**BURLINGTON BOARD OF FINANCE**
**BUSHOR CONF. ROOM, FIRST FLOOR, CITY HALL *OR***
**REMOTE MEETING WITH CALL-IN NUMBER**
**BURLINGTON, VERMONT**
**MINUTES OF MEETING**
**DRAFT**
**October 21, 2024**

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| **MEMBERS PRESENT:** | Ben Traverse<br>Mark Barlow<br>Sarah E Carpenter<br>Joe Kane<br>Emma Mulvaney-Stanak |
| **OTHERS PRESENT:** | Katherine Schad<br>Erik Ramakrishnan<br>Corey Mims<br>Darren Springer<br>Emily Stebbins-Wheelock<br>Ashley Parker |

# 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 5:34 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 expressed appreciation for the inclusion of the monthly financial review in the meeting materials. She asked whether the Administration would consider providing highlights that the public and the Board of Finance within this report that warrant closer watching, saying that this may be helpful. She asked how the City will take action to prevent findings within TIF audits and to prevent errors in accounting for TIFs in future. She also spoke about the City's purchasing policy, suggesting that purchases involving Mayoral approval be included on the Board of Finance's consent agenda.

# 3.0 CONSENT AGENDA

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

3.2 October 7, 2024 Special Board of Finance Meeting Minutes, Draft – approve the minutes.
3.3 Monthly Financial Review – Budget to Actuals as of September 30th, 2024 – for information only.
3.4 Ethan Allen Parkway Traffic Calming Grant Project Commitments Form – DPW - 1. To approve and recommend that the City Council authorize the Director of Public Works to execute the Project Commitments Form from the Vermont Agency of Transportation for Ethan Allen Parkway Traffic Calming, obligating the City to commit a local match of $117,273 which includes a 10% contingency for a total project budget of $192,273 in furtherance of accepting a reimbursable grant amount up to $75,000, and to take such further actions and execute such further instruments as may be necessary or convenient to implement the project within existing project appropriations, subject to review and approval by the City Attorney's Office; and 2. To approve necessary amendments to the Ethan Allen Parkway Project Budget by adjusting the accounts substantially as described herein and in the attached draft budget amendment form, and further to authorize the Chief Administrative or designee to effect all necessary transfer of funds in furtherance of such amendments.
3.5 VT Center for Crime Victim Services "Victims of Crimes Act" (VOCA) grant (Grant #02160-VOCA23-4009608 – CJC - approve and recommend that the City Council approve the acceptance of Grant # 02160-VOCA23-4009608-2025 in the amount of $140,164 for FY25 and to authorize CEDO Director Pine or his designee to sign the grant acceptance and to take such further actions and execute such further instruments as may be necessary or convenient to effectuate the transactions contemplated hereby, subject to review and approval by the City Attorney's Office, including acceptance of any additional amounts that may become available during the same fiscal year from the same source that do not require a local match or place new conditions on the City.
3.6 BED FEMA Grant for winter 2022 storm admin expenses and July 2023 flooding damage – BED - approve and authorize the BED General Manager or their designee to: (1) accept $753.32 in additional funds under State of Vermont Public Assistance Grant# 02140-84695-003 to reimburse BED for administrative/management expenses related to seeking FEMA assistance for damages resulting from the December 2022 winter storm; and (2) subject to final review and approval by the City Attorney's Office, to accept and execute grant agreements for the State of Vermont Public Assistance Grant #:02140-84720-026 in an amount not to exceed $75,000 to reimburse BED for 100% of certain debris removal expenses and 75% of other debris removal and damage repair expenses resulting from severe flooding in July 2023.

**MOTION by City Council President Traverse, SECOND by Councilor Carpenter, to adopt the consent agenda and take the actions indicated for items 3.1-3.6.**

**VOTING: unanimous; motion carries.**

## 4.0 DELIBERATIVE AGENDA

4.1 Champlain Parkway Cooperative Agreement Amendment No. 9 - DPW
Public Engineer Mims said that this agreement amendment is intended to provide funding through the end of the project, and includes an additional $17 million with an additional $340,000 of local match.

City Council President Traverse noted discussion about the feasibility of a dedicated left turn lane onto Maple Street related to this project. He asked whether this aspect can be built into the project in addition to the signals. Public Engineer Mims replied that the design for traffic would flow through the neighborhood to Main Street and over to Battery Street, and that the intent is not to promote additional traffic and backup of vehicles trying to make a left-hand turn at Maple Street. He noted that the City has options once constructed to change the signage for that location, but that an installation of a turn lane is not anticipated as part of the project, given that it would entail a redesign of that intersection. He said they don't anticipate that a full restriction of left-hand turns at Maple Street will be necessary.

