Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM

6:30 pm, Contois Auditorium OR Remotely via ZOOM:
Please click the link below to join the webinar:
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Webinar ID: 946 7914 7465

****CCTV link: https://www.youtube.com/playlist?list=PLljLFn4BZd2PwCge7lNoKug676jIf_iUA ****

To participate in Public Forum in person, sign up at the meeting.
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https://www.burlingtonvt.gov/citycouncil/publicforum

Do not sign up in person and via Zoom - select one only

1. Agenda

Subject	**1.1. Motion to amend/adopt agenda**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	1. Agenda
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to amend/adopt agenda

2. Communication: Litigation Update (verbal)**expected executive session** 6:45 pm - 7:15 pm

Subject	**2.1. Communication: Litigation Update (verbal) **expected executive session****
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	2. Communication: Litigation Update (verbal)**expected executive session** 6:45 pm - 7:15 pm
Department	City Attorney
Type	Action Procedural

Recommended Action	Motion 1: Move that the Council find that premature general public knowledge of legal advice and information concerning the details of probable and pending litigation to which the City is a party or has a stated interest would clearly place the City at a substantial disadvantage; 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 pending or probable civil litigation matter, 1 VSA §313(a)(1)(E).

3. Public Forum: Time Certain: 7:30 pm **See above for signup instructions**

Subject	**3.1. Verbal Comments**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	3. Public Forum: Time Certain: 7:30 pm **See above for signup instructions**
Department	Council and Board
Type	Action Procedural

4. Climate Emergency Reports (5 - 10 mins.)

Subject	**4.1. Climate emergency reports**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	4. Climate Emergency Reports (5 - 10 mins.)
Department	Council and Board
Type	Information

5. Consent Agenda

Subject	**5.1. Motion to adopt the consent agenda and take the actions indicated**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Council and Board
Type	Action (Consent) Procedural
Recommended Action	Motion to adopt the consent agenda and take the actions indicated
Subject	**5.2. Communication: C/T Office, re: Accountability List**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office

Type	Action (Consent) Communication Information
Recommended Action	waive the reading, accept the communication and place it on file
Subject	**5.3. Communication: C/T Office, re: Openings Burlington City Commissions/Boards**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information
Recommended Action	waive the reading, accept the communication and place it on file
Subject	**5.4. Program Year 2022 Consolidated Annual Performance & Evaluation Report Draft - CEDO**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Community & Economic Development Office (CEDO)
Type	Action (Consent) Communication Information
Recommended Action	waive the reading, accept the communication and place it on file
Subject	**5.5. Authorization to Execute Lease Amendment No. 2 to the General Services Administration (GSA) Lease - Airport**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Airport
Type	Action (Consent)
Recommended Action	to approve that the Mayor of Burlington, Miro Weinberger, be authorized to execute Amendment No. 2 to the Lease Agreement with the U.S. General Services Administration, subject to the final review and approval by the Office of the City Attorney
Subject	**5.6. Request to Execute a Grant of Easement to Champlain Water District (CWD) for the Design, Installation, and Service of a new Valve Vault on National Guard Road - Airport**

Meeting September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Airport

Type Action (Consent)

Recommended Action to approve and authorize Mayor Miro Weinberger to execute a Grant of Easement to the Champlain Water District for the design, construction, and service of a new valve vault on National Guard Avenue, subject to review by the City Attorney's Office

Subject **5.7. National Endowment for the Humanities Challenge Infrastructure and Capacity Building Grant - Library**

Meeting September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Fletcher Free Library

Type Action (Consent)

Recommended Action

1. Move to authorize the Director of the Fletcher Free Library to execute the Award Agreement with NEH to accept a grant amount of $245,425.00.00, with project costs to be paid upfront by the City of Burlington and then reimbursed by NEH, including a local match of $736,275.00 in City funds, for a total project budget of $981,700.00; subject to final review and approval by the City Attorney's Office and Chief Administrative Officer.
2. Move to accept the recommendation of the City's Capital Committee and approve the creation of the Fletcher Free Library project budget for Fiscal Year 2024, for use of Capital Funds as described in the affiliated memorandum and related attachments, and subject to the review and approval of the Chief Administrative Officer.

Subject **5.8. Execute a Contract Amendment with Engineers Construction, Inc. (ECI) for the Design-Build services fro the Flynn Avenue Sewage Forcemain Rehabilitation - DPW/Water Resources**

Meeting September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM

Category 5. Consent Agenda

Department Public Works Department - Water Resources

Type Action (Consent)

Recommended Action to approve and retroactively authorize and ratify the Director of Public Works' execution of a contract amendment with Engineer's Construction, Inc. for the Design-Build services for the Flynn Avenue Sewage Forcemain Rehabilitation increasing the maximum limiting amount of the agreement by $4,213 for a total authorized expenditure not to exceed $192,525, subject to the review and approval of the City Attorney's Office

Subject	**5.9. Old North End Greenway Construction Grant Project Commitments Form - DPW**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent)
Recommended Action	to authorize the Director of Public Works to execute the Project Commitments Form from the Vermont Agency of Transportation for the Old North End Greenway construction, obligating the City to commit a local match of $166,000 of the total project budget of $241,000 in furtherance of accepting a reimbursable grant amount up to $75,000, subject to approval by the City Attorney’s Office
Subject	**5.10. Authorization to Execute the Design Contract for the Queen City Park Road (QCPR) Sidepath - DPW**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Public Works Department
Type	Action (Consent)
Recommended Action	1. To authorize the Director of Public Works to execute a contract, subject to City Attorney approval with Hoyle Tanner & Associate Inc. in an amount not to exceed $214,245, and further authorize the Director of Public Works to execute any necessary future amendments using up to $21,000 (10%) in available contingency funds, for a total authorized amount of $235,245 for the development of the design of the QCPR Sidepath project, subject to the review and approval of the City Attorney’s Office. 2. To approve and authorize the Chief Administrative Officer, or their designee, to affect all necessary budget amendments and transfers of funds from the sources identified in the attached budget amendment form to amend the project budget to total $1,035,000 for the Queen City Park Road Sidepath Project.
Subject	**5.11. Resolution: Allocation Of Bond Proceeds For Public Improvements - Rock Point Bridge Project (Board of Finance)**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Resolution
Recommended Action	waive the reading and adopt the resolution

Subject	**5.12. Rock Point Bridge - Authorization to Award Construction Contract and Proposed Budget Amendment - DPW**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Public Works Department
Type	Action (Consent)
Recommended Action	1. To authorize the Chief Administrative Officer, or their designee, to affect all necessary budget amendments and transfers of funds to amend the project budget to total $1,219,128.51 as detailed in Attachment B for the Rock Point Bridge Replacement Project. 2. To authorize the Director of Parks, Recreation and Waterfront (BPRW), or their designee, to execute a construction contract with Desroches Construction Services in the amount of 984,131.00, and to further authorize the use of an additional $98,413.00 in contingency funds (10%), for a total authorized expenditure in the amount of $1,082,544.00.
Subject	**5.13. Reclassification of two (2) Clerk Treasurer's positions and not filling of one (1) position - CT/HR**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent)
Recommended Action	To approve the: Modification, retitle, and reclassification of the Director of Financial Operations, a regular service, fulltime, exempt, non-union position with a market factor range of $118,055.69 to $165,325.93 to Director of Finance, a regular service, full-time, exempt, non-union position with a market factor range of $127,900 to $191,900. Modification, retitle, and reclassification of the Banking & Cash Operations Manager, a regular service, full-time, exempt, non-union Grade 21 to Assistant Director of Finance, a regular service, full-time, exempt, non-union Grade 23.
Subject	**5.14. Approval of Marina Slip and Mooring Fees - BPRW**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Parks, Recreation, & Waterfront
Type	Action (Consent)
Recommended Action	to approve the 2024 Marina fees as set by the Harbor Commission during its September 12, 2023 meeting, subject to review by the City Attorney’s Office
Subject	**5.15. 195-201 Flynn Avenue 2019 Third MOU Extension - DPW**

Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	5. Consent Agenda
Department	Public Works Department
Type	Action (Consent)
Recommended Action	move to approve a one-year, term-only, no cost extension of the Second 2019 Chittenden Solid Waste District – City of Burlington Memorandum of Understanding through September 30, 2024, and authorize the Mayor to execute said agreement subject to the review and approval of the City Attorney’s Office

6. Deliberative Agenda

Subject	**6.1. FY23 Fiscal Health Report - CAO (20 mins.)**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	6. Deliberative Agenda
Department	Clerk/Treasurer's Office
Type	Action Report Information
Recommended Action	waive the readng, accept the report and place it on file

7. Committee Reports (up to 15 mins.)

Subject	**7.1. Verbal reports**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	7. Committee Reports (up to 15 mins.)
Department	Council and Board
Type	Information

8. City Council - General Affairs (up to 15 mins.)

Subject	**8.1. Verbal reports**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	8. City Council - General Affairs (up to 15 mins.)
Department	Council and Board
Type	Information

9. City Council President - Council Updates (up to 5 mins.)

Subject	**9.1. Verbal reports**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	9. City Council President - Council Updates (up to 5 mins.)
Department	Council and Board
Type	Information

10. Mayor - General Affairs (up to 10 mins.)

Subject	**10.1. Verbal reports**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	10. Mayor - General Affairs (up to 10 mins.)
Department	Council and Board
Type	Information

11. Adjournment

Subject	**11.1. Motion to adjourn**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	11. Adjournment
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to adjourn

12. Informational and Non-Discrimination Statements

Subject	**12.1. This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (802-865-7136)(TTY 802-865-7142). Persons with disabilities who require assistance or special arrangements to participate are encouraged to contact 802-865-7000 (voice) or 802-865-7142 (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.**
Meeting	September 18, 2023 - Regular City Council Meeting - Monday, September 18, 2023, 6:30 PM, Contois Auditorium OR REMOTELY via ZOOM
Category	12. Informational and Non-Discrimination Statements
Department	Council and Board

Type	Information

This list is a working document. I

Prepared by: Lori Olberg, Licensing, Voting & Records Coordinator

	Meeting Date	Type of Document
1	7/12/2021	Resolution: Parks Arts And Culture Committee To Create A Dog Task Force
2	10/18/2021	Resolution: Police Oversight And Accountability Authorities To Police Commission To Alter The Police Disciplinary System
3	2/6/2023	Resolution: Supporting More Public Input On Police Oversight And Accountability Upon Defeat Of The Ballot Initiative On A Community Control Board
4	2/6/2023	Communication re Ward 2/3 NPA Resolution to Name the New Shelburne Street Roundabout After Tony Redington and Ward 2/3 NPA Resolution in Support of Big Heavy World Teen Center Proposal for Memorial Auditorium
5	3/13/2023	Communication re Ward 5 NPA Steering Committee to Name the New Shelburne Street Roundabout after Tony Redington
6	3/13/2023	Resolution: Supporting LGBTQIA+ Community Members and Condemning Transphobia
7	4/17/2023	Communication re Winooski Avenue Corridor Study Implementation Update

8	5/15/2023	Resolution: BTV Solar Eclipse 2024
9	5/15/2023	Resolution: Process For Updating Sheltering on Public Lands Policy Given The Rise in Homelessness And The End Of The Motel Voucher Program
10	6/5/2023	Resolution: Accepting Grant Funding from the Department of Mental Health for the Crisis Response Team and Exploring the Creation of a Burlington CAIP Department
11	7/24/2023	Resolution: The Climate Emergency and the Council Request to Count Vermont Air National Guard GHG Emissions and to Plan to Eliminate VTANG Aviation and Ground GHG Emissions in the Spirit of the City's 2030 Net Zero Goals
12	8/14/2023	Communication: Financial review of Expenditures by REIB in Fiscal Years 2021 and 2022

NOTE: These resolutions relate in part to the work of the Joint Committee (Ordinance and Charter Change) in their work on polic

NOTE: These communications are both regarding the Shelburne Street Roundabout naming after Tony Reddington

CITY COUNCIL ACCOUNTABILITY LIST

t is a record of resolutions, ordinances, communications that have come to the Council and there is an action requested.

12-Sep-23

Action Requested	Updated Next Steps in the Process
report due back to the City Council from the task force	4/29/2022; This timeline was amended to year end 2022; UPDATE as of 1/30/2023: The Task Force will present a report to PACC at its next meeting UPDATE: Task Force will be presenting their report to the Council on March 27, 2023 UPDATE: Final report will come to the Council in June 2023. UPDATE: final report to come in September.
CA office to draft ordinance with language as per the resolution, with the ordinance to be referred to the Ordinance Committee, amendment to FY22 to include legal counsel for the Police Commission, referral to Charter Change to hold meetings with community and stakeholder input on moving disciplinary authority from the Chief of Police to a body independent from BPD that may include the Commission with the possibility of a Charter change for consideration.	**NOTE: This item was never added to this Accountability List in October 2021.** It is being added as of February 10, 2023. Draft ordinance was done by then-CA Richardson in March 2022, presented to the Police Commission in April 2022 and the PC responded with comments to the draft. By May 2022, CA Richardson and other staff left. This draft and PC comments must be followed up on and then referred to the Ordinance Committee. Question on resolved clause lines 103 to 105 to be followed up on. Charter Change Committee was to hold meetings with community and stakeholders with referral of language back to the Council. UPDATE: Draft ordinance was referred to Joint Committee of Ordinance and
upon defeat of the ballot item on Community Control of Police, that proposed Charter language of Control Board, mayor's December 2020 Charter amendment, October 18, 2021 resoluition, related ordinance language from City Attorney in April 2022 be referred to Ordinance and Charter Change Committees for review, robust public input on disciplinary authority of Chief, oversight role of the police commission with referral back to full council by June 1, 2023	to discuss joint meetings, stakeholder and robust public input, beginning early April. UPDATE: Meeting dates being determined for late April and into May. UPDATE: first meeting to be held May 4. UPDATE: Metings scheduled in May, Report to come to the Council on June 5. UPDATE: Work to continue to September 2023.
refer the communication to TEUC and CDNR Committees respectively for further review and engagement	TEUC Item was taken up at the March meeting, more information was requested for the next TEUC meeting
refer the communication to TEUC for further review	TEUC Item was taken up at the March meeting, more information was requested for the next TEUC meeting
City Council will work in collaboration with community members and organizations and the City administration to develop a plan for ongoing activities to support and amplify the voices of the LGBTQIA+ community, including days of action, flying pride flags on City property, and organizing a speakers series; City Councils urges Burlington's state legislative delegation to look at current state hate crime statute to look to extend protections for schools and organizations that advocate/support LGBTQ+ (and other minoritized communities) from hate motivated targeted crimes City Council's Ordinance Committee shall, in coordination with the Burlington Police Department and the City Attorney's Office, examine Burlington's graffiti ordinance and consider changes that address continued defacement of public property, and graffiti that spreads hateful and harmful messages.	
refer the communication to TEUC in order to work with the Administration on the plan to monitor and evaluate the changes to the North Winooski Avenue corridor and any proposal to address the transportation and neighborhood needs arising from the evaluation	

the City Council requests that the event planning staff in Burlington City Arts, Business and Workforce Development, and the Burlington Parks, Recreation and Waterfront Department provide regular updates to the City Council Parks, Arts, and Culture Committee regarding planning for this event, including but not limited to, developing a page on the City's website with visitor data, coordinating with local organizations on events in the area, and city-sponsored events to celebrate the eclipse in collaboration with area schools, scientific organizations, and/or other groups celebrating the arrival of the exclipse. Staff to update the Parks, Arts, and Culture Committee in July or August 2023 and in January 2024 with a full plan for the event.	Referrred to PACC with updates to the full Council in September and early 2024
The City Council asks CEDO to provide the CDNR committee with research and community and city staff engagement on best practices and potential pathways to take to improve the status quo on three topics at the CDNR May, June, July 2023 meetings – respectively: 1) The current sheltering on public lands policy 2) Chittenden County sheltering options when shelter capacity has been reached; and, 3) Storage and bathroom access. CDNR committee shall obtain feedback from relevant stakeholders, including the State of Vermont, and report back on the discussion of best practices and potential pathways as well as recommended actions to the City Council on August 14, 2023, Administration and the City Council will work with our state legislative delegation to find additional funding to assist Burlington and other municipalities to find resources to alleviate the full cost of supporting the unhoused on city services; and the City Council requests the Administration convene a meeting of community organizations and City staff responsible for serving unhoused community members to inform a Work Session at the June 5th City Council meeting regarding the City's response to addressing houselessness.	Work session was held on June 5. UPDATE: research from CEDO is forthcoming and will be discusseed at the September 2023 CDNR meeting.
requests an evaluation be done to explore Burlington CAIP becoming a department of the City , an evaluation be done to review the reporting and supervisory structure needed to support three public safety departments (police, fire and CAIP), that a report come to Public Safety Committee in October 2023, approval for the Chief of Police to accept the Department of Mental Health grant for Buringtion CARES	Report to come to Public Safety in October 2023
requests that the Vermont Air Force National Guard Adjutant General, beginning for the year 2023, calculate aviation and ground fuel usage at the VTANG base and to annually provide BTV Director and TEUC with a complete record of the calculated aviation and ground greenhouse gas emission; for VTANG to work collaboratively to draft a plan to adopt simulation and augmented reality training to substantially reduce or eliminate GHG with initial meeting on or before 12/31/23 and follow up at TUEC's March 2024 meeting	Initial meeting of the parties by 12/31/2023
Refer the materials posted under this item as supporting documents to the HR Committee to consider the full impact of this report on our City, Tyeastia Green, Casey Ellerby and their families. We further refer these materials to the HR Committee to establish a process for independent evaluation and oversight of the hiring and retention policies and solutions employed by the City of Burlington to combat anti-bipoc and gender based discriminatory practices.	not - specified

e oversight and accountability.

Burlington
City Council

802/865-7136
TTY 802/865-7142

OPENINGS
BURLINGTON CITY COMMISSIONS/BOARDS

CCRPC – alternate	**Term Expires 6/30/25**	**One Opening**
Chittenden Solid Waste District – alternate -	**Term Expires 5/31/24**	**One Opening**
Design Advisory Board – alternate	**Term Expires 6/30/26**	**One Opening**
Development Review Board – alternate	**Term Expires 6/30/26**	**One Opening**
Electric Light Commission	**Term Expires 6/30/25**	**One Opening**
Fence Viewer	**Term Expires 6/30/24**	**One Opening**
Housing Board of Review	**Term Expires 6/30/26**	**One Opening**
Parks and Recreation Commission	**Term Expires 6/30/25**	**One Opening**
Police Commission	**Term Expires 6/30/25**	**One Opening**
Board of Tax Appeals	**Term Expires 6/30/26**	**One Opening**
Vehicle for Hire Licensing Board	**Term Expires 6/30/24**	**One Opening**
Vehicle for Hire Licensing Board	**Term Expires 6/30/25**	**One Opening**
Board for Registration of Voters	**Term Expires 6/30/25**	**One Opening**

Applications may be submitted to the Clerk/Treasurer's Office, 149 Church Street, Burlington, VT 05401 Attn: Lori NO later than Wednesday, October 18, 2023, by 4:30 pm. If you have any questions, please contact Lori at (802) 865-7136 or via email lolberg@burlingtonvt.gov.

City Council President Paul will plan for appointments to take place at the October 23, 2023 City Council Meeting/City Council With Mayor Presiding Meeting.

COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

149 CHURCH STREET • ROOM 32 • CITY HALL • BURLINGTON, VT 05401
(802) 865-7144 • (802) 865-7024 (FAX)
www.burlingtonvt.gov/cedo

TO: Mayor Miro Weinberger
City Council

FROM: Rebeka Lawrence-Gomez, Housing Program Manager, Community & Economic Development Office ("CEDO")
Todd Rawlings, CEDO Assistant Director, Grants & Finance
Brian Pine, CEDO Director

DATE: September 18, 2023

RE: **Program Year 2022 Consolidated Annual Performance & Evaluation Report Draft**

Summary

CEDO annually reports on the City of Burlington's annual utilization of federal funds received from the U.S. Department of Housing & Urban Development ("HUD") to address community needs. The enclosed Consolidated Annual Performance & Evaluation Report ("CAPER") describes what was accomplished with expenditures of $2,103,228 during the most recently completed program year, July 1, 2022 – June 30, 2023. Appendix A contains community indicators and data.

Background

The Council authorized submission of the annual Action Plan on May 9, 2022 for the program year beginning July 1, 2022 through June 30, 2023. The CAPER reports on the accomplishments during that time period. The report is due to HUD ninety days after the program year is complete. This Performance Report covers the fifth year of the five-year period in the City's 2018 Consolidated Plan for Housing & Community Development ("Plan"). The City has received approval from HUD to extend the Plan one year through June 30, 2024.

Public Comments

There will be a Public Hearing on the CAPER draft on September 19, 2023 at the City Council Community Development and Neighborhood Revitalization Committee meeting. The CAPER has been posted online at www.burlingtonvt.gov/CEDO for public review and comment. CEDO invites public comments on the CAPER draft through September 22, 2023.

Fiscal Summary:

- From July 1, 2022 through June 30, 2023, $2,103,228 was expended to address community needs:
  - $934,799 in Community Development Block Grant ("CDBG")
  - $263,295 in HOME Investment Partnership Act
  - $905,134 for the administration, implementation, and completion of Lead Hazard Control work and Healthy Home activities

Highlights of Accomplishments:

Affordable Housing – *Priority Area #1*

- 108 housing units for seniors were renovated improving safety and comfort for residents. An HVAC improvement project improved another Burlington residence for an additional 44 seniors.
- Two low-income homeowners were assisted with home improvements increasing the safety of their homes.
- The creation of 16 units of affordable housing for families experiencing homelessness was underway this project year.
- Renovation to an affordable housing co-op was in process this program year.
- The Burlington Lead Program ("BLP") completed testing for lead-based paint hazards in the homes of 79 low-income families and lead hazard control activities in 31 rental housing units and 2 owner occupied housing units.
- BLP performed Healthy Home interventions for 16 low-income rental households.

Economic Opportunity – *Priority Area #2*

- 190 Burlington microenterprises and small businesses were assisted by the City and community non-profits.
- Participants created 16 new businesses and expanded upon 45 existing microenterprises.
- Two small family-owned food businesses received assistance - one Black business owner purchased a food cart and is now selling on a popular pedestrian street, another Vietnamese family expanded their restaurant's physical capacity in the Old North End to accommodate more in-person dining.
- 17 people participated in a 16-week business planning course or 6-hour introductory business class.
- ECHO Early Learning Center and Lund Early Childhood program provided enriching and developmentally-appropriate learning for almost 200 children, allowing caregivers time for vocational pursuits.
- Tax preparation and other income tax-related assistance was provided to 684 households by the Volunteer Income Tax Assistance ("VITA") program. More than a dozen beneficiaries' primary language was not English, over 100 head of households had a disability and more than half of the households served were extremely low income (less than 30% Area Median Income (AMI)).

- Seven youth who had not completed high school and whose families have limited financial means (low-income households) participated in ReSOURCE's YouthBuild job training program. The youth were trained in construction skills and may have earned certificates in OSHA10, NCCER, First Aid and CPR Training.

Suitable Living Environment – *Priority #3*

- An after-school enrichment program supported 179 students with meaningful learning, play and team building through the Sara Holbrook Community Center.

<u>CDBG-COVID Funds</u>

In addition to the above, in 2020 the City received $743,605 in CDBG-COVID ("CDBG-CV") funds to address the impacts of the COVID pandemic. To date, $678,457 in CDBG-CV has been disbursed for the following:

- Seven persons who had experienced homelessness were supported by ANEW Place. Participants were provided an affordable housing unit and prioritized for receipt of a Housing Choice voucher.
- Pathways Vermont served 47 individuals who were previously homeless to maintain housing in scattered-site apartments, and assisting 10 additional persons in finding an apartment within the community.
- Thirty-one persons who have immigrated to Burlington with no or very limited digital literacy skills participated in Vermont Adult Learning's Fostering Connections program where they gained familiarity with information technology and computer literacy. Several utilized their new digital literacy skills to participate in online English Language courses.
- Almost 150 persons were supported by the Vermont Criminal Justice Reform Center to support community re-entry for persons exiting incarceration and assistance for persons who are at high-risk of fatal overdose from substance use.
- The Youth Adventure Program supported 29 children who struggle with school truancy in outdoor adventures, mentoring with adults and exploration of vocational opportunities improving attendance and school engagement.
- Over 500 adults and children fleeing domestic violence were provided services and housing support by STEPS to End Domestic Violence.

2022 Consolidated Annual Performance and Evaluation Report
City of Burlington, Vermont

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This document is available in alternative formats and languages upon request

Citizen Participation
91.105(d), 91.115(d)

The City of Burlington is committed to citizen participation and feedback and allowed ample time for community members to provide feedback on the 2022 Consolidated Annual Performance and Evaluation Report (CAPER). Notification of the public comment period and public hearing was published in print and online format in one of Vermont's top-ranking news resources, *Seven Days*, on August 30, 2023, on the City's Community and Economic Development Office's (CEDO) social media accounts, CEDO's Community Development Block Grant (CDBG) listserv, and the mailing list for the Chittenden County Homeless Alliance (CCHA). The public comment period for the CAPER starts September 8, 2023 and ends September 22, 2023 for a total of 15 days.

CEDO will hold a public hearing regarding the CAPER and present on outcomes during the Community Development and Neighborhood Revitalization Committee (CDNR) meeting on September 19, 2023. Any comments or questions will be noted here

Comments will be accepted at the Public Hearing, in-person at the CEDO office, via an online link, and via email through September 22, 2023. Comments, and actions taken, will be posted here if they are received.

The CAPER was included as a communication to the Burlington City Council on September 13, 2023.

CR-05 - Goals and Outcomes
Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

The City of Burlington's Community and Economic Development Office's mission is **engaging the community to build a vibrant, healthy and equitable city**. CEDO prepares a Consolidated Plan for Housing and Community Development (the Consolidated Plan) every five years on behalf of the City and its residents. The plan outlines housing and community development needs and priorities and includes detailed information about resident demographics, the local housing market, and the local economy.

