

Marketplace Garage

ENGINEERING REPORT
TEUC – JUNE 21, 2022



The Challenge of Aging Infrastructure



1975

Nearly 50 Years old

- Built in 1975
- Opened in 1976

2014

Engineering Assessment/Report

- Short Term Repairs
- Medium Term Repairs
- Long Term Repairs

2015-2018

Short Term

- \$1M worth of Short Term Repairs Completed
- Mechanical Room Overhaul, Storm Pipe Repairs, Elevator Cab Replacement, Deck Patching

2018

Medium Term Plans called for extensive repairs that required a major shutdown

2020

Revised Medium Term Planning developed to minimize closure and extend life

2022

Revised Medium Term Engineering / Construction – **PENDING**

2022 *Revised* Medium Term Work



Beam Repair



Beam Replacement ~~Repair~~



Spall Removal and Sealing



Deck Patching



**Brick Façade
Removal and Replacement**
(west face, northern ramps)



**Garage will remain open with a maximum
of 80 spaces impacted (345 capacity, <25%)**

Project Timeline

- May 20th – Publish Bid
- June 3rd – Bids Due
- June 14th – Bid opening
- June 27th – Board of Finance / City Council Approval
- June 28th – Award Project

**Construction:
July – October**



Estimate Project Cost

Engineering	\$59K
Repairs	\$400K (estimate)
◦ Beam	
◦ Spalls	
◦ Deck	
◦ Spandrel Beam	
Replacement	\$50K (preliminary estimate)
◦ Brick Façade	
Estimated Total	\$509K



The Future (?)

The Marketplace Garage is getting old.

A decision is needed in 3-5 years:

- Major capital reinvestment?
- Construct a new facility?

Reinvestment? – There are challenges

- Many old infrastructure components (water/sewer/drain/electrical/elevator)
- Notably: Post-tensioned concrete slabs with insufficient concrete cover
- All result in ongoing costly, extensive repairs.

New Facility? – Planning effort needed

- Public process to determine the future vision
- Planning funds are in the FY'23 Parking Facilities Fund budget to begin this process



Thank you

Questions?





**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

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Chapin Spencer
DIRECTOR OF PUBLIC WORKS

Lee Perry
*DIVISION DIRECTOR
DPW MAINTENANCE DIVISION*

MEMORANDUM

To: Transportation, Energy, and Utilities Committee

From: Chapin Spencer, Director
Lee Perry, Division Director DPW Maintenance

Date: June 21, 2022

Re: Clarification and Changes to Chapter 14. Solid Waste – Article I. In Regard to Solid Waste Requirements, and Regulation of Recycling Cart Toter Size For Residential Properties.

Request

The Department of Public Works, and the City Attorney's Office respectfully request that the attached amendments to City Ordinance Chapter 14. Solid Waste, Article I. Solid Waste Requirements, and Regulation of Recycling Toter Size for Residential Properties.

Background

The City of Burlington currently collects recycling from residential properties, using covered wheeled, recycling carts supplied and available for purchase through the City. The carts available, for purchase, come in sizes that range from 35 gallon \$10.00, 65 gallon \$20.00, and 95 gallon \$25.00 wheeled, covered carts to meet the individuals needs based on the amount of recycling produced. Still in use throughout the City however, are the blue rectangular bins that originated from the recycling programs inception in 1992. Since that time there has been the introduction of wheeled, covered, carts that are equipped with lifting hardware that allows our recycling drivers to lift and empty with mechanical devises that come equipped on our trucks. Using the carts, not only improves efficiencies, but also saves on injuries to drivers, and the amount of debris that is blown from the uncovered blue bins that are still in use. This blown material is now non-recyclable material that is lost from the system, and becomes litter that is destined for the landfill.

We understand from previous feedback from City Councilors, any efforts to further increase the prevalence of toters would be welcome. As a result,, the Administration has allocated \$500,000.00, within DPW's proposed FY'23 Recycling budget to provide every residential property, with a City approved wheeled recycling cart (~7,600 carts). The carts will be provided to residents at the current rate charged by DPW, to align with costs of carts that have been sold prior this effort. The change in

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ordinance, and the purchase of these carts would allow DPW to remove from service the remaining blue bin's, and replace with wheeled, covered carts.

Proposed Ordinance Changes

DPW has worked with the City Attorney's Office to propose changes to the Burlington Code of Ordinances, Chapter 14 (Solid Waste), the purpose of which is to provide clarity and update solid waste and recycling requirements regarding the separation, storage, and collection of recyclables and solid waste. Please see the attached proposed change (Attachment A).

Also, it is the advice of the City Attorney's Office that if the proposed ordinance change is brought to the City Council, it should be accompanied by a resolution formally rescinding the defunct 1991 waste regulations that are still on the books because these have the potential to create confusion in the record as they partially conflict with current and to-be-updated sections of the Code of Ordinances regarding solid waste.

Proposed Timeline

For planning purposes, here is a preliminary timeline indicating the window when we will need to get Ordinance changes to advance this effort.

- Late June 2022: Send out RFP for various size recycling carts based on popular sizes, size of property, and establish manufacturing completion, and delivery date from a July 1 order. May need to be delivered in two shipments based on storage space available.
- July 2022: Send proposed ordinance changes for Chapter 14 Solid Waste for either adoption or referral to Ordinance Committee.
- September 2022: Desired time of Council approving ordinance changes for Chapter 14 Solid Waste if referred to Ordinance Committee.
- October 2022: Work with Public Works Information Manager to do outreach and advertising for purchase of carts.
- October 2022: Ordinance requirements in effect and staff will coordinate sale and delivery of carts to residents. This may require recruiting additional seasonal staff to help with delivery.

Given the proposed direction would require residents to purchase toters and to stop using bins, we want to make sure the Transportation, Energy, and Utilities Committee, is in general alignment on this direction prior to DPW staff advancing Ordinance changes to the full City Council. We are sharing the draft Ordinance language for your review and initial feedback.

If you have any questions please reach out to Lee Perry lperry@burlingtonvt.gov

Attachment:

- A. Proposed Ordinance Change re. Solid Waste Requirements and Regulation of Recycling Cart Toter Size for Residential Properties.

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Two

An Ordinance in Relation to

CHAPTER 14. SOLID WASTE—
ARTICLE I. IN GENERAL—
UPDATE OF SOLID WASTE & RECYCLING
REQUIREMENTS RE SEPARATION, STORAGE, AND
COLLECTION

ORDINANCE _____

Sponsor: Dept. of Public Works;
Dept. of Permitting & Inspection
Public Hearing Dates: _____

First reading: _____

Referred to: _____

Rules suspended and placed in all
stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

It is hereby Ordained by the City Council of the City of Burlington as follows:

That Chapter 14. Solid Waste, Article I. In General of the Code of Ordinances of the City of Burlington be and hereby is amended to read as follows:

14-1 Purpose.

The purpose of these provisions (sections 14-1 through 14-10) is to protect the health and welfare of the citizens of Burlington, to promote energy and resource conservation and to protect the environment. The city council hereby adopts these provisions to regulate the separation, recovery, collection, removal, storage and disposition of solid waste, including recyclables, in the city.

14-2 Definitions.

The following definitions shall apply to this article:

- Authorization by the City of Burlington: Authorized pursuant to a legal contract or other written authorization entered into by the city and a private third person as defined herein.
- Curbside: an area adjacent to the street, curb, or roadside ditch, but in no case greater than ten (10) feet from the curb or roadside nor directly on the traveled portion of any road or sidewalk.
- Designated area: an area selected for placement of solid waste for collection, which must be readily accessible at all times by a conventional solid waste collection vehicle and not directly on the traveled portion of any public road or sidewalk. An area may be so designated through mutual agreement between a person and their hauler. However, the location of a designated area shall not violate any applicable local or municipal ordinance.

Commented [TD1]: Note: I have included all portions of Chp.14, Art.I (§§14-1—14-18) to provide context during initial amendment conversations. Any unaltered sections will not appear in the draft that goes to Council and the Ordinance Committee.

Commented [TD2R1]: Also, this should be accompanied by a resolution nullifying the 1991 regulations which conflict with the ordinances and are still on the books.

