December 21, 2020

Regular City Council Meeting - Monday, December 21, 2020, 5:30 pm
****VIRTUAL MEETING****

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1. Agenda

1.01 Motion to amend/adopt agenda

Type: Action, Procedural

Recommended Action: motion to amend/adopt the agenda as follows: note presentation slides for agenda item 3.01 (per Acting Chief Jon Murad); note written materials and motion for consent agenda item 6. 11 Communication: Capital Committee, re: Approval to Amend Contracts for City Hall Renovations (per Martha Keenan); note revised checklist, memo and motion for consent agenda item 6.12 Communication: Chapin Spencer, Director, Norman Baldwin, P.E., Assistant Director/City Engineer and Susan Molzon, P.E., Senior Public Works Engineer, re: Railyard Enterprise Project - Advancement to Preliminary Engineering Phase (per Susan Molzon)

2. Communication: City Attorney Eileen Blackwood and Tim Sampson, Downs, Rachlin Martin, re: CityPlace Burlington mediation update (Start time: 5:30 pm) **expected executive session**

2.01 Communication: City Attorney Eileen Blackwood and Tim Sampson, Downs, Rachlin Martin, re: CityPlace Burlington mediation update **expected executive session**

Type: Action

Recommended Action: Motion 1: I move that the Council find that premature general public knowledge of information related to the recent confidential mediation sessions, the City□s strategy and legal advice related to the pending litigation with BTC Mall Associates would put the City at a substantial disadvantage;Motion 2: Based on that finding, I move that the Council go into executive session to consider pending litigation and confidential attorney-client communications pursuant to 1 VSA 313(a)(1)(E) and (F).Individuals to be invited into ES in addition to the Council and Mayor: Mayor□s office staff, City Attorney, CAO, Jeffrey Glassberg, Downs Rachlin Martin attorneys (Tim Sampson).

3. BPD staffing work session (Start time: 6:30 pm)

3.01 BPD staffing work session with Acting Chief Jon Murad to present

Type: Action, Communication, Discussion, Information

note presentation slides for this agenda item per Acting Chief Jon Murad, posted on Thursday, December 17, 2020, at 5:28 pm, LO

20201211 BPD Staffing.pdf

4. Public Forum: time certain: 7:30 pm - 9:30 pm

4.01 Verbal Comments

Type: Action, Information, Procedural

5. Climate Emergency Reports

5.01 Climate Emergency Reports

Type: Information

6. Consent Agenda

6.01 Motion to adopt the consent agenda and take the actions indicated

Type: Action (Consent), Procedural

Recommended Action: motion to adopt the consent agenda (as amended) and take the actions indicated

6.02 Communication: C/T Office, re: Accountability List

Type: Action (Consent), Communication, Information

Recommended Action: waive the reading, accept the communication and place it on file

Communication Accountability List 122120 cc mtg LO.xlsx

6.03 Communication: Peg Clement, Ward Five Inspector of Election, re: Resignation

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

Communication Peg Clement, Ward Five Inspector of Election, re Resgination.pdf

6.04 Communication: Johnathan Croft, Mapping Section Chief, State of Vermont, re: Certificate of Highway Mileage

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

Communication Johnathan Croft, Mapping Section Chief re Certificate of Highway Mileage.pdf

6.05 Communication: Patrick O. Murphy, re: Just cause eviction

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

Communication Patrick O. Murphy re Just cause eviction.pdf

6.06 Communication: Emma Kouri, South Prospect Street, re: City council meeting tonight, community control of police

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

Communication Emma Kouri, South Prospect Street re City council meeting tongiht, community control of police.pdf

6.07 Communication: Katherine Schad, Chief Administrative Officer and Amy Bovee, Assistant City Clerk, re: March 2021 Annual City Election Update

