April 12, 2021

Regular City Council Meeting - Monday, April 12, 2021, 7:00 pm **VIRTUAL MEETING**

Click here to view the minutes for this meeting

1. Agenda

1.01 Motion to amend/adopt agenda

Type: Action, Procedural

Recommended Action: motion to amend/adopt agenda as follows: note presentation slides for agenda item 2.01 Presentation: Darren Springer, General Manager, re: Net Zero Energy Update (verbal)(per Darren Springer); note written materials for agenda item 6.01 Ordinance: B.C.O. HOUSING - Change re Energy Efficiency and Weatherization in Rental Housing, Chapter 18 (Ordinance Committee, Department of Permitting & Inspections)(2nd reading)(per Assistant City Attorney Devlin); note additional written materials for agenda item 6.04 (per CAO Schad)

2. Presentation Regarding Net Zero Energy Update (verbal)

2.01 Presentation: Darren Springer, General Manager, BED, re: Net Zero Energy Update (verbal)

Type: Information, Presentation

note presentation slides for this agenda item per Darren Springer, posted on Monday, April 12, 2021, at 8:09 am, LO

NZE update 2021 FINAL 4.12.2021.pdf

3. Public Forum: time certain: 7:30 pm - 9:30 pm

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 adopt the consent agenda and take the actions indicated

Type: Action (Consent), Procedural

Recommended Action: motion to adopt the consent agenda 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 041221 cc mtg LO.xlsx

5.03 Communication: Steven A. Locke, Fire Chief, re: Status of the planned additional ambulance capability

Type: Action (Consent), Communication

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

Fire - Update on the status of the additional ambulance capability Final.pdf

5.04 Communication: Amy J. Bovee, Presiding Officer - March 2021 Annual City Election, re: Declaration of Elected Candidates Annual City Election - March 2, 2021

Type: Action (Consent), Communication, Information

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

Election Results - Candidates SIGNED.pdf

5.05 Communication: Amy J. Bovee, Presiding Officer - March 2, 2021 Annual City Election, re: Declaration of Election Results Questions on the Ballot Annual City Election - March 2, 2021

Type: Action (Consent), Communication, Information

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

Election Results - Questions SIGNED.pdf

5.06 Communication: Ashley Walenty, DPW - Water Resources, re: Authorization to execute a Construction Contract for the GSI/CSO - South End Retrofits

Type: Action (Consent), Communication

Recommended Action: to authorize the Director of Public Works to execute a contract with SD Ireland for $411,257.50 with a $41,125 contingency, totaling $452,382.50, for the construction of the South End Green Stormwater Infrastructure Combined Sewer Overflow Reduction Retrofits Project, subject to prior approval of the City Attorney□s Office

1 - BOF CC Memo GSI-CSO Grant South End Retrofits Construction.pdf

BOF CC Checklist_GSI-CSO South End Retrofits - 4.12.21.pdf

5.07 Communication: Gene Richards, Director of Aviation, re: Authorization to Execute a Contract for the Supply and Installation and Runway Pavement Markings on Runways 15 - 33 and 1 - 19 at the Burlington International Airport with Hi-Lite Airfield Services, LLC

Type: Action (Consent), Communication

Recommended Action: to approve that the Director of Aviation, Gene Richards, be authorized to execute a contract with Hi-Lite Airfield Services, LLC, in the amount of $132,818.25, plus a 20% contingency of $26,563.65, totaling $159,381.90, for the supply and installation of runway pavement markings on Runways 15 □ 33 and 1 □ 19 at the Burlington International Airport, subject to the final review and approval by the Office of the City Attorney

1 -BOF-CC Memo RW's 15-331-19 PaintingMarkings.docx

1 - Checklist - Airport - BOF CC -RW's 15-331-19 PaintingMarkings.docx

5.08 Communication: Gene Richards, Director of Aviation, re: Request for Approval of a $275,000 Budget Neutral Amendment to the FY2021 Burlington International Airport Budget