Commented [TD3]: Added bullets.

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25 - Hazardous waste: any waste or combination of wastes of a solid, liquid, contained gaseous, or

26 semi-solid form, including those that are toxic, corrosive, ignitable, reactive, strong sensitizers, or

27 that generate pressure through decomposition, heat, or other means, that in the judgment of the

28 Secretary may cause or contribute to an increase in mortality or an increase in serious irreversible

29 or incapacitating reversible illness, taking into account the toxicity of such waste, its persistence

30 and degradability in nature, and its potential for assimilation, or concentration in tissue, and other

31 factors that may otherwise cause or contribute to adverse acute or chronic effects on the health of

32 persons or other living organisms, or any matter that may have an unusually destructive effect on

33 water quality if discharged to ground or surface waters of the State. All special nuclear, source, or

34 by-product material, as defined by the Atomic Energy Act of 1954 as subsequently amended and

35 codified in 42 U.S.C. § 2014, is specifically excluded from this definition.

36
- 37 - Hauler: any person who collects, transfers, or transports solid waste generated within Chittenden

38 solid waste District borders for compensation, including any operator of a vehicle or trailer, or a

39 container on or attached to such vehicle or trailer, to collect solid waste from self-haulers.

40
- 41 - Household hazardous waste: any waste from households that would be subject to regulation as

42 hazardous wastes if it were not from households.

43
- 44 - Person: Any person, firm, partnership, association, corporation, company or organization of any

45 kind.

46
- 47 - Recyclable: ~~Recyclable material as specifically identified in regulations promulgated pursuant to~~

48 ~~these provisions~~) Solid waste which may be reclaimed or processed so that it may be used in the

49 production of materials or products.

50
- 51 - Self-hauler: any person who transports and delivers his or her own solid waste or solid waste

52 from other individuals within a member municipality for no compensation.

53
- 54 - Solid waste: Any solid waste as defined in Title 10 V.S.A. section 6602.

14-3 Solid waste regulation.

In accordance with section 48(VI) of the City Charter, the collection, removal and disposal of all solid waste, including recyclables, within the limits of the city shall be regulated by the city council. ~~Such regulations as are necessary and appropriate to effectuate the aims of this chapter shall be proposed by the public works commission for approval by the city council.~~

14-4 Collection.

(a) The city council is authorized to employ or make contracts with individual persons for the separation, recovery, collection, removal, storage or disposition of solid waste, including recyclables. Contracts will be reviewed and awarded by the city council and/or the public works commission consistent with current city policy. Contracts which are awarded pursuant to this authority shall be advertised or otherwise put to competitive bid as required by city policy. Contracts may be rejected or awarded at the sole discretion of the city for any reasons which it deems appropriate, including, but not limited to, the efficiency of scale, past performance, stability of operation and need for competition.

(b) All collectors and haulers of solid waste and recyclables in the city shall register with the department of public works and such registration shall constitute authorization to collect and dispose of solid waste and recyclables. Registrants may be required to provide information necessary to assure the proper handling of such materials. The public works commission, with city council approval, may establish other requirements, including a registration fee, necessary to carry out these provisions.

(c) Those businesses, landlords or institutions that elect to implement their own collection or disposal programs may do so only with the approval of the public works commission and shall register with the department of public works, which shall have the authority to monitor such programs for compliance with ~~regulations adopted pursuant to these provisions~~ any provision of this chapter.

(d) The department of public works may establish, and modify as necessary, a schedule for the collection of recyclables by the city from residential properties.

Commented [TD4]: Authority for DPW to set collection schedule:
City Charter, Article 19. Powers Of City Council § 48 Enumerated, Subsection (63)(d) The public works director shall have the special and immediate care and practical supervision of the public works department, its personnel and its facilities and equipment, subject to the authority of the mayor as chief executive officer and the orders and ordinances of the city council.

14-5 Public safety.

~~No person having the custody or control of residential, industrial or business premises in the city from which solid waste, including recyclables, is collected shall permit or cause any solid waste, including recyclables, within their control to become a hazard to public travel, health or safety or to become a nuisance of any sort. Solid waste, other than yard waste, may not be deposited or otherwise left out of doors unless it has been placed in the proper container as defined by regulations promulgated pursuant to this article. All containers must be kept covered with a tightly fitting lid. The public works commission shall promulgate regulations, subject to approval by the city council and consistent with health and zoning regulations, to ensure the public health and safety, including aesthetic concerns, regarding the placement and screening of waste containers. Household hazardous wastes may only be disposed of in accordance with regulations adopted pursuant to this article.~~

Commented [TD5]: Moved below for clarity to reader.

14-6 Illegal dumping.

(a) It shall be unlawful for any person, business or corporation to enter any city solid waste facility when such facility is not open; nor shall they deposit, dump or leave solid waste of any kind in any such facility or adjacent thereto, whenever the facility is open without the express permission of the authorized operator of said facility.

(b) It shall be unlawful for any person to deposit, dump or leave solid waste in any privately owned or maintained disposal container other than their own, nor any other private property, without the consent of the owner.

(c) It shall be unlawful to deposit in a municipally owned or maintained disposal container any solid waste other than that created or originated in any public buildings, grounds, highways or on the person of anyone using such public buildings, grounds or highways without the express permission of the city department having control over such container.

14-7 Open fires and incinerators.

The burning or incineration of any solid waste or recyclables in the city is prohibited. No exemptions from this prohibition shall be made except that after review by the fire department, the city council may grant an

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exception due to extraordinary circumstances to maintain or protect the public good or for a special event in the city. Provided further, that this section shall not be applicable to fire department training sessions, campfires which are regulated by the parks department or to residential outside cooking units.

14-8 Solid waste in proper container; separation and storage of recyclables.

(a) No person having the custody or control of residential, industrial or business premises in the city from which solid waste, including recyclables, is collected shall permit or cause any solid waste, including recyclables, within their control to become a hazard to public travel, health or safety or to become a nuisance of any sort. Solid waste, other than yard waste, and household hazardous wastes may not be deposited or otherwise left out-of-doors unless it has been placed in the proper container.

~~(a)~~ (b) Except as hereinafter provided, recyclables from all residences shall be kept separate from other solid waste in a covered wheeled recycling container with a minimum capacity of thirty-five (35) gallons either provided or approved by the department of public works (“toters”), except as provided for in Section 18-111 of this Code of Ordinances, and either delivered to a collection facility or placed at the Curbside or designated area for pickup ~~as defined in regulations adopted pursuant to this article and on file with the city clerk.~~

~~(b)~~ (c) Businesses, institutions and industries located within the city shall separate recyclables from all other solid waste ~~in accordance with regulations adopted pursuant to this article.~~ Once separated, such materials shall be placed in city-approved containers and in clearly marked designated areas ~~as described in the regulations.~~

~~(c)~~ (d) ~~In accordance with regulations adopted pursuant to this article, any~~ Any person within the city may properly dispose of recyclables at private collection facilities or at collection areas maintained by the city or its designated agent for that purpose.

~~(d)~~ (e) Placement requirements may be waived by the department of public works if for reasons of age, infirmity or handicap or disability a resident is unable to comply.

Commented [TD6]: New language added for DPW's uniform recycling toters initiative.

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Cross reference—Minimum Housing Standards Ordinance of the City of Burlington, § 18-111.

14-9 Collection by unauthorized person.

It shall be a violation of this article for any person not authorized by or registered with the city to collect or pickup or cause to be collected or picked up for profit or for disposal outside of city authorized disposal sites any solid waste, including recyclables. Any and each such collection shall constitute a separate and distinct offensive punishable as hereinafter provided.

14-10 Penalties and enforcement.

(a) ~~Any person violating any provision of this chapter or the regulations enacted hereunder~~ A violation of any provision of this chapter shall constitute a civil offense enforceable under section 1-9 of this Code of Ordinances. Each day that a violation is continued shall constitute a separate offense.

(b) The city, or its designated agent, reserves the right to refuse to collect solid waste or to refuse to allow disposal at any facility operated by the city or for the benefit of the city where ~~these the provisions or the regulations promulgated hereunder~~ of this chapter are ignored or violated. The city further reserves the right to terminate the authorization of any hauler who violates ~~these the provisions or the regulations promulgated hereunder~~ of this chapter.