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

ACE Update to City Council 12212020 FINAL.pdf

6.08 Communication: Rich Goodwin, DFO, re: Management Letter

Type: Action (Consent), Communication

Recommended Action: to approve the FY20 Management Letter

1_Memo _ Management Letter Responses - KS_FINAL.docx

1_Master Checklist.docx

6.09 Communication: Rich Goodwin, DFO, re: Abridged Finances General Fund Only

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

General Fund Financials and FB Classification 121620- FINALKS.xlsx

6.10 Communication: Steven A. Locke, Fire Chief, re: Vermont Coronavirus Workforce Stablization Grant Award

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the acceptance of the Vermont Coronavirus EMS Workforce Stabilization grant award in the amount of $121,107.00 and the funds be distributed to personnel through payroll as outlined in Chief Locke□s memo dated, December 10, 2020

FD Memo on EMS Workforce Grant Acceptance Final.pdf

BOF CC Checklist Fire - Grant Acceptance.docx

6.11 Communication: Capital Committee, re: Approval to Amend Contracts for City Hall Renovations

Type: Action (Consent), Communication

Recommended Action: 1. To authorize the Director of the Department of Public Works to execute amendments to the contract with Farrington Construction Company to increase the maximum limiting amount by up to $723,928, and allotting $104,460.50 of contingency, for a new total of up to $2,058,088.00.2. To authorize the Director of the Department of Public Works to execute amendments to the contract with Vermont Integrated Architecture to increase the maximum limiting amount by up to $38,066.50, for a new total of up to $173,066.50.3. To authorize the Chief Administrative Office to transfer $50,000 from the Unassigned Fund Balance Facility Reserves (110-00-000-000.4259_101 GF Dedicated Fundings, Non-Departmental, Admin, Admin) to the 811 City Hall renovation project (811-19-700.4990_100) to cover approximately 47% of the contingency funding for the additional construction work.
note written materials and motion for this agenda item per Martha Keenan, posted on Friday, December 18, 2020, at 11:46 am, LO

- BoF-CC City Hall Contract Amendments_Farrington-VIA_final rev .pdf
- BoF_CC_Checklist Farrington-VIA contract amendments 12-21-20.pdf

6.12 Communication: Chapin Spencer, Director, Norman Baldwin, P.E., Assistant Director/City Engineer and Susan Molzon, P.E., Senior Public Works Engineer, re: Railyard Enterprise Project - Advancement to Preliminary Engineering Phase

Type: Action (Consent), Communication

Recommended Action: to recommend that the Mayor direct the Department of Public Works, in partnership with the State of Vermont Agency of Transportation and Federal Highway Administration, to advance the Railyard Enterprise Project to a preliminary engineering phase
note revised checklist, memo and motion for this agenda item per Susan Molzon, posted on Friday, December 18, 2020, at 12:36 pm, LO

Motion: “To support the Administration’s decision to move forward with a partnership with the State of Vermont Agency of Transportation and Federal Highway Administration to advance the Railyard Enterprise Project to a preliminary engineering phase.”

- DPWMemo_REP 12-21-2020 - REVISED.pdf
- CC Checklist_REP 12-21-2020 Revised.pdf
- Attachment 1- VTrans to Director Spencer 11-10-20.pdf
- DPWMemo_REP 12-21-2020.pdf
- BOF CC Checklist_REP 12-21-2020.pdf

6.13 Communication: Darren Springer, General Manager, Munir Kasti, COO and Manager of Utility Services and Engineering and David MacDonnell, Director of Generation, re: Chittenden Solid Waste District Contract Extension

Type: Action (Consent), Communication

Recommended Action: to authorize the General Manager of the Burlington Electric Department to execute a three-year contract extension, with the option to extend for an additional two years, with the Chittenden Solid Waste District to continue BED□s operation and maintenance of the Wood and Yard Waste Depot at the McNeil Generating Station, subject to final review and approval by the City Attorney□s Office

- BOF City Council Memo 12.21.2020.docx
- BOF & CC Checklist 12.21.2020.docx

6.14 Communication: Scott Gustin, Principal Planner & Zoning Division Manager, re: Open Space Addendum Contract and Conservation Legacy Fund Disbursement Request

Type: Action (Consent), Communication

Recommended Action: to approve the use of the Conservation Legacy Fund, an amount not to exceed $25,000, for the purposes of contracting with Resilience Planning & Design, LLC for professional planning services to assist in creating the Open Space Addendum and authorize William Ward, Director of Permitting & Inspections, to execute all necessary documents relative to that contract, subject to the review and approval of the City Attorney

