BURLINGTON BOARD OF FINANCE
BUSHOR CONF. ROOM, FIRST FLOOR, CITY HALL *OR*
REMOTE MEETING WITH CALL-IN NUMBER
BURLINGTON, VERMONT
MINUTES OF MEETING
DRAFT
April 24, 2023

MEMBERS PRESENT: Karen Paul
Ali Dieng
Joe Magee
Mark Barlow
Miro Weinberger

OTHERS PRESENT: Katherine Schad
Jordan Redell
Kara Alnasrawi
Chapin Spencer
Brian Pine
Cindi Wight
Alec Kaeding
Tony Berry
John Vickery
Sara Katz
Colin Storrs
Michael LaChance
Jon Murad
Kim Carson

1.0 CALL TO ORDER and AGENDA

Mayor Weinberger called the Board of Finance meeting to order at 5:35 PM.

MOTION by Councilor Magee, SECOND by Councilor Dieng, to amend and adopt the agenda as follows:

- **Reorder the agenda so that item 4.14 is item 4.005.**

VOTING: unanimous; motion carries.

2.0 PUBLIC FORUM (VERBAL)

2.01 Verbal Comments
Sharon Bushor asked about how the items that were deemed ineligible for payment under the TIF financing audit will be paid for. Mayor Weinberger noted that CEDO Director Pine will speak to this during his agenda items.

3.0 CONSENT AGENDA

3.01 motion to adopt the consent agenda and take the actions indicated
3.02 Board of Finance Meeting Minutes, April 10, 2023, Draft – approve the minutes.

MOTION by City Council President Paul, SECOND by Councilor Barlow, to adopt the consent agenda and take the actions indicated for items 3.01-3.02.

VOTING: unanimous; motion carries.

4.0 FOR APPROVAL AND RECOMMENDATION TO CITY COUNCIL

4.005 Community Infrastructure Projects - $2M ARPA - Business & Workforce Development/CEDO **was item 4.14**
Executive Director Alnasrawi began by noting that a portion of American Rescue Plan Act (ARPA) funding received by the City is dedicated to Community Infrastructure Projects and that the City has engaged in a rigorous solicitation of feedback from the community on their priorities for this funding. She said that the City has identified 5 projects spread throughout the City, including 3 investments in public parks and 2 new indoor community rooms. She noted that the projects are for the New North Branch Library upgrades, a community room in the Redstone Cottage, a pavilion at Roosevelt Park, amenities for the Waterworks Park/Moran Frame, the City Hall Park kiosk, and a community room with kitchen at 405 Pine Street. She presented blueprints and plans for each of the proposed projects.

Councilor Barlow asked whether they will be able to review specifics on each plan before they are finalized, and Executive Director Alnasrawi replied in the affirmative. Councilor Barlow noted that the Waterworks Park project has the least specificity and the highest pricetag and asked if there are more specifics available. Mayor Weinberger replied that they are proposing to set aside a foundation of funds to anchor a second phase, and that they expect to privately raise two to three times the amount of the first phase. He said that with the City commitment, they would be able to start experimenting with different events at the Moran Frame this summer, to see what programming could be most appropriately. He said he anticipates a fleshed-out phase 1 plan within 6-9 months.

MOTION by City Council President Paul, SECOND by Councilor Magee, to approve and recommend that City Council authorize the use of $2,000,000 in American Rescue Plan Act funds to develop community infrastructure. These ARPA investments shall be $250,000 at Red Stone Cottage, $50,000 at Fletcher Free Library New North End location, $250,000 at $500,000 at 405 Pine Street, $300,000 at City Hall Park, $250,000 at Roosevelt Park pavilion, and $600,000 at Waterworks Park.
DISCUSSION:

- **Councilor Dieng noted that this funding is for investing in the physical infrastructure of the City, but asked what else has been done to support the social infrastructure and programming. Executive Director Alnasrawi replied that there was a $1 million distribution of grant funding to local non-profits, heavily targeting BIPOC communities and work done in those communities. She said that this $2 million is to create spaces for the BIPOC community and others to enjoy. She said that fees for the use of these community spaces could be reduced or eliminated for these nonprofits, as well.**

VOTING: unanimous; motion carries.