(c) Unless otherwise provided for herein, each day that a violation shall continue or exist shall constitute a separate offense.

(d) The city may, upon the violation of any provision of ~~these provisions this chapter, maintain an action to enjoin the violation of these provisions, or any regulations adopted to implement the same, but the election of the city to proceed with an application or petition for an injunction shall not prevent a criminal prosecution for the violation of these provisions~~ bring an action for injunctive relief in addition to or in lieu of any fine imposed under 1-9 of this Code of Ordinances.

(e) Expenses incurred by such action ~~taken by the city shall be recovered by~~ against the person whose legal duty it was to comply with these provisions.

Commented [TD7]: Changed to civil offense, because as previously written, under 1-9 this a violation of this chapter is by default a *criminal* offence. This is ultimately up to City Council to endorse or reject.

Commented [TD8]: The original language is flawed because it implies that injunctive relief and a civil fine cannot be simultaneously pursued.

Commented [TD9R8]: Regarding the striking of “criminal prosecution” language, see above comment referencing 14-10(a) and whether violations of this chapter should be criminal or civil.

Commented [TD10]: Broke out sentence into a new section for ‘responsibility of incurred costs’ because this is separate topic.

Commented [TD11]: Original language implies that the violator is the one who ‘recovers’ any attorney fees, etc. The violator should have to *pay* the costs, not recover them.

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Cross reference—General penalty; continuing violations, § 1-9.

14-11 Inconsistent repeal.

All ordinances or parts of ordinances, resolutions, regulations or other documents inconsistent with the provisions of the ordinance from which this article was derived are hereby repealed to the extent of such inconsistency.

14-12 Severability.

The ordinance from which this article derives and the various parts, sentences, sections and clauses thereof are hereby declared to be severable. If any part, sentence, section or clause is adjudged invalid, it is hereby provided that the remainder of this article shall not be affected thereby.

14-13 Effective date.

The provisions of this article shall become effective June 27, 1991.

Commented [TD12]: Correction of typo.

14-14 Solid waste generation tax.

(I) GENERAL PROVISIONS:

(a) Title. This section may be cited as the "Solid Waste Generation Tax Ordinance."

(b) Purpose and authority. This section is enacted to raise revenue for recycling purposes under authority of the Charter of the City of Burlington, Act No. 298, Acts of 1949, as amended, Sections 48VI and 49.

(II) TAXES IMPOSED:

(a) There is hereby imposed a tax upon the collection and removal of solid waste and the disposal of same by persons or agencies registered with the City of Burlington under Section 14-4(b) or licensed by any other government entity to collect or haul solid waste from within Burlington.

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(b) The tax shall be imposed upon solid waste haulers and collectors at the rate per month per residential dwelling unit served in Burlington set forth in the city's budget or as established by resolution of the city council. The amounts of tax charged are not refundable.

(c) Compliance required. It shall be unlawful for any person to transact or carry on any solid waste collecting or hauling business, occupation or activity within Burlington subject to the provisions of this section without complying with all applicable provisions herein.

(III) DEFINITIONS:

In addition to the definitions set out in section 14-2, for the purposes of this section the following terms, phrases, words and their derivations shall have the meanings given herein:

(a) Council means the city council of the City of Burlington, Vermont.

(b) Monthly period means such period which shall begin on the first day of each calendar month and includes the last day of each calendar month.

(c) Residential dwelling unit shall mean a room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

(d) Successor means any person who shall, through direct or mense conveyance, purchase or succeed to the business, or portion thereof, or the whole or any part of the stocks, goods, wares or merchandise or fixtures or any interest therein of a taxpayer quitting, selling out, exchanging or otherwise disposing of his business. Any person obligated to fulfill the terms of a contract shall be deemed a successor to any contractor defaulting in the performance of any contract as to which such person is a surety or guarantor.

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(e) Sworn statement shall mean an affidavit sworn to before a person authorized to take oaths or a declaration or certification made under penalty of perjury or an accounting of gross receipts of business done as required to be filed under this section.

(f) Taxpayer includes any individual, group of individuals, corporation, partnership or association required to pay a tax under this section, or any person who engages in any occupation for which tax is imposed by this section.

(g) Treasurer means the treasurer of the City of Burlington or his/her designated representative.

(h) Uncollectible account means an account held by a hauler or collector for provision of collection services to residential dwelling unit(s) which has become delinquent and the hauler or collector has cancelled that account.

(IV) TAX—WHEN DUE:

(a) Application for tax identification number; required information; issuance; failure to file deemed violation. Every taxpayer subject to the provisions of this section shall file within fifteen (15) days of the effective date hereof an application with the department of public works for an identification number. This application shall contain the legal name of the taxpayer, any trade name(s) employed, the address, principal place of business, phone number, authorized agent for service of process, the number of Burlington residential dwelling units served by the taxpayer in the preceding month and any other information required by the department of public works ~~solid waste regulations~~. Upon receipt of a complete application, the department shall issue to each taxpayer an identification number. Failure of a taxpayer, or anyone reasonably likely to be a taxpayer as herein defined at the time that levy of the taxes herein commences, to file for an identification number shall be a violation.

(b) Remittance. The tax imposed by this section shall be due and payable commencing October 31, 1993, in monthly installments and remittance therefor shall be made on or before the last day of the month next succeeding the end of the monthly period in which the tax accrued. The remittance shall

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be made as provided in this section and shall be accompanied by a return on a form to be provided and prescribed by the city treasurer. The taxpayer shall be required to make a sworn statement that the information therein given is complete and true and that the taxpayer knows the same to be so.

(c) Assessment of tax upon failure to file return. If a person fails to file a return or a complete return under oath when required to do so by this section, the treasurer or department of public works shall fix his [their] liability using any information in their possession for the period in respect to which such person has failed to file a return and shall assess the amount of tax due including applicable penalties.

(d) When delinquent. The tax shall be considered delinquent on the day after it becomes due and payable pursuant to subsection (b) above.

(e) Statement of balance due; limitation. If it is determined that a taxpayer has failed to pay any tax, penalty or portion thereof due under this section, the taxpayer shall be mailed a statement showing the balance due and shall add thereto a thirteen dollar (\$13.00) late penalty payment or interest at the rate of twelve (12) percent per year, whichever is greater. That unpaid balance and penalty total shall be subject to interest at a rate of twelve (12) percent per year from the date of underpayment. Such interest shall accrue until the date of payment. Within five (5) days from the date the statement is mailed, the taxpayer shall pay such balance and all interest due thereon. No such demand shall be made more than four (4) years after the close of the fiscal year in which the same accrued, except:

(1) As against a taxpayer who has been guilty of fraud or misrepresentation of material facts; or

(2) Where a taxpayer has executed a written waiver of such limitation.

(f) Closing returns for businesses closing or changing ownership. In the event any business subject to the tax defined herein closes or changes ownership, such business shall file a closing return with the department of public works and pay the tax due within thirty (30) days from the time of closing or

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changing or ownership of such business. A closing return shall be construed delinquent if not filed within the specified time. In the event a business referenced above fails to file a closing return, it shall be the responsibility of the successor to file the return and pay any taxes and penalties due thereunder.

(g) Notification upon change of type of business or activities. It shall be the responsibility of the taxpayer to advise the department of public works of any change in the type of business or the activities carried on or other required information.

(h) Extension. For good cause and for not more than ninety (90) days the time for paying any sum, or a portion thereof, required to be paid hereunder may be extended by the department of public works. The extension may be granted at any time, provided a written request therefor is filed with the city treasurer prior to the delinquency date. Interest at the rate herein stated shall accrue during the period of extension.

(V) PAYMENT OF TAX:

At the time the return is required to be filed under this section, the tax shall be paid to the department of public works by bank draft, certified check, cashier's check, personal check or money order, or in cash. If payment is made by draft or check, the tax shall not be deemed paid unless the check or draft is honored by the usual course of business; nor shall the acceptance of any sum by the treasurer be an acquittance or discharge of the tax due unless the amount of the payment is in full and actual amount due. The return shall be presented to the department of public works who shall endorse thereon the date and amount of the payment received by him and forthwith file the return in the office of the city treasurer.

