April 11, 2022

Regular City Council Meeting - Monday, April 11, 2022, 6:30 pm, Contois Auditorium OR REMOTELY via ZOOM

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1. Agenda

1.01 Motion to amend/adopt agenda

Type: Action, Procedural

Recommended Action: motion to amend/adopt agenda as follows: remove from the consent agenda item 5.12 Communication: Steven A. Locke, Fire Chief, re: Ambulance Fee Increase (per City Council President Paul); add to the agenda item 6.005 Resolution: Resolution In Support Of The Vermont House Of Representatives Adjusting Student Weights And Shortening Transition Period To Equitable Funding (Councilors Shannon, Traverse, Magee, Barlow, Carpenter, Paul) with the action to "waive the reading and adopt the resolution" (per Councilor Shannon)

2. Communication: City Attorney Richardson, re: Update on Bargaining (verbal) **expected executive session** start time: 6:30 pm

2.01 Communication: City Attorney Richardson, re: Update on Bargaining (verbal)**expected executive session** start time: 6:30 pm

Type: Action, Discussion, Information, Procedural

Recommended Action: Motion 1: Move that the Council find that premature general public knowledge of information concerning the City□s position and legal advice concerning such a position in regard to labor relations agreements with employees would clearly place the City at a substantial disadvantage when entering such negotiations;Motion 2: Based upon that finding, move that the Council go into executive session to receive confidential attorney-client communications, 1 VSA □313(a)(1)(F), in a labor relation agreement with employees matter, 1 VSA □313(a)(1)(B).

3. Public Forum: time certain: 7:30 pm - 9:30 pm **See item for signup instructions**

3.01 Verbal Comments

Type: Action, Information, Procedural

To participate in Public Forum in person sign up at the meeting.To participate in Public Forum via ZOOM sign up here: https://www.burlingtonvt.gov/citycouncil/publicforumDo not sign up in person and via Zoom - select one only

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 041122, cc mtg LO.xlsx

5.03 Communication: Zoe Kennedy, Member, Public Works Commission, re: Resignation

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation to Zoe Kennedy thanking her for her time served as a Member of the Public Works Commission

Communication Zoe Kennedy, Member, Public Works Commission, re Resignation.pdf

5.04 Communication: Phillip Peterson, EI, Public Works Engineer, Corey Mims, PE, Senior Public Works Engineer, re: CY22 Street Reconstruction Program Contract

Type: Action (Consent), Communication

BOF CC CY22 Street Reconstruction Memo.pdf

5.05 Communication: Katherine Schad, CAO, Kerin Durfee, Director of Human Resources, re: Creation of three (3) new Clerk/Treasurer positions and moving one position from part-time to full-time

Type: Action (Consent), Communication

Recommended Action: To approve the:□ Creation of the Retirement Administrator, a Regular, Full-Time, Exempt, Non-Union, Grade 19, role inthe Clerk/Treasurer Office.□ Creation of the Grants Accountant, a Regular, Full-Time, Non-Exempt, AFSCME, Grade 18, role in theClerk/Treasurer Office.□ Creation of the Operations Director, a Regular, Full-Time, Exempt, Non-Union, Grade 24, role in theClerk/Treasurer Office.□ Change in status for the Accounting Assistant in the Clerk/Treasurer□s Office from part-time to fulltime

2022.04.11 Three Roles CT Memo to BOF CC Corrected.docx.pdf

5.06 Communication: Richard Haesler, Projects & Policy Specialist, CEDO, re: FY 2021 City of Burlington Downtown TIF District Report (Revised) to the Vermont Economic Progress Council (VEPC)

Type: Action (Consent), Communication, Information

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

Memo - VEPC Downtown TIF District Report FY 2021 (revised) 040622.pdf

BurlingtonDowntown.FY2021AnnualReport-Final 040622.xlsx

5.07 Communication: Phillip Peterson, EI, Public Works Transportation Engineer, Laura Wheelock, PE, Senior Public Works Engineer, re: Fifth Amendment to the Agreement between the University of Vermont and The City of Burlington Regarding Participation In The City's Ten Year Capital Plan