To address the Consolidated Plan priorities the City prepares an annual Action Plan which guides priorities and spending Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) resources that the City receives from the U.S. Department of Housing and Urban Development (HUD). The Action Plan details how the City will spend CDBG and HOME funds to meet the needs and priorities identified in the Consolidated Plan; CEDO submits the annual Action Plan to HUD by May 15.

At the end of the program year the City reports CDBG and HOME accomplishments, expenditures and challenges in the Consolidated Annual Performance and Evaluation Report (CAPER). The Consolidated Plan, Annual Action Plan, and Annual Performance Report are requirements for

CDBG and HOME program funding.

This CAPER includes all CDBG and HOME projects that were funded, underway, or completed during the program year beginning July 1, 2022 and ending June 30, 2023 (referred to as Program Year 2022.) This was the fifth year of the City's 2018-2022 Consolidated Plan. This report also contains *Community Indicators* (Appendix A) and partner activities that contribute to the goals of the Consolidated Plan. The CAPER is due to HUD by September 28, 2023.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Narrative on Progress
The City of Burlington has achieved many of the goals outlined in its 5-Year 2018-2022 Consolidated Plan.

OUTCOME: **Increase the availability of/access to decent housing:** The City of Burlington has made significant progress in many of the 5-Year Goals outlined in the Consolidated Plan in most areas of this outcome.

1. Creating Permanent Supportive Housing: the city has exceeded this goal by supporting housing partners to create 12 units dedicated to persons experiencing homelessness.
2. Properties for Non-Homeless Special Needs: while not funded through HOME or CDBG the city supported the construction of 70 units for seniors including 60 affordable units. The city has supported the renovation and improvement of more than 160 units for seniors.
3. Lead Hazard Remediation: The city has completed 133 lead hazard remediations – exceeding this goal for rental units (115/100 rental units rehabilitated) and falling short on home owner units (18/62 housing units rehabilitated). The city acquired funding outside of CDBG and HOME to support lead hazard remediation. Lead hazard activities have shifted increasingly toward rental units due to income levels of homeowners in the city. Despite challenges with costs of remediation projects, delays in material delivery, limited contractor availability and back-logs from the pandemic the lead program has still met 82% of goal (133/162).

OUTCOME: **Increase the affordability of decent housing:** The city has achieved both 5-Year Goals outlined in the Consolidated Plan in this outcome

1. Create New Affordable Housing: The city supported the construction of two large apartment complexes composed mainly of affordable housing units. Assistance included CDBG and HOME funding for one project as well as logistical support and guidance from the City for both. Including the units noted above the City has supported the creation of 128/125 new affordable housing units.
2. New Homeownership Buyer Assistance: Partner organizations (Burlington Housing Authority and Champlain Housing Trust) have assisted 28 households in Burlington to

attain home ownership exceeding this goal (28/20).

OUTCOME: **Increase the sustainability of decent housing**: The City of Burlington has almost achieved all of the 5-Year Goals outlined in the Consolidated Plan in this outcome area.

1. Acquire/Rehabilitate Units: The City has supported the rehabilitation of multiple affordable housing units and 15 owner units – exceeding this goal.
2. Housing Retention Services: The City has supported services to more than 250 individuals with Non-Homeless Special Needs to retain housing and independent living almost achieving this goal.

OUTCOME: **Increase the availability of/access to economic opportunity:** The City has almost achieved all of the 5-Year Goals outlined in the Consolidated Plan in this outcome area.

1. The City supported over 600 businesses with technical assistance, education and services for microenterprises especially women, refugees and people in the NRSA far exceeding this goal.
2. Business Façade Rehabilitation: The City has not met its goal of supporting 1 business with façade rehabilitation. Facade rehabilitation has not been a request of applicants, or a priority for the City.
3. The city has made progress towards the goal of supporting the creation of jobs (16/25). Interruptions from the Covid-19 pandemic and a strong community interest in microenterprises has impacted this goal of job creation.

OUTCOME: **Increase the sustainability of economic opportunity:** The City has far exceeded all of the 5-Year Goals in the Consolidated Plan in this outcome area.

1. The city has supported almost 520 children in childhood education far exceeding this goal (520/100).
2. More than 3000 people were supported with projects to reduce economic barriers by supporting LMI households to access 3160/3000.

OUTCOME: **Increase the availability of /access to a suitable living environment:** The City achieved most of the 5-Year Goals outlined in the Consolidated Plan in this outcome area.

1. Public Services to Persons Experiencing Homelessness: The City supported over 1000 persons experiencing homelessness with services (95/300) and access to overnight shelter (1019/500) exceeding shelter goals.
2. The city did not assist anyone with Tenant-Based Rental Assistance. There was sufficient community resources and assistance for housing subsidy during this reporting period and the City decided resources were better directed to other supports for persons who are experiencing homelessness.
3. The City supported 253 persons who were youth and/or had health related needs exceeding the goal (253/100).
4. The City completed multiple projects that improved public facilities and city infrastructure serving all Burlington residents and meeting this goal (42,363/42000).
5. The City remediated 4.7 acres of brownfields exceeding the goal (4.7/3).

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

The City's Community & Economic Development Office partnered with multiple community non-profits and organizations to support access to housing, economic opportunities and suitable living environments. Hundreds of people were directly supported by CDBG and HOME projects. Services addressed multiple priorities and objectives identified in the Consolidated and Annual Action Plans. The City has demonstrated its commitment to focusing resources to community members with the greatest financial needs; more than 90% of CDBG beneficiaries have low to moderate incomes, including 47% who have extremely low incomes. The City is working to create safe, decent, and affordable housing for residents, a prosperous economy, and neighborhoods where residents have community supports and a high quality of life. In addition to focusing funds in these three areas, the City also prioritizes spending geographically in high priority areas such as the Neighborhood Revitalization Strategy Area (NRSA).

Highlights of Accomplishments

The City's highest priority under its Consolidated Plan is affordable housing. Highlights from this year include:

- DH 1.3 Two HOME funded activities were in process this fiscal year. These activities will provide housing to families experiencing homelessness and a renovation to an affordable housing co-op. Both projects are located in the Neighborhood Revitalization Strategy Area (NRSA).
- DH 2.1 Two homeowners were assisted with home improvements increasing the safety of their homes.
- DH 2.1 108 housing units for seniors were renovated improving safety and comfort for residents. An HVAC improvement project improved another residence for an additional 44 seniors.
- DH 2.2 The Burlington Lead Program (BLP) completed testing for lead-based paint hazards in 79 housing units and lead hazard control activities in 31 rental housing units and 2 owner occupied housing units.
- DH 2.2 BLP performed Healthy Home interventions in 16 rental housing units.

Economic opportunity is the City's next overall priority. Highlights include:

- EO 1.1 190 Burlington microenterprises and small businesses were assisted by the city and community non-profits.
- EO 1.1 Participants created 16 new businesses and expanded upon 45 existing microenterprises.
- EO 1.1 CDBG funds assisted two small family-owned food businesses - one Black business owner gained a food cart and is now selling on a popular pedestrian street, another Vietnamese family expanded their restaurant's physical capacity to accommodate more in-person dining.

- EO 1.1 Seventeen people participated in a 16-week business planning course or 6-hour introductory business class.
- EO 1.3 ECHO Early Learning Center and Lund Early Childhood program provided almost 200 children enriching and developmentally-appropriate learning allowing caregivers time for vocational pursuits.
- EO 1.4 Assistance with tax preparation and other income tax related assistance was provided to 684 households by The Volunteer Income Tax Assistance (VITA) program. More than a dozen beneficiaries' primary language was not English, over 100 head of households had a disability and more than half of the households served were extremely low income (less than 30% Area Median Income (AMI)).
- EO 1.4 Seven youth who had not completed high school and whose families have limited financial means (low-income or below households) participated in ReSource's YouthBuild job training program. The youth were trained in construction skills and may have earned certificates in OSHA10, NCCER, First Aid and CPR Training.

A suitable living environment is the City's third priority. Highlights include:

- SL 1.2 An after school enrichment program supported 179 students with meaningful learning, play and team building through the Sara Holbrook Community Center.

Challenges with meeting Program Year Accomplishments

- DH 1.3 Construction on new rental units did not conclude during this program year. Delays in construction related to pandemic backlog, and challenges in material delivery and acquisition and limited contractor availability impacted timeliness of project completion.
- DH 2.1 Homeowner housing rehabilitation was limited this program year due to a transfer of project management that was delayed by staffing vacancies.
- SL 1.3 Public infrastructure projects at the Moran plant and VFW were delayed and not addressed this project year.

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Contingency	Affordable Housing Homeless Non-Housing Community Development	CDBG: $ / HOME: $	Other	Other	1	0	0.00%			
DH 1.1 Protect the Vulnerable - New Perm Supp Hous	Affordable Housing Homeless	CDBG: $ / HOME: $	Housing for Homeless added	Household Housing Unit	10	12	120.00%			
DH 1.3 Create New Affordable Housing	Affordable Housing	CDBG: $ / HOME: $	Rental units constructed	Household Housing Unit	110	116	105.45%	8	0	0.00%
DH 1.3 Create New Affordable Housing	Affordable Housing	CDBG: $ / HOME: $	Rental units rehabilitated	Household Housing Unit	0	0		108	152	140.74%
DH 1.4 Promote new homeownership buyer assist	Affordable Housing	CDBG: $ / HOME: $	Direct Financial Assistance to Homebuyers	Households Assisted	20	43	215.00%			
DH 2.1 Acquire/Rehab - Rental or Owner Units	Affordable Housing	CDBG: $ / HOME: $	Rental units rehabilitated	Household Housing Unit	65	242	372.31%			
DH 2.1 Acquire/Rehab - Rental or Owner Units	Affordable Housing	CDBG: $ / HOME: $	Homeowner Housing Rehabilitated	Household Housing Unit	10	15	150.00%	6	2	33.33%
DH 2.2 Protect the Vulnerable - Lead Hazard	Affordable Housing	CDBG: $ / HOME: $	Rental units rehabilitated	Household Housing Unit	100	115	115.00%			

DH 2.2 Protect the Vulnerable - Lead Hazard	Affordable Housing	CDBG: $ / HOME: $	Homeowner Housing Rehabilitated	Household Housing Unit	62	18	29.03%			
DH 3.1 Protect the Vulnerable Hsng Retention Svcs	Affordable Housing Homeless Non-Homeless Special Needs	CDBG: $ / HOME: $	Public service activities for Low/Moderate Income Housing Benefit	Households Assisted	300	257	85.67%			
DH1.2 Protect the Vulnerable New Special Need Hsng	Affordable Housing Non-Homeless Special Needs	CDBG: $ / HOME: $	Rental units constructed	Household Housing Unit	80	0	0.00%			
EO 1.1 Support Microenterprises	Non-Housing Community Development	CDBG: $ / HOME: $	Facade treatment/business building rehabilitation	Business	0	0		0	0	
EO 1.1 Support Microenterprises	Non-Housing Community Development	CDBG: $ / HOME: $	Businesses assisted	Businesses Assisted	250	609	243.60%	173	180	104.05%
EO 1.2 Retain/Create Jobs	Non-Housing Community Development	CDBG: $ / HOME: $	Facade treatment/business building rehabilitation	Business	1	0	0.00%			
EO 1.2 Retain/Create Jobs	Non-Housing Community Development	CDBG: $ / HOME: $	Jobs created/retained	Jobs	25	16	64.00%			
EO 1.3 Reduce Economic Barriers - Early Childhood	Non-Housing Community Development	CDBG: $ / HOME: $	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	100	520	520.00%	105	198	188.57%

EO 1.4 Reduce Economic Barriers - Access Resources	Non-Housing Community Development	CDBG: $ / HOME: $	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	3000	3693	123.10%	606	684	112.87%
Planning and Administration	Planning, Administration, Fair Housing	CDBG: $ / HOME: $	Other	Other	1	1	100.00%	1	1	100.00%
SL 1.1 Provide Public Services Homeless	Homeless	CDBG: $ / HOME: $	Public service activities for Low/Moderate Income Housing Benefit	Households Assisted	88	689	782.95%			
SL 1.1 Provide Public Services Homeless	Homeless	CDBG: $ / HOME: $	Tenant-based rental assistance / Rapid Rehousing	Households Assisted	25	0	0.00%			
SL 1.1 Provide Public Services Homeless	Homeless	CDBG: $ / HOME: $	Homeless Person Overnight Shelter	Persons Assisted	500	1082	216.40%			
SL 1.2 Provide Public Services	Non-Housing Community Development	CDBG: $ / HOME: $	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	100	328	328.00%	100	179	179.00%
SL 1.2 Provide Public Services	Non-Housing Community Development	CDBG: $ / HOME: $	Homeless Person Overnight Shelter	Persons Assisted	0	0		0	0	
SL 1.3 Improve Public Facilities & Infrastructure	Non-Housing Community Development	CDBG: $ / HOME: $	Public Facility or Infrastructure Activities other than Low/Moderate	Persons Assisted	42000	42363	100.86%	35530	0	0.00%

			Income Housing Benefit							
SL 1.4 Remediation of Brownfields	Affordable Housing Non-Housing Community Development	CDBG: $ / HOME: $	Brownfield acres remediated	Acre	3	5	166.67%			

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

CV Accomplishments Narrative:

The City of Burlington utilized CV funds to support projects that assisted the community to overcome barriers and challenges related to the pandemic and recovery. Highlights from this CDBG-CV funded projects include:

- The Youth Adventure Program supported 29 children who struggle with school truancy in outdoor adventures, mentoring with adults and exploration of vocational opportunities improving attendance and school engagement.
- Over 500 adults and children fleeing domestic violence were provided services and housing support by STEPS to End Domestic Violence.
- Seven persons who had experienced homelessness were supported by ANEW Place. Participants were provided an affordable housing unit and prioritized for receipt of a Housing Choice voucher.
- Pathways Vermont served 47 individuals supporting 24 individuals who were previously homeless to maintain housing in scattered-site apartments, and assisting 10 additional persons in finding an apartment within the community.
- Thirty-one persons who have immigrated to Burlington with no, or very limited digital literacy skills participated in Vermont Adult Learning's Fostering Connections program where they gained familiarity with information technology and computer literacy. Several utilized their new digital literacy skills to participate in online English Language courses.
- Almost 150 persons were supported by the Vermont Criminal Justice Reform Center to support community re-entry for persons exiting incarceration and assistance for persons who are at high-risk of fatal overdose from substance use.
- USCRI Vermont served 163 individuals in the Housing Orientation Program supporting with housing literacy and housing search. All participants were housed in temporary residences and will be supported to find permanent, affordable homes.

	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
DH3.1 Protect the Vulnerable – Housing Retention Services	Affordable Housing Homeless Non-Homeless Special Needs		Services for persons experiencing homelessness at DayStation and through Housing First and Rapid Rehousing	Households Assisted	225	225	100%	0	0	100%
EO 1.1 Support Microenterprises	Non-Housing Community Development		Two microenterprise programs that support businesses impacted by Covid-19, refugees, and businesses within NRSA	Businesses Assisted	40	35	88%	0	1	100%
SL 1.1 Provide Public Services Homeless	Supports for Person Experiencing Homelessness	CDBG: $ / HOME: $	Public service activities for Low/Moderate Income Housing Benefit	Households Assisted	538	594	110%	538	594	110%
SL 1.2 Provide Public Services	Non-Housing Community Development		Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	801	564	64%	550	213	39%

Table 1.A – CV Funded Accomplishments – Program Year & Strategic Plan to Date

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted). 91.520(a)

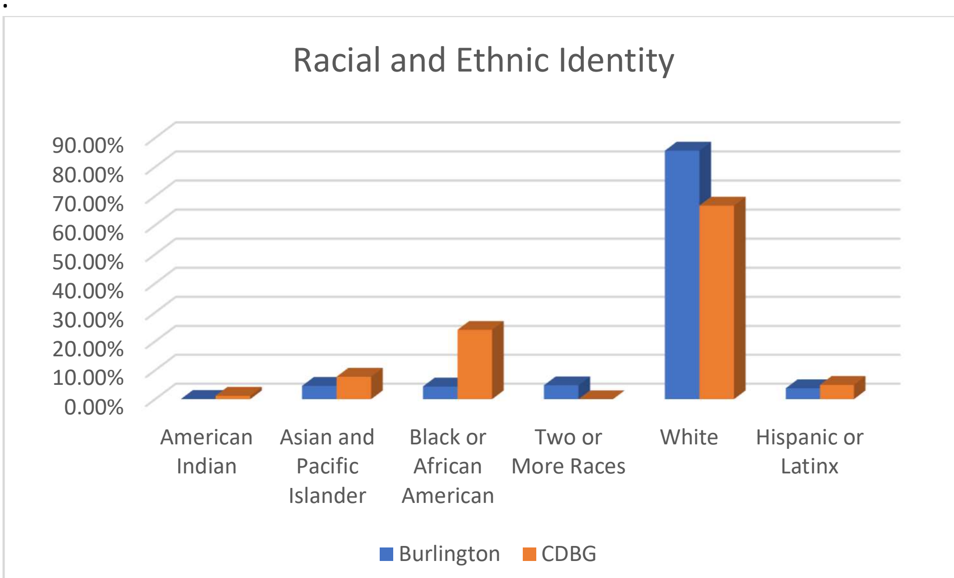
	CDBG
White	779
Black or African American	354
Asian	122
American Indian or American Native	12
Native Hawaiian or Other Pacific Islander	3
Multiple Races or Other Race Identity	137
Total	**1407**
Hispanic	54
Not Hispanic	1353

Table 2 – Table of assistance to individuals by racial and ethnic identity

Narrative

CDBG prioritizes resources and supports to Burlington residents who have very limited financial means, live in areas of the city with fewer economic opportunities and/or have experienced marginalization.

Comparing the racial identity of beneficiaries with Burlington's total population shows high beneficiary participation among persons of various racial identities. Individuals who identified as Black or African American were almost a quarter of program beneficiaries, more than 4x their representation in Burlington's general population; persons who identify as Asian and Pacific Islander were represented almost twice as much among beneficiaries as in the general population.



Source 2021 American Community Survey estimates

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	public - federal	$1,403,713	$3,025,799.36
HOME	public - federal	$886,603	$263,295.31

Table 3 - Resources Made Available

Narrative

The resources available to Burlington to serve residents with limited financial income includes federal, state, local and private sources. In this program year the City expended $3,025,799.36 of CDBG funds and $263,295.31 in HOME funds to progress on goals outlined in the Consolidated and Annual Plans.

There were no publicly owned lands or properties that were used to address the needs identified in the plan.

Identify the geographic distribution and location of investments

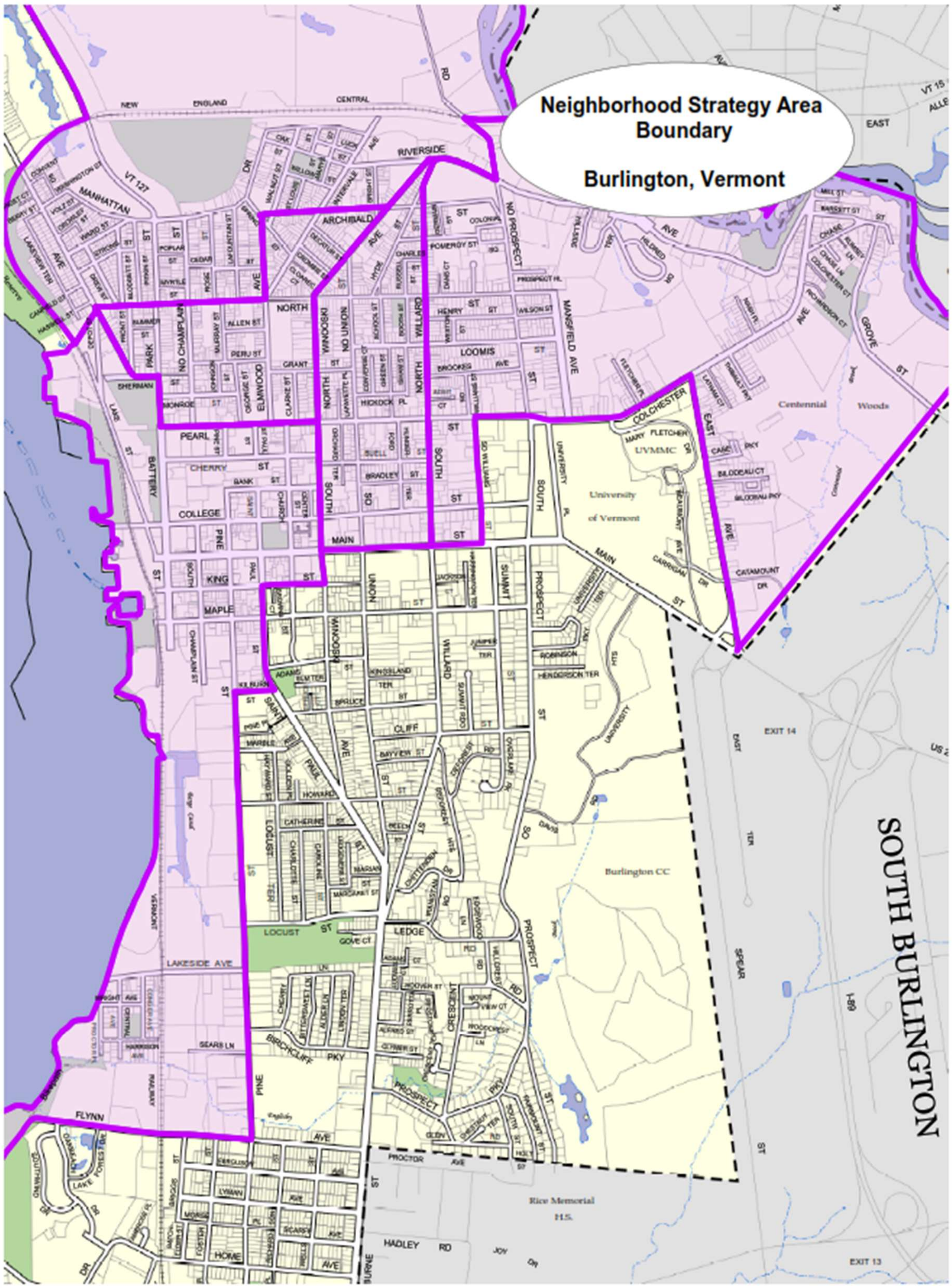
Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Actual Percentage of CV Allocation
City-Wide	37.5	22%	46%
NEIGHBORHOOD REVITALIZATION STRATEGY AREA	62.5	78%	55%

Table 4 – Identify the geographic distribution and location of investments

Narrative

Burlington targets its CDBG and HOME funds in the City's Neighborhood Revitalization Strategy Area. The Neighborhood Revitalization Strategy Area (NRSA) includes census tracts 3, 4, 5, 6 and 10 – roughly, the Old North End, downtown and the waterfront, Ward One including the Riverside Avenue corridor, and the area west of Pine Street down to Flynn Avenue. The NRSA is shaded in purple on the map that follows.

Of total non-administrative CDBG and HOME expenditures, approximately 78% was spent on programs/projects located in the NRSA this year; among CARES projects 55% was expended in this area. Programs located outside the NRSA, such as Lund Early Childhood Education program and CVOEO's Financial Futures Micro Business Development program, serve a number of NRSA residents, but are not exclusive to NRSA residents.

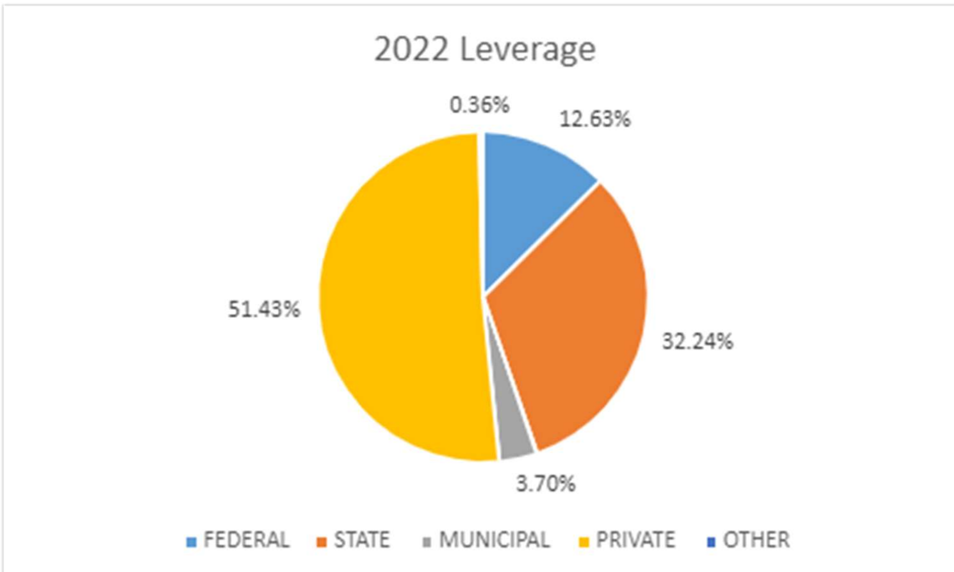


Neighborhood Revitalization Strategy Area Map

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The City leveraged over $14 million to meet identified needs through public service, economic development, and housing construction/rehabilitation activities completed this year. These are other funds that the City and its sub grantees raised for their completed CDBG-funded activities as well as funds invested by outside entities.