(VI) EXAMINATION OF RECORDS:

(a) The director of public works or his/her designee is hereby authorized to request, examine, audit and inspect such books and records of any taxpayer as may be relevant or necessary to verify or ascertain the amount of the tax due.

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(b) All persons engaged in occupations subject to the provisions of this section are hereby required to permit examination of such books and records for the purpose aforesaid.

(VII) INFORMATION CONFIDENTIAL:

(a) Financial information furnished or secured pursuant to this section shall be deemed confidential in character and shall not be subject to public inspection and shall be kept so that the contents thereof shall not become known except to the persons charged with the administration and enforcement of this section.

(b) No officer, administrator or employee of the City of Burlington shall in any manner reveal the contents of any part or portion of the contents of any confidential information except as otherwise provided in this section, or in a legal action to enforce the provisions of this section, or pursuant to a court order.

(VIII) RECONSIDERATION AND APPEAL:

(a) Any person aggrieved by any decision of the director of public works with respect to the assessment of any tax or penalty by the director of public works, or any person aggrieved by the refusal of the director of public works to make a refund requested under paragraph (I), may petition the director of public works for a reconsideration within sixty (60) days after notice shall have been given such person. If a petition for reconsideration is not filed within such period, the amount of the assessment or the refusal to refund shall become final. If a petition is filed within such period, the director of public works shall reconsider the earlier action within twenty (20) days and, if the petitioner so requested in the petition, shall grant such petitioner an oral hearing and shall give the petitioner ten (10) days' notice of the time and place thereof. The director shall issue a final determination in writing to the petitioner within ten (10) days of the petition or the close of the hearing, whichever is later.

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(b) An appeal from any decision of the treasurer [director] issued under subsection (a) above shall be taken to the Chittenden Superior Court under V.R.C.P. 75

(c) If an appeal is not taken in strict conformance to this paragraph (VIII), the decision of the director shall be final. The remedies provided by this paragraph (VIII) shall be the exclusive remedies of a taxpayer with respect to any decision taken under this section. Upon failure to petition or appeal as provided under this section, the taxpayer shall be bound by such decision and shall not thereafter contest, either directly or indirectly, such decision in any proceeding, including, without limitation, any proceeding brought to enforce any provision of this section.

(IX) CREDITS AND REFUNDS:

(a) If a solid waste hauler or collector makes a payment of this tax based in whole or in part upon services provided to residential dwelling units and such unit(s) have become uncollectible accounts, the hauler or collector shall be entitled to a credit for any portion of taxes which were paid on such uncollectible account(s).

(b) In the event of overpayment of any tax due under this section, the director of public works, or his/her authorized agent, upon written application by the taxpayer for a refund or credit filed within two (2) years after the date of such overpayment, may offset the amount of such overpayment against the taxpayer's existing tax liability under this section or certify the request for refund for the purpose of processing a cash payment to such taxpayer. Refund of overpayment as authorized in this paragraph (IX) shall be approved by the city council.

(c) No refund or credit may be allowed with respect to any payments made to the city more than two (2) years before the date of such application. Provided, however, where a taxpayer makes application for a refund or credit of any overpayment made more than two (2) years before the date of such application and such taxpayer has an outstanding tax deficiency, the amount of the refund or credit which would otherwise be allowable for the portion of the assessment period preceding the two-year period shall be offset against any such deficiency.

An Ordinance in Relation to CHAPTER 14. SOLID WASTE—ARTICLE I. IN GENERAL—
UPDATE OF SOLID WASTE & RECYCLING REQUIREMENTS RE SEPARATION, STORAGE, AND
COLLECTION

(X) FAILURE TO COMPLY; FALSE RETURNS OR STATEMENTS; LICENSE SUSPENSION OR
REVOCATION OF AUTHORIZATION TO COLLECT AND HAUL SOLID WASTE:

It shall be unlawful for any person subject to the provisions of this section to fail or refuse to do any act required by this section. It shall also be a violation of this section for any person to make any false or fraudulent application, or return, or any false statement or any representation in or in connection with any such application or return, or to aid or abet another in any attempt to evade payment of the tax, or any part thereof. Any such violation shall be grounds for administrative suspension or revocation of authorization to collect and haul solid waste from within the city and for other penalties and enforcement as provided in section 14-10.

(XI) COLLECTION OF DELINQUENT TAX:

Any tax due and unpaid and delinquent under this section, and all penalties thereon, may be collected by civil action, which remedy shall be in addition to any and all existing remedies provided by section 14-10.

(XII) TAX AS A DEBT:

The amount of the tax and penalty imposed by the provisions of this section shall be deemed a debt to the city.

(XIII) REMEDIES CUMULATIVE:

(a) All remedies prescribed in this section shall be cumulative and the use of one or more remedies by the city shall not bar the use of any other remedy for the purpose of enforcing the provisions thereof.

(b) The conviction and punishment of any person for violation of this section shall not excuse or exempt such person from the payment of any tax due or unpaid at the time of such conviction.

Page 15

An Ordinance in Relation to CHAPTER 14. SOLID WASTE—ARTICLE I. IN GENERAL—
UPDATE OF SOLID WASTE & RECYCLING REQUIREMENTS RE SEPARATION, STORAGE, AND
COLLECTION

~~(XIV) — ADMINISTRATIVE RULES AND REGULATIONS:~~

~~The public works commission with concurrence of the city council shall have the power and it shall be its
duty from time to time to adopt, publish and enforce rules and regulations for the purpose of carrying out the
provisions of this section and it shall be unlawful to violate or fail to comply with any such rule or
regulation.~~

~~14-15 — 14-18 Reserved.~~

14-15 Hazardous wastes and household hazardous wastes.

Hazardous wastes and Household hazardous wastes shall only be disposed of either at specific locations
designated by the Chittenden Solid Waste District or by pick up by mobile household hazardous waste
collection initiatives designated by Chittenden Solid Waste District.

14-16—14-18 Reserved.

* Material stricken out deleted.

** Material underlined added.

tm/TD/Ordinances 2022/Chapter 14. Solid Waste—Article I. In General—Update Of Solid Waste & Recycling Requirements Re Separation,
Storage, And Collection
x/x/2022

Commented [TD13]: Added new language for due
Household hazardous wastes.



CITY OF BURLINGTON, VERMONT
CITY COUNCIL TRANSPORTATION, ENERGY & UTILITIES COMMITTEE

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Councilor Jack Hanson, Chair, East District
Councilor Mark Barlow, North District
Councilor Eugene Bergman, Ward 2

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Transportation, Energy and Utilities Committee of the City Council
Tuesday, June 21, 2022 – Directly following the 4PM VFH Meeting

This meeting will be held virtually.

Join via Zoom, <https://us02web.zoom.us/j/84603122855>

To call into the meeting, including to speak during public comment:

Phone number: 312-626-6799, Webinar ID: 846 0312 2855

–DRAFT AGENDA–

- 1. Agenda**
- 2. Minutes of 5/24/22**
- 3. Public Forum**
- 4. FY 23 Fleet**
 - Lee Perry, Dave Hammond
 - Action
- 5. Recycling Toter Requirement Roll Out**
 - Lee Perry
 - Information
- 6. North Winooski Avenue Update per Resolution**
 - Chapin Spencer
 - Information
- 7. Market Place Garage Assessment**
 - Jeff Padgett
 - Information
- 8. Director's Report**
- 9. Councilors' Update**
- 10. Next Meeting 7/26/22**
- 11. Adjourn**



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Transportation, Energy and Utilities Committee of the City Council

Tuesday, May 24, 2022 5PM

DPW Front Conference Room
645 Pine St, Burlington, VT 05482
Masks Optional

–DRAFT MINUTES–

Meeting called to order at 5:10 PM by Chair Hanson

1. Agenda

Councilor Bergman moved to approve agenda with deletion of item number 7. Seconded by Councilor Barlow. All in favor passed unanimously.

2. Minutes of 4/26/22

Councilor Barlow moved to approve 4/26/22 minutes. Seconded by Bergman. All in favor passed unanimously.