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the Mayor to execute a Fifth 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

Memo - Amendment 5 UVM Agreement for University Place.pdf

Amendment 5 UVM City Agreement.pdf

5.08 Communication: Phillip Peterson, EI, Public Works Engineer, Laura Wheelock, PE, Senior Public Works Engineer, re: University Place Street Reconstruction Project Construction Contracts and Project Budget

Type: Action (Consent), Communication

Recommended Action: 1. To authorize the Director of Public Works to execute a construction contract and ChangeOrder #1 with Don Weston Excavating, Inc. for the University Place Street ReconstructionProject; for a total contract amount of $2,225,691.45, and to further authorize the Directorof Public Works to utilize up to $222,569.15 in additional contingency funds if needed,totaling $2,448,260.60, subject to prior approval of the City Attorney□s Office.2. To authorize the Director of Public Works to execute a contract with John TurnerConsulting Inc. for inspection services during construction for the University Place StreetReconstruction Project in the amount of $107,260 and an additional $10,726 incontingency funds (10%) if needed, totaling $117,986, subject to the prior approval of theCity Attorney□s Office.3. To authorize the necessary amendments to the University Place Street ReconstructionProject Fiscal Year 2022 Budget by adjusting the accounts as described in the affiliatedmemorandum and attachments.

Memo - University Place Construction Contracts.pdf

5.09 Communication: Burlington International Airport, Nicolas Longo, Acting Director of Aviation, re: Execution of Property Lease with Vermont Flight Academy (VFA) Located at 355 Valley Road

Type: Action (Consent), Communication

Recommended Action: to approve a property lease agreement at 355 Valley Road in South Burlington with Vermont Flight Academy, on the terms provided in and substantially in conformance with the attached lease, and to authorize the Mayor of Burlington to execute the lease, subject to final review and approval by the City Attorney□s Office

2- BOF-CC VFA Lease Memo.docx

2 - Attachement A - VFA Lease.pdf

2 - Checklist - Airport - VFA Lease.docx

5.10 Communication: Marie Friedman, Chief Financial Officer, Nic Longo, Acting Director of Aviation, re: Request for Approval of a $253,000 Budget Neutral Amendment to the FY2022 Burlington International Airport Budget

Type: Action (Consent), Communication

Recommended Action: to approve a budget neutral amendment to the Fiscal Year 2022 Burlington International Airport budget in the amount of $253,000 by increasing the accounts as described in the affiliated memorandum

1 - BOF-CC Memo Airport Budget Amendment 3.2022.docx

1 - Checklist - Airport - Budget Amendment.docx

5.11 Communication: Steven A. Locke, Fire Chief, re: Records Management System Purchase

Type: Action (Consent), Communication

Recommended Action: to approve and authorize Chief Locke to purchase a new records management system from First Due at a first year subscription cost of $28,000 and a subscription cost of the system for years two through five totaling $141,803. 11, as outlined in Chief Locke□s memo dated, April 5, 2022, subject to the review and approval by the City Attorney□s Office

BoF_City Council_Checklist Fire RMS Purchase.pdf

Fire RMS Purchase Memo.docx

5.12 Communication: Steven A. Locke, Fire Chief, re: Ambulance Fee Increase **AGENDA ITEM REMOVED**

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the increased fee structure for ambulance services effective upon passage as described in the memo by Chief Locke dated April 5, 2022

BoF Memo ambulance rate change Final.docx

BoF_City Council_Checklist Ambulance Billing Rate Increase.pdf

5.13 Communication: Chapin Spencer, Director of Public Works, Norman J. Baldwin, P.E., City Engineer and Assistant Director of Public Works, re: Request City Council Endorsement and Support for a "Raise Grant" Application for the Redevelopment of Winooski River Bridge

Type: Action (Consent), Communication

Recommended Action: to authorize the City Council President to sign a Letter of Endorsement, substantially conforming with the attached draft, on behalf of the City Council in furtherance the City of Burlington, the City of Winooski, and the Vermont Agency of Transportation cooperatively submitting a □Raise Grant□ application to the UnitedState Department of Transportation for the Redevelopment of the Winooski River Bridge