4.01 UDAG Budget Amendment – CEDO
Director Pine spoke about the Urban Development Action Grant (UDAG), which is a federal grant opportunity that has been used to develop or redevelop a number of buildings in the City and is the predecessor of the Community Development Block Grant (CDBG) program. He said that this is a budget neutral request to move $1.8 million in UDAG restricted funds to accounts to both repay the Burlington Electric Department for remediation and abatement for the Moran Frame project as well as for non-Moran UDAG activities in CEDO's budget.

MOTION by Councilor Dieng, SECOND by Councilor Barlow, to approve and recommend that the City Council approve and authorize the City's Chief Administrative Officer or their designee, to execute a budget amendment to increase the Moran Capital Budget by $950,715.00 and increase the CEDO FY23 Budget by 632,500.00 from the UDAG restricted cash account.

VOTING: unanimous; motion carries.

4.02 Moran Frame Budget Amendment – CEDO
Director Pine said that this item relates to correcting findings by the State Auditor's Office of the Waterfront TIF District, where a series of ineligible invoices were discovered that need to be reimbursed by non-TIF funds. He said that this amendment would replace $500,842.46 of ineligible invoices with eligible invoices from the Moran Frame project. He noted that the ineligible expenses are being covered by other sources of funding in the City.

City Council President Paul asked about the City's level of confidence that this type of error won't occur in future. Director Pine and Chief Administration Officer Schad replied that there are systems in place to ensure more rigorous overview of invoices related to the TIF districts and finances.

MOTION by Councilor Magee, SECOND by City Council President Paul, to approve and recommend that the City Council approve and authorize the City's Chief Administrative Officer or their designee, to execute a budget amendment to increase the Moran Capital Budget by $500,842.46 from the Waterfront TIF $7.8MM Vermont Bond Bank Bond and to permit expenditure of such funds for future planning and construction phases in accordance with all necessary approvals and authorizations.

VOTING: unanimous; motion carries.

4.03 Updating of Tax Increment Financing (TIF) District consulting services contract with White+Burke – CEDO
Director Pine said that this item is to consider a contract for TIF District consulting services from White+Burke, which has provided these services in the past. He spoke briefly about the City's history with White+Burke and their provision of subject matter expertise and consulting services around TIF districts. Mayor Weinberger noted the lack of expertise in Vermont in this area as well as the high level of performance historically from White+Burke as part of the justification for sole-source contracting.

MOTION by Councilor Magee, SECOND by Councilor Dieng, to approve and recommend that the City Council approve and authorize the Director of the Community & Economic Development Office to execute a contract with White+Burke Real Estate Advisors with retroactive approval from January 1, 2023 to December 31, 2023, for TIF consulting in the Waterfront and Downtown TIF districts with a maximum limiting amount of $120,000, to be paid out of TIF related costs, pursuant to final review of the City Attorney's Office.
<u>DISCUSSION:</u>

- **Councilor Dieng asked about oversight of this contract, and Director Pine replied that CEDO is overseeing the contract, with staff from the City Attorney's Office and Clerk/Treasurer's Office also providing support, and the Board of Finance and City Council ultimately having final say over contracts.**
- **City Council President Paul said it would be helpful to see how White+Burke is being reimbursed for various TIF district activities, since a number of amendments to their contract have been executed in the last several years. Director Pine said that he will put a report together of White+Burke's reimbursement history for review.**

VOTING: unanimous; motion carries.

4.04 Authorization For Public Improvement Bonds Or Notes For The City's Waterfront TIF District - CEDO/CT
Mayor Weinberger said that this item seeks authorization to borrow up to approximately $18.8 million for public infrastructure associated with the CityPlace project. He said that this has been previously approved by voters, the Vermont Economic Progress Council (VEPC) and the City Council, and that debt must be incurred by June 30th. He said that the City still has the flexibility to determine its final amount of long-term TIF debt borrowing for the CityPlace project, as it is currently both pursuing larger federal grants and CityPlace developers are still finalizing the project and construction timeline, both of which will ultimately determine the bond size in the next two years. Director Pine said that the use of project notes instead of a bond

for this $18.8 million is important here, in that they are shorter-term debt obligations that allow the City more flexibility to pre-pay any funds that are not needed or that exceed the amount that can be repaid through the tax increment financing from the TIF district.