Fiscal Year Summary – HOME Match	
1. Excess match from prior Federal fiscal year	$767,313.30
2. Match contributed during current Federal fiscal year	$3,593.85
3 .Total match available for current Federal fiscal year (Line 1 plus Line 2)	$770,907.15
4. Match liability for current Federal fiscal year	$0
5. Excess match carried over to next Federal fiscal year (Line 3 minus Line 4)	$770,907.15

Table 5 – Fiscal Year Summary - HOME Match Report

Match Contribution for the Federal Fiscal Year								
Project No. or Other ID	Date of Contribution	Cash (non-Federal sources)	Foregone Taxes, Fees, Charges	Appraised Land/Real Property	Required Infrastructure	Site Preparation, Construction Materials, Donated labor	Bond Financing	Total Match
1629	1/27/2023		$3,593.85					

Table 6 – Match Contribution for the Federal Fiscal Year

HOME MBE/WBE report

Program Income – Enter the program amounts for the reporting period				
Balance on hand at beginning of reporting period $	Amount received during reporting period $	Total amount expended during reporting period $	Amount expended for TBRA $	Balance on hand at end of reporting period $
$0.00	**$0.00**	**$0.00**	**$0.00**	**$0.00**

Table 7 – Program Income

Minority Business Enterprises and Women Business Enterprises – Indicate the number and dollar value of contracts for HOME projects completed during the reporting period						
	Total	**Minority Business Enterprises**				**White Non-Hispanic**
		Alaskan Native or American Indian	**Asian or Pacific Islander**	**Black Non-Hispanic**	**Hispanic**	
Contracts						
Number	-	-	-	-	-	-
Dollar Amount	-	-	-	-	-	-
Sub-Contracts						
Number	-	-	-	-	-	-
Dollar Amount	-	-	-	-	-	-

	Total	**Women Business Enterprises**	**Male**
Contracts			
Number	-	-	-
Dollar Amount	-	-	-
Sub-Contracts			
Number	-	-	-
Dollar Amount	-	-	-

Table 8 - Minority Business and Women Business Enterprises

Minority Owners of Rental Property – Indicate the number of HOME assisted rental property owners and the total amount of HOME funds in these rental properties assisted						
	Total	**Minority Property Owners**				**White Non-Hispanic**
		Alaskan Native or American Indian	**Asian or Pacific Islander**	**Black Non-Hispanic**	**Hispanic**	
Number	**2**	-	-	-	-	**2**
Dollar Amount	**$363,600**	-	-	-	-	**$363,600**

Table 9 – Minority Owners of Rental Property

Relocation and Real Property Acquisition – Indicate the number of persons displaced, the cost of relocation payments, the number of parcels acquired, and the cost of acquisition		
	Number	**Cost**
Parcels Acquired	**1**	**$363,600**
Businesses Displaced	**0**	**0**
Nonprofit Organizations Displaced	**0**	**0**
Households Temporarily Relocated, not Displaced	**0**	**0**

Households Displaced	**Total**	**Minority Property Enterprises**				**White Non-Hispanic**
		Alaskan Native or American Indian	**Asian or Pacific Islander**	**Black Non-Hispanic**	**Hispanic**	
Number	**0**	**0**	**0**	**0**	**0**	**0**
Cost	**0**	**0**	**0**	**0**	**0**	**0**

Table 10 – Relocation and Real Property Acquisition

Narrative

During the program year, the City of Burlington did not close out any new HOME projects. There are several HOME projects that are in process and will be reported upon in a future report when the projects are closed. Real property acquisition expense reflected in this report is for a project that is creating 16 new units for households who are experiencing homelessness.

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	0	0
Number of Non-Homeless households to be provided affordable housing units	92	154
Number of Special-Needs households to be provided affordable housing units	0	0
Total	**92**	**154**

Table 11 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0
Number of households supported through The Production of New Units	32	0
Number of households supported through Rehab of Existing Units	60	154
Number of households supported through Acquisition of Existing Units	0	0
Total	**92**	**154**

Table 12 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

Affordable housing is a priority for the City of Burlington and the highest priority as identified on the Consolidated Plan. In Program year 2022 CDBG funds supported 154 households; two homeowners and 152 senior renters were provided with renovation assistance improving the safety and comfort of their affordable homes. HOME funds are supporting several rental housing renovations for affordable housing and the City is in conversation with developers about several rental housing construction projects to support additional affordable housing units, especially for households experiencing homelessness and among historically marginalized populations.

A pause on construction during the Pandemic, high construction costs, limited opportunities for new construction and development, extensive regulatory requirements, and limited funding through CDBG and HOME have impeded the City's capacity to meet its goal of affordable housing units for this year.

Overall Burlington has met the affordable housing goals in its Consolidated Plan in the last five-years supporting the development of 12 new permanent supportive housing units, creation of 68 special needs housing units, rehabilitation of more than 100 units for special needs populations, and the building of over 120 new affordable housing units.

Discuss how these outcomes will impact future annual action plans.

The challenges the City has faced in meeting its annual goal of providing affordable housing units have not detracted from the City's investment in affordable, decent housing for all residents. Burlington has experienced a lack of available housing and rising housing costs in recent years, challenges that were exacerbated by the pandemic. Despite these setbacks, and indications that they are likely to continue, the City maintains it commitment to affordable housing and creative ways to relieve housing pressures and improve affordability. In future action plans the production goals will be altered to better reflect realistic timelines and costs. The City will work in partnership with various stakeholders and the community to determine priorities for the next 5-Year Consolidated Plan, but anticipates continued support and dedication to affordable housing.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	83	n/a
Low-income	19	n/a
Moderate-income	8	n/a
Total	**110**	n/a

Table 13 – Number of Households Served

Narrative Information

During the 2022 program year, a total of 110 households were supported with affordable housing renovations. Households with extremely low-incomes represented more than 75% of the households served (82 renter and one homeowner household), and more than 92% of households were at or below low-income thresholds (19 renter households were low-income). Only 7% of households served in this program year with affordable housing were at the moderate income level (7 renter and one homeowner households).

During this reporting period none of the households assisted with affordable housing were experiencing homelessness. It is anticipated that future affordable housing projects supported with HOME and CDBG will benefit individuals experiencing homelessness.

The housing units reported in this CAPER meets the affordable housing definition of Section 215.

Additional Actions to Foster and Maintain Affordable Housing

In the City of Burlington housing affordability remains a high priority issue. With a rental vacancy rate that hovers below 1% and an increase in demand for housing, existing homes and apartments in the City have continued to see an increase in prices making them unaffordable and unsustainable for low-income residents.

PlanBTV, a product of the HUD Sustainable Communities Initiative Planning Grant, emphasizes ways to promote and improve mixed use and quality urban design, affordable and workforce housing and especially housing for the downtown. In addition, the City also participated in the regional HUD Sustainable Communities grant, the ECOS Plan, to integrate housing, land use, economic and workforce development, transportation and infrastructure investments. Ensuring the availability of a continuum of housing, for all residents of Burlington, continues to be a top priority for the City.

Since the adoption of Burlington's Housing Action Plan in October 2015, the Mayor's Office, City departments, various boards and commissions, and the City Council have been working to implement the 22 strategies contained in the Plan. Many strategies in the plan have been implemented including planBTV South End, the Neighborhood Project Toolkit, making it easier to build Accessory Dwelling Units, new regulations for short-term rentals and others. CARES Act and ARPA funding are being used to increase the City's supply of affordable and supportive housing for low-income community members and the City announced an initiative to bolster BIPOC homeownership in 2021.

In December 2021, to accelerate and bring even greater focus to the affordable housing challenge, Mayor Weinberger released a 10-point Action Plan which will implement 10 specific initiatives. These include: investment of at least $5 million of American Rescue Plan Act (ARPA) funds; creation of a new position in CEDO to work on this housing effort; supporting the creation of 1,250 total homes, including 312 permanently affordable homes, by end of 2026; full funding of the Housing Trust Fund in fiscal year 2023 and more. Much of this work is already underway. Additionally, a Memorandum of Understanding (MOU) was also released to create an Enterprise Innovation District in the South End. The new aims to support employees and local businesses through the creation of new affordable and market-rate homes to support and grow a vibrant creative economy, land conservation and multi-modal transportation.

CEDO is also working to revamp the Home Improvement Partnerships program to provide emergency rehab services to low-income homeowners.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Chittenden County Homeless Alliance (CCHA), a HUD-recognized Continuum of Care, is a partnership of multiple stakeholders that aims to make homelessness rare and brief for persons in Burlington and throughout the county. CCHA partners include persons who have experienced homelessness, the City, nonprofit entities, faith-based organizations, housing developers, government agencies, and the Burlington Housing Authority.

Burlington has been implementing a ten-point action plan that addresses homelessness and recognizes housing as a human right. American Recovery Plan Act funding supported development of an emergency shelter, ongoing operational funding of the daytime warming shelter, strengthening of Coordinated Entry systems, and city-dedicated staff for implementation.

Outreach to Persons Experiencing Homelessness

Burlington has a several specialty service providers that work with individuals experiencing homelessness to address and assess their needs. There is a community outreach and advocacy team, two daytime warming centers, Community Health Centers of Burlington Homeless Healthcare Program, the Salvation Army, veteran's outreach team, school district education liaison and others. The City and other community partners provide a *Community Resource Center* where individuals can access warm/cool space and learn about local resources. The Community Health Centers of Burlington Homeless Healthcare Program operates a van from which they provide outreach services including COVID-19 testing and education, counseling, psychiatry and addiction treatment. This mobile clinic operates at shelter sites, emergency housing hotels, and in places where persons experiencing homelessness congregate, ensuring access to vital public health services.

A street outreach team funded by the City of Burlington, the state of Vermont, local businesses, and other private donors provides outreach and referral services individuals, families with children, and youth sleeping on the streets in our downtown area

The City of Burlington's Crisis Advocacy Intervention Program has a team of social workers and community support liaisons who outreach to individuals who are experiencing unsheltered homelessness assisting them by bridging service gaps.

A *Local Interagency Team* provides consultation and expertise to help resolve difficult situations among community members with complex needs, often persons who are experiencing unsheltered homelessness. The team seeks housing options and community-based services to diminish risk of criminal justice involvement or hospitalization.

Increased outreach services were created to support the large increase in number of people experiencing homelessness as a result of the pandemic and included teams of outreach workers and housing navigators operating in the hotels working within the statewide Emergency Housing initiative.

The Champlain Valley Office of Economic Opportunity (CVOEO) operated a Community Resource Center for individuals experiencing homelessness. The day-time space provided temporary relief from the winter weather and connected individuals experiencing homelessness with additional sheltering services to further prevent the spread of COVID-19. The project continues to operate seven days per week, with staff providing a safe and warm environment with access to hot food and drink, telephone, internet and computer access, and referral to homeless, housing, and other essential service and supports.

The Chittenden County Coordinated Entry System (CES) models a no-wrong-door approach to the greatest extent possible with respect to accessing the CES. This means that service-providers and community partners are engaged throughout Chittenden County to become designated Access Points to the CES, allowing individuals and families experiencing a housing crisis to be directly engaged and linked to the CES wherever they may present requesting assistance. Standardized Housing Needs Assessments are conducted by trained Assessment Partners and Assessment Hubs.

Coordinated Entry

Access Points connect persons seeking housing assistance with the CES Assessment Specialist to complete the assessment process by completing the Initial Screening Form with the household and submitting this form to the CES lead agency. 2-1-1 functions as a virtual Access Point for persons who call the hotline requesting housing assistance. 2-1-1 provides full geographic coverage throughout Chittenden County and will connect persons who are experiencing a housing crisis outside of Burlington to the CES. The system was matches households experiencing homelessness with eligible services based on vulnerability, sustainability and length of homelessness through a standardized, scored assessment. Each eligible household will be assigned a housing navigator and added to a master list of homeless households which is reviewed on a weekly basis by coordinated entry partners for appropriate housing opportunities. Currently, eligible households include HUD-defined 'literally homeless' and 'imminent risk' households. Coordinated entry is a tool for better identifying the housing need in the community.

Addressing the emergency shelter and transitional housing needs of homeless persons

There are three emergency shelters serving single adults in Burlington the Burlington area: COTS Waystation, ANEW Place and the City's Elmwood Community Emergency Shelter. COTS also operates the Firehouse and Main Street Family Shelters for households with children. Steps to End Domestic Violence (Steps) operates a 21-room emergency shelter serving women and children experiencing homelessness as a result of fleeing domestic violence. Survivors of all genders are also served through the Safe Tonight program in partnership with Economic Services.

Spectrum Youth and Family Services operates a shelter for homeless youth. Participants are offered case management and housing search assistance to facilitate moving out of shelter quickly into transitional or permanent housing. Necessary follow-up support for maintaining housing is also offered.

ANEW Place's Low Barrier Shelter opened at the Champlain Inn in December 2020, operating 24/7 through to July 2021 and transitioning to primarily a nighttime only shelter for the majority of services. There are 24/7 exceptions for medical needs and two ADA accessible rooms. The daytime drop-in center offers support and help with case management tasks during the daytime hours. Census is between 25-40 guests per night.

ANEW Place also operates a longer-term sober shelter in Burlington This program includes our ANEW Step and ANEW Leaf programs where, Guests enter a shared living house and engage in Case Management and Community Supports within the house. Guests also have the opportunity to take part in the ANEW Leaf transitional housing program where they begin active steps toward securing housing and the skills and money needed to maintain that housing. 89 North served 42 individuals during this reporting period, housing 15 Guests on any given night.

Harbor Place, a former Econo-Lodge in nearby Shelburne, VT, operated by Champlain Housing Trust (CHT) provided up to 59 rooms of temporary lodging for guests experiencing homelessness between 7/1/21 and 6/30/22. Those units include single rooms with refrigerators and microwaves, and one- and two-room kitchenette units. Onsite service providers include CVOEO, Steps to End Domestic Violence, Howard Center, Safe Harbor, Turning Point and UVM Home Health for medical respite cases. Case managers are available 40 hours/week. There is a property manager/security onsite 24/7. While the majority of referrals to Harbor Place come from the Economic Services Division of the Vermont Agency of Health Services, there is contract with the UVM Medical Center that guarantees the availability of rooms for people being discharged from the hospital with no home to go to.

The Safe Tonight program, managed by STEPS to End Domestic Violence (and funded in part through CDBG-CV funds) provided emergency shelter assistance for persons fleeing domestic violence. In PY2022 STEPS served 540 adults and children in Chittenden county who were fleeing domestic violence. During the program year 41% of participants (with known exit locations) exited the program to permanent housing.

Through the Housing Opportunity Program, administered by the State of VT, 1,315 people for a total of 64,746 bed nights or an average length of stay of 52.3 nights, were served. The shelters were opened 100% of the time and 43% of the clients met with a case manager within 3 days of entering the shelter. There was one seasonal shelters open during this period; 11% of the adults exited to stable permanent or transitional housing and 42% of the youth had safe exits.

The Emergency Solutions Grant Program (ESG) is a source of funding within the work of the Housing Opportunity Program. Part of what ESG focuses on is stabilizing housing for households that were either homeless at the time of requesting assistance (Rapid Re-Housing and Coordinated Entry Housing Navigation), or were in danger of becoming homeless (Prevention). The ESG program in Chittenden served 1,350 persons in 851 households with homelessness prevention, rapid rehousing, or housing navigation services, and approximately 48% of persons served were literally homeless.

Family Supportive Housing (FSH) provided supportive and therapeutic services to families with complex needs from emergency shelter to transitional and permanent housing with leveraged private subsidy assistance.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

There are several agencies that administer programs and provide services to address helping low-income individuals and families avoid becoming homeless; especially extremely low-income individuals and families. Services include back rent assistance, home heating fuel aid, transportation, tenants' rights advocacy and legal representation.

The Chittenden Community Action (CCA) operated by the Champlain Valley Office of Economic Opportunity (CVOEO) worked with multiple households by providing back rent, first month's rent, security deposits or short-term rental subsidies. They also provided Housing Navigation services including advocacy and referral to other support services. In addition to these services CVOEO offers three renter's workshops to support tenants with finding and maintaining housing and financial literacy – courses are available on-demand via their website or in person approximately once a month.

Assistance with utilities and other basic needs for households are provided by programs at CVOEO and the state of Vermont. There are several resources for fuel assistance in colder months and funding was bolstered in recent years by pandemic-era assistance. Assistance with additional utility bills has been made available through energy assistance from Burlington Electric Company and a water resources assistance program.

Homeowners in Burlington received assistance this program year from the Vermont Homeowner Assistance Program (VHAP) which was funded through ARPA monies. VHAP assisted multiple homeowners impacted by the pandemic with past-due mortgages and utilities.

Renters were eligible for Vermont Emergency Rental Assistance Plan (VERAP) which assisted Burlington households who were impacted financially by the pandemic. VERAP assisted with rent payments, rent arrearages to a previous landlord, rental arrears for a current unit, and utility payments (including arrearages and current expenses).

Discharge Planning

Youth exiting foster care in Vermont have two primary supports that protect them from being discharged into homelessness as they exit legal custody at age 18: *Youth Development Program* and *Act 74 Youth in Transition Extended Care Program*. These programs are in addition to the programming run directly by the Vermont Agency of Human Services -Dept. of Children and Families Services. In this program, a number of youth formerly in foster care are supported with case management and connected to long-term rental assistance with local Housing Authorities, including a VT State Housing Authority Sect. 8 HCV waitlist preference for youth aging out of foster care as part of the HUD Family. There are additional case management opportunities through the Compass Program offering prevention and stabilization supports for youth and their families (PSSYF) that have a DCF history.

Vermont Department of Corrections (VDOC) funds transitional housing programs for individuals re-entering the community from incarceration. VDOC funds three projects in Chittenden County – one with the public housing authority which assists with housing search and retention, including opportunities for participants to access Housing Choice Vouchers; and Pathways Vermont's Housing First program that supports individuals with serious mental health challenges and previous experiences of homelessness.

Persons discharged from a mental health treatment or community bed receive state-funded assistance through programs of the Vermont Department of Mental Health (VDMH). VDMH funds housing subsidies through a long-term Subsidy and Care Program, a Housing Contingency Fund managed by the community mental health agencies, and a Housing Recovery Fund. In addition, state agencies collaborate with the Burlington Housing Authority and other affordable housing agencies to use Section 8 Housing Choice Voucher and federal project-based voucher programs to house people discharged from mental health treatment and community beds. Within Burlington persons with serious mental health challenges are routinely discharged to Howard Center transitional or step-down programs.

There are seven medical respite units in Burlington that are for persons experiencing homelessness or marginally housed. The units offer brief recuperative care for individuals who need a place to stay during preparation for and recovery from a medical procedure. The units are a collaboration between Champlain Housing Trust, The University of Vermont Health Network and Community Health Centers of Burlington.

The statewide 10-Year VT Plan to End Homelessness includes a goal to create an accountability system to ensure all institutions do not routinely discharge people into homelessness or a homeless program through a clear state policy and mandate.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Burlington is committed to the retention of affordable housing units with expiring tax credits. The CoC and its partners are committed to transitioning homeless persons into permanent housing and independent living and shortening the time individuals experience homelessness. Agencies focus on the Housing First approach.

Several agencies and services are available in Burlington to support families with children who experience homelessness. As previously noted there were multiple financial resources to assist families in maintaining their housing (utility assistance, rental assistance, etc.) In addition to financial support the Family Supportive Housing (FSH) program provides intensive home-based service coordination and service management to families who have experienced homelessness and have complex needs.

Beginning January 2018, the Chittenden County Homeless Alliance (CCHA), a HUD Continuum of Care implemented a coordinated entry process to move persons experiencing homelessness into permanent housing. A community-wide prioritization and referral process exists for both CoC-funded and non-CoC housing resources. Using a revised standardized assessment tool, persons are assessed for severity of service needs, vulnerability, and length of time homeless. Through the assessment, homeless households are prioritized and referred to a standing review team that meets weekly to make prioritization decisions based on information gathered and coordinate follow-ups on referrals with housing and service providers as well as prospective program participants.

Burlington has utilized a Master List for adults, families, Veterans and youth experiencing homelessness contained in the Homeless Management Information System. The city of Burlington administered HUD funded *Shelter plus Care* subsidies this reporting year. In partnership with community health and mental health providers households who previously experienced chronic homelessness were provided permanent supportive housing assistance in scattered-site residences in Chittenden County.

Pathways Vermont's Housing First program supports to individuals who are identified by the community as the "most vulnerable" and requiring permanent supportive housing services. Participants have experienced multiple and/or extended episodes of homelessness and institutionalization and struggle with mental health, and/or substance use disorder. Pathways' unique model of service delivery has been proven effective in engaging individuals who are unable or unwilling to work with more traditional resources. The Housing First program allows individuals to immediately access independent housing and supports participants in maintaining tenancy with local landlords. Pathways Vermont served over 50 individuals in Burlington with Permanent Supportive Housing services.

Burlington agencies utilize a range of housing retention programs to assist at risk households in maintaining their housing. These services include various wrap-around support services, a hoarding task force, landlord advocacy, and a *Risk Guarantee Fund*.

Susan's Place, a permanent supportive housing project with 68 apartments owned and operated by Champlain Housing Trust, added an on-site food shelf with personal care items to the residence and partnerships with local service providers continued.

The Emergency Solutions Grant Program (ESG) is a source of funding within the work of the Housing Opportunity Program. ESG specifically focuses on stabilizing housing for households that were either homeless at the time of requesting assistance (Rapid Re-Housing), or were in danger of becoming homeless (Prevention). The ESG program in Chittenden County served 1,350 persons in 851 households with homelessness prevention or rapid rehousing services, and approximately 48% of persons served were literally homeless.

In 2020 the city of Burlington celebrated the 'end' of veteran homelessness after achieving federal benchmarks that demonstrated the experience of homelessness for veterans in Burlington was rare and brief. Veteran households experiencing homelessness are eligible for Supportive Services for Veteran Families – rapid rehousing support that ensures that veterans' experiences of homelessness are resolved quickly and/or prevented altogether.

Spectrum Youth and Family Services provide a variety of services to unaccompanied youth who are experiencing homelessness. Spectrum operates a warming shelter, transitional housing, a drop-in center, supportive housing, counseling and health services, mentoring and other supports. Spectrum participates in a state-wide network of providers supporting youth experiencing homelessness and the Chittenden Homeless Alliance.

Retention/Rapid Re-housing Outcomes

Pathways served 99 individuals in Burlington and the surrounding area in Rapid Rehousing projects in this program year. Services were funded through HUD, Supportive Services for Veteran Families, CARES and ERAP and CARES. Pathways' Rapid Rehousing projects support households experiencing homelessness or at imminent risk of homelessness to access affordable, scatter-site permanent housing as quickly as possible. The Pathways team also assists participants to maintain or gain employment, connect with needed services, access childcare, ensure children are enrolled in school and overcome any other barriers to maintaining housing.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

Burlington Housing Authority has successful converted all of its housing properties to the HUD Rental Assistance Demonstration (RAD) program. BHA was the first Housing Authority in New England to convert all Public Housing Properties to RAD.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

With RAD conversions complete as of the close of calendar year 2015, there were no more public housing apartments in the agency's portfolio. Nevertheless BHA social services department continued to support the Resident Advisory Board meetings and worked to sponsor a number of health and wellness events both on-site and off-site. Tenant organizational initiatives at LIHTC properties were also supported by BHA staff.

Actions taken to provide assistance to troubled PHAs

The Burlington Housing Authority is designated as a High Performer and currently does not require or receive financial assistance for its housing developments from the City of Burlington.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

Since the adoption of Burlington's Housing Action Plan in October 2015, the Mayor's Office, City departments, various boards and commissions, and the City Council have been working to implement all 22 strategies contained in the Plan and significant progress has been made.

Recent progress includes the finalization of planBTV South End and the Neighborhood Project Toolkit, an update to the City's Inclusionary Zoning Ordinance, updated standards for energy efficiency in rental housing, making it easier for people to build Accessory Dwelling Units (ADUs), implementing new regulations for short-term rentals and reforming requirements for building new parking in new residential developments in downtown.

In December 2019, the City Council approved a charter change to double the rate of funding for the Housing Trust Fund from half-cent to one cent per hundred dollars of assessed property value. ADU improvements include a streamlined permitting process to provide predictability in cost and timeline; eliminating the parking requirement and increasing the maximum ADU size.

The city passed a minimum housing standards ordinance around energy efficiency for rental properties and a short-term rental proposal that aims to reduce impacts on long-term housing availability and neighborhoods. The short-term-rental ordinance disallows short term rentals that use a whole home, apartment, or condo, only allowing for short term rentals within a portion of a tenant occupied unit. Short-term rental fees generate $60,000 a month for Burlington's Housing Trust Fund.

A new *Neighborhood Activity Center* in the north end of Burlington will produce a total of 950 residential units. The project has a phased, multi-year approach with almost half the units complete to date including 126 perpetually affordable inclusionary zoning (IZ) units. Upon completion there will be 238 IZ units in the complex.

Student Housing

Burlington's colleges have more than 15,000 students – a high proportion of the City's total population. Addressing student housing needs and limited housing stock has been a City priority. Around 600 units of student housing have been constructed in the recent past and the City and colleges are working towards an additional 1100 undergraduate student housing beds in the next five years.

Regulatory Barriers

With the view to simplifying and improving the City's permitting system, following a public vote and legislative approvals, components of three departments were merged into a “one-stop shop” known as the Permitting & Inspections Department (DPI). The DPI, whose main responsibility is to administer and enforce Burlington Minimum Housing Ordinance, opened in January 2020. It now has all of the functions of permitting – zoning, building inspections and code enforcement - in one location, making it easier for residents to pursue their plans and needs for their homes and businesses. A comprehensive review of residential zoning and building fees is expected to be undertaken by the new DPI in the next few years.

As noted before, in February 2020, the City Council unanimously adopted zoning reforms for ADUs. These reforms included the elimination of ADU parking requirements, an increase in the maximum ADU size and additional lot coverage. The goal is to make it easier for people to construct this housing type, which offers more flexibility for families to age in place, offset housing costs for homeowners and create additional neighborhood-scale housing options throughout the City.

In July 2023 the City was awarded a $22 million RAISE infrastructure grant that will be utilized to rebuild streets through the site of a former mall and revitalize eight existing City blocks in downtown and by the waterfront.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The greatest obstacle to meeting underserved needs is insufficient resources. Fortunately, the federal COVID response packages, such as American Recovery Plan Act (ARPA) provided significant and needed assistance to Burlington to help respond to the pandemic and begin recovery efforts, these aid packages form part of a patch work of private and public resources, including funds such as CDBG and HOME, to meet the most critical unmet needs. In addition to recovering from the economic losses sustained over the pandemic, the City needs to also look forward to the future to foster continued growth and economic opportunities.

