BURLINGTON BOARD OF FINANCE
BUSHOR CONF. ROOM, FIRST FLOOR, CITY HALL *OR*
REMOTE MEETING WITH CALL-IN NUMBER
BURLINGTON, VERMONT
MINUTES OF MEETING
DRAFT
August 5, 2024

MEMBERS PRESENT:	Mark Barlow Sarah E Carpenter Joe Kane (via Zoom) Katherine Schad (for Emma Mulvaney-Stanak)
OTHERS PRESENT:	Joe McNeil Cindi Wight Chapin Spencer Brian Pine Stephen Petit Corey Mims Emma Feeney Madeline Suender Laura Wheelock Lee Perry Dave Hammond Shannon Trammell Darren Springer Emily Stebbins-Wheelock

1.0 CALL TO ORDER and AGENDA

1.1 Motion to amend/adopt the agenda
Chief Administrative Officer Schad called the Board of Finance meeting to order at 5:38 PM

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

VOTING: unanimous; motion carries.

2.0 PUBLIC FORUM

2.1 Verbal Comments
Sharon Bushor spoke about several items on the agenda. She asked whether the Intervale lease has been reviewed by the Conservation Board and whether the Board had any recommendations about mitigation for parts of the parcels that are at risk for flooding and any

recommendations about buffer zone considerations for the stands of silver maples in the parcels. She also noted that the UVM land swap item does not solve the issue of alignment for the intersection of Pearl and Prospect Streets, and expressed disappointment that this item did not go back before the ward in question to determine whether residents and UVM students feel that the current solution (as opposed to the land swap proposal) is working well. She further asked about the cost of the item related to the Miller Center lease. Director Wight replied regarding the Intervale lease, noting that staff have been in communication with the Conservation Board regarding this property since 2012 and the Board has focused on using the leased land for vegetable production and not livestock or monoculture. She further noted that restoration efforts have been underway to create a buffer along the Winooski River on the parcel and that over 2,000 restoration trees have been planted on site for this buffer. Director Spencer spoke about the UVM/City land swap, saying that the City Council and Transportation. Energy, and Utilities Committee (TEUC) have reviewed the plans, noting that it is financially advantageous and the improvements to the intersection are advantageous as well. He said that the project qualifies under the VTrans safety program due to its crash history and that the State will cover 100% of the intersection improvements other than non-participating costs.

3.0 CONSENT AGENDA

3.1 Motion to adopt the consent agenda and take the actions indicated.
3.2 June 24, 2024 Board of Finance Meeting Minutes, Draft – approve the minutes.
3.3 July 8, 2024 Board of Finance Meeting Minutes, Draft – approve the minutes.
3.4 Monthly Financial Review – Budget to Actual as of June 30th, 2024 – C/T – waive the reading, accept the communication, and place it on file.
3.5 Lease of McKenzie Park – BPRW – approve and recommend that the City Council authorize the lease of 22.32 acres of McKenzie Park to the Intervale Center for a ten-year period for commercial agricultural purposes, 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.
3.6 Court Diversion Grant Amendment #02100-FY24/25-CN – CJC – approve and recommend that the City Council approve the acceptance of the State of Vermont Grant Amendment Award #02100-Fy24/25-CN, in the amount of $632,522, which will extend the court diversion and pretrial services being provided by the BCJC to June 30, 2025, and to authorize CEDO Director Brian Pine to sign the grant agreement, and to take such further actions or to execute such further instruments as may be necessary or convenient to effectuate the transactions contemplated hereby.
3.7 Department of Corrections Grant: "Safer Communities" (Grant Amendment #03520-1578) – CJC – approve and recommend that the City Council approve and 1. Authorize the CEDO Director to accept and execute a second amendment to the State Grant #03520-1578 in the amount of $357,160 for FY25 subject to review and approval of the City Attorney and to take such further actions and execute such further instruments approved as to form by the City Attorney as may be necessary or convenient to effectuate the transactions contemplated hereby; and 2. Authorize the CAO or their designee to effectuate any budget amendments necessary to reflect the necessary changes to the FY25 budget lines associated with the grant.
3.8 UVM – City Land Swap at Pearl and Prospect Intersection – DPW – approve and recommend that the City Council authorize the proposed land swap agreement with the University of Vermont, as outlined in the attached Agreement and summarized in this memo, and to authorize the necessary actions to effectuate the agreement.
3.9 Approval to Enter into Contract with Sandri Energy LLC, for the City of Burlington's Fuel Supply – DPW – approve and recommend that the City Council authorize the Department of Public Works Director, Chapin Spencer, or their successor or designee: 1. To enter into a five-year agreement with Sandri Energy, LLC, to supply the City of Burlington with gasoline and diesel fuel services, for a price of $0.10 over Sunoco rack price at their Burlington Vermont terminal, subject to review and approval of the City Attorney's Office; 2. To execute future extensions following the initial five-year term of the agreement approved as to form by the City Attorney's Office, for so long as any increase in price over Sunoco rack price at the Burlington Vermont terminal does not exceed the increase in CPI-U from the effective date of the agreement.

