are each further authorized to declare additional notices of official intent
68 to reimburse capital expenditures made in furtherance of the Projects with the proceeds of tax-exempt bonds.

69
70
71
72

Resolution Relating to

AUTHORIZATION FOR PUBLIC IMPROVEMENT BONDS
FOR FISCAL YEAR 2025

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:

- 1 That WHEREAS, Section 62(f)(1) of the City Charter authorizes the City’s Chief Administrative Officer,
- 2 when authorized by the City Council, to borrow money on the credit of the City in an amount not to exceed
- 3 Two Million Dollars (\$2,000,000) in any fiscal year to accommodate the working capital and capital
- 4 improvement needs of the City and to so pledge the credit of the City in such amount for such purposes; and
- 5 WHEREAS, Section 63(a) of the City Charter authorizes the City Council, upon prior recommendation
- 6 of the Board of Electric Commissioners, if it finds that is necessary, to pledge the credit of the City in an
- 7 amount not to exceed Three Million Dollars (\$3,000,000) in any fiscal year for the purposes of providing
- 8 capital improvements, additions and replacements required for the efficient operation of the Electric
- 9 Department, to so pledge the credit of the City for such purposes; and
- 10 WHEREAS, at its meeting held May 8, 2024, the Board of Electric Commissioners recommended that
- 11 the Chief Administrative Office pledge the credit of the City in the amount of Three Million Dollars
- 12 (\$3,000,000) for capital improvements for the Electric Department; and
- 13 WHEREAS, Section 62(f)(3) of the City Charter authorizes the City’s Chief Administrative Officer,
- 14 when authorized and directed by the Board of School Commissioners and the City Council, to borrow money
- 15 on the credit of the City in an amount not to exceed Two Million Dollars (\$2,000,000) in any fiscal year to
- 16 accommodate the working capital and capital improvement, additions and replacements required for the
- 17 efficient and economical operation of the School Department and to so pledge the credit of the City in such
- 18 amount for such purpose; and
- 19 WHEREAS, at its meeting held June 25, 2024, the Board of School Commissioners authorized and
- 20 directed the City’s Chief Administrative Officer, with approval of the City Council, to pledge the credit of the
- 21 City in an aggregate principal amount of Two Million Dollars (\$2,000,000), together with a request for
- 22 additional bond issuance for the Burlington High School Project and capital improvements for the Burlington
- 23 School District Integrated Arts Academy; and

24 WHEREAS, it is expected that the Chief Administrative Officer will solicit proposals from qualified
25 banks and financial institutions for the purchase and sale of bonds and notes to provide funds to finance such
26 capital improvements authorized under Sections 62 and 63 of the City Charter; and

27 WHEREAS, the City Council has found and determined that it is in the interest of the City to borrow the
28 principal amount of Seven Million Dollars (\$7,000,000) during fiscal year 2025 in the form of one or more bonds
29 or notes in order to have available money with which to defray the cost of capital improvement(s) for the City, the
30 City's School District, and the City's Electric Department, as authorized by the City Charter; and

31 WHEREAS, the City Council wishes to authorize the Mayor, the Chief Administrative Officer, the
32 Director of Finance, and the Assistant Director of Finance, to approve the final terms of such bonds and notes;

33 NOW, THEREFORE, BE IT RESOLVED that the City Council has determined that it is necessary to
34 pledge the credit of the City and to issue bonds or notes, in one or more series, in a principal amount not to
35 exceed Seven Million Dollars (\$7,000,000) in the aggregate (the "Bonds") to finance the public improvements
36 and related costs attributable to projects for the City, the City's School Department, and the City's Electric
37 Department as authorized by Sections 62 and 63 of the City Charter; and

38 BE IT FURTHER RESOLVED that such Bonds may be sold in a private placement, public offering,
39 competitive sale, or negotiated sale with one or more lenders, underwriters or underwriting firms, and, if
40 issued through a negotiated offering, the City may enter into a loan agreement or bond purchase agreement
41 with the lender or the underwriter, as the case may be, for such purpose; and