3. Public Forum

No Comments

4. Sidewalk Workplan and Prioritization

- Maddy Suender, Laura Wheelock
- Information

See Sidewalk Presentation. Maddy Suender/Laura Wheelock presenting

Councilor Gene Bergman – Are there any characterizations of sidewalk conditions that aren't listed?

Maddy Suender – Runing sloping is difficult as Burlington has many hills

Laura Wheelock – Panels that may rock and differing material sidewalks are noted but not scored

GB – Requested that the previous presentation slides from Council be re-provided.

Councilor Mark Barlow – Barrier blocks on slide 3 and 4; this scoring is important to sidewalk

maintenance but wants to know if there is a singular panel that needs attention, how is it identified?

Director Chapin Spencer – The short run maintenance addresses that type of condition

MB – Thinks public input could better provide guidance for the maintenance program

GB – Are the long run numbers just this year (based on slide 7)?

MS – These numbers are the template.

LW – This process is innovative in that it provides information for both long runs as short runs. Some other streets such as Sherman requires more coordination and conditions that do not fit into the standard "maintenance" category; detailed information is difficult to provide to public but is being worked on by City's consultant.

Cindy Cook - Would love process to be more transparent. Lives on East Ave. UVM parking center leads to large ped volumes. Does not think the measure of sidewalks should be on the amount of work done but the number of hazards reduced. Asks DPW focus on major tripping hazards and ponding icing locations. Hopes that safety and accessibility be key focus. Asks for reference points to provide public additional information to understand mapping.

MB – Clarification question on 50ft section, what is the area around location that's reviewed to meet minimum?

MS – varies but ~standard city block

Chair Jack Hanson – Is there a way for the public to request the score for a given street? Is there a way to give justification or comparison of streets to demonstrate the process? How is the foot traffic calculated? Process question, how would council modify the process in the future?

LW – The process is being worked on for public facing data. The process will go to DPW Commission. Could informally take feedback from councilors or residents. We can look into comparisons.

JH – East Ave would be a good street to use as an example to show how the process works and why that street did not make the list

GB – Unable to easily find this information on the DPW website; urges continued conversation about transparency; could this be in September?

5. Queen City Park Rd/Austin Drive Scoping

- Elizabeth Ross
- Action

Elizabeth Ross – New PM for the project

Cristine Forde, CCRPC Transportation Planner – Scoping was a joint app from Burl and S Burl to CCRPC. Funded by CCRPC, Toole Design hired. Alternatives will be proposed today.

See Memo and Presentation, Lucy Gibson, Toole Design presenting.

Councilor Mark Barlow – Is Bridge part of Capital Plan?

Laura Wheelock – It fits in capital bond as a bridge maintenance. Expansion would look for fed/state funding. It is entirely owned by Burlington.

MB – Is plan to keep existing Champlain Parkway bike path?

Chapin Spencer – Yes, just renovated path and it will be kept as part of Parkway plans.

MB – Familiar and aware with navigating this and safety concerns here.

Councilor Gene Bergman – Is thought to have shared application as a joint community with S Burl?

LW – Meeting with Grant Director to review an application for section 4 of this project for this year's VTrans ped grant. This would be independent of S Burl as they are not ready. Bike/Ped grants in Burlington usually take time.

CS – Regional connections score more so we are positioned well even if not applying together.

GB- Most serious safety concerns are in S Burl.

Norm Baldwin – This is a connect with larger network in S Burl that is important and could solve a lot of connectivity problems.

GB – Bike path as it relates to Parkway?

CS – Pine St will dead end. This path will continue to be accessible by QCPR.

MB – What happens to the east at Lydonwood in S Burl?

Lucy Gibson – Nothing more to this project in S Burl. Key connection to large S Burl Network.

Chair Jack Hanson – Any action needed?

ER – Action for Preferred alternative. Fully supported by advisory committee which served four meetings over the course of a year.

GB makes motion to accept the scoping study to endorse the recommendation of the advisory committee for the continuous shared use path and advisory crossings and to recommend the Council do the same.

Seconded by MB.

JH – Preference to separate peds and bikes but support the committee's findings.

Unanimously passes.

Item closes at 6:37PM

6. North Winooski Avenue Implementation Update

- Chapin Spencer
- Information

Chapin Spencer – Continuing to follow through with the council's direction whose motion supported delaying paving until 2023, looking into off street parking opportunities, talking to adjacent property owners. Looking into night time shared use parking and daytime weekday parking to accommodate different types of use at different locations. TDM discussions. Bike and ped facilities being built out. In contact with CATMA. Looking into use of 15k TMD funding. Have reached out to BHA to meet with new executive director early June with Mayor. Could provide potential off-street parking.

Norm Baldwin – DPW participates in public development review. We play a significant role in bike ped infrastructure through this in the private sector. We are looking into developing parking lots.

Sandy Thibault, CATMA – In conversations with Chapin and Gene in regards to the opportunity to further educate those effected in this corridor for potential TDM assistance. Information on CATMA recourses and TDM options. Corridor CATMA membership could be explored if that would be useful. Would need to look into this nontraditional membership possibility. Meeting with Community Health Center (CHC) in June. Would like to learn more about dynamics of businesses in this area to provide better/more assistance.

GB – Have had a number of conversations regarding this. Focus on CHC is the biggest issue. CHC expressed interest in getting back into TDM. Could we subsidize part of their first year's membership to incentivize them to join CATMA membership? How much would this cost?

ST – Employer membership is based on number of employees, \$2500/yr likely.

GB – Opportunity for TDM corridor study. In conversations with employers, there is an openness to doing this. What does CATMA need to explore this more fully?

ST – We hired a consultant to evaluate current membership structure. Expecting to be done in October. Plan to have consultant explore this potential. See if this is done at other TMAs nationally. CHC employees would be eligible for 30% bike share discount. Hub is expanding and will potentially be there.

GB – Potential for lot behind QC Steel. Potential disincentive for TDM if they build the lot so still want to press TDM. Discusses conversations had with various businesses in the area and the specific TDM needs they have.

Want TEUC to consider a percentage of 1-year CATMA membership, put in money for 10 shopping trolleys at African Market, hold a community meeting (2 meetings, splitting corridor N/S) to let people know what is happening. Status of project and available resources if there is interest. This is probably a good site to test the sidewalk matrix. Better sidewalk was top improvement ONE identified in Transportation Mobility Model. Good place to test transparency concerns of sidewalk analysis. Work with CATMA on the corridor TMA if we have that potential membership.

Making a motion but differing action until next meeting.

MB – Supportive of this but think it needs more formulation. Would like to meet with all businesses so we can determine what the best use is based on all stakeholders and their needs.

GB – Integration of all staff who are involved in this to get working together.

CS – This is happening currently. Working with Cara and Will.

Chair Hanson – To build new parking lot would undermine goal. We want to reduce the need for parking not increase supply.

We set aside \$15k to help businesses reduce parking demand and agrees with Mark and Chapin that this should be done through the process that is underway rather than from this committee. Think the businesses should apply through a simple application. Then we can take a higher-level view. Could allow joint applications from businesses. Want to leave it to businesses to proactively tell us what they need.

GB – Transportation is not seen as business's responsibilities so making them do this may require more help getting to the point of an application. As long as we are proactive with outreach and assistance that applications would be effective.

CH – Businesses have been active through process regarding how they will be served by TDM resources. ST – The benefit of the ETC network was to engage more businesses on TDM and value and benefits and collaborate and work with others. Would be great to get even 2 businesses to come to June event to talk with businesses from all over the region and engage in TDM solutions and learn more.

Item closes at 7:23PM

~~7. Market Place Garage Assessment~~

~~— Jeff Padgett~~

~~— Information~~

REMOVED FROM AGENDA.

8. Champlain Parkway Update – Repayment Provision Analysis

- Norm Baldwin, Corey Mims, Jon Rose
- Information

See Memo.

Jon Rose – The memo states the Federal Highway clause does not rescind Parkway repayment.

GB – Is there any reason to publicize this.

JR – Hesitant with ongoing litigations.

CS – Memo is a public document so if you are contacted you should point constituents to this document.

NB – Will look into this being posted to the project website.

GB – Its publicly available and straightforward. The less diverting the more time we have to spend on important arguments.

