BURLINGTON BOARD OF FINANCE

CITY HALL

BURLINGTON, VERMONT

MINUTES OF MEETING

July 13, 2020

MEMBERS PRESENT: Mayor Weinberger

Council President Tracy

Councilor Paul

Councilor Pine

Councilor Dieng

OTHERS PRESENT: Katherine Schad

Rich Goodwin

Olivia LaVecchia

Eileen Blackwood

Jordan Redell

Chapin Spencer

Tyeastia Green

Shelby Lozier

Luke McGowan

Nick Longo

Gene Richards

Marie Friedman

Cindi Wight

Erin Moreau

Larry Lackey

Norman Baldwin

Susan Molzon

Jeff Glassberg

Katie Kinstedt

David White

Zoraya Hightower

Jack Hanson

Joan Shannon

Franklin Paulino

Jeff Padgett

Amy Bovee

1.0 CALL TO ORDER and AGENDA

Chief Administrative Officer Schad called the Board of Finance meeting to order at 5:35 PM.

1.
   i. Motion to amend/adopt agenda

MOTION by Councilor Pine, SECOND by City Council President Tracy, to amend and adopt the agenda as follows:

- **Move item 4.02 to be item 3.11 for approval by Board of Finance and City Council.**

VOTING: unanimous (Mayor Weinberger not present for vote); motion carries.

2.0 PUBLIC FORUM (VERBAL)

2.01 Verbal Comments

None at this time.

3.0 FOR APPROVAL AND RECOMMENDATION TO CITY COUNCIL

3.01 Reclassification of Clerk/Treasurer Accounting and Compliance Manager to CEDO Senior Finance Manager – HR

CAO Schad introduced this item, detailing that this reclassification was included in the budget and is a perfunctory change. The position is currently funded 85% CEDO 15% Clerk/Treasurer's Office; this would codify the position's move to CEDO so that timesheets can be processed by CEDO instead of Clerk/Treasurer's Office.

MOTION by Councilor Pine, SECOND by Councilor Paul, to approve and recommend that the City Council approve the reclassification of the Accounting and Compliance Manager, a Regular, Full-time, Exempt, Non-union, Grade 20, position in the Clerk/Treasurer 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.

<u>DISCUSSION:</u>

- **Councilor Pine asked for clarification on the position's move between CEDO and the Clerk/Treasurer's Office, as it had previously moved from CEDO to the Clerk/Treasurer and now appears to be moving back. Director Goodwin replied that the bulk of this position's wages are paid by CEDO, and that the bulk of this position's reporting and performance management are through CEDO.**
- **Councilor Paul asked if 15% of the position's time would still be devoted to the Clerk/Treasurer's Office. Director McGowan replied that yes, 15% of the position's time and tasks would occur in the Clerk/Treasurer's Office. CAO Schad added that this move would help to maximize efficiency in positions across departments.**

VOTING: unanimous (Mayor Weinberger not present for vote); motion carries.

3.02 Lease of Boathouse Concession Space to Splash Restaurant – BPRW

MOTION by Councilor Pine, SECOND by Councilor Paul, to approve and recommend that the City Council 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.

<u>DISCUSSION:</u>

- **Waterfront Parks Manager Moreau noted that the Community Boathouse has a restaurant space which is leased out to interested parties and that an RFP was issued in December for the opportunities to lease the space. She added that Splash was the apparently successful bidder and that it had produced a thoughtful proposal which included enhancements to the upstairs space in addition to the downstairs space.**
- **Councilor Pine asked for clarification on the compensation. Ms. Moreau noted that it would be the higher of $135,000 or 15% gross receipts.**

- **Councilor Dieng asked about the livable wage requirement. City Attorney Blackwood clarified that leases are not subject to the livable wage ordinance as written.**

VOTING: unanimous (Mayor Weinberger not present for vote); motion carries.

3.03 Request to Approve Acceptance of a Grant with the FAA for the Rehabilitation of the Airport's Access Security System - Airport

MOTION by Councilor Paul, SECOND by City Council President Tracy, to 1. approve and recommend that the City Council 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 approve and recommend that the City Council 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 approve and recommend that the City Council 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.

VOTING: unanimous; motion carries.

3.04 Authorization to Sign a Property Lease with Ben's Sandwiches Inc. at 3060 Williston Road – Airport

MOTION by Councilor Paul, SECOND by Councilor Pine, to approve and recommend the leasing of certain identified space at the Burlington International to Ben's Sandwiches Inc., and to authorize Mayor Weinberger to execute the lease, subject to final review and approval by the City Attorney's Office.

VOTING: unanimous; motion carries.

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

MOTION by Councilor Pine, SECOND by Councilor Paul, to approve and recommend 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.

DISCUSSION:

- **Council President Tracy asked to clarify that trash or hazardous materials would not be stored on site. Gene Richards confirmed that yes, there would not be storage of hazardous material, consistent with Act 250.**

VOTING: unanimous; motion carries.

3.06 Request to Approve Acceptance of a Grant with the FAA for the Rehabilitation and Construction of Terminal Apron Phase 7 - Airport

MOTION by Councilor Dieng, SECOND by Councilor Paul, to 1. Approve and recommend that the City Council 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, subject to the final review and approval by the City Attorney's Office.