Type: Action (Consent), Communication

Recommended Action: to approve a budget neutral amendment to the Fiscal Year 2021 Burlington International Airport budget in the amount of $275,000 by increasing the accounts as described in the affiliated memorandum

2 - BOF-CC Memo Airport Budget Amendment.docx

2 - Checklist - Airport - BOF CC - Airport Budget Amendment.docx

5.09 Communication: Rich Goodwin, Director Financial Operations, re: Approval for 2-year agreement for MuniCap, Inc.

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the Chief Administrative Officer to enter into an agreement with MuniCap for 2-year contract not to exceed $100,000, subject to review by the City Attorney□s Office

04122021_MUNICAP_Memo for BOF_CC +jsj_FINAL_V3.doc

1_Checklist_Accounting Services Sole Souce MuniCap.docx

5.10 Communication: Susan Molzon, Senior Public Works Engineer, re: Authorization to Execute Main On-Call Agreements for Professional Consulting Services

Type: Action (Consent), Communication

Recommended Action: 1. To authorize the Director of Public Works to execute Main On-Call Agreements for professional consulting services in amounts not to exceed $500,000.00 per agreement with Clough, Harbour & Associates, DuBois & King, EIV Technical Services, Fuss & O□Neill, GPI, Green International Affiliates, Hoyle Tanner &Associates, John Turner Consulting, Lamoureux & Dickinson, Resource Systems Group, Stantec Consulting Services, Trudell Consulting Engineers, Vermont Survey and Engineering, VHB, and WSP USA, subject to the prior review and approval of the City Attorney.2. To authorize the Director of Public Works to execute individual work assignment contracts with these on-call consultants for amounts up to $100,000 each, to complete the work identified in the Main On-Call Agreement, without the need to obtain further approval from the Board of Finance and City Council.

BOF-CC Memo Re On-Call Engineering.pdf

BOF CC Checklist_On-Call Agreements.pdf

5.11 Communication: Cindi Wight, Director, Department of Parks, Recreation & Waterfront and Alec Kaeding, Campground & Beach Manager, re: Lease of Vendor Space at North Beach for 2021 Season

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the execution of a lease agreement with AS Concessions, LLC, to perform food and beverage sales at North Beach for the 2021 season, and to authorize Mayor Miro Weinberger, to execute the lease and any related documents, subject to the review of the City Attorney□s Office

BOFCC Memo - Lease of North Beach Concession_Final.docx

North Beach Concession Lease 2021_one year_Final.docx

BOF CC Checklist North Beach Concession Lease.docx

5.12 Communication: Cindi Wight, Director, Department of Parks, Recreation & Waterfront and Alec Kaeding, Campground & Beach Manager, re: Lease of Vendor Space at A-Dog Skatepark

Type: Action (Consent), Communication

Recommended Action: to approve and recommend that the City Council approve and authorize the execution of a leaseagreement with Maven, to perform all food sales and skate board & product sales services at A-DogSkate Park, for Maven to compensate the City at a minimum of 5% of gross receipts 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

20210222 BOFCC Memo - Lease of A-Dog Concession space Final.pdf

BOF CC Checklist A Dog Skate Park.docx

Lease for City Properties A-Dog Skate Park FInal.pdf

5.13 Communication: Katherine Schad, - Chief Administrative Officer and Tony Berry - HR Manager, re: Reclassification of one role and retitling / reclassification of one role within the Human Resources Department

Type: Action (Consent), Communication

Recommended Action: □ Reclassification of the Human Resources Administrative Coordinator, a Regular, Full-time, NonExempt, Non-union, Grade 13, position to Human Resources Administrative Coordinator, a Regular,Full-time, Non-Exempt, Non-union, Grade 15, position.□ Reclassification and retitling of the Human Resources Talent, Recruitment, and Training Specialist, aRegular, Full-time, Non-Exempt, Non-union, Grade 18, position to Human Resources Talent,Development & Diversity Manager, a Regular, Full-time, Non-Exempt, Non-union, Grade 20, position.