City Council funding memo.pdf

BoF_City Council_Checklist.fillable pdf.pdf

6.15 Communication: Elizabeth Ross, Planner, DPW, re: Bikeway Connectivity, Pedestrian Safety, and Stormwater Management in Burlington's Old North End - Scoping Study

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

201215_ONEScoping_CCMemoReport.pdf

201216_CC_Checklist_ONEScoping.docx

6.16 Danielle Cota, HR Manager and Brian Lowe, Chief Innovation Officer, re: Re-Classification of BTVStat Analyst Position as Senior Policy & Data Analyst

Type: Action (Consent), Communication

Recommended Action: to approve the re-titling and re-classification of the current Regular, Fulltime, Exempt, Non-Union, Grade 19, BTVStat Analyst position to the Regular, Full-time, Exempt, NonUnion, Grade 20, Senior Policy & Data Analyst position

I & T BTVStat to Senior Policy and Data Analyst Final Packet.pdf

6.17 Communication: Laura Wheelock, P.E., Senior Public Works Engineer, re: Authorization to Amend University Place UVM-City Agreement

Type: Action (Consent), Communication

Recommended Action: to authorize the Mayor to execute a Third Amendment to the □Agreement Between the University of Vermont and The City of Burlington Regarding Participation In The City□s Ten Year Capital Plan,□ substantially consistent with the draft submitted herewith, subject to final review and approval by the City Attorney□s Office

1 - Memo - Amend 3 UVM Agreement.pdf

2 - Combined UVM Agreeement with Amend 1 and 2.pdf

3 - Third Amendment to UVM_COB Agreement regarding 10 year Capital Plan.pdf

4 - BOF CC Checklist_UVM Agreement.pdf

7. Deliberative Agenda

7.01 Burlington City and Lake Semester Presentation (verbal)(10 mins.)

Type: Information, Presentation

7.02 Communication: Katie Kinstedt, Assistant Director Administration & Finance, Christine Curtis, Community Development Specialist I - Grant Support and Luke McGowan, Director, CEDO, re: Consolidated Annual Performance & Evaluation Report

Type: Action, Communication

Recommended Action: to accept this communication and authorize the Director of the Community & Economic Development Office or their designee, to submit the 2019 CAPER to the U.S Department of Housing & Urban Development

- City Council Memo 12.21.20_CEDO CAPER.pdf
- 2019 Draft CAPER.pdf
- CC Checklist_CEDO CAPER 12.21.pdf

7.03 Public Hearing Regarding Consolidated Annual Performance & Evaluation Report (CAPER)

Type: Action

Recommended Action: open the Public Hearingclose the Public Hearing

- Seven Days CAPER Legal Notice_Dec 9 2020.pdf

7.04 Resolution: Authorization To Apply To Downtown Sales Tax Reallocation Program Re Redstone Development Project - 54 South Winooski Avenue

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

- CEDO - Apply to Downtown Program for Reallocation of Sales Tax reRedstone Development Project at 54 South Winooski Avenue - 121420.pdf
- Communication re Application to Vermont Downtown Program - SalesTax Reallocation Program - 121420.doc
- BoF_CC_Checklist - Sales Tax Reallocation_12.15.20 pdf.pdf
- Signed CC Resolution Authorization To Apply To Downtown Sales Tax Reallocation Program Re Redstone Development Project - 54 South Winooski Avenue.pdf

8. Committee Reports

8.01 Verbal Reports

Type: Information, Procedural

9. City Council - General Affairs

9.01 Verbal Reports

Type: Information, Procedural

10. City Council President - Council Updates

10.01 Verbal Reports

Type: Information, Procedural

11. Mayor - General Affairs

11.01 Verbal Reports

Type: Information, Procedural

12. Adjournment

12.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

13. Informational and Non-Discrimination Statements

13.01 This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (865-7136)(TTY 865-7142). Persons with disabilities, who require assistance or special arrangements to participate are encouraged to contact 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will also air on Channel 17 two days after the meeting starting at 8:00 pm, repeating at 1:00 am, 7:00 am and 1:00 pm the following day. The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information.

Type: Information