**MOTION by Councilor Barlow, SECOND by City Council President Traverse, to approve and recommend that the City Council authorize the Director of Public Works, or his designee, to execute Amendment No. 9 to the Cooperative Agreement for the Champlain Parkway Project for continued project construction by increasing the maximum limiting amount by $17,000,000 and the local match obligation by $340,000, for a total authorized maximum limiting amount of $82,000,000, including a total local match obligation of $1,640,000, subject to the prior review and approval of the City Attorney's Office.**

**VOTING: unanimous; motion carries.**

4.2 Creation of one (1) new position, the Police Receptionist (Police Department) – HR/Police
Mayor Mulvaney-Stanak said this item is related to the creation of a new position, stemming from one of the six recommendations from community safety advisors this summer. She said there hasn't been a person staffing the front office of the police department for a number of months, and having a person there could improve the responsiveness and effectiveness of Burlington's community safety system by allowing face-to-face engagement. She said the job duties of this position would be to greet visitors, answer questions, connect people to the right resources in the Police Department and elsewhere in the City, including dispatch and the CAIP program. She said that the position would be funded this fiscal year by one-time funds from the right-of-way land sale that occurred earlier this summer on Colchester Avenue, and that the Police Department would include this in their Fiscal Year 2026 budget proposal.

Councilor Carpenter asked about backup staff for when this position is not there, saying that the City should think about how to staff this role in a backup capacity.

Councilor Barlow noted the use of one-time funds for this, and asked if there is a way to find money in the current Police Department budget for this position. Mayor Mulvaney-Stanak expressed appreciation for reluctance to use one-time funds in this manner, and noted that the intention is to fully fund this position through the Police Department the next fiscal year, and emphasized that this position was recommended as a community safety priority. Councilor Barlow said he is supportive of this position, but would like the Administration to look further into funding it through the Police Department's current budget. Mayor Mulvaney-Stanak said that the Administration will provide an update to the Board of Finance on whether this position could be funded through the Police Department instead of through the use of one-time funds.

**MOTION by Councilor Barlow, SECOND by Councilor Carpenter, to approve and recommend that the City Council approve the creation of a "Police Receptionist," a Regular, Full-time, Non-exempt, AFCSME, Grade 13 position within the Burlington Police Department.**

**VOTING: unanimous; motion carries.**

4.3 BED Customer Information System contract – BED
BED Chief Financial Officer Stebbins-Wheelock said this item relates to procuring software for BED's customer information system, customer portal, and a mobile workforce management system from SpryPoint. She noted that this would be implemented over the next two fiscal years, is cloud-based, would renew annually, and that the annual fees for all three systems is $145,250. She noted that funds have been included in the FY25 budget for FY25-related work for this. She noted the vendor was selected through an RFP process last December, that BED received six proposals, and selected this vendor for their ability to handle BED's functional requirements, including a robust and flexible billing engine, a modern platform, and competitive pricing.

Councilor Barlow asked if this new platform would help alleviate some of the customer complaints around EV charging at peak-rate times incorrectly. General Manager Springer replied that when this system is in place, it can help customers avoid charging at peak times.

**MOTION by Councilor Carpenter, SECOND by Councilor Barlow, to approve and recommend that the City Council approve and authorize the General Manager of BED to execute with SpryPoint a Master Services Agreement to purchase a SaaS subscription and receive associated implementation, support, and maintenance services for a customer information system, customer portal, and mobile workforce management system at fixed, not-to-exceed prices, subject to review and approval of the City Attorney's Office and subject to appropriations for each relevant fiscal year.**

**VOTING: unanimous; motion carries.**

4.4 Downtown Tax Increment Financing District Audit – Authorization for Final Transactions – C/T
Capital Program Director Parker began by noting that each TIF district has a required 10-year audit, and that the State Auditor's Office recently concluded an audit of the Burlington Downtown TIF district for Fiscal Years 2012-2023. She noted that the City has worked hard to improve how it administers TIF districts, saying that the Auditor found all eligible costs for all projects in the Downtown TIF district. She noted that it also had better record-keeping and documentation of project accounting across the board. She noted that there were still several items that came up in the audit, and that this action tonight is intended to obtain authorization from the City to make the final bookkeeping transactions to wrap up the audit. Chief Administrative Officer Schad noted that many of the process improvements were put into place in 2022, though this audit covers a number of years prior to that. She said that audits from this point forward should continue to show fewer findings and fewer recommendations for areas of improvement.

**MOTION by Councilor Kane, SECOND by City Council President Traverse, 1. To approve and recommend that the City Council authorize the Chief Administrative Officer to take all necessary steps to ensure the reimbursement of both the City's 711 and Downtown TIF Funds in the total amount of $506,395 from remaining FY2024 Operating Budget portion of the City's Assigned Fund Balance; and 2. To approve and recommend that the City Council authorize the Chief Administrative Officer to take all necessary steps to ensure the reimbursement of the City's Downtown TIF Fund in the total amount of $106,388 from the City's 711 Fund; and 3. To approve and recommend that the City Council authorize the Chief Administrative Officer to take all necessary steps to ensure the reimbursement of the City's Traffic Fund in the total amount of $134,653 from the City's Downtown TIF Fund.**

**VOTING: unanimous; motion carries.**

4.5 Resolution: Adoption of a Policy on Procurement, Property Dispositions, and Approval Authority for Public Contracts and Related Financial Transactions
Mayor Mulvaney-Stanak noted that this item relates to updating the City's procurement policy and having more realistic thresholds for approval articulated therein, as well as improving processes to have more clarity and consistency.