2021.04.12 Final HR Reclassification Packet.pdf

5.14 Communication: Jeffrey A. Padgett, Assistant Director for Parking and Traffic, re: Budget Performance and Projection Fund 264 - Traffic Fund 265 - Traffic - Parking

Type: Action (Consent), Communication, Information

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

2021 0412 - Parking and Traffic - FY21 Budget Performance Package - updated.pdf

2021 0412 BoF CC Checklist - Budget Performance.pdf

5.15 Proclamation: Mayor Miro Weinberger, re: Fair Housing Month

Type: Action (Consent), Communication

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

20210412 Fair Housing Month 2021 Proclamation.pdf

5.16 FIO Documents

Type: Action (Consent), Communication, Information

Recommended Action: for information only

FIO Documents.pdf

5.17 Resolution: Authorization To Execute An Easement At Leahy Center For Lake Champlain Leased Premises, 1-3 College Street, For Two Electrical Service Connections Installation And Maintenance (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

DPW - Easement at Leahy Center for Lake Champlain Leased Premises, 1-3 College St., for Electrical Service Installation & Maintenance (Echo SOV Transformer Conduits_040221).pdf

BOF CC Cover Memo Easement Rights to SOV for Electrical Services 041221.pdf

Attachment 2_Easement COB-SOV.pdf

BOF CC Checklist_1-3College Easement.pdf

Signed CC Resolution Authorization to Execute an Easement at Leahy Center for Lake Champlain Leased Premises, 1-3 College Street for Two Electrical Service Connections Installation and Maintenance.pdf

5.18 Resolution: Extending Employee Vacation Carryover Because of COVID-19 (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

- HR – Extending Employee Vacation Carryover because of COVID-19 +EB & JSJ.pdf
- 2021.04.12 Final Vacation Balance Memo to BOFCC.pdf
- BOF CC Checklist.pdf
- Signed CC Resolution Extending Employee Vacation Carryover Because Of COVID-19.pdf

6. Deliberative Agenda

6.01 Ordinance: B.C.O. HOUSING - Change re Energy Efficiency and Weatherization in Rental Housing, Chapter 18 (Ordinance Committee, Department of Permitting & Inspections)(2nd reading)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

note written materials for this agenda item per Assistant City Attorney Devlin , posted on Friday, April 9, 2021, at 2:05 pm, LO

- BCO Chapter 18. Housing Change re Energy Efficiency and Weatherization in Rental Housing CC 2st read 4.12.2021.pdf
- Energy Efficiency in Rental Housing Resoution Update Memo.pdf

6.02 Ordinance: B.C.O. - OFFENSES and MISCELLANEOUS PROVISIONS - Express prohibitions Sec. 21-14 Leaf blowers (Councilor Paul, Ordinance Committee)(2nd reading)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

- B.C.O. - Offenses and Miscellaneous Provisions -- Express prohibitions Leaf Blowers Sec 21-14.rvi .EMB.pdf
- Signed CC Ordinance B.C.O. - Offenses and Miscellaneous Provisions - Express prohibitions Sec. 21-14 Leaf blowers.pdf

6.03 Resolution: Authorizing Police Commission To Enter Into Agreement With NACOLE For Training On Civilian Oversight Of Police (Board of Finance)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

- Police - Authorizing Police Commission to Enter into Agreement with NACOLE for Training on Civilian Oversight of Police .4 7 21.pdf
- NACOLE Scope of Work and Proposal_Burlington_2021.pdf
- Signed CC Resolution Authorizing Police Commission To Enter Into Agreement With NACOLE For Training On Civilian Oversight Of Police.pdf

6.04 Communication: Acting Chief of Police Jon Murad, re: Community Service Officer Job Description

Type: Action, Communication

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

note Communication: Acting Chief of Police Jon Murad, re: Community Support Liaison Job Description, posted on Monday, April 12, 2021, at 5:25 pm, LO