42 BE IT FURTHER RESOLVED that the pledging of the City's credit for such Bonds is hereby
43 authorized, with the amount of indebtedness and the form of the evidence of indebtedness to be issued, the
44 interest rates, and payment schedule, to be further determined by the Chief Administrative Officer, the
45 Director of Finance, or the Assistant Director of Finance; and

46 BE IT FURTHER RESOLVED that the Bonds, when issued and delivered, shall be valid and binding
47 general obligations of the City payable according to the terms and tenor thereof from unlimited *ad valorem*
48 taxes duly assessed on the grand list of all taxable property in the City and, with respect to the portion issued
49 for the school department, from the Burlington School District funds received from the State of Vermont
50 Education Fund; and

51 BE IT FURTHER RESOLVED that the Mayor, the Chief Administrative Officer, the Director of
52 Finance, and the Assistant Director of Finance are, and each one of them is, hereby authorized and directed to
53 prepare one or more offering documents of the City as they deem necessary in the City's best interest. The
54 Mayor, the Chief Administrative Officer, the Director of Finance, and the Assistant Director of Finance are,
55 and each one of them is, hereby authorized to execute and deliver such agreements approved as to form by

legal counsel, including one or more loan agreements or bond purchase agreements with the lender or underwriter for the Bonds, certificates as to use of proceeds and all other documents, agreements and instruments as may be necessary or convenient in connection with the issuance of the Bonds; and

BE IT FURTHER RESOLVED that if, in the opinion of the Chief Administrative Officer, it is desirable and in the City's best interest to obtain bond insurance for the Bonds, the Mayor, the Chief Administrative Officer, the Director of Finance, and the Assistant Director of Finance are, and each one of them is, hereby authorized to enter into such agreements and instruments approved as to form by legal counsel with the bond insurer in order to obtain bond insurance for the Bonds; and

BE IT FURTHER RESOLVED that, in order to obtain efficiency in the issuance of such Bonds, and to reduce transaction expenses and seek the potential opportunity for more favorable interest rates, the Chief Administrative Officer may combine the issuance of the Bonds in one or more series with other bonds or notes as authorized by the City Council for other capital projects; and

BE IT FURTHER RESOLVED that it is the official intent of the City Council to reimburse some capital expenditures made for capital improvements for the City, its school department, the electric department and the City, an amount not to exceed \$1,500,000 in the aggregate, with the proceeds of tax-exempt bonds, in accordance with the requirements of Section 1.150-2 of the Treasury Regulations adopted under the Internal Revenue Code of 1986, as amended. The City reasonably expects on the date hereof that it will reimburse such expenditures with the proceeds of tax-exempt bonds; and

BE IT FURTHER RESOLVED that the City's Chief Administrative, the Director of Finance, and the Assistant Director of Finance are each further authorized to declare additional official notices of intent to reimburse capital expenditures made in furtherance of such capital improvements for the City and its departments with the proceeds of tax-exempt bonds.

Resolution Relating to

AUTHORIZATION FOR PUBLIC IMPROVEMENT BONDS
FOR SCHOOL DISTRICT CAPITAL IMPROVEMENTS –
MARCH 7, 2017 VOTER AUTHORIZATION

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:

- 1 That WHEREAS, on March 7, 2017, voters of the City of Burlington approved a ballot question and
2 authorized the City Council to issue general obligation bonds or notes in an aggregate principal amount not to
3 exceed Nineteen Million Dollars and 00/100 (\$19,000,000.00) for the purpose of accomplishing capital
4 improvements at each of the school district's buildings in order to eliminate or substantially reduce the
5 deferred maintenance of such buildings in order to preserve their value for future educational use; and
6 WHEREAS, pursuant to such voter authorization, the City previously issued its \$300,000 General
7 Obligation Public Improvement Bonds Series 2017C, its \$6,000,000 General Obligation Public Improvement
8 Bonds Series 2018B, and its \$2,000,000 General Obligation Public Improvement Bonds Series 2023A for the
9 Burlington School District; and
10 WHEREAS, the Board of School Commissioners (the “Board”) of the Burlington School District, at its
11 board meeting held June 25, 2024, has requested that the City Council issue general obligation bonds or notes
12 in a principal amount not to exceed Seven Million Seven Hundred Thousand Dollars (\$7,700,000) pursuant to
13 the March 7, 2017 voter authorization to finance capital improvements, additions and replacements to the
14 Integrated Arts Academy, including site improvements for such school building (the “Project”); and
15 WHEREAS, the Board of the Burlington School District is pursuing grants for the Project that may
16 reduce the principal amount of bonds or notes needed for the Project; and
17 WHEREAS, while the School Department is managed by the Board, whose members are separately
18 elected from the City Council, the City Council is responsible for the issuance of bonds for school purposes;
19 and
20 WHEREAS, the Board of School Commissioners is required under the City Charter to allocate
21 sufficient funds for the payment of the principal and interest due or coming due on City bonds issued for
22 school purposes; and
23 WHEREAS, the City Council, upon the request of the Board, wishes to approve the issuance of such
24 general obligation public improvement bonds in a principal amount not to exceed Seven Million Seven
25 Hundred Thousand Dollars (\$7,700,000) pursuant to the voter authorization;

