CITY OF BURLINGTON, VERMONT
CITY COUNCIL COMMUNITY DEVELOPMENT &
NEIGHBORHOOD REVITALIZATION COMMITTEE
c/o Community & Economic Development Office
City Hall, Room 32 • 149 Church Street • Burlington, VT 05401
802-865-7144 VOX • 802-865-7024 FAX • www.burlingtonvt.gov/cedo

Councilor Selene Colburn, **Chair**, East District
Councilor Tom Ayres, Ward 7
Councilor Adam Roof, Ward 8

Monday, December 14, 2015
6:00 – 8:00 PM
Robert Miller Center
130 Gosse Ct, Burlington

Proposed Agenda

1. Review Agenda
2. Public Forum (20 minutes)
3. Approval of Minutes – 11/2 (5 minutes)
4. CDBG Notice of Funding Availability/Advisory Board 2016 – M. Esbjerg (10 minutes
5. Housing Trust Fund Update – T. Rawlings (20 minutes)
6. Inclusionary Zoning Request for Proposals – discussion (30 minutes)
7. Next meeting – review advance schedule (10 minutes)

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For accessibility information, call 865-7144. For questions about the meeting,
contact Marcy Esbjerg at mesbjerg@burlingtonvt.gov

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Councilor Selene Colburn, **Chair**, East District
Councilor Tom Ayres, Ward 7
Councilor Adam Roof, Ward 8

Monday, November 2, 2015
6:00 – 8:00 PM
Robert Miller Center
130 Gosse Ct, Burlington

Draft Minutes 11.2.15

1. Review Agenda

   The meeting began at 6:15 PM with introductory comments from Chairman Colburn on the agenda and how the meeting is structured. A motion to approve the agenda was made by Councilor Ayres and seconded by Councilor Roof. Motion approved.

2. Public Forum (25 minutes) – The Public was invited to offer comment to the Committee.

   Charles Simpson Ward 6 – recommended all to watch the show on Channel 17 that was moderated by Charlie Gianonni on the NPA's. He thought it might be time to look to reboot the NPAs. He mentioned that NPAs can be used for initiatives to get started and mentioned the proposal to have paid administrators in each ward. Simpson talked about having advisory votes in each NPA and themed meetings.

Councilor Sharon Bushor – complimented the minutes of the past two meetings and felt they captured most of the sentiments. She noted that although the housing replacement ordinance did not make the Housing Action Plan, she hopes that the CDNR committee will review it. Bushor added a correction to the July minutes should be charter change. *Bushor expressed concern on the sale of City assets, expressly in regards to the Memorial RFP. She is on the record as being opposed to a sale of Memorial but suggests leasing the property instead. She is concerned about existing 40 spaces of parking as a lifeline to Flynn and downtown; housing encouraged in the RFP but she wouldn't like to see more than 50%. Bushor also mentioned that she doesn't want to block the visual corridor by height;but she does like the 15 foot sidewalk. She would like public involved in this proposal – ie. A charrette, to ensure the public is heard and knows they are listened.*

Councilor Sara Giannoni – speaking on behalf of Wards 2/3 and her husband who had to leave the meeting. She noted that the NPA has been struggling to pull off a meeting; they would support someone paid to do that. She believed this sort of model would build leadership in the NPA. In regards to the Memorial RFP, Giannoni remarked on the Miller Community Center an positive example of the public process; the public was heard on what was needed.

3. Approval of Minutes – 7/14 and 9/ 14 (5 minutes)

   A motion to approve the minutes from July and September with the Bushor correction was made by Councilor Roof and seconded by Councilor Ayres.

4. NPAs – Steering Committee Members (45 minutes)

   Matt Cropp *–started the discussion on staffing for the NPAs. He said that steering committee members engaged in conversation on this topic and thought it would be useful for each ward/NPA some person would be selected* *to be a clerk and receive a stipend. Some of the responsibilities for this clerk would include: filming of meetings; follow open meeting law, taking and posting minutes; city hall connection; organize the meetings and invite speakers. The suggestion was it should be someone embedded in the community for a few hours a month and they will be the first contact with city government*

