



July 13, 2020

Regular City Council Meeting - Monday, July 13, 2020, 6:30 pm. There are several ways to tune in: 1. CCTV YouTube Channel or on Burlington Telecom Channel 317.

<https://www.youtube.com/channel/UCJkWMLSqRNKLoyUZQiNoAcQ> 2. Please click the link below to join

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1. Agenda

1.01 Motion to amend/adopt agenda

Type: Action, Procedural

Recommended Action: motion to adopt the agenda with the following amendments: note written material for agenda item 2. Work Session on Minimum Parking Requirements and for agenda item 6.03 Ordinance: Comprehensive Development Ordinance - Minimum Parking Requirements ZA #20-04 (per David White); note written materials and motion for consent agenda item 5.17 Communication: Rich Goodwin, Director Financial Operations, re: Recommendation for Banking and Cash Management Services (per DFO Goodwin); note written materials for consent agenda item 5.18 Resolution: Authorization For Paying Agent And Successor Bond Trustee For City Revenue Bonds And Certificates Of Participation (Board of Finance)(per City Attorney's Office and DFO Goodwin); add to the consent agenda item 5.19 Communication: Steven A. Locke, Fire Chief, re: Surplus Equipment with the motion to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.20 Communication: Bill Gavin, re: Police defunding with the motion to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.21 Communication: Robert Bristow Johnson, re: The Impetus, Necessity, and Purpose of Ranked-Choice Voting with the action to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.22 Communication: Vermont Congressional Delegates and State Representatives, re: Vote Yes to Allow Voters of Burlington to consider ranked choice voting with the action to "waive the reading, accept the communication and place it on file"; add Councilors Stromberg and Pine as co-sponsors for agenda item 6.05 Resolution: Painting Black Lives Matter Street Mural on Burlington Street (Councilors Paul, Hightower, Paulino, Shannon, Carpenter, Mason)(per Councilor Paul); note revised version of this agenda item (per Councilor Paul); remove from the agenda item 6.06 Resolution: Just Economy Charter Changes (Councilors Freeman, Stromberg, Hanson, Tracy and leave on the table (per Councilor Freeman); note revised version of agenda item 6.08 Resolution: Placing Question On Ballot Re Charter Change Re Ranked Choice Voting For Mayor, City Councilors And School Commissioners (Charter Change Committee)(per City Attorney's Office per Councilor Shannon); note supplemental materials for this agenda item per Councilor Hanson and Robert Bristow Johnson; add to the agenda item 6.10 Appointment: Church Street Marketplace Commission (Term Expires 6/30/23)

2. Work Session on Minimum Parking Requirements *start time: 6:30 pm

2.01 Work Session re Minimum Parking Requirements ZA #20-04

Type: Discussion, Information

note written material for this agenda item per David White, posted on Monday, July 13, 2020, at 5:13 pm, LO

note presentation for this agenda item posted on Thursday, July 16, 2020, at 9:15 am, LO

 Burlington City Council Parking Minimums
Memo - 20200713.pdf

 Parking_CCws20200713.pdf

3. Public Forum: time certain: 7:30 pm



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3.01 Verbal Comments

Type: Action, Information, Procedural

4. Climate Emergency Reports

4.01 Climate Emergency Reports

Type: Information

5. Consent Agenda

5.01 Motion to amend/adopt consent agenda taking the following actions as indicated

Type: Action (Consent), Procedural

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

5.02 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 071320 cc
mtg LO.xlsx

5.03 Communication: Cindi Wight, Director, Department of Parks, Recreation & Waterfront and Erin Moreau, Waterfront Superintendent and Harbormaster, re: Lease of Boathouse Concession Space to Splash Restaurant

Type: Action (Consent), Communication

Recommended Action: To approve and authorize the execution of a lease agreement with Big Splash Catering, Inc., d/b/a as Splash, to perform all restaurant services at the Burlington Community Boathouse, for Splash to compensate the City at a minimum of 15% gross receipts, with a minimum compensation of \$135,000 annually for the use of space to operate restaurant services, and to authorize Miro Weinberger, Mayor of City of Burlington, to execute the lease and any related documents needed to carry out the lease agreement, subject to the review of the City Attorney's Office.

