



February 08, 2021

Regular City Council Meeting - Monday, February 8, 2021, 6:30 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 written materials for agenda item 2.01 Work session Regarding Update on CityPlace (per City Attorney Blackwood); note adjustments regarding agenda item 6.01 Outdoor Entertainment Permit Renewal (2021-2022): Arts Riot, 400 Pine Street (per Alan Newman); note written materials for agenda item 6.02 Presentation: Darren Springer, General Manager, BED, re: District Energy Update (per Darren Springer); note corrected version of agenda item 6.03 Resolution: Breaking Out The Costs Of Police Services At The Burlington International Airport And Studying How TSA Requirements Are Met In Other Airports (Councilors Paul, Pine, Dieng, Carpenter and Paulino) (per City Attorney Blackwood); note proposed amendments for agenda item 6.04 Resolution: Approval Of Public Safety Continuity Plan (Revised)(Board of Finance)(per Councilor Hightower); remove from the consent agenda item 5.21 Resolution: Authorization To Execute Contract For Operational And Functional Assessment Of Police Department (Public Safety Committee) and place it on the Deliberative Agenda as item 6.05 (per Councilor Shannon); remove from the consent agenda item 5.09 Communication: Jabulani Gamache, Police Commission, Chair, re: BPOA Statement and place it on the Deliberative Agenda as item 6.06 (per Councilor Hightower)

2. Work session Regarding Update on CityPlace (verbal) **start time: 6:30 pm**

2.01 Work session Regarding Update on CityPlace (verbal)

Type: Discussion, Information

note written materials for this agenda item per City Attorney Blackwood, posted on Friday, February 5, 2021, at 4:58 pm, LO

 RESOLUTION - Authorization to Resolve Litigation and Execute Amended and Restated Development Agreement with BTC Mall Associates.draft 2 5 21 (2c).pdf

 Escrow Agreement (Execution Version).pdf

 Amended and Restated Development Agreement (Execution Version) (2).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



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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 (as amended) 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 020821 cc
mtg LO.xlsx

5.03 Communication: C/T Office, re: January 4, 2021, Regular City Council Meeting, Draft Minutes

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the February 16, 2021 Regular City Council Meeting

 View Minutes from Regular City Council Meeting - Monday, January 4, 2021, 7:00 pm **VIRTUAL MEETING**

5.04 Communication: C/T Office, re: January 19, 2021 Regular City Council Meeting, Draft Minutes

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the February 16, 2021 Regular City Council Meeting

 View Minutes from Regular City Council Meeting - Tuesday, January 19, 2021, 7:00 pm **VIRTUAL MEETING**

5.05 Communication: C/T Office, re: January 25, 2021 Regular City Council Meeting, Draft Minutes

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the February 16, 2021 Regular City Council Meeting

 View Minutes from Regular City Council Meeting - Monday, January 25, 2021, 7:00 pm **VIRTUAL MEETING**

5.06 Communication: C/T Office, re: January 25, 2021 Local Control Commission Meeting, Draft Minutes

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes at the February 16, 2021 Regular City Council Meeting

 View Minutes from Local Control Commission Meeting - Monday, January 25, 2021 **VIRTUAL MEETING**



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5.07 Indoor and Outdoor Entertainment Permit Renewals (2021-2022): see attached list

Type: Action (Consent)

Recommended Action: approve the 2021-2022 Indoor and Outdoor Entertainment Permit Renewals as listed with all standard conditions

 Indoor and Outdoor EP Renewals.docx

5.08 Communication: Sharon Bushor, Ward 1 resident, re: Airport Commission Charter Change

Type: Action (Consent), Communication

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

 Sharon Bushor Communication.docx

5.09 Communication: Jabulani Gamache, Police Commission, Chair, re: BPOA Statement **now agenda item 6.06**

Type: Action (Consent), Communication

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

 Letter to Mayor-City Council President FINAL
PDF2.pdf

5.10 Communication: Caleb Manna, Excavation Inspector, DPW, re: 2021 VTRANS Highway Mileage Certificate Acceptance

Type: Action (Consent), Communication

Recommended Action: to accept the recorded mileage for the City of Burlington with the Vermont Agency of Transportation in the 2021 Highway Mileage Certificate, and authorize Chapin Spencer, Director of Public Works, to execute the certificate on behalf of City Council

 2021 Highway Mileage Cert.pdf

 2021 VTRANS Highway Mileage Cert
Packet2.pdf

 BOF CC Checklist_2021 VTRANS mileage
cert.pdf

5.11 Communication: Chief Innovation Officer Brian Lowe, re: Creation of Health Equity and Engagement Manager position

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the creation of a Regular Full-time, Exempt, Non-Union, Grade 21 Health Equity and Engagement Manager within the Innovation and Technology Department

 Final Memo Health Equity and Engagement
Manager.DOCX

 Final Packet - Health Equity and Engagement
Manager.pdf



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5.12 Communication: Steve Roy, Senior Water Resources Engineer and Mike Schramm, Water Resources Engineer, re: Request for Approval to Execute Contract for Fire Alarm System Upgrades at Water Treatment Plant & Main Wastewater Treatment Plant Administration Building

