# Board of Finance Meeting, Monday, April 12, 2021, 5:30 pm
# **VIRTUAL MEETING**
# 4/12/2021

**BURLINGTON BOARD OF FINANCE**

**REMOTE MEETING WITH CALL-IN NUMBER**

**BURLINGTON, VERMONT**

**MINUTES OF MEETING**

**April 12, 2021**

**MEMBERS PRESENT:** Max Tracy

Karen Paul

Brian Pine

Ali Dieng

Miro Weinberger/Katherine Schad

**OTHERS PRESENT:** Eileen Blackwood

Rich Goodwin

Jordan Redell

Ashley Walenty

Cindi Wight

Norm Baldwin

Phillip Peterson

Olivia Darisse

Gene Richards

Shelby Losier

Chapin Spencer

Laura Wheelock

Tony Berry

Alec Kaeding

Jeff Padgett

Damion Gilbert

### 1.0 CALL TO ORDER and AGENDA

Chief Administrative Officer Schad called the Board of Finance meeting to order at 5:32 PM.

1.
    i. Motion to amend/adopt agenda

**MOTION by Councilor Dieng, SECOND by Councilor Paul, to adopt the agenda.**

**VOTING: unanimous; motion carries.**

### 2.0 PUBLIC FORUM (VERBAL)

2.01 Verbal Comments

None at this time.

### 3.0 CONSENT AGENDA

3.01 March 22, 2021 Board of Finance Minutes, Draft – approve the minutes.

**MOTION by Councilor Pine, SECOND by Councilor Dieng to adopt the consent agenda items 3.01 and take the actions indicated.**

**VOTING: unanimous; motion carries.**

### 4.0 FOR APPROVAL AND RECOMMENDATION TO CITY COUNCIL

4.01 Request for Approval of a $275,000 Budget Neutral Amendment to the FY2021 Burlington International Airport Budget - Airport

**MOTION by Councilor Paul, SECOND by Councilor Pine, to approve and recommend that the City Council approve a budget neutral amendment in the amount of $275,000 to the Fiscal Year 2021 Burlington International Airport budget by increasing the accounts as described in the affiliated memorandum.**

**VOTING: unanimous; motion carries.**

4.02 Authorization to Execute a Contract for the Supply and Installation of Runway Pavement Markings on Runways 15 - 33 and 1 - 19 at the Burlington International Airport with Hi-Lite Airfield Services, LLC - Airport

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

**VOTING: unanimous; motion carries.**

4.03 Authorization to execute a Construction Contract for the GSI/CSO - South End Retrofits - DPW - Water Resources

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

**VOTING: unanimous; motion carries.**

4.04 Shelburne Street Roundabout Budget Amendment, Cooperative Agreement Amendment, Finance and Maintenance Agreement Amendment, and A&E Contract Approval - DPW

**MOTION by Councilor Paul, SECOND by Councilor Pine, 1. To approve and recommend that the City Council 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 approve and recommend that the City Council authorize the Director of Public Works to execute Amendment #2 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 approve and recommend that the City Council 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; and 4. To approve and recommend that the City Council 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.**

**DISCUSSION:**

- **Councilor Dieng asked if this is state funded or federally funded, and why the City needs to approve. Senior Engineer Wheelock said that it is a grant, and that some costs that the City will incur first that are 100% reimbursable and some portions that are not reimbursable. She said that the City accepts risk and then is reimbursed, so there is a small financial risk.**
- **Councilor Paul applauded the great communication from the City around the project to residents in the South End. She asked for an update about bids. Public Works Engineer Darisse replied that this is a highway safety program that has been managed by VTrans since it is a high-crash location and that DPW has been assisting as needed. She said that the project entails the implementation of a one-way roundabout and stormwater, water, and sewer upgrades, and implementation of bicycle and pedestrian infrastructure. She added that the project has not been officially awarded, but that the City anticipates awarding the project after bid analysis is completed. Senior Engineer Wheelock added that construction scheduled to begin in early summer, and that outreach will be conducted to notify residents about the construction schedule and water, and sewer impacts for both residents and businesses. Councilor Paul suggested that it would be good that all Councilors stay up-to-date on the project.**
- **City Council President Tracy asked about access and parking spaces for the car rental parcel. Senior Engineer Wheelock replied that access in and out of parcels is required as part of parcels from VTrans, and businesses will be given notification that work is needed in their area if they are to be impacted. She said that there is no long-term ability to block anyone's driveways or sidewalks. City Council President Tracy asked about detours and phasing and how throughput will be managed through that area. Senior Engineer Wheelock replied that two-way traffic must be maintained through large majorities of the day, and that they are only allowed alternating one-way traffic from 10:00 am to 2:00 pm. She said that Pine Street will likely see some detour traffic, but that the project is trying to avoid having detour traffic through neighborhoods. City Council President Tracy asked about overlap with the Parkway project. Senior Engineer Wheelock said there will be about a season and a half of overlap.**