 20200702 BOFCC Memo - Lease of
Boathouse Concession Space to Splash
20200709.pdf

 DRAFT LEASE for City Properties - Splash
20200709.pdf

 BOFCC Checklist - Splash Lease
Agreement.docx



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5.04 Communication: Luke McGowan, CEDO Director, Lynn Reagan, HR Manager and Team Lead, Tony Berry, Human Resources Manager, re: Reclassification of Clerk/Treasurer Accounting and Compliance Manager to CEDO Senior Finance Manager

Type: Action (Consent), Communication

Recommended Action: To approve the reclassification of the Accounting and Compliance Manager, a Regular, Full-time, Exempt, Non-union, Grade 20, position in the Clerk/Treasurer Office to a Regular, Full-time, Exempt, Non-union, Grade 20, position with the title of Senior Finance Manager in the Community and Economic Development Office.

 2020.07.13 BOF CC CEDO Memo Packet
FINAL.pdf

5.05 Communication: Burlington International Airport, Nicolas Longo, Deputy Director of Aviation, Andrew Laderoute, Marketing Assistant, re: Authorization to Sign a Property Lease with Ben's Sandwiches Inc. at 3060 Williston Road

Type: Action (Consent), Communication

Recommended Action: To authorize the leasing of certain identified space at the Burlington International to Ben's Sandwiches Inc., and to authorize Mayor Weinberger to execute the leases, subject to final review and approval by the City Attorney's Office.

 07132020 Airport -Ben's Sandwiches Property
Lease Memo for 3060Williston Road.pdf

 BOF CC Checklist - Authorization to Sign a
Property Lease with Ben's Sandwiches Inc at
3060 Williston Road.pdf

5.06 Communication: Gene Richards, Director of Aviation, re: Request to Approve Acceptance of a Grant with the FAA for the Rehabilitation and Construction of Terminal Apron Phase 7

Type: Action (Consent), Communication

Recommended Action: 1. To authorize the Director of Aviation to execute an Airport Improvement Program grant with the Federal Aviation Administration and accept up to \$9,040,635.00, plus an additional contingency amount of \$1,356,095.25 (15%), issued over multiple years, for the rehabilitation and construction of terminal apron phase 7 the rehabilitation and construction of terminal apron phase 7, subject to the final review and approval by the City Attorney's Office .2. To authorize the Director of Aviation to execute a contract with Hoyle-Tanner and Associates for \$671,500.00, plus an additional contingency amount of \$100,725.00, issued over multiple years for construction inspection services as part of the rehabilitation and construction of terminal apron phase 7, subject to final review and approval by the City Attorney's Office . 3. To authorize the Director of Aviation to execute a contract with S.D. Ireland Companies for \$7,963,814.00, plus an additional contingency amount of \$1,194,572.10, issued over multiple years, for the rehabilitation and construction of terminal apron phase 7, subject to final review and approval by the City Attorney's Office.

 07132020 Airport - Term Apron Ph 7 Rehab
FAA Grant Acceptance.pdf

 BOF CC Checklist - FAA Grant Acceptance for
the Rehabilitation andConstruction of Terminal
Apron Phase 7.pdf



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5.07 Communication: Burlington International Airport, Nicolas Longo, Deputy Director of Aviation, Andrew Laderoute, Marketing Assistant, re: Authorization to Sign a Short-Term Property Lease with Casella Waste Systems, Inc. for Staging of Materials in the Airport Quarry

Type: Action (Consent), Communication

Recommended Action: To authorize the leasing of certain identified space at the Burlington International to Casella Waste Systems, Inc., and to authorize Mayor Weinberger, to execute the leases, subject to final review and approval by the City Attorney's Office.

 07132020 Airport - Authorization to Sign a Short-Term Property Lease with Casella Waste Systems Inc. for Staging of Materials in the Airport Quarry.pdf

 BOF CC Checklist - Authorization to Sign a Short-Term Property Lease with Casella Waste Systems Inc. for Staging of Materials in the Airport Quarry.pdf

5.08 Communication: Gene Richards, Director of Aviation, re: Request to Approve Acceptance of a Grant with the FAA for the Rehabilitation of the Airport's Access Security System

Type: Action (Consent), Communication

Recommended Action: 1. To authorize the Director of Aviation to execute an Airport Improvement Program grant with the Federal Aviation Administration and accept up to \$1,463,078.06, plus an additional contingency amount of \$219,461.70 for the rehabilitation of the Burlington International Airport's access security system, subject to the final review and approval by the City Attorney's Office. 2. To authorize the Director of Aviation to execute a contract with AECOM for \$94,493.04, plus an additional contingency amount of \$14,173.96, for construction inspection services as part of the Rehabilitation of the Airport's Access Security System, subject to final review and approval by the City Attorney's Office. 3. To authorize the Director of Aviation to execute a contract with MEI Electrical Contractors/MEI Systems Integrators for \$1,206,000.00, plus an additional contingency amount of \$180,900.00, for construction services as part of the Rehabilitation of the Airport's Access Security System, subject to final review and approval by the City Attorney's Office.