3.10 City Arts West Window Restoration – BPRW – approve and authorize the execution of a contract with Heritage Environmental Projects, Inc., for a price not to exceed $80,000.00, to complete exterior window restoration at the Burlington City Arts Center, plus a project contingency of $4,000.00, for a total authorized project expenditure not to exceed $84,000.00; and to authorize Cindi Wight, Director of Parks, Recreation & Waterfront, to execute the contract, any related documents, and any future amendments needed to carry out the project and utilize the contingency as necessary, subject to review by the City Attorney's Office.
3.11 Burlington Police Department Front Canopy Renovation – BPRW – approve and recommend that the City Council approve and authorize the execution of a contract with Polli Construction, Inc., for a price not to exceed $174,175 for the Burlington Police Department Canopy Renovation project, and to authorize a project contingency in the additional amount of $17,000 for a total authorized project expenditure not to exceed $191,175; and to further authorize Cindi Wight, Director of Parks, Recreation, and Waterfront, to execute the contract, any related documents, and contract amendments needed to carry out the project and utilize the contingency as necessary, subject to the review of the City Attorney's Office.
3.12 FY25 Vehicle Purchase Recommendation – DPW – 1. Approve and recommend that the City Council approve the proposed FY25 Fleet Purchasing List as detailed in Attachment E cost chart, and authorize the Director of the Department of Public Works to purchase the vehicles listed therein, for a total authorized expenditure in an amount not to exceed $343,200.00; 2. Approve and recommend that the City Council authorize the Chief Administrative Officer to increase the foregoing authorization if necessary by not more than 15% by budget-neutral amendment, without further approval from the Board of Finance or City Council; and 3. Approve and recommend that the City Council authorize the Director of the Department of Public Works or designee to dispose of the FY25 replaced vehicles/equipment through any of the following means, as they shall in their reasonable judgement determine to be in the City's best interest, and to take such further actions and execute such further instructions approved as to form by the City Attorney as may be necessary or convenient to effectuate the transactions contemplated hereby: auction the vehicles/equipment through any of various online public auctions; by trade-in where vehicle/equipment is being purchased; or, if the vehicle is of no value to the vendor, Fleet Management will have the vehicle/equipment hauled away for scra at the current market price.

MOTION by Councilor Barlow, SECOND by Councilor Carpenter, to adopt the consent agenda and take the actions indicated for items 3.1-3.12.

VOTING: unanimous; motion carries.

4.0 DELIBERATIVE AGENDA

4.1 Creation of one position at CJC – CJC/HR
Director Pine said that this item relates to responding to the increased workload placed on the CJC, noting that the Attorney General's Office has provided 75% of the funding to staff this position for one year, and that the remainder will be funded by CEDO's administrative budget.

MOTION by Councilor Carpenter, SECOND by Councilor Barlow, to approve and recommend that the City Council approve the creation of the Data, Communications and Operations Specialist position within CEDO, a Limited Service, Full-time, Union, Grade 14, position.

VOTING: unanimous; motion carries.

4.2 Burlington Fire Department – Lateral Hiring – Fire
Deputy Chief of Administration Petit said that this item is supported by the Fire Department administration as well as the Burlington Fire Fighter's Association. He said that they would like to incentivize and recruit lateral hiring to the department of employees who are

experienced firefighter EMTs, who have worked jobs in similar environments. He said that this would allow for better recruitment and retention, as well as reduce the amount of time spent training new employees before they are allowed to be active. He said that the current Recruit Academy training is 22 weeks, and they are proposing reducing that for this type of lateral hire to between 4 and 6 weeks. He said that they would also offer incentives to current employees who would have qualified for this benefit, by offering them free years of credit toward step increases and length of service requirements for promotional opportunities.

Councilor Barlow asked if there is a current lateral hire process in place. Deputy Chief of Administration Petit replied that there is currently no lateral hiring process and that any newly-hired firefighter EMT hired would need to start over completely in terms of length of service, beginning at a probationary step in salary, and would not have an incentive to be hired into those conditions.