**VOTING: unanimous; motion carries.**

4.05 Authorization to Execute Main On-Call Agreements for Professional Consulting Services - DPW

**MOTION by Councilor Pine, SECOND by City Council President Tracy, 1. To approve and recommend that the City Council 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; and 2. To approve and recommend that the City Council 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.**

**<u>DISCUSSION:</u>**

- **Director Spencer said that this is a continuation of an existing on-call program that the City has benefitted from, especially during renewed infrastructure investment. He said that DPW cannot scale quickly enough when major bond approvals or with federal stimulus funds, that we need to be able to pull outside capacity to handle fast-moving work items.**

**VOTING (by roll call): Councilor Pine – aye, City Council President Tracy – aye, Councilor Paul – aye, Councilor Dieng – nay, Chief Administrative Officer Schad – aye (4 ayes, 1 nay); motion carries.**

4.06 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 – DPW

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

**DISCUSSION:**

- **City Council President Tracy asked how many more easements will be needed for this project. Director Spencer said that the City anticipates a few more for the project. He said that it is likely that there will be an easement on the south side of the railyard for a transformer to assist the Amtrak train to be plugged in in the railyard overnight. Director Spencer added that construction is anticipated for completion by the end of this calendar year, with service starting in 2022.**

**VOTING: unanimous; motion carries.**

4.07 Approval for 2-year agreement for MuniCap, Inc. - C/T

Finance Director Goodwin said that this is a two-year contract to perform a number of essential services for which the City needs support, such as certifying cash flows for future borrowing/bonding, support for administrative oversight, preparation for the state audit in the autumn, as well as invoice tracking and compliance and monitoring. He said that in addition, the contractor would work with the City's financial advisors in anticipation of more TIF oversight coming under the Clerk/Treasurer's Office.

**MOTION by Councilor Paul SECOND by Councilor Dieng, to recommend that City Council approve and authorize the Chief Administrative Officer to enter into an agreement with MuniCap for a 2-year contract not to exceed $100,000, subject to review by the City Attorney's Office.**

**DISCUSSION:**

- **Councilor Paul noted that TIF accounting has been challenging and that the City is working on improving this. She asked how MuniCap was selected. Finance Director Goodwin replied that he was introduced to MuniCap's services through other bond deal services several years prior.**
- **Councilor Pine asked if the costs of MuniCap are reimbursable under the TIF. Finance Director Goodwin replied that all MuniCap costs are reimbursable under TIF.**

**VOTING: unanimous; motion carries.**

4.08 Reclassification of one role and retitling/reclassification of one role within the Human Resources Department – HR

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

** Reclassification of the Human Resources Administrative Coordinator, a Regular, Full-time, NonExempt, Non-union, Grade 13, position to a Regular, Full-time, Non-Exempt, Non-union, Grade 15, position; and**

** Reclassification of the Human Resources Talent, Recruitment, and Training Specialist, a Regular, Fulltime, 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.**

**VOTING: unanimous; motion carries.**

4.09 Extending Employee Vacation Carryover Because Of COVID-19 – HR

Chief Administrative Officed Schad noted that this is a measure that can help improve City employee morale.

Councilor Dieng asked if the union leaders have been involved with this and whether they support it. Human Resources Director Berry said that they did not work with the unions in advance.

City Council President Tracy noted that he has been in touch with the American Federation of State, County, and Municipal

Employees (AFSCME) president Damion Gilbert and says that there is support for this item moving forward. He noted that in terms of employee morale, there may be some equity issues around some employees being able to travel while working and others who must remain working on the job site. He also noted that emergency leave related to other COVID-19 issues like vaccinations. He said that the COVID leave policy should be backdated to March 1 rather than April 1. Chief Administrative Officer Schad said yes, they will be planning to bring this to the April 26 meeting and that they are hoping to find an equitable solution that works for everyone. She also noted that this did not need to formally be run by the unions, since it is not a required policy.