 07132020 Airport - Access Sec Rehab FAA Grant Acceptance.pdf

 BOF CC Checklist - FAA Grant Acceptance for the Rehabilitation of the Airport's Access Security System.pdf

5.09 Communication: Caleb Manna, Excavation Inspector, Department of Public Works, re: The Verterre Group - Encumbrance Application - Shelburne Road Rotary Project HES 5000

Type: Action (Consent), Communication

Recommended Action: To approve the Encumbrance Application for The Verterre Group, for the installation of monitoring wells in a portion of the Shelburne Street right-of-way and authorize the Mayor to execute a License Agreement subject to final approval by the City Attorney's Office on behalf of the City of Burlington for a term commencing on the date of execution and terminating on April 30, 2022.

 Final Encumbrance Application Verterre Group.pdf



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5.10 Communication: Caleb Manna, Excavation Inspector, Department of Public Works, re: 83 North Ave - Encumbrance Application - Planter boxes on Depot Street

Type: Action (Consent), Communication

Recommended Action: To approve the Encumbrance Application for Breakwater Condo Association, for the installation of raised bed boxes for flowers in a portion of the Depot Street right-of-way and authorize the Mayor to execute a License Agreement subject to final approval by the City Attorney's Office on behalf of the City of Burlington for a term commencing on the date of execution and terminating on April 30, 2021.

FINAL Encumbrance Application-83 North Ave.pdf

5.11 Communication: Kathy Griffis, re: Police cuts

Type: Action (Consent), Communication

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

Communication Kathy Griffis re Police cuts.pdf

5.12 Communication: Frank Burkle, re: Covid - masks

Type: Action (Consent), Communication

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

Communication Frank Burkle re Covid - masks.pdf

5.13 Communication: R. Marcus West, re: Facial Covering In Public Ordinance

Type: Action (Consent), Communication

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

Communication R. Marcus West re Facial Covering in Public Ordinance.pdf

5.14 FIO Documents

Type: Action (Consent), Communication, Information

Recommended Action: for information only

FIO Documents.pdf



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5.15 Ordinance: Comprehensive Development Ordinance - Bowling Alley in E-LM ZA #20-06 (Office of City Planning, Planning Commission)

Type: Action (Consent), Ordinance - First Reading

Recommended Action: consider this a First Reading and waive the reading, and suspend the Council rules and schedule a Public Hearing and Second Reading on August 10th

 Zoning Amendment - ZA 20-06 Bowling Alleys in the E-LM (CC 1st readversion 7-7-20).pdf

 Bowling Alley Memo & CDO Amendment_for Council 1st read.pdf

5.16 Communication: Susan Molzon, Senior Public Works Engineer, Martha Keenan, Capital Improvement Program Manager, re: Authorization to Execute Amendments for Master On-Call Agreements for Engineering Services

Type: Action (Consent), Communication

Recommended Action: 1. To authorize the Director of Public Works to execute Amendments to the Master On-Call Agreements for professional engineering services in amounts not to exceed \$300,000.00 in FY 2021 per agreement with Clough, Harbour & Associates, DuBois & King, Hoyle Tanner & Associates, Resource Systems Group, Stantec Consulting Services, and VHB., subject to the prior review and approval of the City Attorney. 2. To approve the Director of Public Works to execute individual work assignment contracts under the Master On-Call Agreements for professional engineering services with designated on-call consultants for amounts up to \$100,000 each, but not to exceed \$1,000,000 in aggregate over FY 2019, FY 2020 and FY 2021, without the need to obtain further approval from the Board of Finance and City Council, and subject to the prior review and approval of the City Attorney's Office.

 BOF CC Checklist_On-Call Engineering FY21.pdf

 BOF-CC Memo Re On-Call Engineering FY21-FINAL.pdf

5.17 Communication: Rich Goodwin, Director Financial Operations, re: Recommendation for Banking and Cash Management Services

Type: Action (Consent), Communication

Recommended Action: To authorize the Chief Administrative Officer to enter into a banking and cash management services agreement with Key Bank for a term of three years, and up to (2) additional 1-year terms based on the City's review and satisfaction with contract performance, subject to the review and approval of the City Attorney's Office.