Richard Hillyard – *asked to hear what are the City's plan with Kesha leaving? Each NPA is different. In Wards 1/8 they work together to put together an agenda. His personal perspective on city support included the importance of current partnerships with elected officials and city partners/institutions and noted that they are very supportive of the NPA. Hillyard felt that the NPA often had a seat at the table or next door. Partnerships include institutions, Fire and PD. Sometimes attendance is single digits and sometimes 30+; some themed meetings; some successes and some failures. Hillyard mentioned that Brian Pine and Bruce Seifer presented a video several years ago about CEDO and its work and there was nothing in it about Ward 1. He noted that conforming with Open Meeting Law is difficult and their NPA doesn't have the administrative support needed but it varies between Wards; he is never sure what kind of support he will get from Kesha or interns. Go back to supporting the NPAs – the CES should be neutral and not political.*

Charles Simpson*– spoke of a recent issue regarding how many copies of the minutes can they get? NPAs should be on all City initiatives like Fletcher Free Library Board and Go Burlington.*

Councilor Dave Hartnett – *With new wards and new districts, he wished all the wards would join together – specifically Wards 5 and 6 since the others are already meeting jointly. When the steering committees meet to plan agendas and meetings, there is no input from council and what is going on. Harnett* *feels some things fall through the cracks. The role of the Community Engagement Specialist should be defined and consistent for all the wards.Also the role of CEDO should be defined because sometimes CEDO is characterized as too intrusive and other times too distant.*

Councilor Sharon Bushor – *remembered that Herb Blumenthal said councilors should not be involved in NPAs in a controlling way; people should be able to share concerns and it be grassroots; especially when time is limited. Clerk from CEDO is the model that worked best and generated minutes; if the proposal of 4 clerks passes she noted that we need to have the same relationship and support from CEDO; support but no control.*

Matt Crop – *spoke about the limited nature of current support; filming for their Wards 4/7 NPA doesn't always go well. Cropp emphasized that the NPAs ability to make small community grants was a significant motivator to be involved, to say - here is a small community need to get a bigger community impact.*

Ann B – *explains that she is in Ward 8 and that they have a challenge of participation. She does appreciate City Council support and agree with the principle that NPAs are a grassroot movement. She noted a lot of changes going on right now with construction etc and a good time to be involved in the City.*

Councilor Tom Ayres – asked what is the history of the position and where do we expect it to go?

Peter Owens, Director of CEDO – *noted that he has no experience with other CES positions and would like some consistent between 4/7 projects;*

Councilor Sharon Bushor – *mentioned that CEDO used to help write grants and support what was needed. Interest in the NPAs waned with no funding.*

Marcy Esbjerg – *provided a bit of history on the position. She explained that both Peter and her came in to the position as it exists today. The job* *description was changed with Mayor Weinberger with a broadened focus on public engagement to include populations underserved and not connected to city government including New Americans, people with disabilities and youth. As an entry level position, there seems to be a lot of turnover and it is a front line position dealing directly with the public. Going forward in our plans to replace Kesha, we are following standard protocol – reviewing the current job description, getting input from the NPAs and this committee, meeting with HR, Kesha and the Mayor to refine the job description and then advertise the position. There will be involvement from the NPAs in the interview process as before. Currently, the job is broken down into 4 areas: NPA support, Diversity and Equity; community outreach and general engagement and the internship program.*

Councilor Adam Roof – *said that his perception and experience was just of 1/8 and it was good to hear different viewpoints. Roof thought it was important to* ***define roles of CEDO,*** *steering committee members, who is voting and what do the votes mean; articulation of authority. He wondered how we could manage/deliver a program to satisfy different needs. Would changing the way NPAs do business involve a charter change? Where does their authority come from.*

Councilor Tom Ayres – *asked if we can agree on some uniformity like how decisions are made; how to convey our decisions to the assembly; did we use Robert's Rule or correct procedures with the suggestion of uniform bylaws.*

Councilor David Hartnett – *questioned if it fair to hire someone to manage the NPAs 4 different ways. Can All Wards Steering Committee give CEDO some direction in working it out?*

Councilor Adam Roof – *referred to the proposal to hire a volunteer get $100/stipend as a good possibility.*

Councilor Tom Ayres – *regarding the CES position and the groups served by this position. The NPAs should understand they are not the only game in town; he has worked with the CES on accessibility needs in the City. NPAs are not all things to all people; other groups deserve the CES as well to engage and have access to City government.*