Councilor Kane asked why incentives are being offered to current employees. Deputy Chief of Administration Petit replied that offering incentives to current employees who may have been newly hired but not eligible for the lateral hiring incentives absent this new policy is equitable and a way to ensure that employee satisfaction and retention are maintained into the future.

Councilor Carpenter asked about the proposal for lateral hires to cap at step 6 when they are hired, and Deputy Chief of Administration Petit replied that this is to ensure that new hires aren't at higher step and pay grade than supervisors. Councilor Carpenter said that accruals should also be taken into consideration in this policy, as that could be a dealbreaker for some lateral hires, and Deputy Chief of Administration Petit agreed that this is a point worth taking into consideration if this policy moves forward, in terms of future contract negotiations with the union.

MOTION by Councilor Barlow, SECOND by Councilor Carpenter, to approve and recommend that the City Council authorize the Chief of the Burlington Fire Department to execute a Memorandum Of Understanding with the Burlington Fire Fighters Association, allowing for the hiring of experienced firefighters/EMTs through a lateral hiring process, subject to the final review and approval of the City Attorney's Office.

VOTING: unanimous; motion carries.

4.3 Champlain Parkway Project Final Construction Contract – Award Authorization – DPW
Senior Public Works Engineer Mims said that this item seeks approval to award a final construction contract for the Champlain Parkway Project. He said that this is for the final phase of the project, and would entail finishing the Pine Street work and conducting improvements along that roadway, and redeveloping the section of roadway and ramps that connect to I-189. He said that they received 4 bids for this project, and that they came in below what was estimated for the engineering assessment of the contract. He said that the lowest bid came in at $14.4 million.

Councilor Barlow asked about efforts to mitigate the projected 9% increase in traffic that would result from this project, and asked about efforts to address concerns about the sequencing of this project with the Railyard Enterprise Project. Senior Public Works Engineer Mims replied that the 9% projected increase in traffic is based on the assumption of further redevelopment of the South End, which has not been seen at that assumed level. He said that once the project is completed, an immediate increase of 9% in traffic won't occur until some of that redevelopment occurs. He spoke about efforts in synchronization to better time traffic flow to mitigate some of those impacts to traffic, as well as improvements to safety around crosswalks and potential improvements to adjacent streets. He spoke about the Railyard Enterprise Project passing the milestone of receiving an Environmental Assessment, but said that now they are in the right-of-way acquisition phase, which is more difficult to predict in terms of timeline.

Councilor Kane asked about the potential for waiting to award the contract until other parts of the Railyard Enterprise Project move forward. Senior Public Works Engineer Mims replied that if they do not award the contract, the bids will likely not be held at their current pricing and may be resubmitted with higher pricetags. He also noted that there is dedicated funding for the Champlain Parkway project from federal and state partners that would be put at risk if the project is postponed from its current timeline. Director Spencer added that the City's relationship with state and federal partners is crucial for myriad other large projects in the City at this time. He said that he will support robust monitoring of this project to ensure that there are no unintended consequences and that the Railyard Enterprise Project remains a priority for the City.

Councilor Carpenter asked how the Champlain Parkway specifically will increase traffic on Pine Street, and Director Spencer replied that creating another connection to the interstate will create a pathway for vehicles outside of the City to enter it onto Pine Street, which is projected to modestly increase traffic (along with development in the South End).

MOTION by Councilor Barlow, SECOND by Councilor Carpenter, to approve and recommend that the City Council authorize the Director of Public Works to execute a contract with Engineers Construction Inc. (ECI) in an amount up to $14,392,262.50 with $1,439,226.25 (10%) in contingency funds, totaling up to $15,835,613.75, for the Champlain Parkway Final Construction Contract, subject to the final review and approval by the Office of the City Attorney.

VOTING: unanimous; motion carries.

4.4 Acceptance of 2A Grants for the Fletcher Free Library's Restoration & Preservation Project for the 1904 Carnegie Building portion of the Library – Library
Chief Administrative Officer Schad said that there are two grants that require acceptance under this item related to restoration projects at the Fletcher Free Library. She said that one is from the National Parks' Save America's Treasures Program for $500,000 and the other is from the State of Vermont's Historic Preservation Grant Program for $20,000. She said that both grants have local match ($500,000 and $20,000, respectively). She noted that it is generally difficult to find grant funding for renovating historic buildings.