Persons Experiencing Homelessness

The City’s ongoing focus on creating and preserving affordable housing and a strengthened Housing First Strategy saw a continued decline in the population of people experiencing homelessness in Burlington and surrounding cities 2010-2020. This decline was abruptly reversed by the pandemic and the 2021 Point in Time count reported an increase of 300%. The Chittenden County Homeless Alliance (CCHA) continues to implement a coordinated entry system to streamline access to housing supports and resources and better identify housing needs of the homeless population.

The CCHA supported a coordinated response to pandemic impacts, with regular pandemic response focused meetings among members. The statewide Emergency Housing Initiative provided emergency hotel based accommodation for the duration of this report period. The City supported ANEW Place and Cathedral Square in the operation and purchase of the Champlain Inn, a new year round low barrier shelter option, providing up to 50 beds per night. The City funded the Elmwood Community Emergency Shelter – a low barrier shelter community site composed of 30 modular shelter structures with capacity for 35 individuals a night. The CCHA membership continues to coordinate on the development of affordable housing opportunities and related pandemic recovery funding.

The City supported coordination efforts with partners serving the community experiencing homelessness to support pandemic response. Efforts included shelter in hotels, de-concentration of congregate shelter, and mobile testing and vaccination clinics to provide healthcare where people reside and gather. The City also supported a year round Community Resource Center, with community partners, to ensure that those experiencing homelessness or marginally housed had access to daytime warming or cooling when many usual venues for daytime shelter were closed or providing restricted services.

Racial Equity, Inclusion and Belonging

The City, through the Community and Economic Development Office (CEDO), its division of Opportunity and Engagement, and the Department of Racial Equity, Inclusion and Belonging (REIB) continues to build and maintain relationships with community constituents through public outreach strategies and systematic program partnerships. In this program year the City's Trusted Community Voices program and a pandemic Resource and Recovery Center, both worked to understand and serve community needs and provide an equitable pandemic response and recovery.

The Office of REIB aims to ensure that race and other demographic factors or identities do not negatively influence outcomes within our City. REIB is leading the City in policy and internal assessments related to the City's declaration of racism as a public health emergency. A new director joined REIB in this reporting period and the department has been recruiting additional team members and working to build capacity. During the pandemic REIB focused on supporting community members who were especially challenged and those whose experiences of marginalization were exacerbated. The team supported the City in efforts to ensure pandemic recovery was as inclusive and widespread as possible and they continue to participate in various initiatives related to equity and addressing disparities in Burlington. REIB staff and others in the city are engaged in conversations and research to determine improvements to home ownership and access to persons of color, especially Black Burlington residents who are less likely to own a home in the City as their white counterparts and experience homelessness at a rate significantly higher as well.

The REIB addressed needs of historically marginalized communities by organizing and sponsoring culturally inclusive events and organizations such as Juneteenth, MLK Day, the Black Experience Black History Month, Richard Kemp Center Back to School program, VT New American Advisory Committee and Congolese Association. These initiatives created access to City resources, participation, fostered cultural unity, and a sense of belonging allowing visibility and voice.

In December 2022 the City hosted a public meeting about an art project called, “Embrace and Belonging,” that will be a new monument for the community. REIB commissioned the monument; it is the first permanent monument to create awareness of “Radical Belonging”: moving past just tolerating to truly integrating, to find bridges and greater good with our neighbors. The monument will also create ownership, belonging, and acknowledgment of the history that our outdoor system has played in racial injustice to communities that have been historically removed and harmed. This monument welcomes all to fully enjoy open spaces without fear. The Embrace and Belonging Monument will be installed in spring 2024.

The City’s REIB Department is leading the City in policy and internal assessments related to the City’s declaration of racism as a public health emergency. A new Director joined the team in this reporting period and the department has been working to recruit additional team members and build capacity in recent months. During the pandemic REIB focused on supporting community members who were especially challenged and/or whose experiences of marginalization were exacerbated. The team supported the City in efforts to ensure pandemic recovery was as inclusive and widespread as possible and they continue to participate in various initiatives related to equity and addressing disparities in Burlington. REIB staff and others in the city are engaged in conversations and research to determine improvements to home ownership and access to persons of color, especially Black Burlington residents who experience homelessness at a rate significantly higher than their white counterparts and are also less likely to own a home in the City.

Youth and Interns

The City values and is invested in youth engagement and participation and recognizes youth are valuable community members and the City’s next generation of leaders. CEDO leads Burlington’s chapter of My Brother’s Keeper (MBK), a national initiative. MBK Burlington is focused on supporting youth graduating from high school with college attendance and career attainment. MBK Burlington also seeks to ensure that youth are provided second chances and opportunities to thrive. This year the My Brothers/Sisters Keeper program served 24 Burlington High School students. MBK/MSK Affinity Program is a weekly group for BIPOC students. Students join together and discuss personal and social development, addressing issues of identity, school climate, equity, racism and leadership. The program provides support, incentives, and awareness around academic achievement, civic engagement and internships/jobs.

In partnership with Channel 17 Town Meeting TV, CEDO MBK/MSK expanded community career internships for BIPOC high school students into media and production. CEDO MBK placed six interns to learn about media production, literacy and professional skills, engage directly with their community, and expand their civic involvement. The City Hall Internship program has hosted 241 intern participants since the program’s creation nine years ago. The program eliminates barriers for low income and BIPOC youth to gain career access experience success in an internship by providing entry-level opportunities an equity strategy that closes education and career opportunity gaps.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

In January 2021, the City of Burlington's Lead Program received $3,093,992.45 in lead hazard control funds to reduce lead-based paint hazards in homes and $530,000 in healthy homes supplemental funding to improve indoor air quality and reduce health hazards found in homes such as asbestos, tripping and egress. The Burlington Lead Program anticipates reducing lead hazards in 110 units, other health hazards in 90 units and testing for lead-based paint hazards in 145 units by July, 2024. The goal of the Burlington Lead Program is to reduce lead-based paint hazards in eligible homes to reduce childhood lead poisoning and improve the overall health of young children and their families.
Accomplishments during the reporting period of July 1, 2022 – June 30, 2023 include the following:

- Completed testing for Lead-Based Paint hazards in 79 housing units
    - 5 owner occupied units and 74 rental units
- Performed Lead Hazard Control activities in 31 rental housing units and 2 owner occupied units
- Performed Healthy Home interventions in 16 rental housing units
- Trained 20 individuals on the EPA Renovate, Repair and Painting (RRP) Rule
- Trained 18 individuals to be lead-based paint abatement worker and supervisors
- Conducted 4 Outreach and Education events that reached over 290 individuals
- Utilized in excess of $905,134 for the administration, implementation and completion of Lead Hazard Control work and Healthy Home activities

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

All activities funded through the City's CDBG and HOME programs are directed at reducing the number of people experiencing financial poverty, preventing financial poverty and assisting persons with limited financial means to meet their basic needs.

Poverty is a regional, national, and generational issue exacerbated by social injustices and racism. The percentage of Burlington residents experiencing financial poverty exceeds national, state and county rates. Almost one in four Burlington residents experiences financial poverty and in Census Tract 5 more than half of residents experienced financial poverty. The City invests almost all CDBG and HOME funds to persons with limited financial resources. Projects support financial solvency and growth; projects have provided: childcare for working parents that also promote early childhood development, affordable housing options, income tax assistance, assistance with job training and construction certifications, and small business development assistance.

In 2015 the City launched *My Brother's Keeper Initiative*, a concerted effort to bridge opportunity gaps for both BIPOC and low-income youth. In 2022, the City moved towards a national MBK certification, demonstrating the City's commitment to the MBK program and shared objectives of guiding youth towards educational accomplishments and career triumphs.

In the present year, the My Brothers/Sisters Keeper program supported 24 bright Burlington High School students. At the heart of this expansion lies the MBK/MSK Affinity Program, a weekly gathering that forms a tightly knit community for BIPOC students. Within these sessions students experience personal and social growth, engaging in conversations related to identity, school climate, equity, racism, and the essence of leadership. The MBK/MSK program serves as crossroads for academic accomplishment, civic involvement, and internships and employment, all contributing to the holistic development of participating young people.

Community Justice Center Activities

The Burlington Community Justice Center (BCJC) provides a community-based response to crime and conflict utilizing the principles of restorative justice to help repair the harm that crime and conflict causes to victims, the community, and offenders. Its role is to work with and along-side its partners in the criminal justice system accomplishing the following this past year:

- Continued into the fourth year of a contract with the Court Diversion and Pretrial Services programs, allowing BCJC to serve:
    - 278 people in the Youth Substance Awareness and Safety Program, for underage drinking or marijuana possession, helping them understand the impacts of using substances on themselves and others, and lowering the risk of future use, while connecting those identified as high-risk levels to professional substance use clinicians.
    - 68 people in our Tamarack Program, diverting people whose crimes are connected to substance abuse or mental health issues from the court system and rapidly referring them to treatment.
    - 307 people in our Court Diversion restorative circles and panels, diverting them from the court system and working to address and repair the harm they caused
    - Over 300 people in our Pretrial Services program which assists adults with substance use or mental health treatment needs who are going through the court process and awaiting final case resolution.
- Contacted 1646 individual crime victims and opened 376 cases to offer assistance and support through Parallel Justice.
- Supported 18 individuals as they reentered the community after incarceration, through a variety of reentry services.
- Received 176 new referrals to our Restorative Justice panels, including pre-charge, and reparative referrals.
- Volunteers contributed over 979 hours of time, equating to roughly $27,940 of in-kind donations (using the value of $28.54 per hour).

In direct response to community needs during the pandemic the City established the Trusted Community Voices (TCV) program and a dedicated Resource and Recovery Center. These instrumental endeavors were meticulously designed to extend crucial health and resource information to a diverse array of language communities across the City, ensuring inclusivity and accessibility.

The City joined the *Association of Africans Living in Vermont* (AALV), Inc. to orchestrate a back-to-school supplies event tailored for local immigrant and refugee communities. Taking place on Sunday, September 19, 2022, at the AALV headquarters, this initiative marked the second year of this partnership. Fifty-five children collected a backpack with school supplies at the event and an additional 20 backpacks loaded with supplies were dispatched to children who couldn't attend the event in person.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

Burlington has worked to develop and sustain institutional structure through coordination, empowerment and communication among the public, private and nonprofit sectors and there is overall strong local coordination of services. Prominent coordination efforts include the CoC - the Chittenden County Homeless Alliance (CCHA), where nonprofits, local and state government, and private partners collaborate to create coordinated systems that improve outcomes.

The COVID-19 pandemic saw increased coordination with the formation of statewide and local coordination bodies for homeless and shelter response, where Vermont piloted the Infection Control Inventory and Planning Tool for the CDC. The City of Burlington, through its COVID Resource and Recovery Center, convened a COVID Response Group for those providing services for seniors, recognizing the needs and vulnerability of this group during the pandemic.

For housing needs the City has collaborated with various stakeholders to address the lack of affordable housing in the City. Partnerships include work with local colleges and the university to support the creation of student housing and assess the impact of student rentals on the local housing market. The City’s Housing Trust has a robust housing portfolio and is supported by the City to maintain existing buildings and develop additional housing opportunities.

The City applied for a RAISE grant (awarded in project year 2023) that will be utilized to rebuild streets through the site of a former mall and revitalize eight existing City blocks in downtown and by the waterfront.

The City’s Office of Racial Equity, Inclusion, and Belonging (REIB) is responsible for leading all City departments in creating sustainable priorities and opportunities to advance the City’s shared equity goals. The REIB provides strategic guidance, training, technical assistance, and support to municipal departments and community stakeholders to address structural racism.

January 2022 under a new Director, the REIB started a re-organization of positions and programming with the goal to hire a full team in November. Re-organization consisted in updating the Racial Equity Strategic Roadmap work under a Public Health lens viewing racism as a public health emergency. Domains of work shifted from Economy, Health, Housing, Education, and Justice to Economy, Health, Physical Environment, Social and Human Development, and

Community and Belonging. This model guides evidence-based implementation of initiatives, policies, practices, and programs.

With the legalization of cannabis in August 2022, the REIB helped lead the recommendation to the City Council to create a Local Cannabis Control Board (CCB) within Burlington's municipal liquor Local Control Commission. REIB, continues to be involved in the Local Option Tax, a new tax revenue from cannabis sales to support Black and Brown Bulingtonians with economic development and to create restorative programming to those harmed and criminalized.

In technical support, the department provided technical assistance in training to the Burlington Police Department resulting in work relevant resources and trainings for these municipal employees.

The COVID-19 Resource and Recovery Center (RRC) provided frontline assistance and support on a wide range of issues to Burlington residents in need of help during the COVID-19 pandemic. The RRC ensured Burlington residents had access to critical resources like health guidance, food, and shelter. Additionally, the RRC has helped Burlington residents experiencing homelessness with temporary shelter, assisted laid-off workers with unemployment insurance applications, worked with local small businesses to navigate insurance claims for federal and state resources, and coordinated the dissemination of health and other resource guidance multiple languages to community members in a non-English language.

As the Covid-19 pandemic receded, efforts were made to ramp up the implementation of Burlington Language Access Policy, unanimously passed by the City Council on November 9, 2020. Over the past year the City has provided translation and interpretation services through third party vendors to an ever increasing number of queries from internal city departments. The City developed a Language Access training module which is accessible to all state employees. The Language Access training module is intended to ensure that city employees have a basic understanding of their ethical and legal obligations, current best practices and City-provided resources in serving limited English proficient and non-English speaking individuals.

In April 2020, in seeking to enhance it equity and inclusion efforts, the City of Burlington launched the Trusted Community Voices (TCVs) program aimed at expanding outreach to Burlington's immigrant and refugee populations. During the COIVD-19 pandemic, the TCVs played a central role in getting public health and safety information, and protective equipment out to Burlington's immigrant and refugee communities. Since then, in addition to continuing with their core mission of "*serving as an effective link between City/CEDO and their communities to foster more effective, engaging and supportive relationships and to better connect them to information on city services and programs,*" work continued over the past year, to build the capacity of the TCVs on a host of pertinent topics – e.g. affordable housing, public safety, climate change and workforce development - to fill capacity gaps, in order that they, in turn, might better serve their communities.

The City of Burlington recognized the need to improve institutional structure and responded in increasing the staffing of the Department of Racial Equity, Inclusion and Belonging. The Department is focused on promoting racial equity and inclusion throughout the City of Burlington both internally and externally through engagement, facilitation, education, and systemic change. Towards this effort, the department has completed the development of the Racial Equity Strategic Roadmap and worked to produce an implementation model for the plan rooted in data and community engagement. The department provided training to the Burlington Police Department, hosted Black *Experience 2023* a holistic celebration of Vermont's Black lived experience, a city-wide Juneteenth celebration and *Embrace and Belonging* a large monument symbolizing belonging and equity in the past, present and future.

Support Engagement

The City continues to host and support engagement, education and training for equity and inclusion.

- City employees support the My Brother's/Sister's Keeper program ensuring that Burlington's BIPOC high school students have a space to connect, grow and learn about work opportunities. Implementation of the MBK/MSK program has developed from partnerships with City agencies, nonprofits and most importantly the school district. MBK partnership programming will continue to focus on closing the opportunity gaps.
- CEDO's Community Justice Center (CJC) has long partnered with the Burlington School District to develop restorative practices across the district. This work has developed from the skill set held by the CJC from its community restorative justice work and as a result of the recognition of the disproportionately high rates of discipline and suspension that our BIPOC youth were experiencing.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The City is utilizing collective impact and other best practices to enhance coordination between public and private housing and social service agencies. Coordination begins with a focus on assembling the right people or agencies at the table, clearly defining roles and responsibilities, sharing a common mission and developing good communication.

Successful collaborations in the past year include coordinated efforts among the City, private and public housing and social service agencies to address homelessness. The City is the Collaborative Applicant for VT 501 Continuum of Care and an active participant in the Chittenden County Homeless Alliance. The Alliance has strong participation from a wide variety of stakeholders, is adhering to Built for Zero tools and principles, is engaged in ending homelessness with Coordinated Entry and has made progress this year on finalizing its By Name List (a list that identifies all individuals experiencing homelessness within the City).

A group of agencies including United Way of Northwest Vermont City employees from the Community Economic Development Office and the Police Department, the Agency of Human

Services, University of Vermont Medical Center, Vermont Department of Health, and others are part of a collective impact project regarding the opioid addiction crisis impacting our area.

An ongoing collaboration between UVM Medical Center, Champlain Housing Trust and the Community Health Centers of Burlington Homeless Healthcare Program, is the medical respite program for persons experiencing homelessness or marginally housed individuals at Bonvouloir Apartments. The seven medical respite units at Bonvouloir offer brief recuperative care for individuals who need a place to stay during preparation for and recovery from a medical procedure, who are discharging from the hospital, or as a way to avoid hospitalization. Bonvouloir receives referrals from the hospital and community

The City and representatives of the University of Vermont, Champlain College, and University of Vermont Medical Center have met with constituents, nonprofit representatives and land owners to address shared challenges.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

In 2017 the City of Burlington, in partnership with the Burlington Housing Authority and Winooski Housing Authority, completed an Assessment of Fair Housing for the jurisdiction. That assessment identified eight primary goals to address fair housing issues and their contributing factors. The Fair Housing Issues include: Segregation/Integration, Disparities in Access to Opportunity, Disproportionate Housing Needs, Publicly Supported Housing, Disability and Access Issues, and Fair Housing Enforcement, Outreach Capacity and Resources. There are no Racial and Ethnic Concentrations of Poverty within the Jurisdiction or Region.

There are several groups, in addition to the City, who are committed to reviewing the progress of the Fair Housing goals. Vermont Legal Aid's (VLA's) Housing Discrimination Law Project, , and Champlain Valley's Office of Economic Opportunity's Fair Housing Project, have engaged in activities that directly address the identified Fair Housing issues during the reporting period.

VLA undertakes numerous activities to combat discriminatory housing practices by housing professionals including: legal advice to people who have been discriminated against; conducting investigations of fair housing violations, including conducting testing; providing legal counsel about fair housing rights to complainants; and reviewing advertisements and responding to the poster, advising them of FH law. VLA's testing and report of findings has affirmatively furthered fair housing by detecting violations and making them known. VLA also monitors and responds to discriminatory advertisements for housing informing the poster that the advertisement is discriminatory and requesting that they change the language of the advertisement. VLA represents persons who experience housing discrimination in state and federal courts and before the Vermont Human Rights Commission, as well as in pre-filing negotiation. Additionally, VLA represents people with disabilities annually on a range of fair housing issues including requesting a reasonable modification or reasonable accommodation to legal actions. VLA also routinely testifies in public comments to municipalities, boards, housing policy makers, and commissions about the impact on fair housing of various policy choices made by officials responsible for planning and zoning, housing and community development, and for siting of housing and shelters for people with mental health disabilities and homeless people.

Fair Housing Goals Including Fair Housing Issues they Address and the Contributing Factors:

1) Increase Affordable Housing Options- Neighborhood Stabilization Plan
Create a neighborhood plan to convert residential units used for student housing by private landlords to individual/family households.

Fair Housing Issues Addressed: Protected classes lack neighborhood options due to market limitations

Contributing Factors: Impediments to mobility, lack of affordable units

Actions taken this year:
Work continued to implement various aspects of The Neighborhood Project (TNP) report, following its acceptance by the City Council in April 2019. A focus has been placed on enhancing the quality of life in near-campus neighborhoods, one of the three key goals highlighted in the TNP report. To this end, the City Property Database was updated to make it more user-friendly and to provide regular updates to property and landlord information. Additionally, work continued on the review of the City's Certificate of Compliance 1-5 rating system with the view to improving its efficiency. Building on successful outcomes of quality of life initiatives such as Isham Street greenbelt, work commenced to expand the gardening efforts to include streets such as Hickok Place, Converse Court, Loomis/Booth and the new Pomeroy Park wildflower garden created in partnership with the Burlington Department of Parks, Recreation and Waterfront and the UVM Office of Student and Community Relations (OSCR). In keeping with the quality of life goal, work continued between city staff and academic institutions, particularly the University of Vermont (UVM) to track quality of life issues for all renters and to analyze housing trends related to students. And the city, in collaboration with UVM, has embarked on efforts to make zoning changes to address barriers that have limited the potential for new student housing opportunities and identify future development opportunities on UVM's Trinity Campus, one area identified in the TNP report and in the 2021 10-Point Housing Action Plan.

2) Increase Affordable Housing Opportunities – New Construction
The City of Burlington continues to prioritize the provision of safe, decent and affordable housing within its Housing Action Plan as well as its Five Year Consolidated Plan. To that end, federal resources such as CDBG and HOME, along with municipal resources of the City of Burlington Housing Trust Fund are allocated to nonprofit developers for the construction of deeply subsidized affordable units. The City also enforces an Inclusionary Zoning Ordinance which produces several IZ units annually. An increase of units provides access to protected classes in new neighborhoods, close to transportation, with supportive services and close to amenities.

Fair Housing Issues Addressed: Disproportionate housing needs, disability and access, segregation

Contributing Factors: Location and type of affordable housing, availability of affordable units in range of sizes, lack of affordable units, integrated housing for individuals who need supportive services, private discrimination

Actions taken this year:

- The City has devoted significant staff resources in support of Burlington City Place, a large-scale private redevelopment of a downtown mall. Once complete, the project is expected to add approximately 440 new units including 88 permanently affordable units through Inclusionary Zoning.
- At the City's request to accommodate larger families which are disproportionately BIPOC families, the nonprofit housing development organizations have included some 3 bedroom units in plans for new rental developments.
- The City works proactively to ensure that our HOME funded projects comply with the requirements of Section 504 and 24 CFR part 8 Subpart C.

3) Increase Affordable Housing Opportunities

Following adoption of Burlington's Housing Action Plan in October 2015, the City has moved forward with implementing a number of initiatives to help reduce the cost of housing for all Burlington residents and more broadly, support affordable housing. Additionally, in order to address the housing availability and affordability problem and to give greater impetus to the gains since the adoption of the Housing Action Plan, in June 2019, the city hosted the BTV Housing Summit to kick-off a community conversation about housing policy reform. This was followed in September 2019, by a second public meeting to share those initial recommendations and ask for more input.

Fair Housing Issues Addressed: Segregation/Integration

Contributing Factors: Location/type of affordable housing, private discrimination

Actions taken this year:

The issues discussed in the BTV Housing Summit and second public meeting focused on five housing policy reforms, all designed to make housing in Burlington more available and affordable. These reforms related to: short term rentals, parking requirements, increasing the Housing Trust Fund, energy efficiency and accessary dwelling units. During the period under review, the final housing policy reform was. All five of the housing policies advance a two-part housing strategy: (i) Continuing Burlington's proud legacy of building as much permanently affordable housing as possible and ensuring the protection of tenants and (ii) Simultaneously pursuing policies and proactive efforts to create more homes for households of all backgrounds in order to increase the vacancy rate in Burlington.

Accessory Dwelling Units:

This policy change is designed to make it easier for people to create Accessory Dwelling Units (ADUs) which offer more flexibility for families to age in place, offset housing costs for homeowners and create additional neighborhood-scale housing options throughout the City. The policy change was adopted by the City Council in February 2020.

Housing Trust Fund

This policy change restored and increased the level of dedicated funding to Burlington's Housing Trust Fund (HTF), which supports the creation and preservation of permanently affordable housing. While 69% of voters approved the change to the City Charter to allow for this increase. The annual funding to the HTF in FY23 increased from $200,000 to close to $565,000.

Parking Minimums:

The policy change to parking minimums which required developers to build new parking in residential development in downtown and along key transportation corridors, removes a major cost driver of housing and takes a major step toward aligning the City's land use policies with its climate goals. Since its adoption in September 2020, two significant projects have applied for permits to create housing that would benefit from the policy change for a combined 490 new homes and several others are under consideration.

Energy Efficiency in Rental Housing

This policy aims to update standards for energy efficiency in rental housing to protect renters from unreasonable high utility costs and support Burlington's climate goals. This policy change was adopted in March 2022.

Short-term rentals

This policy change implements new regulations for short-term rentals like Airbnb, in order to reduce the impacts on long-term housing availability and neighborhoods, while also balancing the economic benefit for Burlingtonians who are hosts. The policy change was passed by City Council during the program year and generated $60,000 a month for the Housing Trust Fund.

4) Maintain/Preserve affordable housing units

The City of Burlington prioritizes maintaining and preserving affordable housing within the City and allocates federal and local resources to partners to keep housing with expiring subsidies, renovate housing, provide energy efficiencies and lead remediation. Given that the cost of creating a new unit can be $250,000 or more, it makes economic sense to rehabilitate existing affordable housing at a significantly lower cost.

Fair Housing Issues Addressed: Cost of housing – disproportionate housing needs, disparities in access to opportunities

Contributing Factors: Lack of affordable units, location and type of units, displacement of residents due to economic pressures, inaccessible private infrastructure

Actions taken this year:

- The Burlington Lead Program completed lead hazard control and other health and safety repairs in 15 units occupied by low/mod income households with children under age 18.

5) Provide housing resources to low income renters and homeowners, and increase homeownership opportunities

While the City invests resources in building new housing units and preserving affordable housing, resources are also used to assist low-income/protected class renters to remain in safe, affordable housing. With specific census tracts low in homeownership opportunities, the City will identify homeownership trends and partnerships/programs that can encourage and expand owner-occupied housing for underrepresented households including Persons of Color. Additionally, the City will continue to assist persons who are elderly and/or disabled with accessory modifications and age in place housing options. Overall, the City will explore other housing options such as ADU's and homesharing.

Fair Housing Issues Addressed: Segregation/Integration, disparities to access to opportunities, disproportionate housing needs, publicly supported housing, disability and access

Contributing Factors: Lack of assistance for housing accessibility modifications, displacement of residents due to economic pressure, availability type, frequency and type of public transportation, impediments to mobility, private discrimination

Actions taken this year:

- The City devoted considerable staff resources related to the Cambrian Rise development which will create 161 owner-occupied units, including 24 permanently affordable
- Through Champlain Housing Trust's Shared Equity program several dozen low/mod income households were provided direct financial assistance to purchase their first home.