26 NOW, THEREFORE, BE IT RESOLVED that the City Council has determined that it is necessary to
 27 pledge the credit of the City in an aggregate principal amount not to exceed Seven Million Seven Hundred
 28 Thousand Dollars and 00/100 (\$7,700,000.00) and to issue general obligation public improvement bonds or
 29 notes for such purpose (the “Bonds”); and

30 BE IT FURTHER RESOLVED that such Bonds may be sold in a private placement, competitive
 31 public offering, or negotiated sale with one or more underwriters or underwriting firms, and may be sold and
 32 issued with the other general obligation bonds or notes approved by the City Council; and

33 BE IT FURTHER RESOLVED that such Bonds may be sold and issued as short-term bonds or notes
 34 while grant applications are still pending for the Project; and

35 BE IT FURTHER RESOLVED that the pledging of the City's credit for such Bonds is hereby
 36 authorized, with the amount of indebtedness and the form of the evidence of indebtedness to be issued, the
 37 interest rates, and payment schedule to be further determined by the Chief Administrative Officer; provided
 38 that the true interest cost for the Bonds as determined by the Chief Administrative Officer, shall not exceed six
 39 and one-half percent (6.50%) per annum; and

40 BE IT FURTHER RESOLVED that in the event that the true interest cost of the Bonds would exceed
 41 six and one-half percent (6.50%) per annum, the prior approval of the City's Board of Finance shall be
 42 required; and

43 BE IT FURTHER RESOLVED that the Bonds, when issued and delivered, shall be valid and binding
 44 general obligations of the City payable according to the terms and tenor thereof from unlimited *ad valorem*
 45 taxes duly assessed on the grand list of all taxable property in the City and from the Burlington School District
 46 funds received from the State of Vermont Education Fund; and

47 BE IT FURTHER RESOLVED that the Mayor, the Chief Administrative Officer, the Director of
 48 Finance, and the Assistant Director of Finance are, and each one of them is, hereby authorized and directed to
 49 prepare one or more Official Statements of the City as they deem necessary in the City's best interest. The
 50 Mayor, the Chief Administrative Officer, the Director of Finance, and the Assistant Director of Finance are,
 51 and each one of them is, hereby authorized to execute and deliver one or more final Official Statements and to
 52 execute and deliver such agreements approved as to form by legal counsel, including one or more bond
 53 purchase agreement with the underwriter or underwriters for the Bonds, continuing disclosure certificates,
 54 certificates as to use of proceeds and all other documents, agreements and instruments necessary or convenient
 55 in connection with the issuance of the Bonds; and

56 BE IT FURTHER RESOLVED that, in order to obtain efficiency in the issuance of the Bonds, reduce
57 transaction expenses, and seek the potential opportunity for more favorable interest rates, the Chief
58 Administrative Officer may combine the issuance of the Bonds in one or more series with other bonds or notes
59 as authorized by the City Council for other capital projects; and

60 BE IT FURTHER RESOLVED that, if in the opinion of the Chief Administrative Officer, it is
61 desirable and in the City's best interest to obtain bond insurance for the Bonds, the Mayor, the Chief
62 Administrative Officer, the Director of Finance, and the Assistant Director of Finance are, and each one of
63 them is, hereby authorized to enter into such agreements and instruments approved as to form by legal counsel
64 with the bond insurer in order to obtain bond insurance for the Bonds; and