Councilor Selene Colburn – *wondered if we dedicate full funding for this position and was there other funding in the past. She noted that we seem to be asking to do more with less. Colburn thought it was important to get clarity of practice and what can be uniform across the board. This year there was a new Councilor budget line item and Colburn suggested that the NPAs can make suggested grants for community needs from councilor funds. She also suggested that some councilors try to work in FY 17 budget to advocate now for more funds. She would support a formal proposal from each ward to hire someone to then work closely with CES; interns don't work as a staffing for NPAs. She wanted to follow up on how to give NPAs more representation on new initiatives and this should be more consistent – when and how they can play that advisory role and purpose.*

Action item - Hear back from the City and CEDO and how to define this role going forward. Bring it back as an agenda item.

Councilor Tom Ayres – *Can all wards have some agreement?*

Councilor Selene Colburn– *What do we want to do as councilors to bring up funding?*

5. **Memorial Auditorium RFP** - **Peter Owens** –

   The condition and needs for Memorial Auditorium have been thought about for a long time. During a presentation at Council photos were presented. In light of the 10 year Capital Plan to systematically take care of all our capital assets, Memorial Auditorium has become an urgent issue. The question is - do we want to spend $4million to make repairs? Key principles in the RFP to elicit a broad response; have a good community conversation. The block is located in the downtown TIF district and is also discussed in planBTV. The Mayor is looking for any number of proposals including public or public/private partners.

Several people, including Councilors Bushor and Colburn provided feedback that the proposal seemed to negate the choice of repairing the building. They encouraged transparency with purpose and process.

Councilor Tom Ayres – expressed the thought that to him the building is functionally a dinosaur as a performing arts space and it will take a lot of convincing to invest to repair it. In his professional life, he has used it a lot and is very familiar with it.

Councilor Selene Colburn – if we have all decided it then we need to be transparency about that.

Councilor Sharon Bushor – one option is to bring the building back to the full functions; Center City has needs and the City hasn't given Memorial attention. The City hasn't been a good steward of this building; should we invest to bring it as a community resource in the RFP should be communicated more clearly.

Peter Owens– explained the timeline. He discussed the possibility of bringing in a consultant due to the diminished capacity of CEDO. He expects to have the RFP out by Thanksgiving with responses before the end of the year. Discuss the proposals with the public via a public process and bring then bring it to the Council by March.

Councilor Tom Ayres– as*ked where do the abutting properties fit in?*

Peter Owens – *mentioned the potential to assemble properties together*

Councilor Selene Colburn – offered additional feedback**.** She supports the process of generating ideas for the next life of Memorial Auditorim. She suggested that the bullet point on housing and its emphasis detracts from focus on public space; She noted that even in its bad condition, the auditorium is great indoor public space and the RFP should be more balanced on public space;. Colburn questioned the comments on generating positive cash flow and wondered if the emphasis should be on on-going public good.

Charles Simpson– noted that rehearsal space is hard to come by and Memorial serves that function. He questioned if the City can invest in a new performance space – music/dance/performance… perhaps in the block of land by DPW on Pine.

Councilor Tom Ayres – mentioned another unrecognized gem, St Joseph's school as a potential for public space.

Matt Cropp – cited the private/public partnership with City Market as a good example of broad public input.

Councilor Dave Hartnett – agreed that the City has been a terrible landlord for Memorial Auditorium and has neglected that building. He empathized the importance of looking for partnerships. There are lots of good partners with schools/college/universities, the Boys and Girls Clubs; and diversity groups

6. **CDNR Work Plan** – Chairman Colburn suggested we sit down and plan work strategies. She recommended to map out the things that come through HAP. She proposed that the questions on UVM student housing presentation, ie Shannon's questions on student housing be the next item on the agenda. She will check with Joe Speidel.
7. Next meeting – Chairman Colburn suggested that we look for a common time to have a standing monthly meeting. Councilor Ayres noted that both Ayres and Roof are on License Committee.

A motion was made to adjourn by Tom Ayres and seconded by Adam Roof at 8:05PM. Motion approved.