Councilor Magee asked if there is an estimate available of what the public infrastructure improvements will cost. Director Pine replied that the $18.8 million encompasses the scope, that there are additional funds secured from Congressionally-directed spending dollars, and that there will also be a sales tax reallocation application from the State to conduct these improvements. He said that this roughly adds up to more than $30 million.

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

VOTING: unanimous; motion carries.

4.05 Lease of Vendor Space at 0 College Street Bike Racks for Bike Rentals – BPRW
Director Wight said that this came out of concerns from the local bicycle shops and the local bike share program, and this comes from that effort. She said that this would be for vendor space for bike racks and rentals at the waterfront.

MOTION by City Council President Paul, SECOND by Councilor Magee, to recommend that the City Council approve the lease of the vendor space and bike racks located at 0 College Street to Burlington Segways, Inc., and to authorize Mayor Miro Weinberger to execute the lease agreement and any related documents, subject to review by the City Attorney's Office.

VOTING: unanimous; motion carries.

4.06 Purchase of a bucket truck for the BPRW Arborist team – BPRW

MOTION by Councilor Magee, SECOND by Councilor Dieng, to approve and recommend that the City Council authorize the Fleet Committee to purchase a bucket truck on behalf of BPRW from Altec Industries for a price not to exceed $316,101 utilizing identified Greenbelt street tax revenues, and to execute any related documents needed to carry out the project, subject to review by the City Attorney's Office.
DISCUSSION:

- **Councilor Magee asked whether monies were being set aside from the Greenbelt fund to pay for this bucket truck over the last several years and Director Wight confirmed this and said that the funding is coming from the Greenbelt fund tax revenue.**
- **Councilor Dieng asked whether it would be feasible for departments like the Department of Public Works (DPW) and the Burlington Electric Department (BED) to share their equipment such as bucket trucks and why BPRW needed its own. Director Wight replied that the BPRW bucket trucks are smaller, since they do different work on the streets. Councilor Dieng asked why this bucket truck is being purchased outright and not leased. Chief Administration Officer Schad replied that due to supply chain issues, it's been taking a bit of time for the vehicles to be received once they are leased, even though the City is still paying for the lease. She said that as rates go up, it makes less sense to be paying for a lease if there is a delay in receiving the equipment. Councilor Dieng suggested looking for ways to utilize already-owned or leased equipment where possible.**

VOTING: unanimous; motion carries.

4.07 Red Stone Cottage Restoration Contract Amendment – BPRW
Director Wight said that this amendment's scope was contained in the original bid and includes the work that would be covered by ARPA funding for the Redstone Cottage-related community improvement project.

MOTION by City Council President Paul, SECOND by Councilor Barlow, to approve and recommend that the City Council authorize Cindi Wight, Director of Parks & Recreation, to amend the contract with Farrington Construction for restoration services to the annex of the Redstone Cottage to increase the maximum limiting amount by an additional $238,000, for a price not to exceed $932,520 and an additional project contingency of $25,035, for a total authorized expenditure for the full project not to exceed $992,334, and to execute any related documents needed to carry out the project, subject to review by the City Attorney's Office.

VOTING: unanimous; motion carries.

4.08 Authorization to Accept Grant Funds for the Calahan Park Shared Use Path - Phase 1 – BPRW

MOTION by Councilor Dieng, SECOND by Councilor Magee, to approve and authorize the acceptance of grant funds in the amount of $286,400 from the Vermont Agency of Transportation for the Calahan Park Shared Use Path – Phase 1 project and authorize the Director of Parks, Recreation and Waterfront to execute all documents necessary to accept the funding, subject to the final review and approval by the City Attorney's Office.

VOTING: unanimous; motion carries.

4.09 Lease of vendor space at Water Works Park – BPRW

MOTION by City Council President Paul, SECOND by Councilor Magee, to recommend that the City Council approve the lease of the vendor space located at FRAME @ Water Works Park to Betty's Bikes, and to authorize Mayor Miro Weinberger to execute the lease agreement and any related documents, subject to review by the City Attorney's Office.

