



## Burlington Community Development Corporation

**Monday, March 24, 2025, 5:00 PM, Bushor Conference Room, 149 Church Street, 1st Floor**

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### 1. Agenda

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<b>Subject</b>	<b>1.1. Motion to adopt agenda</b>
Meeting	March 24, 2025 - Burlington Community Development Corporation Meeting - Monday, March 24, 2025, 5:00 PM, Bushor Conference Room, 149 Church Street, 1st Floor
Category	1. Agenda
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to adopt agenda

### 2. Public Forum

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<b>Subject</b>	<b>2.1. Verbal Comments</b>
Meeting	March 24, 2025 - Burlington Community Development Corporation Meeting - Monday, March 24, 2025, 5:00 PM, Bushor Conference Room, 149 Church Street, 1st Floor

Category	2. Public Forum
Department	Council and Board
Type	Action Procedural
Recommended Action	open Public Forum close Public Forum

### 3. Deliberative Agenda

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<b>Subject</b>	<b>3.1. Westlake Area Condominium Association Appointments - CEDO</b>
Meeting	March 24, 2025 - Burlington Community Development Corporation Meeting - Monday, March 24, 2025, 5:00 PM, Bushor Conference Room, 149 Church Street, 1st Floor
Category	3. Deliberative Agenda
Department	Community & Economic Development Office (CEDO)
Type	Action
Recommended Action	to authorize the Director of the Community & Economic Development Office, or their designee, to be appointed to exercise the Burlington Community Development Corporation's votes on the WACA Board of Directors

### 4. Adjournment

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<b>Subject</b>	<b>4.1. Motion to adjourn</b>
Meeting	March 24, 2025 - Burlington Community Development Corporation Meeting - Monday, March 24, 2025, 5:00 PM, Bushor Conference Room, 149 Church Street, 1st Floor
Category	4. Adjournment
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to adjourn



## MEMORANDUM

To: Burlington Community Development Corporation Board of Directors  
Burlington City Council

From: Chapin Spencer, DPW Director  
Brian Pine, Director, Community & Economic Development Office  
Jackie Esperti, DPW Division Director, Parking and Traffic

Date: March 24, 2025

Re: **Westlake Area Condominium Association Appointments**

This memorandum seeks the approval of the City Council and the Burlington Community Development Corporation (BCDC) to appoint municipal representatives to the Westlake Area Condominium Association (WACA) Board of Directors as follows:

- The Division Director of Parking and Traffic in the Department of Public Works, or their designee, is proposed to be appointed as the City representative
- The Director of the Community & Economic Development Office, or their designee, is proposed to be appointed as the BCDC representative

### Background

In 2005 a portion of the City's urban renewal lands generally located along Battery Street between Cherry Street on the north and the Hilton Hotel on the South remained in City ownership. Desiring those lands to be developed, the City created the Westlake Area Condominium (the "Master Condominium"). Working through the Burlington Community Development Corporation (BCDC) and with various private developers, the area was developed into what today includes the Marriot Hotel, Hotel Vermont, the Westlake Residential Condominium (the "Residential Condominium") and two parking garages behind those buildings.

The City's condo declaration created five condo units, units A through E. Unit C was further divided into three sub-units C-1 through C-3. Today those units are occupied as follows:

- Unit A – Hotel Vermont
- Unit B – the City-owned Lakeview garage, the northern half of the Downtown Garage.
- Unit C – the parking garage behind the Residential Condo and the Marriot

- o Unit C-1 – Lowest level parking owned by BCDC and leased to a private entity, Westlake Garage LLC which sub-leases it to the residential condominium
- o Unit C-2 – The second level parking, owned and operated by the City
- o Unit C-3 – The top-level courtyard off of Cherry Street, owned by the Marriot Hotel group
- Unit D – Marriot Hotel
- Unit E – Westlake Residential Condominium

The City’s master condo declaration created the Westlake Area Condominium Association (WACA) to manage the affairs of the Master Condominium. WACA, while existing as a legal entity, has never actively operated nor as far as I can tell has it ever officially held a meeting. It seems that in the past this was not a particular concern. In recent years, however, maintenance of various common facilities of the Master Condominium has needed to be addressed and the need to activate WACA has become apparent.

WACA’s responsibilities under the Master Declaration and Bylaws are quite narrow. Nonetheless, since 2020 there have been several informal meetings of representatives of the various parties, and it has been generally agreed that WACA could be a forum to pro-actively address maintenance and operational concerns of the various parties.

Under the terms of the Master Declaration, the Unit Owners select the Board of Directors of the association. Exhibit B of the Master Declaration sets forth the voting rights for WACA as shown in the following table. The City and BCDC combined have 2.5 votes. The hotels (under related ownership) jointly have 2.5 votes and the residential condominium has 1 vote. Because it is a lessee and not an owner, Westlake Parking LLC has zero votes. But because of its substantial leasehold interest it has been participating in the meetings.

<b>Unit</b>	<b>Owner (informal names)</b>	<b>Voting Interest</b>
Unit A	Hotel Vermont	1 vote
Unit B	City (Lakeview Garage)	1.5 votes
Unit C-1	Burlington Community Development Corporation (BCDC), leased to Westlake Parking LLC, sub-leased to Westlake Residential Condominiums	0.5 vote
Unit C-2	City	0.5 vote
Unit C-3	Marriott (top level of garage)	0.5 vote
Unit D	Marriott	1 vote
Unit E	Westlake Residential Condominiums	1 vote

Each owner must formally designate representative(s). Each of the hotels, the residential condo, and the City (on behalf of itself and its entity BCDC) needs to formally appoint and

notice the appointment of their representatives. Those representatives will, in turn, elect the Board of Directors.

We are proposing different City officials represent the interests of BCDC and the City as they are separate entities with potentially separate interests. We seek appointments that allow the positions to have proxies acting on their behalf as needed.

We would like to note some possible upcoming issues to work through:

- Water management in Westlake Garage
- Overall ongoing maintenance of Westlake Garage
- Future transfer of C-1 from the City to Westlake Parking as required under the original agreement. This will happen in 2026.
- The City's future role in operating public parking in the Westlake Garage

We will provide periodic updates to the City Council's Transportation, Energy & Utilities Committee to keep the Council informed of WACA's current business.

**BCDC Motion:**

To authorize the Director of the Community & Economic Development Office, or their designee, to be appointed to exercise the Burlington Community Development Corporation's votes on the WACA Board of Directors.

**City Council Motion:**

To authorize the Division Director - Parking & Traffic of the Department of Public Works, or their designee, to be appointed to exercise the City's votes on the WACA Board of Directors and authorize the Director of the Community & Economic Development Office, or their designee, to be appointed to exercise the Burlington Community Development Corporation's votes on the WACA Board of Directors.