Respectfully submitted,

Marcy Esbjerg

Assistant Director

Community, Housing and Opportunity Programs

CEDO

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Councilor Selene Colburn, **Chair**, East District
Councilor Tom Ayres, Ward 7 - absent
Councilor Adam Roof, Ward 8

Monday, December 14, 2015
6:00 – 8:00 PM
Robert Miller Center
130 Gosse Ct, Burlington

Draft Minutes

1. Review Agenda
   Chair Colburn opened the meeting at 6:08 with review of the agenda and a note that Councilor Ayres was unable to make this meeting due to a conflict with the Board of Finance's agenda item – Burlington College Developer Contract.
   Motion to approve – made by Councilor Roof. Motion approved unanimously.

2. Public Forum (20 minutes)
   Charles Simpson – *brought up concerns regarding Eagle's Landing. Because it is Burlington College land, he found out the development pay property taxes at the tax rate, yet it will be priced at market rate; it is considered in the waterfront TIF district but there will be no additional taxes. In addition, University housing is exempt from IZ ordinance.*

3. Approval of Minutes – 11/15 (5 minutes)
   Motion to approve made by Councilor Roof; approval unanimous.

4. CDBG (10 minutes)
   Marcy Esbjerg *presented an overview of the CDBG review and selection process; funding amounts and the role played by the CDNR committee. Additional members for the CDBG Advisory Committee were sought. CDNR members were invited to all the CDBG Advisory Board meetings and given a schedule of those meetings. The Notice of Funding Availability was discussed briefly and the timeline explained. The deadline to receive all CDBG*

applications is January 14.

5. *Housing Trust Fund (20 minutes)*

Todd Rawlings explained the background and purpose of the Housing Trust Fund (HTF) and how it is funded – *through property taxes ($.058 per $1,000 of assessed value) to preserve or increase affordable housing stock in Burlington; This year the Mayor added $175K. There has been significant discussion, especially during the Housing Action Plan meetings about restoring to the Housing Trust Fund to the full penny. Todd explained that the HTF Administrative Committee released an RFP in mid-August and received 8 applications but the end of September. In November the committee met and made final grant decisions. Rawlings also mentioned that CEDO has improved the way HTF information is distributed. The past 10 years of HTF funding is now on the CEDO website under Housing/HTF; minutes and agendas are also posted to allow for a more transparent process. The amount from the HTF is greater than $375K due to a carryover from last year plus interest payment (program income from South Meadow). The next step is BOF approval. Todd noted there is a change in the Administrative Committee; Brian Lowe resigned and Jen Kaulius was added. It was noted that there was a carry forward for next year of $157,632 because there might be more investment needed. Chair Colburn wanted to share some questions that arose at the HTF Administrative Committee meetings: what is the historical role of the HTF and the future; what is evaluative criteria applied to project applications; how finite do we need to be that the money will create new units as opposed to a strong finish of a project. Chair Colburn suggested the HTF Admin Committee bring in others to understand historical precedent. What is our evaluative criteria going forward? Are there stated target ranges and full amount that can be invested.*

Erhard Mahnke *– noted that the charter change for HTF should have been in the final Housing Action Plan and the City should make that commitment for a full penny in the budget. Erhard would really like to see it on the ballot if it needs to be on the ballot. Chair Colburn and Councilor Roof committed to move that forward and investigate how fast it can be moved forward.*

6. *RFQ – Inclusionary Zoning*

Chair Colburn opened this agenda item by noting that a draft was posted for public comment and she first opened the discussion for public comment.

Ted Wimpey *– offered the following comments and feedback*

- *What is the appropriate unit threshold to trigger IZ? Good and appropriate.*
- *Strong opinions on payment in lieu and whether units are produced off-site? That might divide affordable housing advocates*
- *Looking for diversity scattered around the City of Burlington.*
- *Should 'g' on perpetuity affordability even be considered?*
- *Selection process – wants to make sure there is a member of City Council on the internal team.*

John Davis *– private consultant – would normally answer this but won't do that at this time. This is a smart thing to do; you want to be very clear to get a proposal with a product you want. He recommended strengthening the RFP itself – communicate the structure of the proposal and the deliverables. Other comments:*

- *Evaluate the performance of the ordinance as is and then how can it be tweaked;*
- *Can a private developer make a profit under this ordinance; how can we tweek ordinance to stimulate development to make a profit;*
- *State how many comparisons do you want them to do;*
- *State how many trips to BTV is expected; is travel reimbursable or additional;*
- *How many drafts will I have to do; when is the process done;*
- *Ask under qualifications for IZ experience;*
- *Extraneous information outside of IZ – density bonus as of right; how can in-lieu payments be invested;*
- *Comment on the budget - $20K would work if travel is over and above.*