VOTING: unanimous; motion carries.

4.10 Reclassification of one (1) position in the Assessor's Office - Assessor's Office/HR
City Assessor Vickery said that this is to reclassify an Associate Assessor to a higher pay grade, given that the position has become more heavily involved in the valuation of properties and less focused on administrative activities. Human Resources Manager Berry noted that this would include retroactive pay to May 1, 2022, which was decided jointly by the Assessor's Office, Human Resources, and AFCSME.

MOTION by Councilor Magee, SECOND by Councilor Dieng, to recommend that City Council approve the: • Reclassification of the Associate Assessor, a Regular, a Full-Time, Non-Exempt, AFSCME, Grade 15, role to Associate Assessor, a Regular, Full-time, Non-Exempt, AFSCME, Grade 16, role in the Assessor's Office and authorize retroactive pay to May 1, 2022, in an amount not to exceed $3500.

VOTING: unanimous; motion carries.

4.11 Authorization to Execute Contract for the Great Streets Main Street Public Art Project with Lydia Kern, Nancy Winship Milliken Studio LLC, Pixel Patch Creative LLC, and WOWHAUS - BCA/DPW
Assistant Director Katz noted that DPW and Burlington City Arts (BCA) partnered to issue a call to artists, engage together in the selection process, and manage the implementation process of commissioning public art on Main Street as part of the Downtown TIF District project. She said that they are looking to enter into contracts with these two artists for the design phase (Phase 1) of the project and to ensure that they are aligned with the construction component of the project.

Councilor Barlow asked if the artists have submitted approximate budgets, and Assistant Director Katz replied in the affirmative and also noted that there is funding included for contingencies.

Councilor Dieng asked about the call to artist and selection process. Grants Program Manager Storrs outlined the selection process, which included a preliminary submission of a resume from 138 artists, which were whittled down through the selection process to 15 who were invited to submit more fleshed-out proposals for consideration. He showed the proposals that were submitted by WOWHAUS, Lydia Kern, Nancy Winship Milliken, and Noa Younse.

MOTION by City Council President Paul, SECOND by Councilor Magee, 1. "To approve and recommend that the City Council authorize the Director of Burlington City Arts to execute the following Phase I Design-only contracts for public art designs to be placed along Main Street, for a total authorized Phase I project expenditure in the amount of $66,696 , subject to review and approval by the City Attorney's Office: o A contract with Lydia Kern in an amount not to exceed $8,085 for final design of artwork; o A contract with WOWHAUS in an amount not to exceed $14,561 for final design of artwork; o A contract with Pixel Patch Creative, LLC in an amount not to exceed $28,500 for final design of artwork; and o A contract with Nancy Winship Milliken Studio, LLC in an amount not to exceed $15,550 for final design of artwork;" and 2. "To approve and recommend that the City Council authorize a budget amendment to create the public art budget in furtherance of the Main Street Public Art Project by creating a project budget of $500,000 under line 853-19-700.9500_236 within project 853 - Main Street Public Art, Downtown TIF, as further detailed in Attachment A, subject to the review and approval of the Chief Administrative Officer or their designee."

VOTING: unanimous; motion carries.

4.12 Agreement for CAD services between Burlington and South Burlington – Fire
Fire Chief LaChance said that this is in collaboration with South Burlington and would be for an agreement to share space on Burlington's Computer Aided Dispatch (CAD) services, which will reduce redundancies and lead to increased interoperability between the two fire departments. He said that there are no costs to the City for this, but that there would be fees paid by South Burlington to Burlington, including one-time fees of approximately $66,000, a recurring fee of $8,873, and an annual server maintenance and upgrade fee of $7,500. He noted that this shared services agreement does not have a sunset date, but could be terminated with 6 months of notice, if needed.

MOTION by Councilor Magee, SECOND by Councilor Dieng, to approve and recommend that the City Council approve and authorize the Chief of the Burlington Fire Department to enter into an agreement with the City of South Burlington for their shared use of the City's Computer Aided Dispatch system with an annual maintenance fee of $7,500.00, upon final review and approval of the City Attorney's Office.

VOTING: unanimous; motion carries.