****note written material and motion for this agenda item, posted on Friday, July 10, 2020, at 1:03 pm, LO****

 2_Award Primary Banker Recommendation FINAL.docx

 2_Checklist_Recommendation Banking and Cash Management Svc.docx



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5.18 Resolution: Authorization For Paying Agent And Successor Bond Trustee For City Revenue Bonds And Certificates of Participation (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

note written material for this agenda item posted on Friday, July 10, 2020, at 1:02 pm, LO

 Treasurer - Authorization for Paying Agent and Successor Bond Trustee for Revenue Bonds & Certificates of Participation.pdf

 1_Trust Memo Draft_KS +jsj+RG+FINAL.docx

 1_Burlington VT - 2020 Trustee Paying Agent Matrix.xlsx

 1_Checklist_Recommendation Bond Trustee.docx

 Signed CC Resolution Authorization For Paying Agent And Successor Bond Trustee For City Revenue Bonds And Certificates Of Participation.pdf

5.19 Communication: Steven A. Locke, Fire Chief, re: Surplus Equipment

Type: Action (Consent), Communication, Information

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

 Fire - Excessive Equipment.pdf

5.20 Communication: Bill Gavin, re: Police defunding

Type: Action (Consent), Communication

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

 Communication Bill Gavin re Police defunding.pdf

5.21 Communication: Robert Bristow Johnson, re: The Impetus, Necessity, and Purpose of Ranked-Choice Voting

Type: Action (Consent), Communication

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

 The Impetus, Necessity, and Purpose of Ranked-Choice Voting.pdf



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5.22 Communication: Vermont Congressional Delegates and State Representatives, re: Vote Yes to Allow the Voters of Burlington to consider ranked choice voting

Type: Action (Consent), Communication

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

 Letter in support of Ranked Choice Voting
7-13.pdf

6. Deliberative Agenda

6.01 Indoor Entertainment Permit Application (2020-2021): Arts Riot, 400 Pine Street

Type: Action

Recommended Action: that all outstanding gross receipt payment be received by the City Clerk's Office prior to the Arts Riot license being issued. That request for the condition can be withdrawn prior to the hearing if the City Attorney's Office receives a draft settlement statement reflecting the City pay out and unambiguously worded communications to Richard Haesler, Assistant City Attorney, from counsel for the seller, and from counsel for the buyer that the clients for each understand the requirement for the City payout and that neither party will participate in a closing that does not include the payout to the City. (Please contact Traci Paquette of the Clerk Treasurer's Office for the official amount owed).

 Indoor EP Application Arts Riot.pdf

6.02 Outdoor Entertainment Permit Application (2020-2021): Arts Riot, 400 Pine Street

Type: Action

Recommended Action: approve the 2020 - 2021 Outdoor Entertainment Permit Application with the following conditions : that all outstanding gross receipt payment be received by the City Clerk's Office prior to the Arts Riot license being issued . That request for the condition can be withdrawn prior to the hearing if the City Attorney's Office receives a draft settlement statement reflecting the City pay out and unambiguously worded communications to Richard Haesler, Assistant City Attorney, from counsel for the seller, and from counsel for the buyer that the clients for each understand the requirement for the City payout and that neither party will participate in a closing that does not include the payout to the City. (Please contact Traci Paquette of the Clerk Treasurer's Office for the official amount owed).

 Outdoor EP Application Arts Riot.pdf



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6.03 Ordinance: Comprehensive Development Ordinance - Minimum Parking Requirements ZA #20-04 (Office of City Planning, Planning Commission)

Type: Action, Ordinance - First Reading

Recommended Action: consider this a First Reading and waive the reading, and suspend the Council rules and schedule a Public Hearing and Second Reading on August 10th

****note additional written material for this agenda item per David White, posted on Monday, July 13, 2020, at 5:14 pm, LO****

 Zoning Amendment - ZA 20-04 Minimum Parking Requirements 8.1.3, Map 8.1.3-1, 8.1.6, 8.1.8, Table 8.1.8-1, 8.1.9, 8.1.10, 8.1.11, Table 8.1.11-1, 8.1.12, 8.1.13, 8.1.14, 8.1.15, 8.1.16 --1st Read.pdf