Winooski Bridge Alt 4 & 5.pdf

Winooski Bridge RAISE Grant Council Letter of Support 4.11.pdf

BOF CC Memo Winooski Bridge 2022.04.11.v2.pdf

BOF CC Checklist Winooski Bridge Raise Grant Application 4.11.22.docx

5.14 Communication: CT Office, re: City Council Standing Committees 2022-2023

Type: Action (Consent), Communication, Information

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

note corrected version of this agenda item, posted on Tuesday, April 12, 2022, at 9:52 am, LO

2022-2023 City Council Standing Committees corrected 041222 LO.doc

2022-2023 City Council Standing Committees 040722 LO.doc

5.15 FIO Documents

Type: Action (Consent), Communication, Information

Recommended Action: for information only

FIO Documents.pdf

FIO Document.pdf

6. Deliberative Agenda

6.01 Communication: Corey Mims, P.E., Senior Public Works Engineer, Norman Baldwin, P.E., Assistant Director/City Engineer, re: Champlain Parkway Project - Update and Schedule

Type: Information

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

note presentation slides for this agenda item per Corey Mims, posted on Tuesday, April 12, 2022, at 9:02 am, LO

CC Champlain Parkwy Project Update Revised 04112022.pdf

CC Checklist_Champlain Parkway Project Update 04112022.pdf

2022-4-11-Champlain Parkway Project Update - Presentation to CC.pdf

6.02 Ordinance: Comprehensive Development Ordinance - Short Term Rentals ZA #22-08 (Councilor Carpenter)(1st reading)

Type: Action, Ordinance - First Reading

Recommended Action: waive the first reading and refer to Ordinance Committee with the request that the ordinance returns to the City Council by June 1, 2022

Ordinance - ZA 22-08 - Revised for 4.11.22 CC Meeting (FINAL).pdf

STR Memo for CC 04112022_Final.pdf

Art14planBTVDowntownCode_for ZA-22-08 for 4-11-22 CC.pdf

ZA-22-08 Appendix A for CC 1st Read--4.11.22 Mtg..pdf

6.03 Ordinance: Chapter 18. Housing -- Short Term Rentals (Councilor Carpenter)(1st reading)

Type: Action, Ordinance - First Reading

Recommended Action: waive the first reading and refer to Ordinance Committee with the request that the ordinance returns to the City Council by June 1, 2022

STR Memo for CC 04112022_Final.pdf

Ordinance - Ch. 18 STRs - Revised for 4.11.22 CC Meeting (FINAL).pdf

6.04 Resolution: Retaining Fare Free Public Transportation And Avoiding Service Reductions (Councilors Hanson, Carpenter, Magee, Paul, Traverse, Barlow)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Resolution - Councilor Hanson - Fare Free Transportation and Avoiding Service Reductions (FINAL).pdf

Signed CC Resolution Retaining Fare Free Public Transportation And Avoiding Service Reductions.pdf

6.05 Communication: City Attorney's Office, Thomas Musinski, Legal Administrative Assistant, re: Annual Report on Livable Wage Ordinance - FY22

Type: Action, Information, Report

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

Annual Report on Livable Wage - FY22 FINAL.pdf

BED Livable Wage Report 2022.xlsx

CW Livable Wage Report 2022.pdf

6.06 Resolution: Resolution In Support Of The Vermont House Of Representatives Adjusting Student Weights And Shortening Transition Period To Equitable Funding (Councilors Shannon, Traverse, Magee, Barlow, Carpenter, Paul) ***AGENDA ITEM 6.005***

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Resolution - Councilor Shannon - Support of Adjusted Student Weights (FINAL).pdf

Signed CC Resolution Resolution In Support Of The Vermont House Of Representatives Adjsting Student Weights And Shortening Transition Period To Equitable Funding.pdf

7. Committee Reports

7.01 Verbal Reports

Type: Information, Procedural

8. City Council - General Affairs

8.01 Verbal Reports

Type: Information, Procedural

9. City Council President - Council Updates

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