MOTION by Councilor Carpenter, SECOND by Councilor Barlow, to 1. Approve and recommend that the City Council approve and authorize the Director of the Fletcher Free Library to accept and execute the Award Agreements with the following 2 funders for the Restoration & Preservation Project: NPS to accept a grant amount of $500,000 with a local match of $500,000 in City Capital funds, and ACCD to accept a grant amount of $20,000 with a local match of $20,000 in City Facility Capital funds. For both grants, the project costs are to be paid upfront by the City of Burlington and then reimbursed by NPS and ACCD for a total of $540,000. These funds are to be added to previously-accepted NEH grant and matching funds requests of $981,700 for a total FFL Restoration & Preservation Project budget of $2,021,700.00, subject to final review and approval by the City Attorney's Office and Chief Administrative Officer; and 2. Approve and recommend that the City Council approve and 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 support the proposed Fletcher Free Library's project budget for FY25 subject to final review and approval by the City Attorney's Office.

VOTING: unanimous; motion carries.

4.5 Authorization for Award and Execute the Construction Contract for Bridge Rail Repair – DPW

Public Works Engineer Suender said that this item relates to bridge guardrail repair for two bridges in the City (the Queen City Park Road bridge and the VT Route 127 Bridge), which have both sustained damage over time from vehicle crashes and general wear and tear. She noted that VTrans notified the City that the Route 127 bridge was in need of repair after an inspection in 2022, and the City obtained construction bids to repair that bridge and the Queen City Park Road bridge (which the City knew was also in need of repair). She noted that the successful bidder was Engineers Construction Inc., and that the construction contract is budgeted at $502,467 (including 10% contingency).

MOTION by Councilor Carpenter, SECOND by Councilor Barlow, to approve and recommend that the City Council authorize the Director of Public Works to execute a contract with Engineers Construction, Inc. in an amount of $456,789.00 with use of up to $45,678.00 in contingency for a total of $502,467.00 for construction services related to the Bridge Rail Repair contract, subject to review and approval of the Office of the City Attorney.

VOTING: unanimous; motion carries.

4.6 Fleet Telematics – DPW
Division Director Perry began by explaining that telematics are devices that can be installed in City fleet vehicles (trucks, tractors, backhoes, bucket loaders, etc) and equipped with GPS tracking and on-board vehicle diagnostics, to record and transmit real-time information about vehicles' locations, speeds, and maintenance servicing data. He said that it will help the City track the health of its fleet vehicles and could help right-size the fleet by identifying underutilized vehicles. He said that it will also help with tracking snow removal in winter, as the data could be leveraged to track which streets have been plowed or salted after a snowstorm.

MOTION by Councilor Barlow, SECOND by Councilor Carpenter, to approve and recommend that the City Council authorize the Chief Innovation Officer to enter into a three (3) year contract with Samsara Incorporated, to supply the City Fleet with their Telematics software & equipment as stated in Samsara's quote #Q-1396189, for a maximum limiting amount not to exceed $178,666.16., subject to review and approval of the City Attorney's Office.

VOTING: unanimous; motion carries.

4.7 Authorization to Sign a Contract for Body – Worn Cameras, Conducted Electrical Weapon, and Storage for BWC Footage with Axon Enterprises, Inc. – Police
Burlington Police Department (BPD) Executive Manager Trammell said that this relates to contracting for body-worn cameras (BWCs), conducted-electrical weapons (tasers), and unlimited BWC footage storage. She noted that the City is currently significantly over its limit for storage of camera footage, and that a statewide body camera footage storage policy has escalated the need for additional storage. She noted that the BPD's current supply of tasers is at the end of its useful life, and its current equipment is out of warranty and no longer supported by the vendor. She said that this would be for a contract over a five-year period of $1,393,969.92 (or $278,810.29 per year). She noted that in addition to the tasers, new NWCs, and unlimited data storage, the contractor is supplying the City with software support solutions (safety trainings) and is applying a credit to a renegotiated contract for monies paid by the City under the prior contract.

Councilor Carpenter asked about how other agencies are complying with data storage requirements and whether the City has explored storing footage itself. Executive Manager Trammell replied that not all agencies use BWCs and don't need storage, and said that she has committed to the Mayor's Office that she would look into the feasibility of storing footage at the City, but noted that it could be more difficult to do so than to contract the storage out to a vendor. Chief Administrative Officer Schad added that once this contract is signed, staff will be looking into how other municipalities in Chittenden County are storing their footage, as well as seeking any technical assistance from VLCT.

MOTION by Councilor Barlow, SECOND by Councilor Carpenter, to approve and recommend that the City Council approve and authorize the Chief of the Burlington Police Department to enter into an agreement with Axon Enterprises, Inc., to purchase new Body-Worn Cameras, Conducted-Electrical Weapons, unlimited BWC Footage Storage, and various technical software support solutions outlined in the attached proposal with Axom Enterprises, Inc. not to exceed $1,393,969.92 over a 5-year term, subject to review by the City Attorney's Office.