65 BE IT FURTHER RESOLVED that it is the official intent of the City Council to reimburse some
66 capital expenditures made during the City's 2025 fiscal year in furtherance of the Project in an amount not to
67 exceed \$2,000,000 in the aggregate, with the proceeds of tax-exempt bonds, in accordance with the
68 requirements of Section 1.150-2 of the Treasury Regulations adopted under the Internal Revenue Code of
69 1986, as amended; and

70 BE IT FURTHER RESOLVED that the City reasonably expects on the date hereof that it will
71 reimburse such expenditures with the proceeds of tax-exempt bonds; and

72 BE IT FURTHER RESOLVED that the City's Chief Administrative Officer, the Director of Finance,
73 and the Assistant Director of Finance, are each further authorized to declare additional notices of official intent
74 to reimburse capital expenditures made in furtherance of the Project with the proceeds of tax-exempt bonds.

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TM/Resolutions 2024/Authorization for Public Improvement Bonds for School District Capital Improvements – March 7, 2017 Voter Authorization
July 8, 2024

Resolution Relating to

AUTHORIZATION FOR SCHOOL DISTRICT CAPITAL
IMPROVEMENT BONDS FOR BURLINGTON HIGH
SCHOOL – NOVEMBER 8, 2022 VOTER
AUTHORIZATION

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:

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- That WHEREAS, at a special meeting held on November 8, 2022, voters of the City of Burlington authorized the City Council to issue general obligation bonds or notes in one or more series in an aggregate principal amount not to exceed One Hundred Sixty-Five Million Dollars and 00/100 (\$165,000,000.00) for the purpose of making capital improvements to Burlington High School and Burlington Technical Center, including new construction (the “Project”); and
- WHEREAS, by resolution adopted July 24, 2023, the City Council approved the issuance of up to an aggregate principal amount of One Hundred Thirty Million Dollars (\$130,000,000) of bonds or notes, in one or more series, pursuant to the November 8, 2022 voter approval, of which Forty Million Dollars (\$40,000,000) in principal amount was to be used to refinance a prior note issued in anticipation of issuance of a bond; and
- WHEREAS, pursuant to such authorization, the office of the Chief Administrative Officer undertook a solicitation of proposals in a competitive process from qualified financial institutions, and, on September 13, 2023, the City issued its General Obligation Public Improvements Bonds, Series 2023A, of which \$130,000,000 in principal amount of such bonds was issued for the Project and pursuant to the November 8, 2022 voter authorization; and
- WHEREAS, while the School Department is managed by a Board of School Commissioners, whose members are separately elected from the City Council, the City Council is responsible for the issuance of bonds for school purposes; and
- WHEREAS, the Board of School Commissioners is required under the City Charter to allocate sufficient funds for the payment of the principal and interest due or coming due on City bonds issued for school purposes; and
- WHEREAS, the Board of School Commissioners, by motion adopted by the Board of School Commissioners at its June 25, 2024 meeting, requested that the City Council approve the issuance of Fifteen Million Dollars (\$15,000,000) of bonds or notes pursuant to the November 8, 2022 voter approval, for the Project; and

AUTHORIZATION FOR SCHOOL DISTRICT CAPITAL IMPROVEMENT
BONDS FOR BURLINGTON HIGH SCHOOL – NOVEMBER 8, 2022
VOTER AUTHORIZATION

26 WHEREAS, the City Council now wishes to approve the issuance of up to an aggregate principal
27 amount of Fifteen Million Dollars (\$15,000,000) of bonds or notes, in one or more series, pursuant to the
28 November 8, 2022 voter approval, with the expectation that additional amounts may be issued at later dates,
29 subject to the maximum amount approved by the voters at the November 8, 2022 special meeting of the City;

30 NOW, THEREFORE, BE IT RESOLVED that the City Council has determined that it is necessary to
31 pledge the credit of the City and to issue bonds or notes, in one or more series, in an aggregate principal
32 amount not to exceed Fifteen Million Dollars and 00/100 (\$15,000,000.00) (the “Bonds”), to finance costs of
33 the Project, as approved by the voters at the November 8, 2022 meeting; and