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

**VOTING: unanimous; motion carries.**

4.10 Lease of Vendor Space at A-Dog Skatepark - BPRW

**MOTION by Councilor Dieng, SECOND by Councilor Pine, to approve and recommend that the City Council approve and authorize the execution of a lease agreement with Maven, to perform all food sales and skate board & product sales services at A-Dog Skate 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.**

**VOTING: unanimous; motion carries.**

4.11 Lease of Vendor Space at North Beach for 2021 Season – BPRW

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

**DISCUSSION:**

- **City Council President Tracy asked about whether a more extensive RFP process will occur for this space as well as other parks spaces. Director Wight replied that this current vendor has a one-year lease and that the City will be opening the RFP process up earlier next year. She said that they will also bring more of a business perspective to the bid review and scoring process.**
- **Councilor Dieng asked if there is any anticipated pushback from other bidders. Mayor Weinberger said that**

**there was one other potential vendor that responded to the RFP and that the City contacted them and is hopeful that there may be other opportunities to work with them.**

**VOTING: unanimous; motion carries.**

4.12 Concession and Lease Agreement for the Spirit of Ethan Allen III - BPRW

**MOTION by Councilor Pine, SECOND by Councilor Dieng, to approve and recommend that the City Council approve and authorize the execution of a lease agreement with 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.**

**VOTING: unanimous; motion carries.**

4.13 Authorizing Police Commission To Enter Into Agreement With NACOLE For Training On Civilian Oversight Of Police - Police Commission

Mayor Weinberger noted that this is being spent out of contingency, so it needs Board of Finance recommendation and City Council approval.

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

**VOTING: unanimous; motion carries.**

## 5.0 BOARD OF FINANCE APPROVAL ONLY

5.01 Authorization to Amend University Place UVM-City Agreement and Execute Non-Binding Memorandum of Understanding Regarding Boundary Line Adjustments Between UVM and the City – DPW

Director Spencer said that this is the fourth amendment for the UVM/Burlington agreement that enabled Burlington to issue an institutional bond of over $5,000,000 to support capital investment across the City. He said that as part of that, the City pledged to collaboratively work on reinvesting in University Place, the City right-of-way. He said that this amendment selects a preferred alternative that has gone through the public process, and makes updates to the cost-sharing agreement. He noted that because the recommended alternative is a one-way-street, it will put a small but significant additional burden at the Colchester/Prospect intersection, so there is a non-binding agreement to adjust parcels at that right-of-way and intersection to enable a better realigning as called for in the scoping document. He finally noted that land transfers would allow for this realigning of North and South Prospect Streets.

City Council President Tracy said there was consensus around enhanced design which would give discretion to remove certain amenities and asked how that process of taking out amenities would work and whether further amendments or approval would be needed. Engineer Wheelock said that the City has had meetings with the University and they are committed to the budget as presented. She noted that the maximum amount for both the City and the University fits with current budget estimates. She said that they are anticipating bidding in December. She said that City Council and TEUC will be updated further along in the process.

**MOTION by Councilor Pine, SECOND by City Council President Tracy, 1. To approve and recommend that the City Council authorize the Mayor to execute a Fourth Amendment to the 'Agreement Between the University of Vermont and The City of Burlington Regarding Participation In The City's Ten Year Capital Plan,' substantially conforming with the draft submitted herewith, subject to final review and approval by the City Attorney's Office."; and 2. To approve and recommend that the City Council authorize the Mayor to execute a non-binding Memorandum of Understanding between the University of Vermont and The City of Burlington concerning the desired adjustment to property lines adjacent to the Colchester Avenue and Prospect Street intersection, substantially consistent with the draft submitted herewith, subject to final review and approval by the City Attorney 's Office.**

**VOTING: unanimous; motion carries.**

## 6.0 COMMUNICATIONS

6.01 Budget Performance and Projection Fund 264 - Traffic and Fund 265 - Traffic - Parking - DPW

Director Spencer said that the pandemic has negatively impacted parking and traffic revenue funds and that this report shows the financial impacts of the pandemic. He said that staff have worked hard to maintain operations during this time and that the fund balance has dwindled in both funds. He noted that he anticipated coming back to the Board of Finance in future for loan or revenue anticipation note, as well as reorganization actions to get through this time.

Director Padgett said that both funds are running at around 50% revenue, but that the departments are making strong decisions about reorganizing these groups to ensure sustainability in future.

6.02 Calendar for FY22 Budget Process **material to be posted later

Mayor Weinberger said that though this is not a normal budget year, there is more normalcy than last year. He said that on April 26, he would like to focus on several things, including discussing the budget as it relates to the American Rescue Plan Act funds and introducing a reopening plan for downtown and waterfront. He said that his administration had originally proposed the majority of the $27 million ARPA funds in budget process, but that they are rethinking that original proposal. He said that because the rules and requirements for the funds haven't been published yet and that many of the intended uses for the funds could be addressed by direct federal programs or state support, and that because there is a long window to expend funds (from 2021-2024), the administration is proposing to have the ARPA funds go through a more deliberative process with City Council this fall.

## 7.0 ADJOURNMENT

7.01 Motion to Adjourn

With no further business and without objection the meeting was adjourned at 6:58 PM.

*RScty: AACoonradt*