- Final CC re CSO job description.pdf
- Correct Community Service Officer Feb 2021 - Copy.pdf
- Incorrect Community Service Officer Feb 2021.pdf
- 20210401 memo to CC re CSL job description.pdf

6.05 Communication: Laura Wheelock, P.E., Senior Public Works Engineer and Olivia Darisse, P.E., Public Works Engineer, re: Shelburne Street Roundabout Budget Amendment, Cooperative Agreement Amendment, Finance and Maintenance Agreement Amendment, and A&E Contract Approval

Type: Action, Communication

Recommended Action: 1. To authorize the Director of Public Works to execute Supplemental Agreement #3 to Utility Agreement UT0053 with the Vermont Agency of Transportation, authorizing an additional $78,586.00 in reimbursable funds and raising the total agreement value to $268,028.33, subject to the final review and approval of the City Attorney□s Office.2. To authorize the Director of Public Works to execute Amendment #1 to the Finance and Maintenance Agreement FM0324 with the Vermont Agency of Transportation, authorizing an additional $231,930.61 in reimbursable project expenses, bringing the total agreement amount to $341,806.70, subject to the final review and approval of the City Attorney□s Office.3. To authorize the Director of Public Works to execute a contract with Aldrich & Elliott, PC, in the amount of $89,800, with an additional $9,310.00 (10.5%) in contingency funds for the Shelburne Street Roundabout Project, which will be 100% reimbursed under Utility Agreement UT0053, subject to the final review and approval of the City Attorney□s Office.4. To authorize the Chief Administrative Officer to affect the budget amendments and transfers of funds as referenced in the accompanying memorandum and attachment (□FY21 Budget Amendments and Project Budget Amendments□) to pay the above-referenced project expenses in FY21 and Overall Project Budgets.

- 00 - Shelburne Street Roundabout Memo DPW April 12 2021.pdf
- 10 SSR brochure 2021 FINAL March2021.pdf
- 11 SSR Draft Fact Sheet 210121_FINAL.pdf
- BOF CC Checklist_Shelburne Street Roundabout 4.12.21.pdf
- 01 Sewer - SHELBURNE Rd Roundabout UT0053 AGREEMENT.pdf
- 02 Sewer - SHELBURNE Rd Roundabout UT0053 AGREEMENT - Amendment #1 060216.pdf
- 03 Sewer - SHELBURNE Rd Roundabout UT0053 - Supplemental Agreement #2 Executed.pdf
- 04 Supplemental agreement #3 UT0053 City of Burlington Department of Public Works.pdf
- 05 FM0324 - Burlington HES 5000(18) - City of Burlington - Fully Executed.pdf
- 06 FM0324 Amend 1 - Burlington HES 5000(18) - City of Burlington Executed.pdf
- 08 Aldrich & Elliott Draft Construction Contract.pdf
- 09 SSR Amended FY21_Project Budgets Trans-Utility.April 2021.pdf

6.06 Communication: Cindi Wight, Director, Department of Parks, Recreation & Waterfront, re: Concession and Lease Agreement for the Spirit of Ethan Allen III

Type: Action, Communication

Recommended Action: to approve and authorize that the City Council approve and authorize the execution of a lease agreement with Green Mountain Boat Lines, to perform a passenger boat tour service at the Burlington Harbor Marina and for Green Mountain Boat Lines to compensate the City at the rates as stated in the lease annually for the use of space to operate a tour service, 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

- BOFCC Memo - Green Mountain Boat Lines_Final.docx
- BOF CC Checklist Green Mountain Boat Lines.docx
- 2019-23 Green Mountain Boat Lines Contract Final_2021.docx
- Green Mountain Boat Lines Lease Amendment_Final.docx

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

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 Town Meeting TV the Wednesday after the meeting starting at 8:00 pm and repeating at 1:00 am and 7:00 am 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