6) Increase employment opportunities for protected classes

By providing access to better jobs, livable wages or business creation/expansion, protected classes have more housing options and access to opportunities.

Fair Housing Issues Addressed: Disparities to access to opportunities, disproportionate housing needs, publicly supported housing, disability and access

Contributing Factors: Lack of affordable units, location and type of units, impediments to mobility, availability, type, frequency, and reliability of public transportation.

Actions taken this year:

- Technical assistance was provided to 11 individuals or potential entrepreneurs. As a result of the technical assistance provided, six new businesses were created, and three businesses expanded.

- Of the 11 individuals who received technical assistance, nine were owned by individuals who identify as Black, Indigenous or a Person of Color.

7) Increase educational opportunities with a focus on protected classes

Programs that increase educational opportunities for BIPOC youth and other protected classes, improve access to opportunities, integration, and provide a pathway out of poverty. Classes that prepare tenants to be successful renters and homeowners, create new opportunities for housing, improve housing retention, and educate persons in protected classes about their rights and resources to combat discrimination.

Fair Housing Issues Addressed: Segregation, disparities to access to opportunities, disability and access

Contributing Factors: Location and type of units, impediments to mobility, availability, type, frequency, and reliability of public transportation, community opposition

Actions taken this year:

- The City Hall Internship program has hosted 241 intern participants since the program's creation 8 years ago. The program has developed over time and focuses on closing education and career opportunity gaps and providing entry level internships as an equity strategy that eliminates barriers for low income and BIPOC youth to gain career access and be successful in internships. Despite the pandemic and not running the summer internship program the MBK/MSK program continued to develop and support a total of 12 My Brothers/Sisters Keeper interns.
- In partnership with Burlington High School and Burlington after School, CEDO continued programming for pathways and successful school transition, and supported My Brother's Keeper My Brother's Keeper, serving 8 students.
- Six My Brother's Keeper/My Sister's Keeper participants interned with Channel 17 Town Meeting TV, providing an opportunity for them to engage in media production.
- Youth on Boards stands as a civic engagement initiative within CEDO's domain. Its core mission is to empower young leaders by offering them avenues to represent their peers on various City Commissions and Boards. Through this program, youth are actively immersed in honing their leadership acumen, fostering the growth of sustainable and inclusive communities, and channeling the perspectives of Burlington's upcoming

generation. While halted during the Covid-19 pandemic, the program is now undergoing a renaissance. In the timeframe spanning July 1, 2022, to June 30, 2023, two youth leaders have taken their positions on the Fletcher Free Library Board, embodying the program's renewed vitality.

- CHT offers Ready Set Rent, a program designed to remove credit and other barriers to renting an apartment. The program serves rental applicants who have been denied a CHT apartment because of poor credit or no credit history. Once an applicant completes their education and develops an action plan to address their credit. Many vulnerable tenants who were previously denied an apartment are now developing solid rental histories through this program.
- CVOEO's Preferred Renters Certificate Program is designed to provide participants the skills, materials, and confidence necessary to find and maintain stable housing. The program includes three workshop modules, followed by a one-on-one financial coaching session. The four modules are Tenant Skills, Finding Housing, and Sustaining the Rent. Upon completion of the program, participants receive a Preferred Renter Certificate as a way to demonstrate their readiness for sustaining housing. When a landlord receives an application or has a current tenant with this certificate, they will know the applicant or tenant is invested in being a successful renter, knowledgeable about resources, and connected to service providers, such as a financial coach. Experienced teaching teams from CVOEO's Vermont Tenants and Financial Futures programs collaborate to offer these free workshops and coaching experiences. Workshops are offered as live, 60-90 minute webinars and as fully self-paced, online classes, and can be taken in any order. Interpreted recordings of the Tenant Skills and Finding Housing workshops are available in American Sign Language, Arabic, Burmese, French, Nepali, Somali, Spanish, and Swahili.
- CVOEO also offers community-based in-person Know Your Rights workshops providing the basics of tenants and fair housing rights and responsibilities. These are available upon request, with interpretation as needed.
- The Fair Housing Project of CVOEO provides in-person and webinar fair housing trainings for housing and service providers and municipal officials. These workshops covers the history of the Fair Housing Act and the resulting protections under Federal and Vermont law; how and when fair housing law applies in Vermont, exemptions, the complaint and investigation process, and remedies; access requirements for people with disabilities, including reasonable accommodations and reasonable modifications; municipal strategies for affirmatively furthering fair housing, and best practices.
- CHT announced their Homeownership Equity Program (HEP) down payment assistance program in June 2022 to enhance and encourage homeownership for households of color. The program provides 0% interest loans of up to $25,000 for qualified shared equity homebuyers. In the first year of the program, fifteen (15) households of color have become homeowners using this program, representing almost half of CHT's shared equity sales in the same time period.

8) Support Fair Housing Education and Equitable Outreach

Burlington has two agencies within the City doing fair housing outreach and education. Both agencies are dependent on grant funding to sustain their important work. Demographics of the City show how diverse our community has become in the past 30 years. However, not all of our new community members feel welcome during standard engagement efforts like neighborhood planning assemblies, City Council meetings and committee meetings or public hearings. Learning to engage diverse populations in non-traditional techniques, while creating safe and inclusive spaces for equitable engagement is critical for the City to reach underserved and underrepresented communities. The very populations who may be facing displacement pressures, segregation, and disproportionate housing needs are those who need to be reached and heard.

Fair Housing Issues: Discrimination or violations of civil rights law or regulations, segregation
Contributing Factors: Lack of resources for fair housing agencies, private discrimination, need for expanded policies for inclusion, community opposition

Actions taken this year:

- The Burlington Lead Program encourages program participants to follow Fair Housing Laws and provides educational materials regarding protected classes to landlords who are seeking loan forgiveness.
- VLA provides fair housing education through outreach/education events, media interviews, maintaining a website, writing newsletter articles and sharing information on Facebook.
- CEDO provides Fair Housing booklets to landlords during inspections of registered rental properties.
- With ongoing City funding, the Champlain Housing Trust's Homeownership Center is providing interpreters for its homeownership classes.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

All CDBG subrecipient activities are monitored through program reports submitted by subgrantees with each request for funds. More in-depth onsite monitoring occurred for two subrecipient programs. Selection of these sites is based on factors such as: whether the subrecipient is a new organization or a new CDBG grantee, how long it has been since the last onsite monitoring visit, whether there were problems revealed during the last monitoring visit, whether the program reports indicate a need for onsite monitoring, whether there have been significant changes in subrecipient staff, and the size of the grant. Eleven subrecipients were monitored through quarterly desk reviews, as well as CEDO's internal CDBG funded projects, and none subrecipients received onsite monitoring visits.

HOME subgrantee activities are typically monitored through annual project reports submitted by subgrantees and through onsite visits. The purpose of the project reports is to ensure that (a) for rental housing, all HOME-assisted housing units meet federal regulations for rent and income levels as well as compliance with applicable inspection standards and other federal requirements; and (b) for homebuyer projects, all HOME-assisted housing units are owner occupied and in compliance with other federal requirements. Despite the challenges presented by the pandemic, CEDO completed HOME monitoring and inspections for all required properties during the program year.

CEDO has developed a web-based registry of self-certified Disadvantaged Business Enterprises (DBE) and does outreach to local businesses to make them aware that the registry can help them access contracting opportunities. This registry, together with the state's online DBE registry, is available to City departments and to subrecipients for their procurement processes. Periodically CEDO publishes a public notice soliciting Minority Business Enterprises (MBE), DBE, and Section 3 contractors for inclusion on the online registry. Further, CEDO's Housing Division works closely with the Economic Development team to reach out to known MBE, DBE, and Section 3 contractors to include on the list. Finally, HOME recipients are required in the written agreements to prioritize utilization of MBE and/or DBE contractors, using the CEDO and State of Vermont registries.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

The Community & Economic Development Office is the lead agency responsible for overseeing the development of the CAPER and for administering the CDBG and HOME programs. CEDO followed The Citizen Participation Plan in developing this report. This CAPER report was posted online and available in other formats for public comment and feedback for 15 days starting 9/7/23. An in-person public hearing that included a presentation on this report was held on

September 18, 2023. Notification of the comment period and public hearing was published in a local newspaper. In addition, public input was sought with the Chittenden County Homeless Alliance via their list serve. Public comment was also sought via CEDO's website and email distribution lists that reach several non-profits as well as community members.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

There were no changes in the jurisdiction's program objectives.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?
No

CR-50 – HOME 24 CFR 91.520(d)

Include the results of on-site inspections of affordable rental housing assisted under the program to determine compliance with housing codes and other applicable regulations

Please list those projects that should have been inspected on-site this program year based upon the schedule in 24 CFR §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

There were no on-site inspections required for HOME-funded developments this year. Inspections were completed on two sites in 2020, and the remaining HOME sites were inspected in project year 2021. Per CFR §92.504(d) on-site inspections for units with no issues will be conducted every three years.

Provide an assessment of the jurisdiction's affirmative marketing actions for HOME units. 24 CFR 91.520(e) and 24 CFR 92.351(a)

The effectiveness of the City's affirmative marketing actions for HOME units is considered a success based on the characteristics of households living in HOME-funded units. Overall, HOME-funded units provide housing to a higher percentage of households in protected classes than the general housing stock of Burlington. The Community & Economic Development Office actively encourages affirmative marketing of HOME-funded units. During the development process, as well as during ongoing project monitoring, each project is required to submit an affirmative marketing plan that is reviewed by staff. Recipients of HOME funds must try to provide information to and otherwise attract eligible persons from all racial, ethnic, and gender groups in the housing market area. Future actions will change based on the data gathered each year.

Refer to IDIS reports to describe the amount and use of program income for projects, including

the number of projects and owner and tenant characteristics

For the period 7/1/22 to 6/30/23, CEDO received $0.00 in HOME program income and expended $0.00 in HOME program income.

Describe other actions taken to foster and maintain affordable housing. 24 CFR 91.220(k) (STATES ONLY: Including the coordination of LIHTC with the development of affordable housing). 24 CFR 91.320(j)

The City continued to take action with both funding and advocacy to preserve the affordability of existing rental housing. While low-income housing is being lost to conversion and demolition all across the nation, Burlington has policies and funding priorities that have managed to both preserve existing rental housing and create new rental housing affordable to low and moderate income households. Finally, the City has an approved Assessment of Fair Housing.

CR-58 – Section 3

Identify the number of individuals assisted and the types of assistance provided

Total Labor Hours	CDBG	HOME
Total Number of Activities	0	0
Total Labor Hours		
Total Section 3 Worker Hours		
Total Targeted Section 3 Worker Hours		

Table 1 – Total Labor Hours

Qualitative Efforts - Number of Activities by Program	CDBG	HOME
Outreach efforts to generate job applicants who are Public Housing Targeted Workers		
Outreach efforts to generate job applicants who are Other Funding Targeted Workers.		
Direct, on-the job training (including apprenticeships).		
Indirect training such as arranging for, contracting for, or paying tuition for, off-site training.		
Technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching).		
Outreach efforts to identify and secure bids from Section 3 business concerns.		
Technical assistance to help Section 3 business concerns understand and bid on contracts.		
Division of contracts into smaller jobs to facilitate participation by Section 3 business concerns.		
Provided or connected residents with assistance in seeking employment including: drafting resumes, preparing for interviews, finding job opportunities, connecting residents to job placement services.		
Held one or more job fairs.		
Provided or connected residents with supportive services that can provide direct services or referrals.		
Provided or connected residents with supportive services that provide one or more of the following: work readiness health screenings, interview clothing, uniforms, test fees, transportation.		
Assisted residents with finding child care.		
Assisted residents to apply for, or attend community college or a four year educational institution.		
Assisted residents to apply for, or attend vocational/technical training.		
Assisted residents to obtain financial literacy training and/or coaching.		
Bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.		
Provided or connected residents with training on computer use or online technologies.		
Promoting the use of a business registry designed to create opportunities for disadvantaged and small businesses.		
Outreach, engagement, or referrals with the state one-stop system, as designed in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.		
Other.		

Table 2 – Qualitative Efforts - Number of Activities by Program

PR-26 CDBG Financial Summary Report

PART I: SUMMARY OF CDBG RESOURCES	
01 UNEXPENDED CDBG FUNDS AT END OF PREVIOUS PROGRAM YEAR	1,047,143.74
02 ENTITLEMENT GRANT	733,713.00
03 SURPLUS URBAN RENEWAL	0.00
04 SECTION 108 GUARANTEED LOAN FUNDS	2,091,000.00
05 CURRENT YEAR PROGRAM INCOME	0.00
05a CURRENT YEAR SECTION 108 PROGRAM INCOME (FOR SI TYPE)	0.00
06 FUNDS RETURNED TO THE LINE-OF-CREDIT	341.77
06a FUNDS RETURNED TO THE LOCAL CDBG ACCOUNT	0.00
07 ADJUSTMENT TO COMPUTE TOTAL AVAILABLE	3,181.12
08 TOTAL AVAILABLE (SUM, LINES 01-07)	3,875,379.63
PART II: SUMMARY OF CDBG EXPENDITURES	
09 DISBURSEMENTS OTHER THAN SECTION 108 REPAYMENTS AND PLANNING/ADMINISTRATION	2,860,970.49
10 ADJUSTMENT TO COMPUTE TOTAL AMOUNT SUBJECT TO LOW/MOD BENEFIT	0.00
11 AMOUNT SUBJECT TO LOW/MOD BENEFIT (LINE 09 + LINE 10)	2,860,970.49
12 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	140,526.26
13 DISBURSED IN IDIS FOR SECTION 108 REPAYMENTS	24,669.38
14 ADJUSTMENT TO COMPUTE TOTAL EXPENDITURES	(366.77)
15 TOTAL EXPENDITURES (SUM, LINES 11-14)	3,025,799.36
16 UNEXPENDED BALANCE (LINE 08 - LINE 15)	849,580.27
PART III: LOWMOD BENEFIT THIS REPORTING PERIOD	
17 EXPENDED FOR LOW/MOD HOUSING IN SPECIAL AREAS	21,767.00
18 EXPENDED FOR LOW/MOD MULTI-UNIT HOUSING	299,628.89
19 DISBURSED FOR OTHER LOW/MOD ACTIVITIES	2,561,341.60
20 ADJUSTMENT TO COMPUTE TOTAL LOW/MOD CREDIT	(21,767.00)
21 TOTAL LOW/MOD CREDIT (SUM, LINES 17-20)	2,860,970.49
22 PERCENT LOW/MOD CREDIT (LINE 21/LINE 11)	100.00%
LOW/MOD BENEFIT FOR MULTI-YEAR CERTIFICATIONS	
23 PROGRAM YEARS(PY) COVERED IN CERTIFICATION	PY: PY: PY:
24 CUMULATIVE NET EXPENDITURES SUBJECT TO LOW/MOD BENEFIT CALCULATION	0.00
25 CUMULATIVE EXPENDITURES BENEFITING LOW/MOD PERSONS	0.00
26 PERCENT BENEFIT TO LOW/MOD PERSONS (LINE 25/LINE 24)	0.00%
PART IV: PUBLIC SERVICE (PS) CAP CALCULATIONS	
27 DISBURSED IN IDIS FOR PUBLIC SERVICES	222,820.00
28 PS UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	71,461.38
29 PS UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	165,230.87
30 ADJUSTMENT TO COMPUTE TOTAL PS OBLIGATIONS	(19,065.02)
31 TOTAL PS OBLIGATIONS (LINE 27 + LINE 28 - LINE 29 + LINE 30)	109,985.49
32 ENTITLEMENT GRANT	733,713.00
33 PRIOR YEAR PROGRAM INCOME	12,610.91
34 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PS CAP	0.00
35 TOTAL SUBJECT TO PS CAP (SUM, LINES 32-34)	746,323.91
36 PERCENT FUNDS OBLIGATED FOR PS ACTIVITIES (LINE 31/LINE 35)	14.74%
PART V: PLANNING AND ADMINISTRATION (PA) CAP	
37 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	140,526.26

38	PA UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	0.00
39	PA UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	0.00
40	ADJUSTMENT TO COMPUTE TOTAL PA OBLIGATIONS	317.11
41	TOTAL PA OBLIGATIONS (LINE 37 + LINE 38 - LINE 39 +LINE 40)	140,843.37
42	ENTITLEMENT GRANT	733,713.00
43	CURRENT YEAR PROGRAM INCOME	0.00
44	ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PA CAP	0.00
45	TOTAL SUBJECT TO PA CAP (SUM, LINES 42-44)	733,713.00
46	PERCENT FUNDS OBLIGATED FOR PA ACTIVITIES (LINE 41/LINE 45)	19.20%

PR-26 CDBG-CV Financial Summary Report

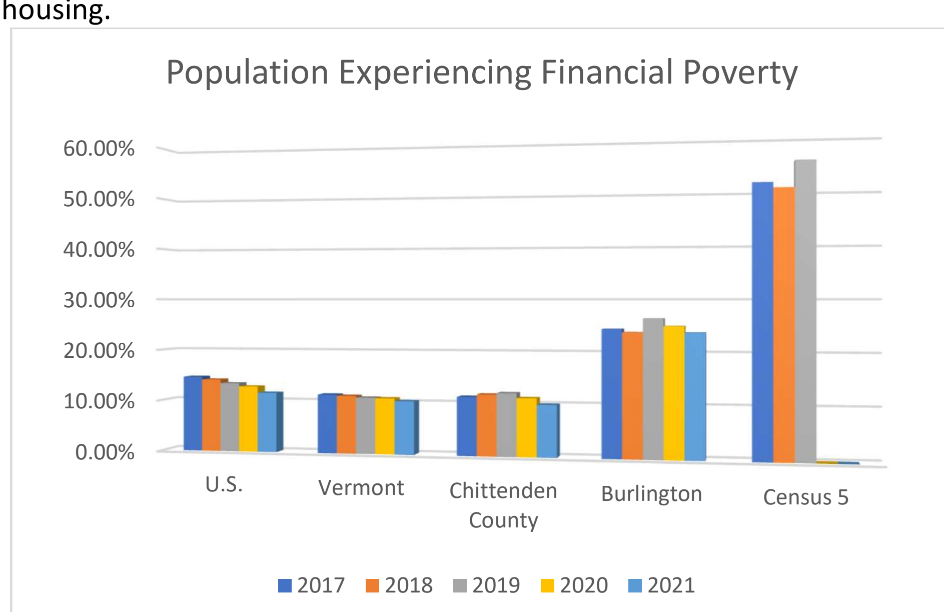
PART I: SUMMARY OF CDBG-CV RESOURCES	
01 CDBG-CV GRANT	743,605.00
02 FUNDS RETURNED TO THE LINE-OF-CREDIT	0
03 FUNDS RETURNED TO THE LOCAL CDBG ACCOUNT	0
04 TOTAL CDBG-CV FUNDS AWARDED	743,605.00
PART II: SUMMARY OF CDBG-CV EXPENDITURES	
05 DISBURSEMENTS OTHER THAN SECTION 108 REPAYMENTS AND PLANNING/ADMINISTRATION	574,815.41
06 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	103,642.07
07 DISBURSED IN IDIS FOR SECTION 108 REPAYMENTS	0
08 TOTAL EXPENDITURES (SUM, LINES 05 - 07)	678,457.48
09 UNEXPENDED BALANCE (LINE 04 - LINE8)	65,147.52
PART III: LOWMOD BENEFIT FOR THE CDBG-CV GRANT	
10 EXPENDED FOR LOW/MOD HOUSING IN SPECIAL AREAS	0
11 EXPENDED FOR LOW/MOD MULTI-UNIT HOUSING	0
12 DISBURSED FOR OTHER LOW/MOD ACTIVITIES	550,315.41
13 TOTAL LOW/MOD CREDIT (SUM, LINES 10 - 12)	550,315.41
14 AMOUNT SUBJECT TO LOW/MOD BENEFIT (LINE 05)	574,815.41
15 PERCENT LOW/MOD CREDIT (LINE 13/LINE 14)	95.74%
PART IV: PUBLIC SERVICE (PS) CALCULATIONS	
16 DISBURSED IN IDIS FOR PUBLIC SERVICES	549,981.41
17 CDBG-CV GRANT	743,605.00
18 PERCENT OF FUNDS DISBURSED FOR PS ACTIVITIES (LINE 16/LINE 17)	73.96%
PART V: PLANNING AND ADMINISTRATION (PA) CAP	
19 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	103,642.07
20 CDBG-CV GRANT	743,605.00
21 PERCENT OF FUNDS DISBURSED FOR PA ACTIVITIES (LINE 19/LINE 20)	13.94%

Appendix A: Community Indicators

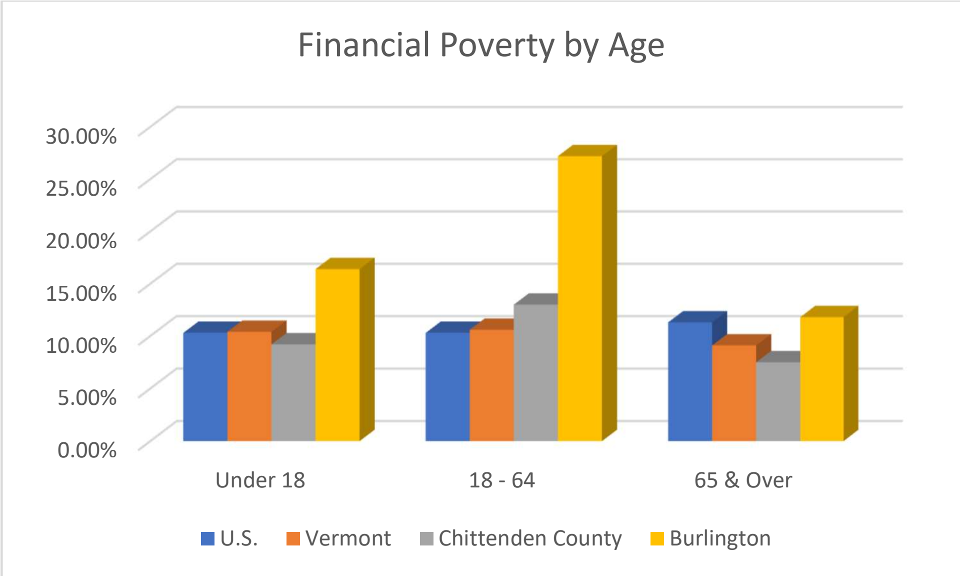
The City of Burlington tracks a selection of community indicators in order to measure progress toward housing and community development goals. The data is also used to see if any changes in program strategy, objectives, or activities are warranted.

Poverty (Financial Stability)

Burlington is home to individuals with various backgrounds, identities, experiences and means. A higher percentage of Burlingtonians experience financial poverty than national, state, or county averages. A section of Burlington's Old North End neighborhood, identified as Census 5 by the Census Bureau (and depicted below on the map), has one of the highest poverty rates of any census tract in the state. Although the United States and Vermont have seen consistent decreases in the percent of population experiencing financial poverty, and Chittenden County has seen an overall decrease, Burlington's rate has remained somewhat consistent and available data for persons living within Census Tract 5 demonstrated an increase between 2017 and 2019. This high rate of financial poverty demonstrates the ongoing need for federal, state and local assistance to support the City's work to improve economic opportunities and prioritize access to affordable housing.

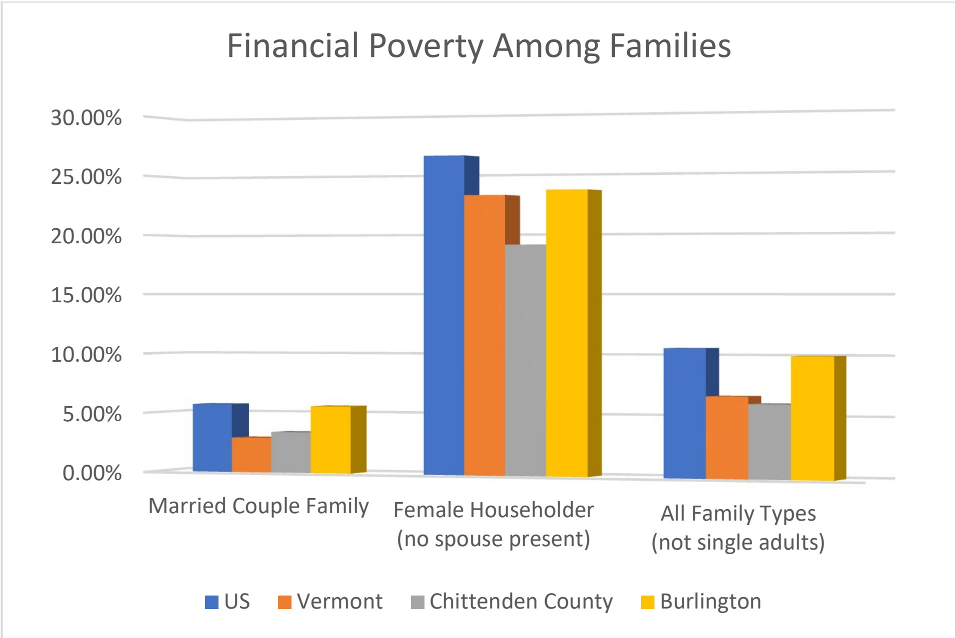


Source: ACS 2015-2019 year estimates



Source: ACS 2015-2019 year estimates

Financial Poverty Among Families
In Burlington, families with a female head of household follow the national trend of experiencing the highest rate of poverty compared to other family types.