2. Approve and recommend that the City Council authorize the Director of Aviation to execute a contract with Hoyle-Tanner and Associates for up to $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. Approve and recommend that the City Council authorize the Director of Aviation to execute a contract with S.D. Ireland Companies for up to $7,963,814.00, plus an additional contingency amount of $1,194,572.10, issued over multiple years, for construction 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.

VOTING: unanimous; motion carries.

3.07 Authorization to Execute Amendments for Master On-Call Agreements for Engineering Services - DPW

Director Spencer gave an overview of this item, saying that the amendments would be a force multiplier for engineering services in the City, as it catches up with some of its deferred capital reinvestment. Engineer Baldwin added that there is a balance of funds to do more work, and that technical consultants could assist with near-term projects.

Councilor Pine asked for clarification on the amount being approved. Susan Molzon said the total amount is $1,000,000, which has been approved in the master agreements. Specifically called out $300,000 each fiscal year, but asking to extend that through Fiscal Year 2021. Carry forward of $170,000 and an allocation of $300,000 in this Fiscal Year 2021. She added that COVID impacted the ability to execute some of the contracts before the end of the last fiscal year.

MOTION by City Council President Tracy, SECOND by Councilor Pine, to 1. Approve and recommend that the City Council 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's Office; and 2. Approve and recommend that the City Council authorize 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.

VOTING: unanimous; motion carries.

3.08 Extension Of Due Date For First Installment Of Property Taxes To September 14 - CT

CAO Schad noted that property owners can pay their first installment of property taxes on September 14 without penalty, and that any postponed June payments are due on that date as well.

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

VOTING: unanimous; motion carries.

3.09 Authorization For Paying Agent And Successor Bond Trustee For City Revenue Bonds And Certificates Of Participation - CT

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

VOTING: unanimous; motion carries.

3.10 Recommendation for Banking and Cash Management Services – CT

MOTION by Councilor Pine, SECOND by Councilor Paul, to recommend and approve that City Council 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.

VOTING: unanimous; motion carries.

3.11 Request Authorization to execute property rights acquisition agreement in support of re-establishing St. Paul Street Right of Way between Bank and Cherry Street - DPW **was item 4.02**

Mr. Glassberg an overview of this item, noting that the opportunity to reconnect St. Paul Street is part of the City Place development and would require the acquisition of a piece of land from 150 Bank Street. He said it would expand the base of St. Paul Street in order to accommodate its reconnection and that the owner of 150 Bank Street would lose access to Bank Street, 650 sf of ground, and three parking spots. He noted that the owner of 150 Bank Street is seeking $2,500 for the land and $10,000 per parking space. He finally noted that this would be an option and would not commit the City to act on it.

City Council President Tracy asked how this changes and interfaces with the Complete Streets design of Cherry Street and asked whether this would create challenges. Mr. Baldwin replied that it would facilitate the connection of St. Paul Street, and would create a better transit point. Council President Tracy asked if the crosswalks would be clear in this arrangement. Mr. Baldwin replied yes and added that there is a mid-block crosswalk in this design.

Councilor Pine confirmed that this is a no-cost option for two years and does not obligate the City to close on this transaction. He added that if the City did pursue this. He confirmed that the cost would be part of the TIF investment.

MOTION by Councilor Pine, SECOND by City Council President Tracy, to approve and recommend that the City Council authorize the Mayor to enter into the attached Agreement to Convey Real Property and Grant Easements with Milot 150 Burlington Properties, LLC, subject to the prior review and approval of the City Attorney.

4.0 BOARD OF FINANCE APPROVAL ONLY

4.01 Request for approval to enter into a contract with Structural Preservation Systems, LLC Westlake Garage Concrete Repairs - DPW

Interim Assistant Director Padgett outlined the request, which came about because a report in 2018 identified a number of preventative repairs that would need to be completed.

MOTION by Councilor Pine, SECOND by Councilor Paul, 1. To authorize the Director of the Department of Public Works to utilize fund balance from the "265 – Parking Facilities" fund for repairs to the Westlake Garage; and 2. To

authorize the Director of the Department of Public Works to enter into a contract with Structural Preservations Systems, LLC in the amount of $89,996, plus $10,000 in contingency funds, totaling $99,996, subject to review and approval of the City Attorney's Office.

DISCUSSION:

- **Councilor Dieng asked if there were plans to respond to concerns about lighting, cleanliness, and other issues in the garage. Mr. Padgett replied that DPW has repainted and pressure-washed the garage, as well as checking and replacing lighting where needed.**
- **City Council President Tracy asked about the bargaining unit employees that work in the garages and whether this would disrupt their work. Mr. Padgett replied that no, there won't be disruptions because this is more specialized work, but it should improve the condition of the garages in general and make them easier places in which to work.**
- **Councilor Pine noted that the ownership of this garage by the City was meant to be phased out, and asked for clarification from the Mayor. Mayor Weinberger replied that Westlake has the obligation to purchase the garage at the end of the original agreement term with the City, in around five years.**

VOTING: unanimous; motion carries.

4.02 Request Authorization to execute property rights acquisition agreement in support of re-establishing St. Paul Street Right of Way between Bank and Cherry Street - DPW Move 4.02 to 3.11**

5.0 COMMUNICATIONS

5.01 EOC/RRC Report – CAO

No discussion at this time.

6.0 ADJOURNMENT

MOTION by Mayor Weinberger, SECOND by Mayor Weinberger, to adjourn the Board of Finance meeting.

With no further business and without objection the meeting was adjourned at 6:35 PM.

RScty: AACoonradt