Item closes at 7:29PM

9. Director's Report

Defer.

10. Councilors' Update

No updates.

11. Next Meeting 6/28/22

Potentially will need to change.

21st pending room change.

12. Adjourn

Meeting ends 7:32 PM.



City of Burlington

Department of Public Works

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Chapin Spencer

DIRECTOR OF PUBLIC WORKS

Ashley Parker

Capital Program Director

Lee Perry

DPW Division Director Maintenance Division

Date: June 21, 2022

To: Transportation, Energy, and Utilities Committee

From: Chapin Spencer, Director Public Works
Lee Perry, Assistant Director – Fleet Maintenance Division
Ashley Parker, Capital Program Director

Subject: FY23 Vehicle Purchase Recommendation

BACKGROUND:

The City's interdepartmental Fleet Committee, staffed by the Department of Public Works (DPW) Fleet Maintenance Manager Dave Hammond, coordinates fleet purchases for the General Fund and several enterprise/special revenue funds in order to realize cost savings and provide management oversight. The Fleet Committee has identified 19 vehicles/equipment to be replaced in FY23, including (12) General Fund pieces of equipment and (7) enterprise/special revenue vehicles. The Fleet Committee had to significantly reduce the amount of vehicles/equipment to be replaced in FY23 due to the limited funding available. Contributing financial factors include the proposed FY'23 General Fund tax increase not passing, the

original \$40M fall 2021 bond proposal not passing, and existing debt payments from fleet purchases in prior years. The \$23.8M bond approved on Town Meeting Day in 2022 only included replacement of three fire trucks.

As per the City of Burlington Fleet Policy, the Fleet Maintenance Manager and the Maintenance Division Director met with each Department Head to review the recommended FY23 replacements and receive input on upcoming vehicle/equipment needs. With that information, the Fleet Maintenance Manager researched electric and hybrid options for each item, calculated the carbon pricing on fossil fuel options, and made his recommendations to the Fleet Committee. Department representatives and BED subsequently reviewed these recommendations. BED provided further recommendations and available incentives resulting in further refinement of the recommendations before you. The proposed equipment list was reviewed by the Fleet Committee, relevant departments, BED, and the Administration. The Fleet Manager and the Fleet Committee worked hard to balance two key policy goals – the City’s 2030 Net Zero energy goal and the City’s operations and safety goal to replace as much of the fleet that is at end of life as possible. We are now seeking the TEUC to recommend this FY’23 fleet list to the Board of Finance and City Council.

History of Burlington’s Fleet Purchasing Strategy:

Below is a brief timeline of how the purchasing strategies for the City’s fleet have changed over time. It provides the framework for understanding how the past has shaped the present and may provide guidance for helping us determine a new strategy focused on long-term sustainability.

- FY12 – FY15: There was a moratorium on the purchase of new vehicles due to the City’s financial challenges.
- FY16: The City began to purchase new vehicles again – this time utilizing a master lease. At this time, an informal fleet team started creating a list of vehicles needed each year to help the City forecast needs over time.
- FY17: A Sustainable Infrastructure bond replaced three fire trucks for \$3.3 million.
- FY17 – FY18: The fleet team began creating a spreadsheet to track sustainable investment in fleet. The strategy of using master leases was working, but projections were showing financial challenges for fleet funding in out years due to increased debt payments.
- FY18: The City contracted with a fleet consultant to review how fleet was structured and recommend improvements. This resulted in a new Fleet Policy, the Fleet Committee, and a spreadsheet of needs from the consultant.
- October 24, 2019: The Fleet Policy was approved by the City Council.
- FY20: The Fleet team estimated that the sustainable fleet replacement need was approximately \$2,700,000/year. Up to this point, fleet funding had been by department. As part of the Fleet Committee and Fleet Policy development, all fleet related resources were pooled across departments into one location in order to create efficiencies in purchasing and revenues.

Over the last several fiscal years, through effective coordination and purchasing vehicles through master leases, the City was able to make significant reinvestments in its municipal fleet. Now the City is entering a very challenging multi-year fiscal year period for multiple reasons:

- As discussed above, vehicle replacement funding was pooled from Police, Public Works and Parks starting in FY20. However, not all revenues from pooling vehicle replacement funding from Police,

Fire, Public Works and Parks were able to be kept each fiscal year for fleet needs due to shortfalls in General Fund operating budgets.

- Several recent revenue ballot items were not successful at the ballot box (FY'23 proposed municipal tax increase and the Fall 2021 \$40M capital bond proposal).
- After multiple years of financing to purchase new vehicles, the City is now carrying significant debt service payments for vehicles previously received.
- Vehicle industry constraints described below.

Current Industry Constraints:

As TEUC members likely know, there are many current challenges and constraints within the industry for ordering/purchasing Fleet vehicles and equipment. Until just recently, the ability for governments or municipalities to order fleet vehicles from vendors was frequently not possible. The only vehicles available to purchase were “on the lot” at manufacturers’ suggested retail pricing, and vehicles were not often specific to our current needs. This changed in the early part of June. We are now able to order vehicles through our Fleet rate with vendors that support this program. This will make it possible to order vehicles that remain from our FY22 approved replacement list that were previously canceled due to supply issues.

Another issue is the ability to have vehicles built in a reasonable amount of time. Delivery periods of two years or more is not uncommon – especially for EVs. For example, Burlington Electric ordered an EV bucket truck in August of 2021 and delivery is not expected until sometime in 2023. DPW has experienced similar issues with some of the vehicles ordered for FY22 replacement. After ordering a Recycling Truck and Plow Truck in July 2021, DPW has just received notice of an expected build date of October 2022 with a delivery date sometime in 2023. Ford is indicating a waiting period for the EV Lightning pickup truck of 2-3 years due to supply chain issues. DPW cannot wait this long on a replacement for vehicles failing now. The two vehicles that were to be replaced with the Ford Lightning will be replaced by a vehicle that will be smaller in size and more fuel efficient than the vehicle it is replacing.

Current Financial Constraints:

As a result of the current Fleet Strategy, revenues from other GF Departments that were not received, additional vehicle purchases, and paying a premium for EV vehicles over conventional fossil fuel models, there are no funds going forward after FY23 to purchase Fleet vehicles for General Fund Departments. The capital forecast for fleet over the next four years also shows that, with no additional leases, there will be a shortfall in FY24 and FY25, with money to spend on a lease again in FY26.

Fleet Forecast Test



Collapse All	2023-24 Budget	2024-25 Budget	2025-26 Budget	2026-27 Budget
▼ Revenues	\$ 921,000	\$ 921,000	\$ 921,000	\$ 921,000
▼ Interfund Transfer Proceeds	871,000	871,000	856,917	574,919
Interfund Transfer Proceeds General Fund	871,000	871,000	856,917	574,919
► Use of Fund Balance	0	0	14,083	296,081
► Gain/Loss On Asset	50,000	50,000	50,000	50,000
▼ Expenses	1,118,824	994,352	691,925	574,920
► Capital Leases	1,000,859	888,155	595,511	485,561
► Interfund Transfer	76,360	76,360	76,360	76,360
► Capital Lease Interest	41,605	29,837	20,054	12,999
Revenues Less Expenses	\$ -197,824	\$ -73,352	\$ 229,075	\$ 346,080

Data filtered by Types, Fleet, NO SUB-PROGRAM and exported on June 16, 2022. Created with OpenGov

The average amount of funds needed on an annual basis for a sustainable fleet, is ~\$2.7M. The projected forecast is concerning as it will defer General Fund vehicles that will be beyond their replacement dates adding to the already growing deferred vehicle list seen below. Currently vehicles that were deferred in FY22, and FY23 make up 15% of the General Fund Fleet. Forecasting out through FY26, the total percent of vehicles in the Genral Fund Fleet past their replacement date, would be 47%. This is based on a total of 203 wheeled, powered vehicles/equipment.

As referenced above, the electric, and hybrid vehicles/equipment, purchased as replacements bore an additional cost on the General Fund compared to the purchase price of conventional vehicles/equipment. From FY20 through FY22, the total cost paid for EV/Hybrid over conventional was \$202,900, with some of the more expensive equipment being the electric mowers, a Zamboni, and a forklift.