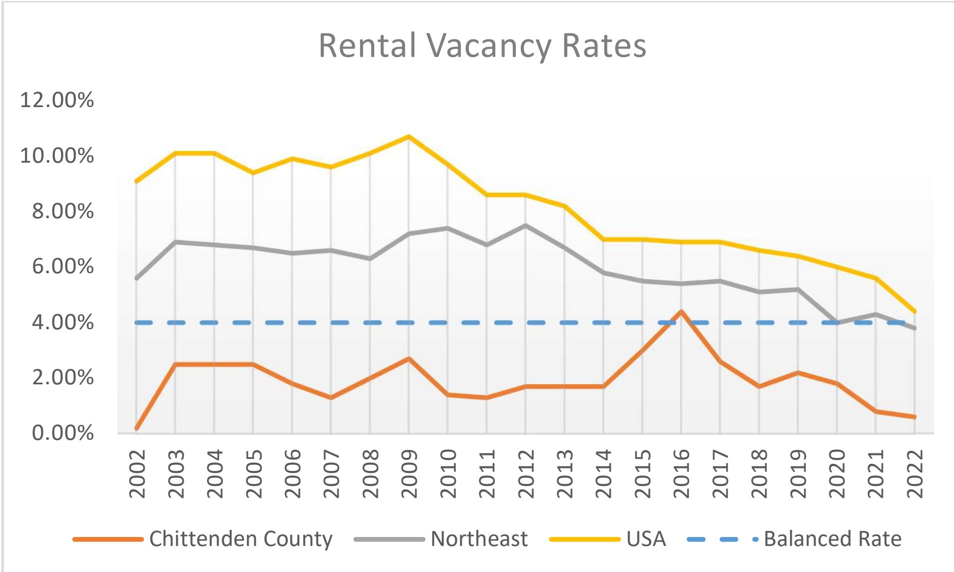


Source: ACS 2015-2019 year estimates

Decent Housing
The City is committed to all Burlington residents have a range of housing options that offer them safe, decent, appropriate, secure and affordable housing. Indicators tracked in this area include:

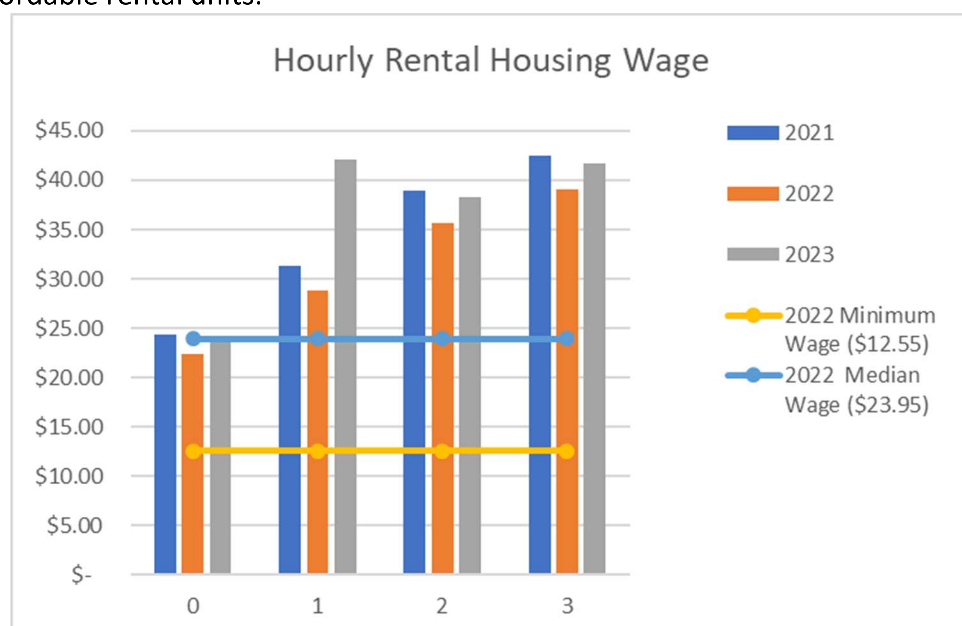
Rental Vacancy Rate and Rental Affordability

A rental vacancy rate between 3% and 5% is generally considered to be "balanced." When it falls below that level, a lack of supply will lead to escalating rents, leave people unable to find housing, and limit economic growth. Chittenden County continues to be far below the target rate of 4%.



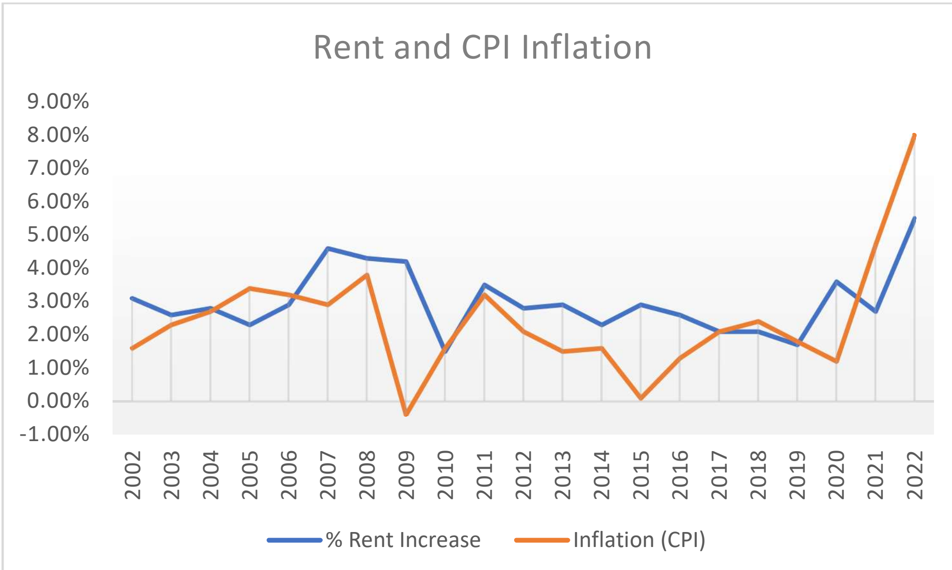
Source: Allen, Brooks & Minor Report

Rental affordability, measured by a "housing wage" that allows a tenant to pay no more than 30% of income for housing and utilities, continues to be out of reach for residents with lower incomes, particularly for families that require apartments with multiple bedrooms. Both indicators show a continuing need for retention of existing affordable units and the production of new affordable rental units.



*Source: Vermont Housing Finance Agency housingdata.org *excludes utility costs*

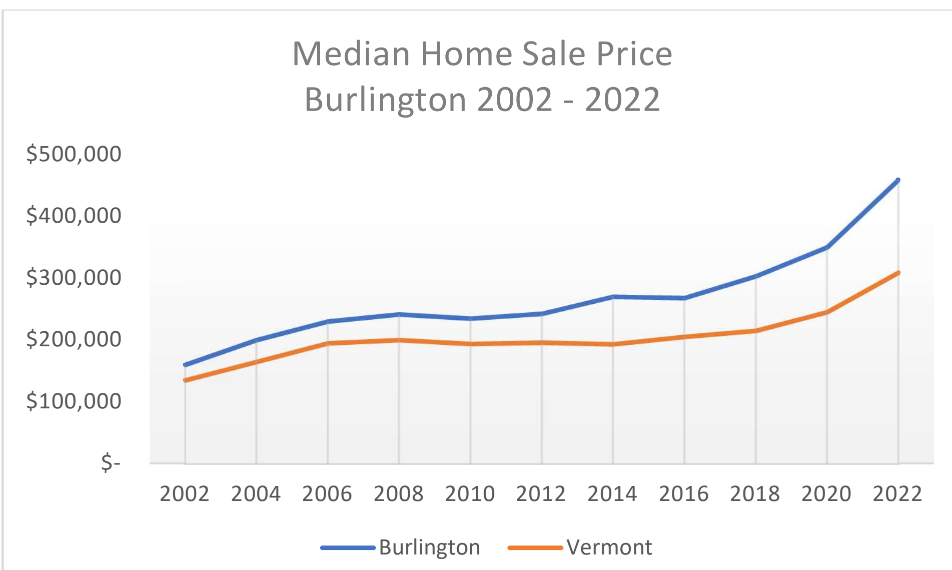
Rent is rising at a higher rate than household income. According to the Allen, Brooks & Minor Report released December 2022, median household income has increased at an average of 2.2% since 2010 while rent grew at an annual average rate of 2.4%.



Sources: Allen Brooks & Minor Report, Worldbank

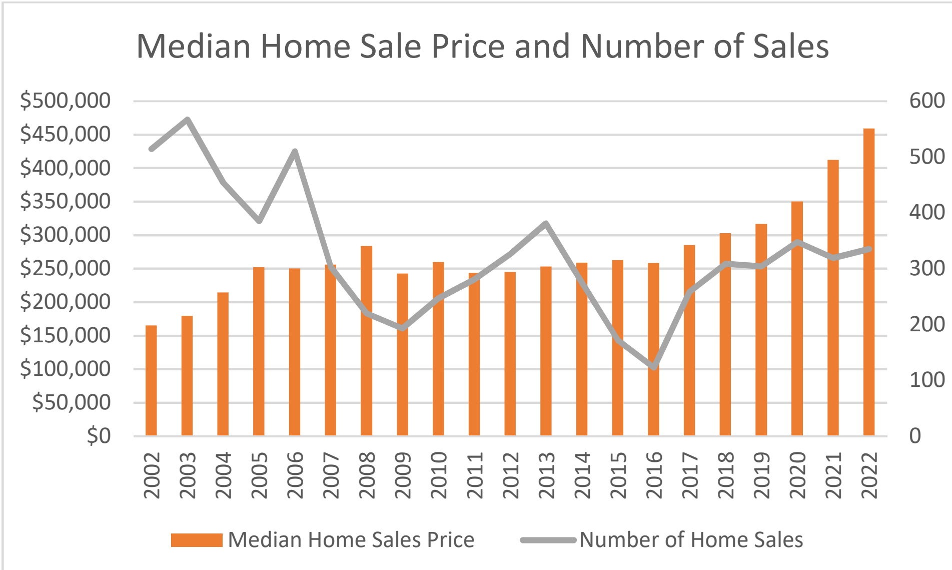
Median Home Sales Price, Number of Home Sales and Number of Foreclosure Filings

Home sales prices in Burlington have increased significantly in the past twenty years increasing more 200%. In 2002 Burlington median home sale prices were 18% higher than the state average, but in 2022 that difference had inflated to 48%.



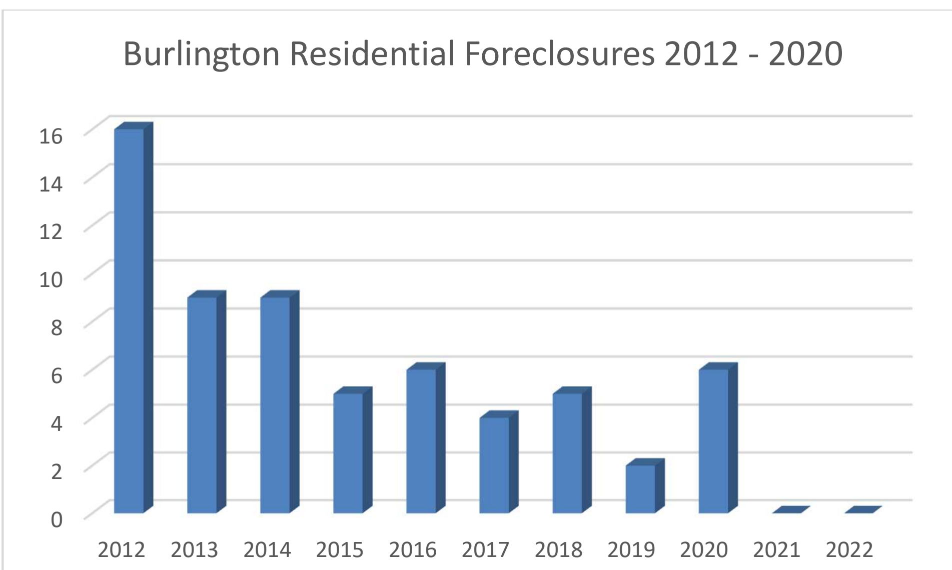
Source: Vermont Housing Finance Agency housingdata.org

While the median sale price has increased over the last twenty years the number of sales has fluctuated, decreasing significantly in the first decade of the millennium with an additional sharp decline between 2014 and 2016. Number of sales showed relative consistency from 2018-2022 with an increase of 10% during that time. Sales have not rebounded to early 2000 rates when close to 600 sales per year were the norm, current rates are closer to 300.



Source: Vermont Housing Finance Agency housingdata.org

In the last ten years Burlington has seen a decrease in residential foreclosures and a ten-year average of less than six a year. Low foreclosure rates may be related to a strong sales market for homes, mortgage assistance for families experiencing economic hardship brought about by the COVID-19 pandemic and the two federal housing counseling agencies located in Burlington – Opportunities Credit Union and the Home Ownership Center of the Champlain Housing Trust.



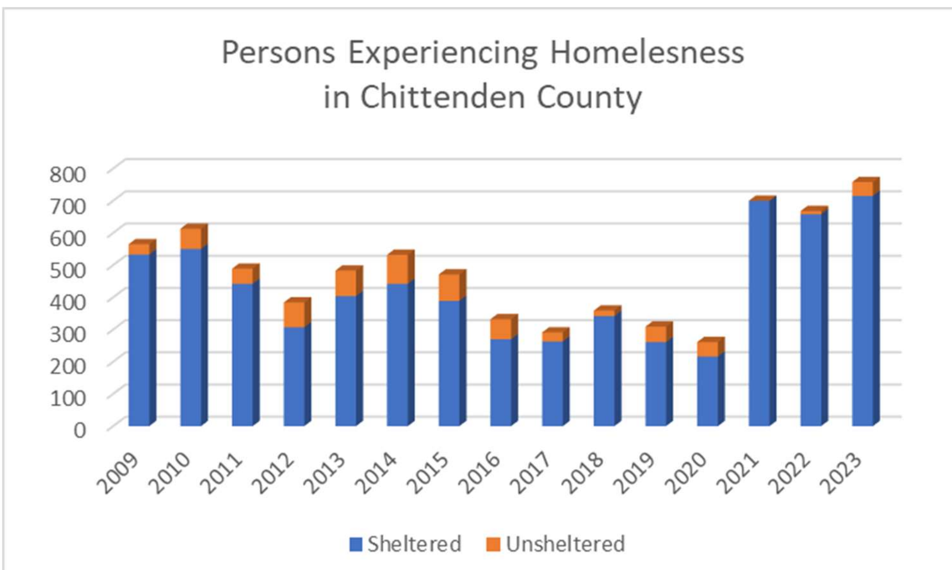
Source: Burlington City Clerk Land Records Search

People Experiencing Homelessness

In December 2021 the mayor released a 10-Point Action Plan to End Homelessness, committed to doubling housing production for five years and ending chronic homelessness in Burlington by the end of 2024. Prior to the pandemic the community was making significant progress addressing the needs of households experiencing homelessness. In 2016-2020 Chittenden County added 449 new affordable homes and Burlington saw a new college dorm with housing for 300 students. In 2020 Burlington achieved a federal benchmark for ending homelessness among Veterans by ensuring experiences of homelessness were rare and brief for veterans in the city.

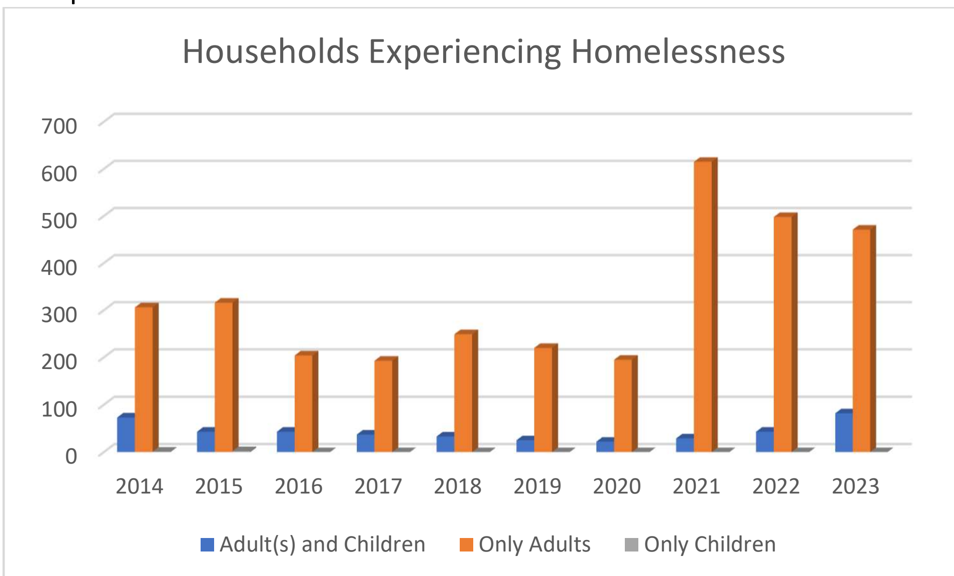
Despite strong progress towards the goals of eliminating chronic homelessness and increasing affordable housing in Burlington the pandemic disrupted progress and impermanent housing options and shelter were prioritized.

A single night count of persons experiencing homelessness in January showed a significant increase in persons experiencing homelessness in 2021 - more than tripling numbers in a year. The higher number of individuals experiencing homelessness has continued in 2022 and early 2023.



Source: Chittenden County Homeless Alliance Point-in-Time Annual Reports

Families Experiencing Homelessness
The pandemic impacted housing stability among many Vermonters and families with children have seen an increase in experiences of homelessness since 2020. The City is working with community partners to improve access to affordable housing for families in Burlington and eliminate the experience of homelessness.



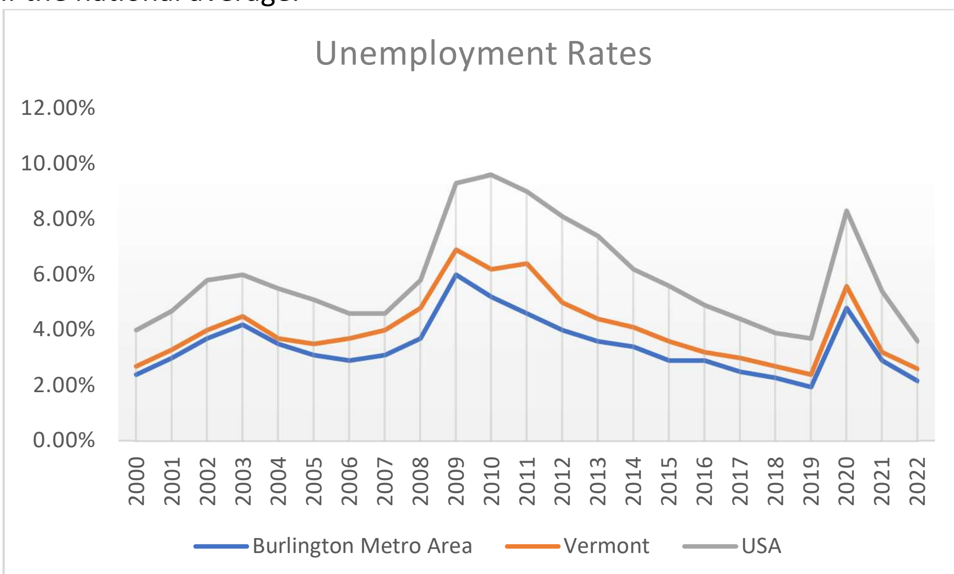
Source: Annual Point-In-Time Count

The City prioritized non-congregate shelter for individuals who were experiencing homelessness or housing instability during the pandemic and has continued investments in emergency shelter through the Elmwood Community Emergency Shelter – a low barrier shelter community site composed of 30 modular shelter structures with capacity for 35 individuals a night.

Aerial Image of Elmwood Community Emergency Shelter

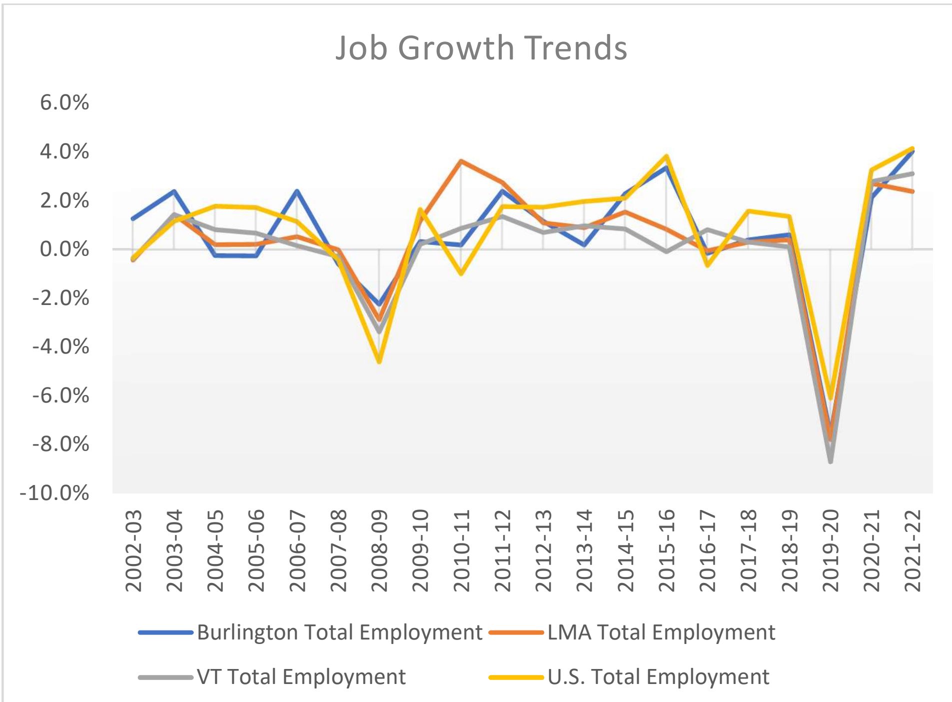
Economic Opportunity
The City's goal is that a prosperous Burlington economy provides all Burlington residents with access to livable wage jobs, to the education and training that qualify them for those jobs, to business ownership opportunities, and to the supports necessary to access those opportunities. The indicators which we track in this area include:

Job Growth and Unemployment
The Burlington area has maintained an employment rate below national and Vermont averages for the last twenty years. Residents were greatly impacted by the pandemic more than doubling the number of persons experiencing unemployment. The Burlington area saw a strong recovery in the last two years and resumed an employment rate that was close to pre-pandemic levels and close to half the national average.



Source: U.S. Bureau of Labor Statistics (Burlington-South Burlington NECTA)

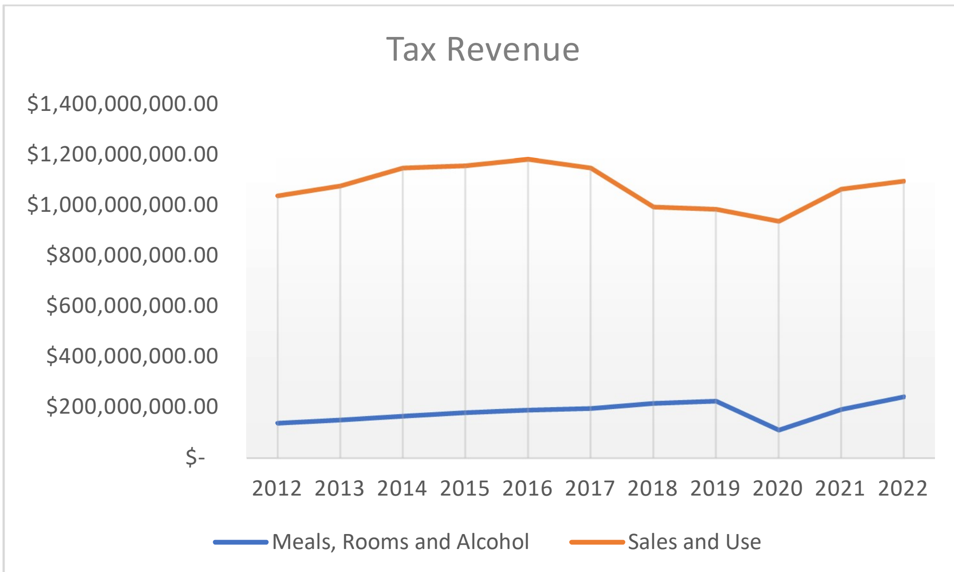
Throughout the country job growth has rebounded remarkably since the pandemic. Vermont, Burlington and the Local Market Area (LMA), which is based on commuting patterns, followed national trends of sharp decline in employment during the pandemic. Among Vermont, LMA and Burlington the City area has shown the strongest improvement with a 4% increase in employment in 2021-2022 twice the rate of the LMA.



Source: U.S. Bureau of Labor Statistics

Sales and Entertainment Revenues

Tax revenue from sales and entertainment have been variable for the City in the last decade. Meals, rooms and alcohol taxes increased steadily until 2019 when the pandemic caused a sharp decrease in revenue. Since that time there has been an increase in revenue achieving a level in excess of pre-pandemic times. Sales and use peaked in 2016 with a moderate decline that reached a low point in 2020 with the pandemic. Sales and use taxes have rebounded since 2020, although they remain below the 2016 high point.



Source: Vermont Department of Taxes

TO: City of Burlington, Board of Finance
City of Burlington, City Council

FROM: Nic Longo, Director of Aviation

DATE: September 18, 2023

SUBJECT: Authorization to Execute Lease Amendment No. 2 to the General Services Administration (GSA) Lease

Request:

The Patrick Leahy Burlington International Airport ("Airport" or "BTV") seeks Board of Finance recommendation and City Council approval to execute a second amendment to its lease with the U.S. General Services Administration ("GSA").

Executive Summary:

Background:
The original Lease Amendment No. 2, brought before the Board of Finance and City Council in March 2023, was not signed, as the terms and the preferred location of the office space of that agreement have since changed. After we bid this project out, the cost to renovate an existing office space using GSA specifications was far greater than anticipated. Therefore, it was mutually decided by both parties to pursue an alternative long-term plan.