  ***Erhard** – expressed concern that the RFP be preconstructed to say IZ isn't working. He reminded the group on what were the goals to begin with, since he was one of the initial authors. The goal was inclusion and not stimulation of new development. Additional comments on the RFP:*
- *What is the threshold – definitely a valuable thing to look at;*
- *Good to examine payment in lieu;*
- *Off-site is not a good option;*
- *How to invest funds – already in the HTF;*
- *Don't look at whether IZ units should have perpetual affordability, that should be off the table;*
- *Internal subsidization of IZ development was supposed to happen via density bonuses – why has that not happened, it should be rephrased in the RFP for a correct analysis;*
- *For developments with a higher market rate there is a tier system- has that been used, does it need to be continued.*
- *Why should a consultant come in and use the term/definition of workforce housing? That should be a community definition.*
- *Look at what is in the pipeline not just what has been developed in the past.*

  ***Bonnie Acker** – look at IZ in a broader context – same sex marriage, kids safe, etc.*

  ***Charles Simpson** – For the payment in lieu, he asked what is thatamount and should it cover the market value for the percent of the whole project.*

  ***Councilor Knodell** expressed her primary concern was the RFP seemed to lean towards the impact of IZ on production of units; however she reiterated that the goal of IZ is for inclusion as a community and not just about production. She asked if there has been negative externalities of units – economics of IZ – is that why we haven't seen more units. The IZ ordinance is about economic inclusion in housing and we don't want to change the goals; we have not agreed to change the goals.*

  ***Ted Wimpey** – make it clear about the travel costs so we can cast the net widely for consultants. Also look at it to see if IZ has somehow prohibited development of rental housing;*

  ***Erhard** – Will we require consultant to make a presentation to a public body?*

  ***John Davis** – asks about the back end – stewardship of housing – not just renter or owner too;*

  ***Councilor comments** –*

  ***Chair Colburn** – spoke on the intent in ordinance, housing opportunities for all citizens to make sure housing meets the needs of all income groups, not about production of affordable housing. The ordinance is also about housing supply around the City and to promote health,* *safety of citizens. Chair Colburn said the RFP should first evaluate the stated intent of the ordinance.*

- *Item 2 of scope of work;*
- *Evaluation should be added up front; intro paragraph*
- *Last sentence might need to be changed or removed from intro paragraph*
- *#5 – why do we need so many questions- maybe too prescriptive;*
- *Payment in-lieu; thresholds; student housing all should be examined;*
- *Support removing in perpetuity from RFP all together;*
- *Questions on the selection process – CDNR wants to play a role in the selection of the consultant and review the proposal; also suggested engaging beneficiaries of affordable housing along with developers.*

***Councilor Roof** – notes the inception of inclusionary zoning ordinance in 1989 coincides with his birthday! He said it is important to ensure the RFP does not cast an assumption. There are still a lot of questions about what IZ has already done. Is $20K our budget – what are our limitations? What is our community definition of workforce housing? What about the cost/profitability close by in other communities?*

***Chair Colburn** – Since there was substantative feedback, she has requested that the committee see the next draft of the RFP and committed to meet in early January. The RFP doesn't need to include the exact language but the CDNR committee would like to be a part of the selection of the consultant. She will circulate a memo on the meeting feedback.*

***Marcy Esbjerg**– summed up some of the comments saying that adding evaluation of the IZ as part of the RFP, simplifying number 5 were distinct recommendations. She also said that she thought she heard that we don't want a focus on production but she cautioned that we don't ignore IZ as a tool for producing affordable housing.*

***Councilor Knodell** – doesn't want the Admin to own the process. It is important to have a city councilor on the selection process and specifically a member of CDNR to sit on the selection committee.*

7. *Next Meeting dates:*

Proposed Wednesday 20th – 5:30 – check with Tom and City calendar and standing meetings
Motion to adjourn was made by Councilor Roof at 7:43PM. The motion was unanimous.

Respectfully submitted,

Marcy Esbjerg
Assistant Director
Community, Housing and Opportunity Programs