Given the significant financial constraints facing the City's municipal fleet, the Clerk Treasurers Office was able to identify ~\$500,000 that may be used for General Fund Departments that have vehicles/equipment in urgent need of replacement. The list of the replacement vehicles can be found in Attachment A. Wherever possible, and feasible, the Fleet Committee will replace gas and diesel vehicles/equipment with hybrid or electric power. This additional funding for vehicle and equipment purchases will come from the Vehicle Reserve Unassigned Fund Balance. While this additional funding is helpful, utilizing this funding source to support FY23 needs will fully deplete the fund balance and create an even more challenging financing scenario in the subsequent fiscal years.

There may be some additional funding opportunities through a State grant program to assist in the costs associated with EV charging stations – but likely not vehicles. At this time, the State has not developed this program further to describe who could apply for funding or how this funding could be used. It is possible that there may be some funding available to municipalities looking to upgrade their fleets in ways that could also assist the surrounding community. Fleet will continue to work with other staff to identify

additional funding opportunities that could help offset some of the pending fleet costs, acknowledging that grant funding often requires a local match and tends not to cover the full amount.

Fleet Strategies for the Future:

DPW Fleet is also looking forward in our Fleet replacement schedule to see what vehicles/equipment are candidates to be replaced by an EV. DPW Fleet is exploring the option of placing an order now, anticipating the timing of manufacturing of the EV to coincide with the replacement schedule of the vehicle to be replaced, but as of this time we are not able to place an order. If the situation arises where the manufacturing date is earlier than the replacement date, DPW Fleet will look into selling the vehicle to replace with the EV. If this strategy does not prove to be financially viable due to constraints, then vehicles that need replacing, will be replaced with the type of vehicle that makes the most sense economically.

FY23 Deferred Equipment					
Department	Equip. #	Description	Year	Vehicle	Cost To Replace
Fire	FB1	Shift Command	2018	Suburban	\$60,000.00
Police	P135	Range Trailer	2001	Trailer	\$9,000.00
Police	P1507	Detective	2015	Taurus	\$42,000.00
Police	P1701	Line Cruiser	2017	Explorer	\$80,000.00
Police	P1702	Line Cruiser	2017	Explorer	\$80,000.00
Police	P1703	Line Cruiser	2017	Explorer	\$80,000.00
Police	P1704	Line Cruiser	2017	Explorer	\$80,000.00
Police	P1804	Line Cruiser	2018	Explorer	\$80,000.00
Police	P1805	Line Cruiser	2018	Explorer	\$80,000.00
Parks	PR1459	Tractor	2000	John Deere 1450	\$40,000.00
Parks	PR53	Trailer	2001	Mid-Atlantic	\$9,600.00
Parks	PR670	Tractor	2000	John Deere 670	\$30,000.00
Parks	PRCHIP14	Chipper	2014	Brush Bandit	\$57,247.00
Streets	S30	Dirt Screen	2009	SCM-40	\$50,000.00
Streets	S53	Utility Trailer	1997	Custom	\$9,600.00
Streets	S57	Utility Trailer	2008	Sure Trac	\$10,184.00
Streets	S70	Dump Truck	2002	International	\$76,000.00
Totals	17				\$873,631.00

City's NetZero by 2030 Goal – Fleet Update:

DPW Fleet has worked to advance the electrification of the fleet where applicable. This is based on the Departments needs of the vehicle being purchased, and whether the EV technology can support those needs. The progression of the electrification of our fleet can be seen in Attachment B. It is important to note, that if there are no funds allotted for vehicle replacement in the coming fiscal years, there will be no fleet purchases until FY26.

The Fleet Manager has also reached out to various vendors inquiring about the technology available for some of our larger fleet equipment, such as CR Woods, the Volvo heavy equipment dealer. The vendor will be acquiring a small, fully electric bucket loader this coming fall. DPW Fleet will schedule a demo to see if it can fulfill our needs when our current similar size loader is scheduled for replacement. The Fleet Manager has also reached out to Mac Trucks, Peterbuilt, and Lyon electric to see where their technology is at in regard to electric recycling trucks. When available in our area, we look forward to scheduling a demo of the recycling truck as well, to see if it will meet our needs, and demands of our recycling program.

FY23 Replaced Vehicles:

This is a list of vehicles we are proposing to replace and per City Ordinance we need to provide the Council this information prior to disposing of these assets.

FY23 Replaced Vehicles

Year	Make	Model	Auction/Trade	Estimated Value
2002	International	Dump Truck	N/A	\$8,000
2013	International	Bucket Truck	N/A	\$30,000
1992	International	Bucket Truck	N/A	\$8,000
2008	International	Plow Truck	N/A	\$12,000
2011	Ford	F250 4X4	Auction	\$5,000
2008	Ford	F350 Utility/Plow	Auction	\$5,000
2003	Ford	E350 Cube Van	Auction	\$5,000
2015	Ford	F550 Service Truck	Auction	\$8,000
2011	E-One	Pumper Truck	Auction	\$20,000
2011	E-One	Ladder Truck	Auction	\$40,000
2003	E-One	Pumper Truck	Auction	\$6,000
2012	Autocar	Recycling Truck	Auction	\$8,000
2013	Dodge	3500 Service/Vac	Auction	\$8,000
2011	Chevy	1500 Pickup	Auction	\$5,000
2011	Trackless	Sidewalk Tractor	Auction	\$8,000
1980	John Deere	950 Tractor	Auction	\$1,000
2000	McConnell	Flail Mower	Auction	\$200
N/A	Bobcat	Mower	Auction	\$200

In Summary:

The Fleet team is looking to gain support from the TEUC and the City Council to develop a long-term fleet purchasing strategy that ensures the sustainability of all existing vehicles/equipment in Fleet, as well as one that brings the City closer to reaching its NetZero 2030 goals. We have reached a pivotal moment in the long-term planning of the City's fleet, where decisions on how the City funds future fleet purchases will shape its ability to continue providing the level of service required by its residents. It will also provide a more solid road map for how Fleet can meet its portion of the City's overall NetZero 2030 goals.

Suggested Motion:

Recommend the Board of Finance and City Council approve the proposed FY'23 Fleet Purchasing List.

ATTACHMENT A: - FY 23 FLEET CAPITAL SUMMARY

Department	Division	Vehicle ID	Vehicle	Recommendation	Replacement Interval	Lease Duration Years	Funds From Bond	Funds From Campground	Funds From Greenbelt	Vehicle Units	Equipment Implement	Cost of Carbon		Total Cost			
												Fossil Fuel	Hybrid/CNG	Fossil Fuel	Hybrid/CNG(after rebates)	Electric	Rebate
Fire	Fire	FE3	Pumper Truck	Fossil Fuel	12		1			1		\$15,648		\$656,000			
Fire	Fire	FL4	Ladder Truck	Fossil Fuel	12		1			1		\$12,569		\$988,000			
Fire	Fire	FE6	Pumper Truck	Fossil Fuel	12		1			1		\$10,212		\$656,000			
Parks	Cemetery	Bobcat	Walk Behind Mower	Fossil Fuel	10	7				1		\$1,157		\$7,000			
Parks	Rec/Waterfront	PRFLAIL	Flail Mower	N/A		7				1	\$43,200.00	NA					
Parks	Rec/Waterfront	PR39	EV Low speed Vehicle	Electric	10	7				1		\$1,550				\$30,000	N/A
Parks	Campground	UTV	UTV	Electric				2		2		\$3,100				\$40,000	N/A
Parks	Rec/Waterfront	PR08	Bucket Truck	Fossil Fuel	15			1		1		\$14,150		\$219,800			
DPW	Streets	S49	Sidewalk Tractor	Fossil Fuel	8	7				1		\$2,093		\$193,500			
DPW	Streets	S75	Plow Truck	Fossil Fuel	12	7				1		\$14,297		\$201,825			
DPW	Recycling	G02	Recycling Truck	Fossil Fuel	7	7				1		\$38,822	\$30,408	\$264,000	\$357,525		
Traffic	Traffic	T02	F350 One Ton	Fossil Fuel	10	7				1		\$6,678		\$86,100			
Traffic	Traffic/Signals	T05	Bucket Truck	Fossil Fuel	15	7				1		\$6,939		\$373,500			
Water	Water Distribution	201	Van	Fossil Fuel	10	7				1		\$1,542		\$45,000			
Water	Water Distribution	Z13	One Ton W/ Vac Unit	Fossil Fuel	10	7				1		\$7,754		\$57,000			
Water	Water Distribution	Z312	Service Truck	Fossil Fuel	10	7				1		\$10,339		\$66,900			
Water	Water Distribution	Z18	Pick Up Truck	Hybrid	10	7				1		\$2,423	\$1,047	\$40,000	\$23,000	Not Available to order	
Water	Water Distribution	New	Low Speed EV	EV	10	7				1		\$2,026		\$20,000		\$30,000.00	N/A
Total				\$1,164,025						19	\$43,200.00	\$151,299	\$31,455	\$475,525	\$380,525	\$100,000	