In this updated Lease Amendment No. 2, the Transportation Security Administration ("TSA") will be moving offices from their current first-floor space in the Airport to an area located within the Consolidated Screening Checkpoint ("CSC"), adjacent to the new TSA screening area. Both BTV and GSA have agreed that the new office and breakroom should be located within this space as opposed to the former Airport Administration office location. While the Airport and GSA design the new site locations, the GSA requested a change in square footage to their existing lease to address the temporary reduction in usable space. Upon completion and acceptance of the new designed space, the Airport will come back to the Board and Council with either a new lease agreement or third amendment, which is still being determined by GSA.As the terms, and preferred location of that agreement have since

The affected area will be temporarily reduced from 2,871 rentable square feet to 2,181 rentable square feet, equating to a temporary reduction in rent during design/construction of the new space from $159,109.82 to $120,849.21. Upon completion of the design of the new spaces, the lease will have an increase in total rentable square footage and an increase in associated revenue, which will be brought back to The Board of Finance and City Council as Amendment No. 3.

Motions:

The Airport respectfully request the Board of Finance and City Council adopt the following motions:

Board of Finance

1. "To approve and recommend to the City Council that the Mayor of Burlington, Miro Weinberger, be authorized to execute Amendment No. 2 to the Lease Agreement with the U.S. General Services Administration, subject to the final review and approval by the Office of the City Attorney."

City Council

1. "To approve that the Mayor of Burlington, Miro Weinberger, be authorized to execute Amendment No. 2 to the Lease Agreement with the U.S. General Services Administration, subject to the final review and approval by the Office of the City Attorney."

Thank you for your continued support.

Board of Finance and City Council Submission Checklist

Department: Airport   Submitter: H. Dusablon

Title/Subject: Request for authorization to Execute Lease Amendment No. 2 to the General Services Administration (GSA) Lease

	Approval:	Meeting Date:
☐	Board of Finance	
☐	City Council	
☒	Concurrent	9/18/23

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	8/28/2023	N. Longo
Mayor's Office informed and approved memo	Yes	9/13/2023	S. Sheehan
Board/Commission, if required	Yes	9/6/2023	
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	9/8/2023	K. Clauss
CAO has reviewed budget, financing, and memo	Yes	9/13/2023	K. Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	N/A	Click or tap here to enter text.
Additional Materials, if necessary	N/A	Click or tap here to enter text.
Draft Resolution or Motion?	N/A	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	N/A	Click or tap here to enter text.

TO: City of Burlington, City Council

FROM: Patrick Leahy Burlington International Airport
Nic Longo, Director of Aviation
Larry Lackey, Director of Planning, Engineering and Sustainability

DATE: September 6, 2023

SUBJECT: Request to Execute a Grant of Easement to Champlain Water District (CWD) for the Design, Installation, and Service of a new Valve Vault on National Guard Road.

REQUEST

The Patrick Leahy Burlington International Airport ("Airport" or "BTV") seeks recommendation for the following:

1. To execute a grant of easement with Champlain Water District ("CWD") for the design, installation, and service of a new valve vault on National Guard Avenue

GRANT OF EASEMENT

CWD has requested a permanent, exclusive, transferable easement ("Valve Vault Easement") for the construction, access, use, operation, repair, replacement, and maintenance of a valve vault and associated electric and communication equipment, in an area of 640 square feet, more or less as shown on the incorporated survey, located adjacent National Guard Drive on the North East side of the Airport premises. This grant shall include the right for CWD to enter upon and cross other property owned or leased by the City that is adjacent to the Easement Area at any time for the purposes of exercising any of the rights herein granted, including construction of the facilities to be installed in the Valve Vault Easement; provided, however, that said rights must be exercised in a reasonable manner, and any damage to the property of the City caused by CWD shall be remediated by CWD as reasonably practicable. CWD's facilities shall remain their property. CWD shall pay all taxes assessed thereon.

USE OF EASEMENT:

CWD shall, at Champlain Water District's sole expense, keep the Easement Area in a clean, safe, and attractive appearance, and otherwise in a manner fully compliant with local, state, and federal government requirements of governmental authorities with applicable jurisdiction thereover.

This Valve Vault Easement is granted subject to and with the benefit of the following: (a) all rights of way, easements, conditions, obligations, restrictions, municipal, state and other regulatory permits as may appear of record in the City of South Burlington, and covenants of record, not meaning to reinstate any claims barred by operation of the Vermont Marketable Record Title Act, 27 V.S.A. §§ 601-611, both inclusive; and (b) the terms and conditions of any and all local and State permits.

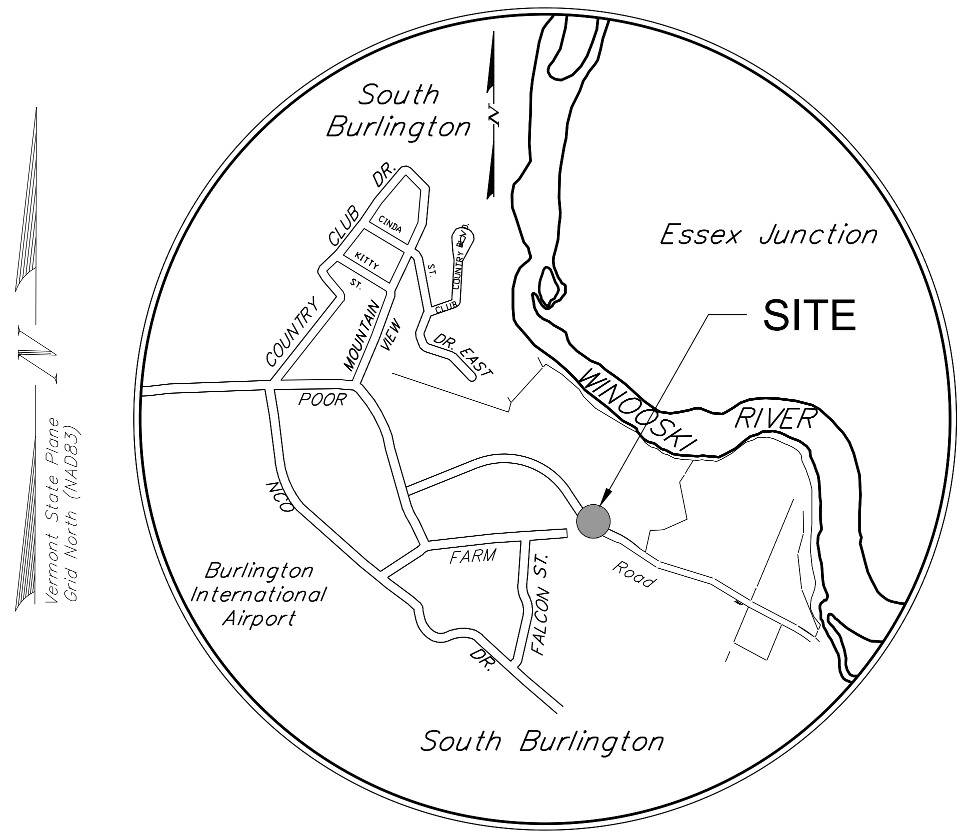
MAINTENANCE/ADDITIONAL OBLIGATIONS OF CHAMPLAIN WATER DISTRICT:

CWD shall be responsible for any and all repair, replacement, and maintenance of the Easement Area. CWD shall conduct regular inspections of the Easement Area and schedule maintenance, repair, and replacement as needed.

SUGGESTED MOTION:

City Council:

> "To approve and authorize Mayor Miro Weinberger to execute a Grant of Easement to the Champlain Water District for the design, construction, and service of a new valve vault on National Guard Avenue, subject to review by the City Attorney's Office."



Location Map

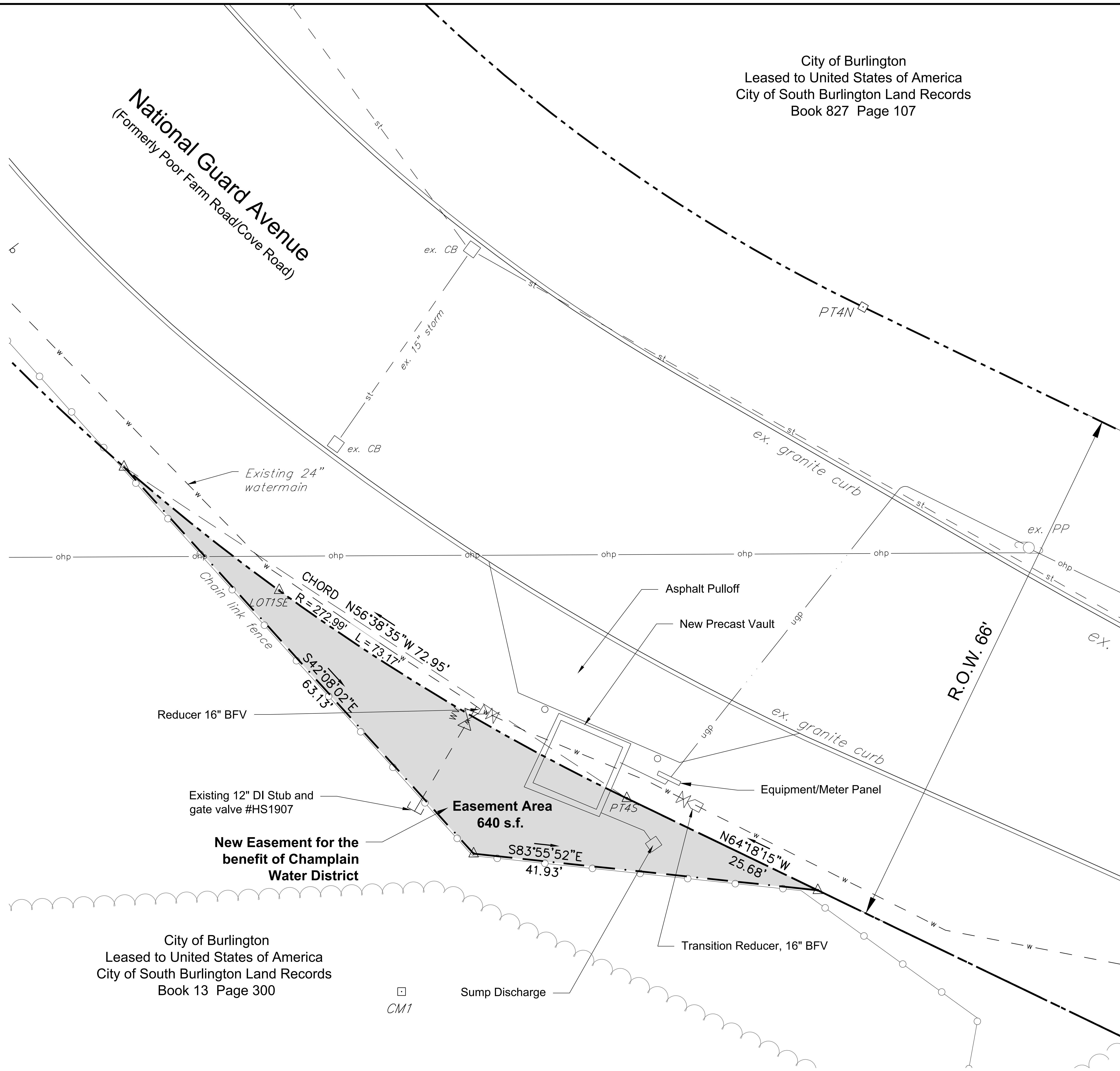
Not to scale

EASEMENT PLAN NOTES

1. The descriptions controlling the locations of the boundaries of the land surveyed and the physical evidence located and existing on the ground were compared and analyzed to provide boundary locations that are most indicative of the original intent of the deeds and in harmony with existing monumentation. Where conflicts between physical evidence and written evidence are substantial, deeds and/or documents should be or will be executed to eliminate any color of title or conflict.
2. This plat of survey depicts boundary location of the lands over which easements shall be granted to the Champlain Water District, and also the limits, where known, of easements, licenses and/or other servitudes and rights that may encumber or benefit the surveyed future or existing Champlain Water District easement premises.
3. Monuments have been set in and on the ground where shown on the plat of survey where, in the opinion of the surveyor, it was necessary to perpetuate a corner not otherwise monumented. Monuments shown as "to be set" will be set at the title holder's direction.
4. Any boundary line location, based on deeds or documents recorded in the public records by which title or rights were conveyed to the existing or future easement grantors to the Champlain Water District or title or rights in lands of such land were otherwise delineated, is subject to accuracy and legality of those deeds or documents. Where those deeds or documents are improperly executed as a matter of law or contain errors or omissions in fact, or contain or are based upon erroneous conclusions of law, then the depicted boundary locations may not be valid.
5. The boundary line locations shown are also subject to accuracy and legality or lack of authority of any grantor or grantee who professed the right or ability to convey, receive or condemn property or rights in the surveyed property.
6. Any depiction on the plats of survey of boundary lines or other structures, exclusive of boundary lines for the existing or future Champlain Water District easements were located by tachometry. The location and depiction of boundary lines not in common with existing or future Champlain Water District easements are not warranted. All boundary lines depicted are subject to the accuracy and completeness of the public record.
7. This plat of survey is for the sole use of the Champlain Water District. Use by other property owners, private or municipal, is specifically unauthorized.

Legend

	Concrete Monument found
	Power Pole
	Calculated point
	Approximate Property Line
	Easement Limit (NEW)
ohp	Overhead power
ugp	Underground Power
	Chain link fence
w	Existing waterline
	Permanent Easement Area
	Treeline



MAP REFERENCES

1. Plan entitled "Boundary Survey Land to be conveyed from Shelburne Shipyard, Incorporated (formerly The Griswold Corporation) to: Winooski Valley Park District" dated April 4, 2003, by Krebs & Lansing Consulting Engineers, Inc.

SURVEY NOTES

1. Project Horizontal Coordinates derived from GPS observation using reference frame NAD83 (2011) 2010.00 epoch. Project vertical datum based on NAVD 88 (Geoid 12A).
2. Parcel boundaries are based on the boundary survey identified in Map Reference #1.

0' 10' 20' 40' 60'

Bar Scale 1" = 10'

CHAMPLAIN WATER DISTRICT

National Guard Avenue
South Burlington, Vermont

KREBS & LANSING CONSULTING ENGINEERS
164 Main Street, Suite 201 P: (802) 878-0375
Colchester, Vermont 05446 www.krebsandlansing.com

Certification

This survey is based on physical evidence found in the field and information abstracted from deeds and other pertinent records and this survey is consistent with that evidence. This plat conforms to 27 V.S.A. section 1403.

STATE OF VERMONT IAN A. JEWKES No. 639 LICENSED LAND SURVEYOR

Ian A. Jewkes L.L.S. #639

EASEMENT PLAN

For the Benefit of Champlain Water District Across the Lands of City of Burlington currently leased by the United States of America

REV. NO.	REVISIONS/COMMENTS	DATE

DATE of Issue: 01/25/2022

Drawn by: JWN/DMR | Checked by: IAJ

Project No.: 19326 | Scale: 1" = 10'

Drawing No.: EASE-1 | Rev No.:

Board of Finance and City Council Submission Checklist

Department: Airport Submitter: H. Dusablon

Title/Subject: Request to Execute a Grant of Easement to Champlain Water District for the Design, Installation and Service of a new Valve Vault on National Guard Road.

	Approval:	Meeting Date:
☐	Board of Finance	
☒	City Council	9/18/23
☐	Concurrent	

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	9/4/2023	N. Longo
Mayor's Office informed and approved memo	Yes	9/13/2023	S. Sheehan
Board/Commission, if required	Yes	9/6/2023	
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	9/8/2023	K. Clauss
CAO has reviewed budget, financing, and memo	Yes	9/13/2023	K. Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	N/A	Click or tap here to enter text.
Additional Materials, if necessary	Yes	Easement Plan Document
Draft Resolution or Motion?	N/A	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	N/A	Click or tap here to enter text.

Fletcher Free Library

To: City of Burlington, Board of Finance
City of Burlington, City Council
From: Mary Danko, Library Director
Date: August 4, 2023
Re: National Endowment for the Humanities Challenge Infrastructure and Capacity Building Grant

Request:
The Fletcher Free Library (FFL) is requesting City Council approval for the acceptance of the National Endowment for the Humanities (NEH) Challenge Infrastructure and Capacity Building Grant which is a 3:1 match.

The grant amount is $245,425.00 to be paid upfront by the City of Burlington and then reimbursed by NEH. The local match is $736,275.00 in City Capital funds, for a total project budget of $981,700.00. This grant required an approval upon application. This request was approved by Board of Finance and City Council at their 9/12/2022 meetings, and the local match request was reviewed and approved by the Capital Committee on 9/8/2022. See BOF memo in Appendix A.

Background of Project: FFL Restoration & Preservation Project
The Fletcher Free Library (FFL) was founded in 1873 and has proudly inhabited one of the four Carnegie public libraries in Vermont since 1904. Our beautiful Beaux-Arts building was slated for demolition in the 1970s due to a myriad of structural issues. A group of concerned citizens took action to not only restore the original building, but to add the 1981 addition that maintained the individuality and grandeur of the original building that was meticulously designed by famed architect, Walter R.B. Wilcox.

While FFL programs grow and adapt, the physical building limits opportunities. Our next renovation will transform the interior. Upgraded facilities will bring the building up to today's energy efficiency standards, meet modern technological needs, and serve the community into the future – while preserving a Burlington architectural gem.

The Library has worked on a Vision Plan and then a Schematic Design Project for our interior transformation. During the Schematic Design phase a building assessment was completed and several areas in need of restoration and preservation were noted.

Exterior restoration and historic preservation is a critical first step to the larger renovation. The exterior of the building is decaying and in urgent need of attention to preserve a deteriorating historic landmark, protect and restore one of the largest public buildings in our City and move the Library renovation toward the next phase of interior transformation. The historic windows will be repaired and bricks and terra cotta will be repointed, as per recommendations in a 2022 FFL library assessment, to prepare for the larger renovation.

The historic preservation and restoration leverages funding from several sources. Further exterior renovation will be accomplished using congressionally directed spending (CDS) funding that is anticipated to be allocated in the coming months from the National Park Service (NPS) Save America's Treasure Grant Fund.

NEH support comes at a crucial time, and will dovetail with NPS funds and allow for FFL to maximize exterior renovation of the Carnegie Building.

The Restoration & Preservation Project is a continuing project from the Schematic Design SD Phase. Dore + Whittier has been approved to continue this work as per the original SD RFP that stated:
Future Design/Administration Phases:
The Fletcher Free Library Building Committee (FFL BC) reserves the right to extend the contract with the awarded architect to include future design phases without advertising or to advertise for Architectural Services as best fits the needs of the Committee. The specific scope and fee of future phases will be determined at that time. Respondents must demonstrate to the satisfaction of the FFL BC their capability to perform this scope of work to be deemed qualified. There may be a year or more between the Schematic Design and Detailed Design phases.

Funding for the FFL Restoration & Preservation Project
The NEH program requires a 3:1 match for projects of this size. Federal funds would contribute $245,425.00 for the proposed project. The grant does not allow operational budgets as a source of matching funds and requires that local match funds be restricted for the purpose outlined in the grant proposal. As mentioned above, the City's Capital Committee approved the obligation of up to $737,301 of the March 2022 General Obligation Bond Premiums received in FY23 to serve as the necessary match for this grant request. NEH has revised the necessary local match and it is now $736,275.

We are seeking City Council approval to create the project budget based on the budget provided in the NEH award letter (see below).

The proposed budget amendment would follow the anticipated project schedule below:

Fiscal Year	City Match (Capital)	NEH Federal Match	Total:
FY24	$64,125	$21,375	$85,500
FY25	$672,150	$224,050	$896,200
Totals:	$736,275	$245,425	$981,700

Motions

Actions for Board of Finance:

1. To approve and recommend the City Council authorize for the Director of the Fletcher Free Library to execute the Award Agreement with NEH, to accept a grant amount of $245,425.00.00, with project costs to be paid upfront by the City of Burlington and then reimbursed by NEH, including a local match of $736,275.00 in City Capital funds, for a total project budget of

$981,700.00; subject to final review and approval by the City Attorney's Office and Chief Administrative Officer.

2. Move to approve and recommend that the City Council accept the recommendation of the City's Capital Committee to approve the creation of the Fletcher Free Library project budget for Fiscal Year 2024, for use of Capital Funds as described in the affiliated memorandum and related attachments, subject to the review and approval of the Chief Administrative Officer.

Actions for City Council:

1. Move to authorize the Director of the Fletcher Free Library to execute the Award Agreement with NEH to accept a grant amount of $245,425.00.00, with project costs to be paid upfront by the City of Burlington and then reimbursed by NEH, including a local match of $736,275.00 in City funds, for a total project budget of $981,700.00; subject to final review and approval by the City Attorney's Office and Chief Administrative Officer.
2. Move to accept the recommendation of the City's Capital Committee and approve the creation of the Fletcher Free Library project budget for Fiscal Year 2024, for use of Capital Funds as described in the affiliated memorandum and related attachments, and subject to the review and approval of the Chief Administrative Officer.

Appendix A

OFFICE OF THE CLERK/TREASURER
City of Burlington ______________________________________
City Hall, Room 20, 149 Church Street, Burlington, VT 05401 Voice (802) 865-7000
Fax (802) 865-7014
Deaf/Hard of Hearing 711

TO: Board of Finance
City Council

FROM: Nicole Losch, Grants Director
Gale Batsimm, Fletcher Free Library Development Director
Mary Danko, Fletcher Free Library Director
Ashley Parker, Capital Program Director
Kim Bleakley, Central Facilities Manager

DATE: September 13, 2022

RE: Proposed Budget Amendment for Fletcher Free Library Local Match toward National Endowment for the Humanities Infrastructure and Capacity Building Challenge Grants for Capital Projects

Executive Summary:
The Fletcher Free Library and Capital Committee jointly seek Board of Finance and City Council approval to spend up to $737,301 from the FY23 Capital GO Bond Premiums as a local match for the National Endowment for the Humanities Challenge Grant for urgent exterior upgrades to the Library, including repoint masonry and replacing windows.

Overview:
The National Endowment for the Humanities (NEH) is accepting proposals for restoration or renovation of buildings of historical or cultural significance that house humanities collections or are used for humanities activities. Projects are financed through a combination of federal matching funds and related non-federal fundraising.

In February 2022, an assessment of the Fletcher Free Library identified $2,055,361 in exterior upgrades needed to prevent damage caused by deferred maintenance. The Library and Facilities staff have identified $983,068 in projects that should be advanced and will not impact the future renovations envisioned for the Library. Projects that can move forward include masonry work to repoint bricks and Carnegie building window replacement.

In spring 2022, the Library submitted a request for federal funding to complete all exterior upgrades identified in the February assessment. An award of $500,000 is pending confirmation, leaving $1,555,361 unfunded. The NEH-supported project combined with the $500,000 award would complete all exterior upgrades to the Carnegie building except roof repair, which has been excluded in order to coordinate repairs with a forthcoming project.

The Facilities budget has $25,000 from the Capital GO Bond allocated for Library maintenance in FY23. This is insufficient to complete the maintenance needs identified in February. The March 2022 bond anticipated opportunities to leverage local funds by matching grant funds and $4m was allocated toward local match requests in anticipation of this need. As traditional fundraising from private parties is often more successful geared towards more visible projects, the Library/Facilities Team went to the Capital Committee to request a portion of the GO Bond Local Match funds be obligated toward the local match requirement for this NEH grant opportunity. The Committee unanimously approved $737,301 from the FY23 GO Bond Premiums as the local match for the NEH grant to repoint masonry and replace windows.

The NEH program requires a 3:1 match for projects of this size. Federal funds would contribute $245,767 for the proposed project. The grant does not allow operational budgets as a source of matching funds and requires that local match funds be restricted for the purpose outlined in the grant proposal. Following the Capital Committee's support, we are seeking City Council approval for a budget amendment to add up to $737,301 in capital bond premium funds for the NEH Challenge Grant.

The proposed budget amendment would include up to:
$737,301 transferred from: 800-00-700-7900_812 (2023 GO Bond Premiums)
($737,301) from: 812-19-700-4990_800
$737,301 expenditure from: 812-19-700-9500_800

The expected award date for this grant is April 15, 2023. If awarded, the project start date would be between July 1 and October 1, 2023. Upon receipt of the grant award, the Bond Premiums will be moved from Capital to the Library/Facilities project.

Motions

Board of Finance:
To approve and recommend that the City Council approve $737,301 from the FY23 Capital GO Bond Premiums as a local match for the NEH Challenge Grant and execution of a budget amendment as described above, and to authorize the City's CAO or their designee to execute such budget amendment

City Council:
To approve $737,301 from the FY23 Capital GO Bond Premiums as a local match for the NEH Challenge Grant and execution of a budget amendment as described above, and to authorize the City's CAO or their designee to execute such budget amendment.

Attachments:
Capital Committee request and approval

Capital Project Funding Opportunity Request Form

Form Completed By & Today's Date:	Nicole Losch & Gale Batsimm September 6, 2022				
Grant/Funding Opportunity & Due Date:	National Endowment for the Humanities – Cultural Challenge Capital Infrastructure Grant Due October 5, 2022				
Project Title & Brief Description:	Fletcher Free Library Exterior Upgrades: masonry & exterior envelope repairs				
Department/Staff Involved:	Library & BPRW Facilities				
Total Project Cost:	$1,483,068	**Amt. of Grant Funds Requested:**	$245,767	**Match Required (Y/N) & What %:**	Yes – 75%
Requested Match (source & amount):	$737,301		**Other Funds Secured (Y/N) & Amount:**	Unsecured but approved: $500,000 earmark	

Explain how this funding would provide an opportunity to leverage other funds.

$2,055,361 was requested for outer envelope improvements to the Carnegie building through an FY23 earmark. $500,000 was approved and is advancing for Federal approvals. The NEH grant funding will leverage the $500k earmark in order to accomplish a larger portion of the exterior upgrades needed for FFL deferred maintenance.

Explain Project's Department/Capital Prioritization: (History of Project in Capital Budget)

A February 2022 assessment identified $2,055,361 in exterior upgrades to prevent damage caused by deferred maintenance. A cost estimate completed July 2022 adjusted amounts.

How does Project Achieve Burlington's Equity Goals:
The Fletcher Free Library is one of the largest public buildings in Burlington and the only one that serves everyone for free. The library serves as a community living room, a third space that welcomes all and provides programs, services, materials for free to the public. FFL endeavors to eliminate race-based disparities through its diverse collection of materials and services.