Type: Action (Consent), Communication

Recommended Action: to authorize the Director of Public Works to execute a contract with MEI Electrical Contractors for design/build services for the upgrade to the fire alarm systems at the Water Treatment Plant & Main Wastewater Treatment Plant Administration Building for up to \$103,000, with an additional \$25,000 in contingency, totaling \$128,000, subject to final review and approval by the City Attorney's Office

Fire Alarm System Upgrade BOF_CC_Memo - 2-2-21.pdf

BoF_CC_Checklist FA System Upgrade - 2-2-21.pdf

5.13 Communication: James Sherrard, Stormwater Program Coordinator, re: Authorization to execute a contract with Lake Champlain Sea Grant for the Development of a Residential Stormwater Management/Incentive/Education Program

Type: Action (Consent), Communication

Recommended Action: to authorize the Director of Public Works to execute a contract with Lake Champlain Sea Grant for an amount up to \$184,700 for the Development of a Residential Stormwater Management Incentive / Education Program, subject to the prior review and approval of the City Attorney

SW Res Inc Program_BOF CC Memo_Final_2.2.2021.pdf

SW Res Inc BoF_City Council_Checklist_2.2.2021.pdf

5.14 Communication: Luke McGowan, Director Community & Economic Development Office (CEDO) and Katie Kinstedt, Asst. Director Admin & Finance, CEDO, re: Coronavirus Emergency Supplemental Funding (CESF) Byrne Grant Acceptance

Type: Action (Consent), Communication

Recommended Action: to approve the acceptance of the Coronavirus Emergency Supplemental Funding (CESF) Byrne Grant, and authorize the Mayor or his designee to sign all necessary documents to affect same

Memo CESF Byrne Grant Acceptance_8 Feb 2020 Meeting.pdf

BOF CC Checklist_Byrne CESF.docx

5.15 Communication: Brian Lowe, Chief Innovation Officer, re: Motion to Authorize Chief Innovation Officer to enter into a contract for email services

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the Chief Innovation Officer to execute an agreement with Planet Technologies and Microsoft for email services for a total amount not to exceed \$144,000 over three years, subject to final contract approval by the City Attorney's Office

01-24-21 - Microsoft Licensing Agreement (Final).pdf

BOF CC Checklist_February 2021 v2.pdf

City of Burlington Renewal quote - .pdf



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5.16 Communication: Richard Haesler, Projects & Policy Specialist, CEDO, re: FY2020 City of Burlington TIF district Reports 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

Communication - FY20 TIF Reports to VEPC.pdf

BurlingtonDowntown.FY2020AnnualReport.Revised12.14.2020 - Cityreport 020321.pdf

BurlingtonWaterfront.FY2020AnnualReport-Revised12.14.20 - Cityreport 020321.pdf

Downtown TIF Certification .pdf

BoF_CC_Checklist FY20 Annual TIF Reports to VEPC pdf.pdf

Waterfront TIF Certification .pdf

5.17 Communication: Chapin Spencer, Director Public Works, Martha Keenan, Capital & Asset Management Program Manager, Gustave Sexauer, Asset Management Coordinator, Megan Moir, Water Resources Division Director, Brian Lowe, Chief Innovation Officer and Cindi Wight, Director of Parks, Recreation and Waterfront, re: Asset Management Program - CMMS Platform Contract, Amending Asset Management Consultant Contract, GIS Hosting Contract, and Amending Clean Water and Drinking Water State Revolving Fund Loans

Type: Action (Consent), Communication

Recommended Action: 1. ☐ To authorize the Director of Public Works to amend the Engineering Services Agreement with KCITechnologies, Inc. for the Computerized Maintenance Management System and Enterprise AssetManagement Application Assessment, Procurement, & Implementation Guidance project for up to an additional \$120,000 from \$124,750 to a total cost not to exceed \$244,750, subject to final review and approval by the Chief Administrative Officer and the City Attorney's Office. ☐ 2. ☐ To authorize the Director of Public Works to sign a contract Agreement with a GIS hosting and management vendor for the hosting and management of the GIS system for the City of Burlington for a cost not to exceed \$75,420, subject to final review and approval by the Chief Administrative Officer and the City Attorney's Office. ☐ 3. ☐ To adopt the attached resolution authorizing execution of a planning loan from the Vermont Clean Water State Revolving Fund for up to \$275,847, subject to final review and approval by the City's bond counsel or the City Attorney's Office. ☐ 4. ☐ To adopt the attached resolution authorizing execution of a planning loan from the Vermont Drinking Water State Revolving Fund for up to \$245,835, subject to final review and approval by the City's bond counsel or the City Attorney's Office. ☐

Asset Management Program Memo_v2.pdf

BOF CC Checklist - Asset Management Program_v2.pdf

5.18 Resolution: Authorization for \$245,835 Amended Planning Loan From Vermont Drinking Water State Revolving Fund for Asset Management Application Assessment, Procurement & Implementation (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