 Burlington City Council Parking Minimums Memo - 20200713.pdf

 ZA-20-04 Parking Memo_Council first reading.pdf

6.04 Presentation: Darren Springer, BED General Manager, Update On Net Zero Energy

Type: Information, Presentation

 NZE Update July 2020 .pptx

6.05 Resolution: Painting Black Lives Matter Street Mural On Burlington Street (Councilors Paul, Hightower, Paulino, Shannon, Carpenter, Mason)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

****note Councilors Stromberg and Pine are added co-sponsors to this agenda item per Councilor Paul****

*****note revised version of this agenda item per Councilor Paul, posted on Monday, July 13, 2020, at 5:33 pm, LO*****

 City Council - Painting Black Lives Matter Street Mural on Burlington Street (REVISED).pdf

 Signed CC Resolution Painting Black Lives Matter Street Mural On Burlington Street (Revised).pdf

 City Council - Painting Black Lives Matter Street Mural on Burlington Street.pdf



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6.06 Resolution: Just Economy Charter Changes (Councilors Freeman, Stromberg, Hanson, Tracy)

****REMOVED FROM THE AGENDA and left on the table****

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

 City Council - Refer Just Economy Charter Changes to Charter Change Committee for Consideration as Ballot Items.pdf

6.07 Resolution: Supporting Fair & Direct Federal Emergency Aid To Reopen And Rebuild Local American Economies (Councilors Mason, Paul, Carpenter, Paulino, Shannon, Hanson)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

 City Council - Supporting Fair & Direct Federal Emergency Aid to Reopen and Rebuild Local American Economies.pdf

 Signed CC Resolution Supporting Fair & Direct Federal Emergency Aid To Reopen And Rebuild Local American Economies.pdf

6.08 Resolution: Placing Question On Ballot Re Charter Change Re Ranked Choice Voting For Mayor, City Councilors And School Commissioners (Charter Change Committee)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

****note revised version of this agenda item per City Attorney's Office per Councilor Shannon, posted on Friday, July 10, 2020, at 3:55 pm, LO****

*****note supplemental materials for this agenda item per Councilor Hanson and Robert Bristow Johnson, posted on Monday, July 13, 2020, at 12:47 pm, LO****

 City Council - Placing Question on Ballot re Charter Change re Ranked Choice Voting for Mayor, City Councilors & School Commissioners (Instant Runoff Voting, IRV) REVISED.pdf

 City Council - Placing Question on Ballot re Charter Change re Ranked Choice Voting for Mayor, City Councilors & School Commissioners (Instant Runoff Voting, IRV).pdf

 The Impetus, Necessity, and Purpose of Ranked-Choice Voting.pdf

 Letter in support of Ranked Choice Voting 7-13.pdf

 Unsigned CC Resolution Placing Question On Ballot Re Charter Change Re Ranked Choice Voting For Mayor, City Councilors And School Commissioners (Revised).pdf



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6.09 Resolution: Extension Of Due Date For First Installment Of Property Taxes To September 14 (Board of Finance)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

 Treasurer - Extension of Due Date for First Installment of Property Taxes to September.pdf

 CC Memo Aug 2020 Prop Tax v3.docx

 Signed CC Resolution Extension Of Due Date For First Installment Of Property Taxes To September 14.pdf

6.10 Appointment: Church Street Marketplace Commission (Term Expires 6/30/23)

Type: Action

 Church Street bullets Ali Jalili.pdf

 Church Street Marketplace Commission Application Ali Jalili Bio.pdf

 Church Street Marketplace Commission Application Ali Jalili.pdf

 Church Street Marketplace Commission Application Cara Tobin.pdf

 Church Street Marketplace Commission Application Erik Monsen.pdf

 Church Street Marketplace Commission Application Lara Heath Allen.pdf

 Church Street Marketplace Commission Application Nathan Lantieri.pdf

 Church Street Marketplace Commission Application Steve Norman.pdf

7. Committee Reports

7.01 Verbal Reports

Type: Information, Procedural

8. City Council - General Affairs

8.01 Verbal Reports

Type: Information, Procedural

9. City Council President - Council Updates



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9.01 Verbal Reports

Type: Information, Procedural

10. Mayor - General Affairs

10.01 Verbal Reports

Type: Information, Procedural

11. Adjournment

11.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

12. Informational and Non-Discrimination Statements

12.01 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