Chief Administrative Officer Schad noted that the City's original procurement policy was drafted in 2012 and was due for an overhaul and further input from more City staff, particularly from the City Attorney's Office. She noted that one large change was looking at exemptions and when the City can bypass the competitive procurement process and enter into a sole-source contract with a vendor. She noted that the existing policy did not articulate criteria for approving sole-source versus competitive processes, and the updates outline those criteria. She said that she does not anticipate an increase in sole-source over competitive procurements as a result of this update. She said that another large change in the policy is updates to approval thresholds. She noted that the current policy has a threshold of $50,000 for department head sign-off, $100,000 for department head and Board of Finance sign-off, and anything over $100,000 requires department head, Board of Finance, and full City Council approval. She said that the updated policy has separate thresholds for capital and enterprise funds, as certain of these categories deal with larger items. She said they are recommending a threshold of $250,000 before those types of funds must come to Board of Finance for approval. She noted that General Fund non-capital items would have a threshold of $150,000. She also noted improvements in the policy around advertising and diversifying it, and a final improvement in processes for on-call contracts and further codifying and clarifying when to use on-call contracts. Assistant City Attorney Ramakrishnan provided more detail on some of the advertising improvements, noting that they are leveraging state and federal databases to tap into more women-and-minority-owned businesses, and Mayor Mulvaney-Stanak added that this is one way the City can foster and center equity work, even in minor and technical adjustments to processes.

City Council President Traverse noted the use of a recording tool for the Administration to track the contracts the City is entering into. He suggested that this tool be used for all contracts, not just those that fall below the thresholds. He also suggested perhaps not using the tool for those smaller dollar-amount contracts that fall below the articulated thresholds and don't require department-head approval. He also suggested that for contracts that require Mayor approval but not necessarily Board of Finance and City Council approval, he requested that those contracts be made available to the Board of Finance and City Council within a certain timeframe for their review. He also noted the potential pegging of thresholds to CPI, but said it may be cleaner to have them pegged to defined dollar amounts that can be revisited every few years. He said that if a budget neutral adjustment involves restructuring or reclassification of positions, he asked whether those adjustments would need to come before the Board of Finance for the purposes of regrading or restructuring a position if the budget neutral adjustment falls below the thresholds articulated in the policy. He suggested that for legal settlements, they should not exclude from those thresholds the monies paid for by the City's insurer. Assistant City Attorney Ramakrishnan said the intent is not to bring reclassifications to the Board of Finance. He also noted that for legal settlements, the City uses a private insurer where the company has the authority to settle on behalf of the City. Chief Administrative Officer Schad noted that in terms of the use of CPI, she said she would be open to adding language into the policy to revisit thresholds every two years. Councilor Barlow suggested revisiting the thresholds during budget construction season.

Councilor Carpenter said that the Board of Finance spends time approving reclassifications that seem more germane to the department and less within the Board's area of expertise. Assistant City Attorney Ramakrishnan suggested that these types of reclassifications could be put on the consent agenda rather than the deliberative agenda for Board approval.

City Council President suggested modifying Article 2E that if the contract requires department head approval or it's above that threshold, then it would be subject to this requirement, and requested the addition of language that the CIO will implement a timely log and provide the public information about contracts.

The Board of Finance discussed whether to remove the reference in Article 2F to pegging thresholds to the CPI and instead reviewing the thresholds annually as part of the budget process. Mayor Mulvaney-Stanak suggested that these thresholds be articulated as a standing cost and affirmed in the budget resolution and brought to the Board of Finance and City Council on an annual basis. Other members of the Board of Finance agreed.

City Council President Traverse suggested language be added to the policy in Article 14E to ensure that if there is a City out-of-pocket contribution for a settlement award that exceeds a threshold and requires Council approval, that it will still come before the Council. Assistant City Attorney Ramakrishnan suggested adding a paragraph 14E that says that those who have approval authority shall have the discretion to bring items within their authority to the Board of Finance, even if they fall below the threshold, are cost-ineffective, or controversial.

**MOTION by City Council President Traverse, SECOND by Councilor Carpenter, to waive the reading and adopt the resolution incorporating the amendments discussed above.**

**VOTING: unanimous; motion carries.**

## 5.0 ADJOURNMENT

5.1 Motion to Adjourn

With no further business and without objection the meeting was adjourned at 6:58 PM.

*RScty: AACoonradt*