34 BE IT FURTHER RESOLVED that such Bonds may be sold in a private placement, public offering, or
35 negotiated sale with one or more lenders, underwriters or underwriting firms; may be sold and issued with
36 other general obligation bonds or notes approved by the City Council; and, if issued through a negotiated
37 offering, the City may enter into a loan agreement or bond purchase agreement approved as to form by legal
38 counsel with the lender or the underwriter, as the case may be, for such purpose; and

39 BE IT FURTHER RESOLVED that the pledging of the City’s credit for such Bonds is hereby
40 authorized, with the amount of indebtedness and the form of the evidence of indebtedness to be issued, the
41 interest rates, and payment schedule, to be further determined by the Chief Administrative Officer, the
42 Director of Finance, or the Assistant Director of Finance; provided that the true interest cost for the Bonds as
43 determined by the Chief Administrative Officer shall not exceed six and one-half percent (6.50%) per annum;
44 and

45 BE IT FURTHER RESOLVED that in the event that the true interest cost of the Bonds would exceed
46 six and one-half percent (6.50%) per annum, the prior approval of the City’s Board of Finance shall be
47 required; and

48 BE IT FURTHER RESOLVED that the Bonds, when issued and delivered, shall be valid and binding
49 general obligations of the City payable according to the terms and tenor thereof from unlimited *ad valorem*
50 taxes duly assessed on the grand list of all taxable property in the City and from the Burlington School District
51 funds received from the State of Vermont Education Fund; and

52 BE IT FURTHER RESOLVED that the Mayor, the Chief Administrative Officer, the Director of
53 Finance, and the Assistant Director of Finance are, and each one of them is, hereby authorized and directed to
54 prepare one or more official statement(s) of the City, as they deem necessary in the City’s best interest. The
55 Mayor, the Chief Administrative Officer, the Director of Finance, and the Assistant Director of Finance are,
56 and each one of them is, hereby authorized to execute and deliver one or more final official statements and to

execute and deliver such agreements approved as to form by legal counsel, including one or more loan agreements or bond purchase agreements with the lender, underwriter or purchaser of the Bonds, certificates as to use of proceeds and all other documents, agreements and instruments as may be necessary or convenient in connection with the issuance of the Bonds; and

BE IT FURTHER RESOLVED that if, in the opinion of the Chief Administrative Officer, it is desirable and in the City's best interest to obtain bond insurance for the Bonds, the Mayor, the Chief Administrative Officer, the Director of Finance, and the Assistant Director of Finance are, and each one of them is, hereby authorized to enter into such agreements and instruments approved as to form by legal counsel with the bond insurer in order to obtain bond insurance for the Bonds; and

BE IT FURTHER RESOLVED that, in order to obtain efficiency in the issuance of such Bonds, reduce transaction expenses, and seek the potential opportunity for more favorable interest rates, the Chief Administrative Officer may combine the issuance of the Bonds in one or more series with other bonds or notes as authorized by the City Council for other capital projects.

TM/Resolutions 2024/Authorization for School District Capital Improvement Bonds for Burlington High School – November 8, 2022 Voter
Authorization
July 8, 2024

Board of Finance and City Council Submission Checklist

Darlene Bayko, Asst. Director of
Finance/Brad Kukenberger, Director
of Finance

Department: Clerk Treasurer Office Submitter: of Finance

Title/Subject: \$35,500,000 Annual Fiscal year Borrowing

	Approval:	Meeting Date:
☒	Board of Finance	7/8/2024
☒	City Council	7/15/2024
☐	Concurrent	Click or tap to enter a date.

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	7/01/2024	Forwarded to attorney's & Mayor's office on 7/02/2024
Mayor's Office informed and approved memo	Yes	7/03/2024	Click or tap here to enter text.
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	N/A		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	7/2/2024	Click or tap here to enter text.
CAO has reviewed budget, financing, and memo	Yes	7/02/2024	Click or tap here to enter text.
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?	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	Attorney's office sent final resolutions 7/03/24

Board of Finance and City Council Submission Checklist

If for submission to Council, are sponsors identified?	Choose an item.	Click or tap here to enter text.
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