DPW - Authorization for \$245,835 AMENDED Planning Loan from VT DWSRF_Final Draft2.1.2021.pdf

Signed CC Resolution Authorization for \$245,835 Amended Planning Loan from Vermont Drinking Water State Revolving Fund for Asset Management Application Assessment, Procurement & Implementation.pdf



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5.19 Resolution: Authorization for \$275,847 Amended Planning Loan from Vermont Clean Water State Revolving Fund for Asset Management Application Assessment, Procurement & Implementation (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

DPW - Authorization for \$275,847 AMENDED Planning Loan from VT CWSRF_FINAL DRAFT-2.1.2021.pdf

Signed CC Resolution Authorization for \$275,847 Amended Planning Loan from Vermont Clean Water State Revolving Fund for Asset Management Application Assessment, Procurement & Implementation.pdf

5.20 Resolution: Authorization Re Reimbursement of Waterfront TIF District And Downtown TIF District Related Costs For FY2020 (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

CEDO - Authorization re Reimbursement of Waterfront TIF District and Downtown TIF District Related Costs for FY 2020.pdf

Memo re Waterfront & Downtown TIF Districts Related Cost Reimbursement for FY 2020.doc

BoF_CC_Checklist FY20 TIF Related Costs Reimbursement pdf.pdf

Signed CC Resolution Authorization Re Reimbursement of Waterfront TIF District and Downtown TIF District Related Costs for FY 2020.pdf

5.21 Resolution: Authorization To Execute Contract For Operational And Functional Assessment Of Police Department (Public Safety Committee) **now agenda item 6.05**

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

City Council, BPD, REIB - Authorization to Execute Contract for Operational and Functional Assessment of Police Department.pdf

5.22 FIO Documents

Type: Action (Consent), Communication, Information

Recommended Action: for information only

FIO Documents.pdf

FIO Document.pdf

6. Deliberative Agenda



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6.01 Outdoor Entertainment Permit Renewal (2021-2022): Arts Riot, 400 Pine Street

Type: Action

Recommended Action: approve the 2021-2022 Outdoor Entertainment Permit Renewal for Arts Riot, 400 Pine Street with all standard conditions

Councilor Mason recused himself from this agenda item due to a potential conflict of interest

Note adjustment in end time of outdoor entertainment hours per Alan Newman, Owner, Arts Riot, posted on Monday, February 8, 2021, at 1:49 pm, LO**

On weekdays, Live music, DJ and outdoor movies until 10 pm; extending only outdoor movies until 11 pm on weekdays

On weekends, Live music, DJ and outdoor movies until 11 pm

Outdoor EP Renewal Arts Riot.pdf

ADJUSTING OUR OUTDOOR ENTERTAINMENT PERMIT per Alan Newman.docx

6.02 Presentation: Darren Springer, General Manager, BED, re: District Energy Update and Michael Ahern spoke

Type: Information, Presentation

note written materials for this agenda item per Darren Springer, posted on Monday, February 8, 2021, at 1:46 pm, LO

DES Memo 2.7.21.docx

DES Graphic.pdf

LOI 2.7.21.pdf

6.03 Breaking Out The Costs Of Police Services At The Burlington International Airport And Studying How TSA Requirements Are Met In Other Airports (Councilors Paul, Pine, Dieng, Carpenter, Paulino)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

note corrected version of this agenda item per City Attorney Blackwood, posted on Sunday, February 7, 2021, at 2:31 pm, LO

City Council - Breaking Out Costs of Police Services at BIA; Creation of Airpor Police Div. Studying TSA Requirements at Other Airports (CORRECTED).pdf

City Council - Breaking Out Costs of Police Services at BIA; Creation of Airport Police Div. Studying TSA Requirements at Other Airports.2 (002).pdf

Signed CC Resolution Breaking Out The Costs of Police Services at BIA Creating An Airport Police Division, and Studying How TSA Requirements Are Met In Other Airports (Corrected).pdf



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6.04 Approval Of Public Safety Continuity Plan (Revised)(Board of Finance)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

note proposed amendments for this agenda item per Councilor Hightower, posted on Monday, February 8, 2021, at 4:48 pm, LO

Police - Approval of Public Safety Continuity Plan.rvi (1 25 21) REVISED.pdf

Amendment Increasing CSLs.docx

BPD Continuity Amendments removing cap increase.docx

6.05 Resolution: Authorization To Execute Contract For Operational And Functional Assessment Of Police Department (Public Safety Committee) **was consent agenda item 5.21**

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

City Council, BPD, REIB - Authorization to Execute Contract for Operational and Functional Assessment of Police Department.pdf

Signed CC Resolution Authorization To Execute Contract For Operational And Functional Assessment Of Police Department.pdf

6.06 Communication: Jabulani Gamache, Police Commission, Chair, re: BPOA Statement **was consent agenda item 5.09**

Type: Action, Communication

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

Letter to Mayor-City Council President FINAL PDF2.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



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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