VOTING: unanimous; motion carries.

4.8 BSD Lease at Miller Community Recreation Center – BPRW
Director Wight began by noting that the Sara Holbrooke Center has been leasing the space at the Miller Center since it was converted for use as a recreation center, and that the Sara Holbrooke Center has had financial challenges recently, making it difficult for it to continue programming, and that it ceased to operate programming as of July 31, 2024. She noted the need for a teen center in the New North End community and that the Burlington School District (BSD) agreed to operate the center for the 2024-2025 school year. She said while BSD has some grant funding for teen programs, that funding doesn't include rent, and the Administration has agreed to lease the center to BSD with no rent, and they are seeking approval for this from the Board of Finance and City Council. She added that BSD has committed to seek funding to cover the lease in future years. She noted that the City's only cost here would be for rent and utilities and that the cost of programming is shouldered by BSD.

Councilor Barlow asked if there are any issues in a legal context with the City giving up the rent for this space to BSD (given strict State requirements about City and school district finances remaining separate). City Attorney McNeil replied that this situation legitimately falls within school functions, such that it would not be regarded as a municipal subsidy in violation of statute.

MOTION by Councilor Barlow, SECOND by Councilor Carpenter, to approve and recommend that the City Council authorize the lease of space in the Miller Center located at 130 Gosse Court, to include shared use of the gymnasium, as well as exclusive use of the designated teen center space, two adjacent officers, and a storage closet off of the gym, to the Burlington School District for the 2024-2025 school year, 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.

VOTING: unanimous; motion carries.

4.9 Resolution: November 5, 2024 Special City Meeting—Issuance of Revenue Bonds—for Burlington Electric Department—net Zero Energy and Grid Reliability Projects – BED
General Manager Springer began by presenting information on the issuance of a potential revenue bond for BED. He noted that the Electric Commission considered this at a special meeting last week and voted unanimously to recommend this to the Board of Finance and City Council. BED Chief Financial Officer Stebbins-Wheelock began by noting the revenue bond issuing authority for BED in the City, noting that bond issuance requires voter approval from Burlingtonians, that bonds are payable solely from BED rates and revenues, not the City's General Fund or property taxes, and that BED bonds are solely an obligation of BED, not of the City. She noted that BED has issued revenue bonds several times since 1981, such as to fund the construction of the McNeil Plant, to fund the smart grid infrastructure, and for the initial Net Zero Energy bond of $20 million. General Manager Springer noted that this bond would build on that prior Net Zero Energy revenue bond.

Chief Financial Officer Stebbins-Wheelock spoke briefly about historic underinvesting in capital expenses to account for depreciation, despite budgeting for capital investments. General Manager Springer then provided details of proposed investments with the proposed new Net Zero Energy and Grid Reliability bond. He noted that it would continue grid upgrades to increase capacity to add more electric vehicles, heat pumps, and geothermal systems, complete technology systems upgrades, invest in renewable plants, support the City's EV fleet conversion, and invest in 88 new public EV charging stations (including 38 fast chargers). He said that the bond would carry the City through 2029 in terms of investments. Chief Financial Officer Stebbins-Wheelock spoke briefly about debt service on the existing BED revenue bond and a potential debt service schedule for the proposed bond. General Manager Springer noted that the proposed bond would reduce near-term rate pressure to reach 120 days cash on hand, comparing the projected FY26 rate pressure without the revenue bond as needing a 12.8% rate increase, and with the revenue bond as a 2.0% increase.

Councilor Carpenter encouraged BED to develop talking points for the public to understand the pros and cons of this potential bond. General Manager Springer replied that they will be producing summary materials and Q&A documents to explain this proposal to the public. He noted that this is a climate action bond and is a mechanism to make these investments in a way that puts that least pressure on rates.

Councilor Barlow spoke about the rate pressure comparison slide, and asked if the rate pressure is due to the revenue bond or whether it is overall rate pressure absent the revenue bond. General Manager Springer replied that the difference between the two is the upward pressure of still funding capital without the bond, and that the 2% assumes all relevant debt service and issuance costs. Councilor Barlow asked about the difference between the General Obligation bonding the City can authorize for BED expenditure versus this revenue bond, and General Manager Springer replied that the GO bonding is an obligation of the City, whereas this revenue bond would be an obligation of the ratepayers.

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

VOTING: unanimous; motion carries.

City Attorney McNeil spoke about the passing of Bill Keogh, who has served the City in some capacity since the 1960s. A moment of silence was held.

5.0 ADJOURNMENT

5.1 Motion to Adjourn

With no further business and without objection the meeting was adjourned at 7:24 PM.

RScty: AACoonradt