Lease	FY23 Lease Budget		Value	Number of Leases
5-Year GF	\$0			0
7-Year GF	\$71,329		\$475,525	6
Total Lease Payments	\$71,329		\$475,525	6
Traffic	\$68,940.00	7 year	\$459,600	2
Water Resources	\$34,335.00	7 year	\$228,900	5
GF Equipment	\$71,329	7 year		
Total	\$245,993		\$1,164,025	

ATTACHMENT B: - PROGRESSION OF FLEET ELECTRIFICATION

Vehicle/Equipment Type	FY19	FY20	FY21	FY22	FY23	AVG	TOTAL
ELECTRIC	0	1	6	7	4	3.6	14
HYBRID	5	3	4	6	1	3.8	18
TOTAL FLEET PURCHASE	13	16	28	24	18	19.8	81
% OF EV	0%	6%	21%	29%	22%	18%	17%
% OF HYBRID	38%	19%	14%	25%	6%	20%	22%

*Note: FY23 vehicle list has a total of 19 vehicles/equipment to be replaced. Please see Attachment A for list of specific vehicles/equipment, and their fuel source.



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Councilor Mark Barlow, *North District*
Councilor Eugene Bergman, *Ward 2*

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Transportation, Energy and Utilities Committee of the City Council
Tuesday, June 21, 2022 – Directly following the 4PM VFH Meeting

–DRAFT MINUTES–

Call to order by Chair Jack Hanson at 5:02PM

1. Agenda

Councilor Bergman moved to approve agenda. Seconded by Councilor Barlow. All in favor passed unanimously.

2. Minutes of 5/24/22

Councilor Barlow moved to approve minutes. Seconded by Councilor Bergman. All in favor passed unanimously.

3. Public Forum

No public comment.

4. FY 23 Fleet

- Lee Perry, Dave Hammond
- Action

Lee Perry – This year we identified 19 vehicles that need to be replaced. Overview of fleet needs and plans.

Councilor Mark Barlow – Differed equipment specifics

Lee Perry – Deferring increases need later for more at once. This adds repair expenses as well.

MB – Deferring increases risk due to supply chain shortages.

LP – Yes, this impacts services.

Chair Jack Hanson – Questions about budget and funding and electric options as well as lease options.

Chapin Spencer – We are looking to purchase some of these vehicles outright now so we are able to trade them in when electric options become available. Interest is high right now. Paying cash may be helpful for this.

JH – From climate perspective it is unfortunate we are reducing electric/hybrid percentage.

Dave Hammond – This is just showing what vehicles are most needed to be replaced from operational perspective.

Councilor Gene Bergman – Ongoing strategy for Fleet and how we can put language into this action for long term. Support push for net zero.

Proposed language:

Recommend the Board of Finance and City Council approve the proposed FY'23 Fleet Purchasing List and have the City Council, TEUC, DPW and CAO office develop a long-term fleet purchasing strategy that ensures the sustainability of all existing vehicles/equipment in Fleet, as well as one that brings the City closer to reaching its Net Zero 2030 goals.

Councilor Berman makes a motion, Councilor Barlow Seconds.

Chair Jack Hanson – Glad to be discussing more than once a year to make more informed decisions. Wants to find a better way to incorporate operational costs. Optimization of sharing existing fleet across departments, what are logistics? UVM hired car share VT to do this and were able to drop vehicles just by better sharing.

Lee Perry – We had those discussions and one result is to not grow our fleet any more. We try to share vehicles as first option.

Item passes unanimously.

5. Recycling Toter Requirement Roll Out

- Lee Perry
- Information

Chapin Spencer – Hearing about windblown recycling from bins.

Lee Perry – This initiative will help in many ways.

Councilor Gene Bergman – Timeline should reflect public outreach earlier.

Councilor Mark Barlow – What % of residents have this and what about those who don't need recycling service at all?

Lee Perry – 41% of residents have totes currently. No requirements to buy if resident don't get recycling picked up.

Chair Jack Hanson – Didn't the City require this of certain building sizes already?

CS – Yes, based on number of units. Now Universal rule makes it easier.

LP – This could also reduce number of stops needed for trucks if recycling totes don't fill up as quickly and easier on workers. We can have this messaging to residents with this initiative that they don't need to put out totes each week if they aren't full.

GB - Don't see anything in regards to enforcement in this ordinance, would recommend this be considered.

JH – What will happen with smaller bins.

LP – They are recyclable. We want to get rid of them and repurpose them where we can. Open to ideas.

6. North Winooski Avenue Update per Resolution

- Chapin Spencer
- Information

Chapin Spencer – Continuing to work on this. In touch with CHCB to advance TDM and parking options off street. We are in contact with CATMA for various TMD initiatives along the corridor. We have requested the CAO make sure there is carry forward from the Council Action in 22 for this \$15,000 included in the budget language for FY23.

Councilor GB – Discusses options for getting funding to businesses and possible small scale TDM solutions.

Chair JH – Are businesses able to request or apply for this \$15k funding?

CS – Last time we discussed DPW determining scope of available TDM services such as Trolleys and CATMA to get scope and cost and then you could figure out how we could implement.

JH – Based on what we passed I don't feel it's appropriate to prefer one business over others. Thought the intention was to have this be request based.

CS – At the next meeting we can discuss how we operationalize this process.

GB – CHC is big player here and if we take care of this, we can solve issues through corridor.

Councilor MB – TDM is one element. CHC is one of the big users of parking on corridor so solving this will solve other issues.

JH – Think allocation of funds should be based on demonstrated need and demonstrated outcome. Other entities could be less capable of responding to these changes.

1. Market Place Garage Assessment

- Jeff Padgett
- Information

See presentation.

Chair JH – This could be a change to repurpose this space in the heart of downtown.

Councilor GB – Provides us chance to have a real conversation of the future of transportation downtown.

Parking Division needs to be a participant in the transportation discussions we are having.

Jeff Padgett – We have budgeted for planning and visioning study. This is central to downtown so we need a vision for this important space.

JH – it's another reason for City wide TDM so we can reduce parking by reducing demand ahead of that.

Councilor MB – How would we pay for new garage if we do move forward with that option? With High School needs, funding will be limited.

JP – Parking Garages are self-funded by Charter. We will need to find some financing tool to allow this 265 fund to be fully responsible.

CS – The City could use general funds should they want to.

MB – Usage of garages

JB – Pre covid this garage was fully utilized frequently. Not as much now. Other Garages downtown are underutilized and have more capacity so we are trying to educate users to park here.

7. Director's Report

Chapin Spencer – Parkway. Last week there was a temporary restraining order that has since been lifted. The contractor returned on site today and clearing around Sear's Ln has commenced. There will be regular updates.

8. Councilors' Update

Councilor GB - Sent an email regarding GMT in light of the last two conversations. We should have bigger conversations with our representatives. Would like to speak to this at the next meeting.

Chair JH – Talking to Jared Wood he raised issues around stop sign compliance.

Chapin Spencer – Enforcement plays a roll along with engineering. Crash data is helpful here to prioritize resources.

9. Next Meeting 7/26/22

10. Adjourn

Councilor Barlow motions to adjourn. Seconded by Councilor Bergman. Passes unanimously. Meeting ends 6:48PM.