



**Board of Finance - Monday, December 9, 2019 at 5:30 p.m.
Conference Room 12, City Hall
12/9/2019**

BURLINGTON BOARD OF FINANCE

CITY HALL

BURLINGTON, VERMONT

MINUTES OF MEETING

December 9, 2019

APPROVED - 2/3/20

MEMBERS PRESENT: Mayor Weinberger
Council President Wright
Councilor Paul
Councilor Bushor

MEMBERS ABSENT: Councilor Pine

OTHERS PRESENT: Steve Locke, Interim CAO
Rich Goodwin, DFO
Eileen Blackwood, City Attorney
Richard Haesler, Assistant City Attorney
Justin St. James, Assistant City Attorney
Jordan Redell, Mayor's Office
Olivia LaVecchia, Mayor's Office
Deanna Paluba, HR
Lynn Reagan, HR
Lucas McGowan, CEDO

1.0 CALL TO ORDER and AGENDA



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Mayor Weinberger called the Board of Finance meeting to order at 5:30 PM on December 9, 2019.

1.01 Agenda

MOTION by Councilor Bushor, SECOND by Councilor Paul, to approve the agenda as presented. VOTING: unanimous; motion carried.

2.0 PUBLIC FORUM

There were no comments from the public at this time.

3.0 BOARD OF FINANCE APPROVAL

3.01 Settlement of Doyle Attorney Fees Claim – City Attorney

MOTION by Councilor Paul, SECOND by Councilor Bushor, to authorize the City Attorney to resolve the claim for attorney fees following the Vermont Supreme Court case in Doyle v City of Burlington on the terms discussed.

DISCUSSION:

- **Councilor Bushor expressed disagreement with the Vermont Supreme Court, period, and expressed concern about the precedent. There is no appeal recourse. Assistant City Attorney St. James explained only constitutional issues from the state courts can go to appeal. With a statutory claim regress must be sought through the legislative process which is the intention. The settlement is \$65,000 down from \$95,000.**

VOTING: unanimous; motion carried.

3.02 Grant Anticipation Notes For Cost of Certain Airport Improvement Projects – C/T

MOTION by Councilor Paul, SECOND by Council President Wright, that the Board of Finance approve the resolution on the renewal of the \$7 million grant anticipation note for the cost of certain airport improvement projects.

VOTING: unanimous; motion carried.

4.0 APPROVE AND RECOMMEND TO CITY COUNCIL

4.01 Use of City Council Initiative Funds for Burlington Wildways – Councilor Shannon

Councilor Paul asked about the amount of money given to Burlington Wildways in the past and expressed concern that the request was not specified as an initiative. The ongoing expense should be considered at some point for inclusion in the budget. Mayor Weinberger agreed some long term thinking on Burlington Wildways should be developed.



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Councilor Bushor asked about the balance in the City Council Initiative Fund and urged prioritizing use of the funds. The money should not be disruptive to areas the city wants to protect. Pedestrians need to be given priority in these places.

MOTION by Councilor Bushor, SECOND by Council President Wright, to postpone action until hearing from a representative of Burlington Wildways on the request.

- Councilor Bushor clarified the delay is for more information, not a denial.
- Councilor Paul recalled on June 18, 2018 the request for \$10,000 was made. The resolution on Burlington Wildways was done in October 2019.
- DFO Goodwin will research the balance in the City Council Initiative Fund. Mayor Weinberger added information on time sensitive items and use of the initiative funds will be provided at the next meeting.

VOTING: unanimous; motion carried.

4.02 FY2019 Waterfront/Downtown TIF Districts Related Costs Reimbursement – City Attorney

MOTION by Councilor Bushor, SECOND by Council President Wright, to approve and recommend to City Council to approve the resolution to reimburse CEDO for FY2019 expenditures as described in the memo from Richard Haesler, dated 12/6/19. VOTING: unanimous; motion carried.

4.03 Utilize Uncommitted Waterfront TIF Increment Revenues for CEDO Related Costs and Design Costs Incurred To Date for Bank Street and Cherry Street Design – City Attorney

MOTION by Council President Wright, SECOND by Councilor Paul, to approve and recommend to City Council to approve the resolution authorizing the use of uncommitted Waterfront TIF increment revenues for CEDO related costs and design costs incurred to date for Bank Street and Cherry Street Design.

DISCUSSION:

- Councilor Bushor asked if the money is for CityPlace. Mayor Weinberger said the money is public infrastructure on Bank Street and Cherry Street. The proposal is to use the uncommitted known increment in the historical Waterfront TIF District, not the extended one, to pay for related and design costs. The city could try to bridge until bonding for the new TIF District, but there will be uncertainty. The funds need to be used or 70% must be returned to the state. Assistant City Attorney Haesler added legally the Waterfront TIF District is one entity. There are properties that allow use of the increment longer than the rest. It is felt there is enough money to cover a project having problems and not being able to meet the legislative timelines.

VOTING: unanimous; motion carried.

4.04 Future Waterfront TIF Districts Related Cost Reimbursements – City Attorney

MOTION by Councilor Bushor, SECOND by Council President Wright, to approve and recommend to City Council to approve the resolution on future reimbursements of Waterfront TIF District related costs to CEDO. VOTING: unanimous; motion carried.



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5.0 COMMUNICATIONS

5.01 Audit Schedule – C/T

Interim CAO Locke said the audit management letter will be provided to the Board of Finance at the next meeting. A presentation of the draft audit will be given to the Board of Finance and City Council at the January 6, 2020 meetings. DFO Goodwin noted there were no deficiencies found in the audit. The city is in good shape for finalizing the audit to be in compliance with the charter.

Councilor Bushor asked when the budget gap discussion will be held. Mayor Weinberger said discussion of the public safety tax increase, fire ambulance paramedic elements and the five additional police officers will take place at the next Board of Finance meeting (12/16/19) and in January leading up to the vote. Councilor Bushor asked when BT will be discussed. Mayor Weinberger said discussion is envisioned in early January.

Councilor Pine asked for clarification on the contractual obligation for the fire items. Mayor Weinberger said if a tax increase is needed the city is contractually obligated to bring this to town meeting.

Mayor Weinberger said information on the City Hall Park Project and the CEDO reorganization will also be provided at the next Board of Finance meeting.

Councilor Paul asked about the school tax increase. Mayor Weinberger said the school district has just begun their budget work so the amount of increase is not known. A presentation on the school budget is scheduled before City Council on 1/6/20.

Mayor Weinberger briefed the Board of Finance on progress in filling the CAO position. Interim CAO Locke is in place until the end of January 2020.

6.0 ADJOURNMENT

With no further business and without objection the meeting was adjourned at 6:13 PM.

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