4.13 Creation of one (1) new position, the Assistant Director of Alternative Response, within the Police Department – Police
Acting Chief Murad said that this is a request to create a new position within the Police Department, the Assistant Director of Alternative Response, which the Mayor has spoken about beginning in January. He said that as the Police Department has transitioned into a new form and sworn officers are no longer as large a proportion of the head count as they had been, they have recognized the need for a position that can oversee the new alternative response and can be the external liaison at the State, local, and NGO level. He said that the position was graded by Human Resources as the equivalent of a deputy chief, does not have authority over sworn officers, but would oversee the Community Support Liaisons (CLSs), domestic violence and victims' advocates, Community Service Officers (CSOs), as well as the crisis team that is currently in development. Mayor Weinberger noted that the Police Commission is in support of the creation of this position and reorganization within the Police Department.

Councilor Magee said that he is not supportive of this position at this juncture, due to lack of collaboration with the Police Commission. He cautioned the Police Department about moving too quickly on this. He said that these civilian positions should not be housed within the Police Department, as alternative response positions don't belong in the Police Department. Mayor Weinberger replied that there was communication with the Police Commission to receive feedback about this position before moving forward for Board of Finance and City Council approval. He said that he would be supportive of receiving additional feedback and input from the Police Commission. He also said that though they have explored housing alternative response resources in other departments, there has generally been broad consensus that housing them in the Police Department is the most feasible and practical.

Councilor Barlow said that this position is essential to the efficient integration between alternative response resources and he will support the approval of this position.

Councilor Grant said that the Police Commission was in the past given the opportunity to give input on the job description for this position, but would not say that the Police Commission enthusiastically endorsed this position. She expressed concern that the Howard Center has dropped out of the CAHOOTS model and expressed concern about how long the development of the CAHOOTS model is taking. She said there is a significant amount of information that is not being shared yet, and said there are a lot of unknowns at this juncture.

Councilor Dieng asked about the salary range. Acting Chief Murad replied that the range is approximately $88,000 to $105,000, with the top end only being achieved over the course of a long career. Councilor Dieng asked about whether this should be voted on tonight, given the concerns voiced by some.

City Council President Paul said that a number of initiatives are being pursued at the same time, and that sometimes it is difficult to stay on top of communication in a fast-paced and evolving environment. She said that the CAHOOTS model is still viable, though the departure of the Howard Center means that the City must pivot in a different direction to implement it. She said that in fairness to all, decisions were made independently of each other with the best information that was available at the time.

MOTION by City Council President Paul, SECOND by Councilor Dieng, that this item be postponed and a special Board of Finance meeting be called for Monday, May 1, 2023, to take up this issue.

VOTING: unanimous; motion carries.

5.0 BOARD OF FINANCE APPROVAL ONLY

5.01 Oakledge Universally Accessible Playground Construction, Contract Amendment – BPRW
Director Wight said that this is for the installation of a gate at Oakledge Park to ensure that motor vehicles comply with City ordinance and do not enter the park after 9:30 PM.

MOTION by Councilor Dieng, SECOND by Councilor Barlow, to approve and recommend that the City Council authorize the execution of a contract amendment with Engineers Construction, Inc. for a price not to exceed $1,051,988 for the Oakledge Universally Accessible Playground Project and to authorize Cindi Wight, Director of Parks, Recreation & Waterfront, to execute the contract amendment and any related documents needed to carry out the project, subject to review by the City Attorney's Office.

VOTING: unanimous; motion carries.

5.02 Amendment to Contractual Agreement for Juneteenth 2023 – REIB
Director Carson said that this is an amendment for additional vendor and media management services for the 2023 Juneteenth Event.

MOTION by City Council President Paul, SECOND by Councilor Dieng, to approve and authorize the Director of Racial Equity, Inclusion & Belonging to execute a contractual amendment with OKAY!!OKAY!! Marketing and Creative for additional vendor and media management services in connection with Juneteenth 2023 for an additional $26,700, for a total authorized expenditure in an amount not to exceed $91,450, subject to review by the City Attorney's Office.

VOTING: unanimous; motion carries.

6.0 ADJOURNMENT

6.01 Motion to Adjourn

With no further business and without objection the meeting was adjourned at 7:56 PM.

RScty: AACoonradt