This project will enable the FFL to continue operating without the risk of closure from deferred maintenance hazards.

Supplemental Funding & Match Amount Requested: (Please attach a project budget to be submitted with grant application.)

This project will include the masonry, Carnegie building windows, and hazardous materials costs identified in the PM&C proposal and updated in July:
$603,617 – masonry
$289,842 – Carnegie windows
Subtotal: $893,459
Total with inflation: $983,068

Impact of Supplemental Funding on Project Success: (Likelihood of project success with or without this funding.)
This project is on the city's deferred maintenance list. Securing this grant funding, with a city match, ensures this project will be completed in a reasonable timeframe and at a reduced cost to the city.

Reviews & Recommendations/Approvals -		
	Review Date:	**Recommendation/Approval:**
Capital Committee:	9/8/2022	Chapin moved to allocate $737,301 of capital funds from bond premiums for the FFL exterior envelope project, contingent upon FFL securing the NEH grant and committee members working to better forecast multi-year bond expenditures. Samantha seconded. Voted 7-0-1. Request approved.
Mayor's Office:		

Board of Finance and City Council Submission Checklist

Department: Fletcher Free Library Submitter: Mary Danko

Title/Subject: National Endowment for the Humanities Challenge Infrastructure and Capacity Building Grant

	Approval:	Meeting Date:
☐	Board of Finance	Click or tap to enter a date.
☐	City Council	Click or tap to enter a date.
☒	Concurrent	9/18/2023

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	8/23/2023	Click or tap here to enter text.
Mayor's Office informed and approved memo	Yes	8/30/2023	
Board/Commission, if required	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	8/23/2023	CA Jared Pellerin
CAO has reviewed budget, financing, and memo	Yes	8/28/2023	CAO Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	N/A	Click or tap here to enter text.
Additional Materials, if necessary	Yes	Click or tap here to enter text.
Draft Resolution or Motion?	Yes	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	N/A	Click or tap here to enter text.

MEMORANDUM

TO: Board of Finance and City Council

FROM: Ashley Walenty, DPW - Water Resources

DATE: September 18, 2023

CC: Chapin Spencer, DPW Director
Megan Moir, Division Director Water Resources

RE: Execute a Contract Amendment with Engineers Construction, Inc. (ECI) for the Design-Build services for the Flynn Avenue Sewage Forcemain Rehabilitation

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REQUEST:

The Department of Public Works ("DPW") and its Water Resources Division ("WRD") seeks retroactive approval and authorization, through the attached resolution:

1. To execute a contract amendment with Engineers Construction, Inc. ("ECI") to increase the maximum limiting amount for the design-build services for the Flynn Avenue Sewage Forcemain Rehabilitation by $4,213 to a total amount of $192,525.

BACKGROUND:

The Remote Wastewater Infrastructure Improvements Project is a project that is a part of the Clean Water Resiliency Plan (CWRP) which received 92% voter approval for the Bond vote in November 2018.[1] The original Clean Water State Revolving Fund (CWSRF) project loan (for $1,663,802) for the pump station improvements at Flynn Avenue and Fletcher Place was authorized by the Board of Finance and City Council in October 2020[2]. The Fletcher Pump Station and Flynn Avenue Pump Station projects were substantially completed in 2021, with a full upgrade to all pumping systems including mechanical and electrical equipment and the addition of a generator at Flynn and a storage tank at Fletcher, in case of power failure. The forcemain serving the Fletcher Pump Station was also successfully replaced. Flynn's forcemain was also set for renewal via cured in place pipe methods, but site conditions have resulted in a series of challenges detailed below.

Flynn Avenue Force Main Renewal

Part of the Flynn Avenue Pump Station system project also involved rehabilitating the force main, which is the pipe that carries the pumped sewage up to the gravity main sewer system so that the sewage can flow to a wastewater treatment plant. This pipe has broken multiple times throughout the 40+ years the pipe has been in service, including most recently the when the pipe broke in two separate locations in 2020. Due to its location in a separate storm sewer area and proximity to the Lake breaks to this line can easily result in discharges of untreated sewage to the Lake.

[1] More information on the CWRP can be found here: https://www.burlingtonvt.gov/dpw/water/cwrp/
[2] http://go.boarddocs.com/vt/burlingtonvt/Board.nsf/goto?open&id=BTYPM264DB24
[3] https://go.boarddocs.com/vt/burlingtonvt/Board.nsf/goto?open&id=BDCL3A548C23

The original design rehabilitation for the Flynn Avenue sewage forcemain was to utilize a cured-in-place pipe ("CIPP") lining technique to rehabilitate the existing forcemain in place.

Change in Construction Method

However, during the pre-construction video inspection it was determined that the angle of the pipe bends in the forcemain were too significant to allow for relining. Additionally, utility and railroad conflicts were such that these bends could not be easily resolved through excavation. The City met with Vermont Rail System ("VRS") and Vermont Agency of Transportation ("VAOT") to discuss the preferred construction alternatives for the rehabilitation of the sewage forcemain and it was determined that the best alternative would be to install the new forcemain via a different trenchless installation method (jack and bore) in a different alignment to the original forcemain to remove the conflicting utility interferences.

The original construction contractor, S.D. Ireland (SDI), indicated that they did not have the means or methods to perform the trenchless work, so the City executed a construction change order to remove the sewage forcemain rehabilitation work on Flynn Avenue from their construction contract. The City then initiated the procurement of a new contractor to perform the required trenchless work.

A Request for Proposals ("RFP") for the new work was drafted and approved by the Attorney's Office, and posted on the City RFP website. The City received only one proposal, from ECI, in the amount of $163,750. While the proposal estimate that was received from ECI is slightly higher than the bid amount associated with the forcemain rehabilitation from the Flynn Ave pump station project, the ECI proposal also encompassed additional design work for the different type of rehabilitation In June 2022, WRD obtained Board of Finance and City Council authorization for a loan amendment to increase the amount to $1,852,099 and authorization for a contract with ECI for a base amount of $163,750 plus 15% contingency ($24,562) for a total of $188,312.

Addressing Additional Construction Challenges

Fast forward to 2023, when the Champlain Parkway identified the presence of ledge (solid bedrock) in the vicinity of the forcemain work. This quickly necessitated an amendment (amendment #1, using contingency) to fund additional probing activities to fully characterize the extent of the ledge.

Unfortunately, during the construction of the forcemain work under the railroad tracks, additional site conditions required a significant change in the scope of work, from jack and bore to horizontal directional drilling (HDD) which also required additional design documents and submission to VRS and VAOT to approve the different method of trenchless work. The VRS and VAOT approvals were secured with a very narrow window of time prior to the Champlain Parkway work on Flynn Avenue. Given the narrow construction window and given that a City-initiated Champlain Parkway delay such as this would likely result in sizeable financial damages from the Champlain Parkway contractor, the DPW Director authorized ECI to complete the force main work.

As is sometimes the case with these type of projects, with the lag in invoicing, it was not clear at the time whether or not this change in scope might still be within the amended contract amount (due to certain items being under expended), and thus it was decided to postpone the request for a contract amendment until the invoicing was complete. Following the completion of the work, the final invoice resulted in an overall total $4,213 higher than the contract amount including the contingency amount approved by Board of Finance and City Council in June 2022.

PROJECT COST AND LOAN SUMMARY:

The State approved the cost for the redesign and construction of the Flynn Avenue sewage forcemain rehabilitation by the use of an approved small purchase procedure under an amendment to the existing CWSRF loan, RF1-248 – Flynn/Fletcher Pump Station Rehabilitation.

The following summary table outlines the current costs that comprise the total CWSRF Step III Loan amount including the updated small purchase amounts for both small purchases associated with this loan. Step III Construction Loans roll up all of the costs incurred on a project, including previous Step I (Planning) or Step II (Final Design) loans.

The amended loan amount of $1,852,099 will still cover the overage incurred by ECI's small purchase contract since as the final invoiced costs for the original Step III contract with S.D. Ireland was less than the contracted amount.

Flynn and Fletcher Pump Station Improvements (*Revised costs shown in italics)*

Item	Estimated Costs	Funding
Preconstruction eligible costs which include consulting engineers and staff engineers	$163,187	Self-Funded Amount NTE: $17,697 Original Step III Loan Authorization NTE: $1,663,802 Amended Step III Loan Authorization NTE: $1,852,099
Step III: DPW Staff Engineering NTE	$43,000	
Step III: Hoyle Tanner and Associates Construction Engineering	$160,786	
Hoyle, Tanner & Associates ESA Amendment #1 (Self-Funded)	$17,697	
Hoyle, Tanner & Associates ESA Amendment #2	$34,985	
Step III: Final Construction Invoiced Amount (SDI's Contract)	$1,140,755.77	
Step III: Small Purchase #1 – Trailer Mounted Bypass Pump	$62,701	
Step III: Small Purchase #2 – Flynn FM Trenchless Rehab – Final Invoiced Amount	*$192,525*	
Loan Principal Forgiveness:	-$85,532	
TOTAL LOAN NTE:	**$1,712,408**	

FUNDING

There is no change to the Loan amount. The debt service for the $1,852,099 loan (repayable over 20 years at 2%) was already included as part of the FY2024 budget and proposed Wastewater rate.

ATTACHMENTS:

A. Attachment A: ECI Proposal
B. Attachment B: Executed ECI Contract Amendment No. 1 – Ledge Probing Work

MOTIONS:

The DPW Water Resources Division respectfully requests that the Board of Finance and City Council approve the following motions:

Board of Finance Actions:

1. "To approve and recommend that the City Council retroactively authorize and ratify the Director of Public Works' execution of a contract amendment with Engineer's Construction, Inc. for the Design-Build services for the Flynn Avenue Sewage Forcemain Rehabilitation increasing the maximum limiting amount of the Agreement by $4,213 for a total authorized expenditure not to exceed $192,525, subject to the review and approval of the City Attorney's Office."

City Council Actions:

1. "To approve and retroactively authorize and ratify the Director of Public Works' execution of a contract amendment with Engineer's Construction, Inc. for the Design-Build services for the Flynn Avenue Sewage Forcemain Rehabilitation increasing the maximum limiting amount of the agreement by $4,213 for a total authorized expenditure not to exceed $192,525, subject to the review and approval of the City Attorney's Office."

Thank you for your consideration of this request.

Burlington Department of Public Works
53 Lavalley Lane
Burlington, VT 05401

May 3, 2022

Attention: Ashley Walenty, P.E.
Water Resources Engineer

RE: RFP for Design Build Trenchless Rehabilitation of Flynn Avenue Sewage Forcemain

Dear Ashley,

Please allow this documentation to serve as bid package for the Design Build Trenchless Rehabilitation of Flynn Avenue Sewage Forcemain RFP.

Note that the proposal is based on soil ground conditions (no rock) and also excludes by-pass pumping. Both of those items may be addressed as a change order if necessary.

If awarded ECI key field staff members will be Tom Loyer (project manager) and Mike Wright (ECI Trenchless Superintendent). Ben Heath, P.E. will be the lead for the Design Phase of the work.

Recent references:

Green Mountain Power
Cory Sullivan
Distribution Designer
Office: 802.655.8715
Cell: 802.825.0684
Cory.Sullivan@greenmountainpower.com
Install of power distribution system under VRS tracks at Shelburne Museum Solar Field Project

Kris Carter,
Green Mountain Power
Office:802-770-3441
Kristina.Carter@greenmountainpower.com
Install of power distribution system under VRS tracks in Clarendon, VT

Additional references available upon request

ENGINEERS CONSTRUCTION, INC.

Proposed schedule is as follows:

Design work, and related tasks, survey, meetings, etc.... to be completed within 45 days after notice to proceed (barring delays that are out of ECI control).

Construction of final design is anticipated to be 10 to 20 days and will start as early as possible after BPW secures necessary agreements between Vermont Railway Systems (VRS) and Vermont Agency of Transportation (VTRANS). This proposal assumes BPW will secure agreements no later than October 1, 2022 to assure a November 30, 2022 completion.

Attached documents include:

- Bid Form
- Signed Livable Wage Ordinance
- Signed Outsourcing Ordinance
- Signed Union Deterrence Ordinance

Please let me know if any questions or additional needs.

Sincerely,

Tom Loyer
Vice President

P.O. BOX 2187 • SOUTH BURLINGTON, VT 05407
PHONE: (802) 863-6389 • FAX: (802) 862-9703 • www.engineersconstruction.com

BID FORM - DESIGN-BUILD TRENCHLESS REHABILITATION FLYNN AVENUE SEWAGE FORCEMAIN

Contractor: ENGINEERS CONSTRUCTION INC. Address: PO BOX 2187, SOUTH BURLINGTON, VT 05407

Contact: THOMAS LOYER Telephone/Email: 802-598-5791/TOM@ECIVT.COM

Subcontractor(s), if applicable:__________

BID ITEM	DESCRIPTION	EST. QTY	UNIT	COST PER UNIT	SUBTOTAL
1	Design Phase	1	LS	$ 30,500.00	$30,500.00
2	Mobilization/ Demobilization	1	LS	$ 5,000.00	$5,000.00
3	6" Dia. Forcemain Installation	1	LS	$128,250.00	$128,250.00

TOTAL BID (SUM OF ITEMS 1 THROUGH 3): $163,750.00 *AS QUALIFIED

1. BIDDER hereby agrees to commence WORK under this contract on the date of issuance of the NOTICE TO PROCEED and to fully complete the PROJECT by November 30, 2022. BIDDER further agrees to pay as liquidated damages, the sum of $ 200 for each consecutive calendar day thereafter as provided in Section 4 of the General Conditions if project delays are caused by the BIDDER. We anticipate the NOTICE TO PROCEED will be issued by June 30th, 2022.

A Performance Bond and a Payment Bond, each for 100% of the Bid value, will be submitted at the time of Contract award. Irrevocable Letters of Credit for 100% of the Bid value may be substituted by the Contractor for each of the Bonds. The Payment Bond (or Irrevocable Letter of Credit) will not be released until satisfactory evidence has been provided to the City that all outstanding debts, liens, and judgments incurred by the Contractor for the performance of subcontractors, or supplies and materials incorporated into the Work have been paid. The Performance Bond (or Irrevocable Letter of Credit) will be held in force for one year after the Substantial Completion and will serve as warranty of the Contract. The Irrevocable Letter of Credit for Performance (if used in place of a Performance Bond) may not be reduced or released prior to completion of the one year warranty period unless authorized by the City and approved by the Lending Authority.

BIDDER acknowledges receipt of the following ADDENDUM:

____

____

By signing this bid sheet, the Contractor agrees to abide by all specifications and conditions in these Contract Documents.

Signature THOMAS LOYER

VICE PRESIDENT

Title

MAY 3, 2022

Date

Certification of Compliance with the City of Burlington's Livable Wage Ordinance

I, THOMAS LOYER, on behalf of Engineers Construction ("the Contractor") in connection with a contract for Trenchless services that we provide to the City, hereby certify under oath that the Contractor (and any subcontractors under this contract) is and will remain in compliance with the City of Burlington's Livable Wage Ordinance, B.C.O. 21-80 et seq., and that

(1) as a condition of entering into this contract or grant, we confirm that all covered employees as defined by Burlington's Livable Wage Ordinance (including the covered employees of subcontractors) shall be paid a livable wage (as determined, or adjusted, annually by the City of Burlington's chief administrative officer) and provided appropriate time off for the term of the contract;

(2) a notice regarding the applicability of the Livable Wage Ordinance shall be posted in the workplace(s) or other location(s) where covered employees work;

(3) we will provide verification of an employee's compensation, produce payroll or health insurance enrollment records or provide other relevant documentation (including that of any subcontractor), as deemed necessary by the chief administrative officer, within ten (10) business days from receipt of a request by the City;

(4) we will cooperate in any investigation conducted by the City of Burlington's City Attorney's office pursuant to this ordinance; and

(5) we will not retaliate (nor allow any subcontractor to retaliate) against an employee or other person because an employee has exercised rights or the person has cooperated in an investigation conducted pursuant to this ordinance.

Date MAY 3, 2022 By: Contractor ____________

THOMAS LOYER
VICE PRESIDENT
ENGINEERS CONSTRUCTION INC

Subscribed and sworn to before me:

Date MAY 3, 2022 Notary Sara Wallen

Certification of Compliance with the City of Burlington's Outsourcing Ordinance

I, THOMAS LOYER, on behalf of

ENGINEERS CONSTRUCTION INC (Contractor) and in connection with the

DESIGN-BUILD TRENCHLESS REHABILITATION FLYNN AVENUE SEWAGE FORCEMAIN

[project], hereby certify under oath that (1) Contractor shall comply with the City of Burlington's Outsourcing Ordinance (Ordinance §§ 21-90 – 21-93); (2) as a condition of entering into this contract or grant, Contractor confirms that the services provided under the above-referenced contract will be performed in the United States or Canada.

Dated at WILLISTON, Vermont this 3 day of MAY, 2022

By: ______________________

Duly Authorized Agent THOMAS LOYER
VICE PRESIDENT

Subscribed and sworn to before me: Sara Wallen

Notary SARA WALLEN
EXP 1/31/23
157.0001748

Certification of Compliance with the City of Burlington's
Union Deterrence Ordinance

I, THOMAS LOYER, on behalf of ENGINEERS CONSTRUCTION INC. (Contractor) and in connection with D/B TRENCHLESS REB FLYNN AVE (City contract/project/grant), hereby certify under oath that ENGINEERS CONSTRUCTION INC. (Contractor) has not advised the conduct of any illegal activity, and it does not currently, nor will it over the life of the contract advertise or provide union deterrence services in violation of the City's union deterrence ordinance.

Dated at WILLISTON, Vermont this 3 day of MAY, 2022

By: ______________________________
Duly Authorized Agent THOMAS LOYER
VICE PRESIDENT

FIRST AMENDMENT TO THE AGREEMENT BETWEEN ENGINEERS CONSTRUCITON, INC. ("ECI") AND THE CITY OF BURLINGTON REGARDING THE DESIGN-BUILD TRENCHLESS REHABILIATION OF FLYNN AVENUE SEWAGE FORCEMAIN

A first amendment to the Agreement between Engineers Construction, Inc. ("ECI") and The City of Burlington regarding the Design-Build Trenchless Rehabilitation of Flynn Avenue Sewage Forcemain (the First Amendment") is made and entered into as of the 4th day of April ~~March~~, 2023, by and between the City of Burlington, a Vermont municipal corporation ("City"), and the Engineers Construction, Inc. ("Contractor") (collectively, "the parties").

Background

A. The parties entered into that certain agreement, dated as of July 6th, 2022 (the "Agreement") in order to design and construct approximately 490 feet of 6-inch diameter sewage forcemain located on Flynn Avenue utilizing trenchless rehabilitation methods.

B. The parties desire to enter into this First Amendment in order to:

   1) Include ledge probing services along the proposed alignment of the new sewage forcemain; and
   2) Extend the term of the contract from November 30th, 2022 to June 1st, 2023.

NOW THEREFORE, in consideration of the Background described above and other good and valuable consideration, IT IS AGREED by and between the City and Engineers Construction, Inc. as follows:

1. In Section 2. (Effective Date and Term), paragraph B (Term) the original text shall be revised as follows, with deletions indicated by strikethroughs and additions indicated by underlines:

   B. Term. This Contract and the Parties' respective performance shall commence on the Effective Date and expire on ~~November 30, 2022~~ June 1, 2023 or upon satisfaction of the City unless sooner terminated as provided herein.

2. Replace Attachment B named Contractor's Response to Request for Proposals dated May 3, 2022 with the new Attachment B named Contractor's Response to Request for Proposals with Updated Scope of Work dated March 17, 2023 and will be adopted by reference and made part of this Agreement.

3. Except as specifically amended by the terms of this First Amendment, the Agreement remains in full force and effect. Unless specifically defined in this First Amendment, all terms shall have the meanings contained in the Agreement.

IN WITNESS WHEREOF, this First Amendment is executed as of the day and date first above written.

CITY OF BURLINGTON, VERMONT

DocuSigned by:

By: ______________________

16A952D842EF4B5...

Chapin Spencer, Director of Public Works
Duly Authorized Agent

Engineers Construction, Inc.

By: ______________________

Duly Authorized Agent

Thomas Layer - Vice President

(Print Name and Position)

Board of Finance and City Council Submission Checklist

Department: Public Works – Water Resources Submitter: Ashley Walenty

Title/Subject: Execute a Contract Amendment with Engineers Construction, Inc. (ECI) for the Design-Build Services for the Flynn Avenue Sewage Forcemain Rehabilitation

	Approval:	Meeting Date:
☐	Board of Finance	
☐	City Council	
☒	Concurrent	9/18/2023

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	9/11/2023	Chapin Spencer
Mayor's Office informed and approved memo	Yes	9/12/2023	Samantha Sheehan
Board/Commission, if required	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Choose an item.		
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	9/13/2023	Hayley McClenahan
CAO has reviewed budget, financing, and memo	Yes	9/13/2023	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	Choose an item.	Click or tap here to enter text.
Additional Materials, if necessary	Yes	Click or tap here to enter text.
Draft Resolution or Motion?	Choose an item.	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	Choose an item.	Click or tap here to enter text.

CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS

645 Pine Street, Suite A
Post Office Box 849
Burlington, VT 05402-0849
802.863.9094 VOX
802.863.0466 FAX
802.863.0450 TTY
www.burlingtonvt.gov

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

MEMORANDUM

TO: Board of Finance/City Council

FROM: Julia Ursaki, PE, Public Works Transportation Engineer
Laura Wheelock, PE, Senior Public Works Engineer

DATE: September 18, 2023

CC: Chapin Spencer, Director of Public Works
Norman Baldwin, PE Assistant Director of Public Works/City Engineer
James Sherrard, Stormwater Program Manager

RE: Old North End Greenway Construction Grant Project Commitments Form

---

Request:
The Department of Public Works ("DPW") is requesting Board of Finance and City Council approve that the City accepts Vermont Agency of Transportation (VTrans) Bicycle & Pedestrian Program Small Scale Grant for Old North End Greenway Construction. The grant amount is $75,000 to be paid upfront by the City of Burlington and then reimbursed by VTrans, with a local match of $166,000 in city funds for a total project budget of $241,000.

The current VTrans process includes sending the Grant Projects Commitments Form as a first notification and commitment of the municipality for match funding of the project. DPW will return for approval of the Cooperative Agreement between the City and VTrans once it has been received.

Background of the Old North End Greenway
This 1.5 mile greenway is built along a series of quiet residential streets through the heart of Burlington's Old North End Neighborhood. This corridor was a key identified community need in Burlington's comprehensive 2017 plan BTV Walk/Bike plan. This corridor acts as a key East-West bikeway across the city – providing a safe and low-stress / low traffic route between numerous destinations across downtown, UVM, and North Ave.

This facility is built as a series of quiet streets where bike lanes, sharrows, and signage clearly illustrate the intended city scale connectivity. The low traffic speeds are encouraged through a series of (currently temporary) curb extensions through the corridor, narrowing roadway widths and diverting automotive through traffic to nearby collector roadways. This project will replace all current temporary facilities with permanent ones. Funding will replace planters, bollards, and paint with physical curb extensions and rain gardens/bioretention systems. There will be no change in on-street parking along the corridor from the current conditions.

Planning, engineering design, and quick build installation have already been completed for the Old North End Greenway. This shovel-ready project was awarded funding from the VTrans Bicycle and Pedestrian Program Small Scale Grant, which comes from state funding only (no federal dollars), allowing the project to advance quickly to construction and avoiding costly and time-consuming federal permitting and processes. Design and contract documents have already been developed, and we anticipate construction of this project within the next two years.

Funding for the Old North End Greenway

The funding for this project comes from VTrans Municipal Assistance Bureau Bicycle and Pedestrian Program Small Scale Grant and the local City funded match coming from Transportation Capital funds, as well as a portion from the Stormwater program to support the construction of two bioretention systems.

- VTrans is providing $75,000
- Transportation Capital is providing $157,000
- Stormwater Program is providing $9,000 to support the construction of two bioretention systems

The total project budget is $241,000. Transportation Capital has the capacity to fund this project with budgeted funds previously allocated by the Capital Committee and the City Council.

Attachments

1. Grant Project Commitments Form from the Vermont Agency of Transportation

Motions

Actions for Board of Finance:

> To approve and recommend that the City Council authorize the Director of Public Works to execute the Project Commitments Form from the Vermont Agency of Transportation for the Old North End Greenway construction, obligating the City to commit a local match of $166,000 of the total project budget of $241,000 in furtherance of accepting a reimbursable grant amount up to $75,000, subject to approval by the City Attorney's Office.

Actions for City Council:

> To authorize the Director of Public Works to execute the Project Commitments Form from the Vermont Agency of Transportation for the Old North End Greenway construction, obligating the City to commit a local match of $166,000 of the total project budget of $241,000 in furtherance of accepting a reimbursable grant amount up to $75,000, subject to approval by the City Attorney's Office.

Vermont Agency of Transportation
Municipal Assistance Bureau
Grant Recipient
Project Commitments Form (PCF) – Small Scale Bike/Ped Program Project

Grant Recipient (*Grantee*): City of Burlington

Project Name Old North End (ONE) Greenway Construction

Name of Municipal employee in *Responsible Charge* of this project regardless of any additional contracted management services: ___Julia Ursaki, Public Works Transportation Engineer

By signing at the bottom of this document, the *Grantee* agrees to the following:

1. We acknowledge that we are responsible for providing the local share of the project funding and commit to doing so.
2. We are ready to move forward with this project and will sign the grant agreement within one month of receiving it from the State of Vermont Agency of Transportation (VTrans).
3. Within 2 months of receiving a fully executed grant agreement from VTrans, we will begin the process of designing and seeking any needed permits for the project.
4. The *Grantee* shall keep the project moving with a goal of construction within 18 months of the date below.
5. We will submit reports at least quarterly that detail project progress.
6. We understand that a copy of this PCF will be appended to the grant agreement.

______________________________ ______________

Authorized municipal official (Name and Signature) Date

Board of Finance and City Council Submission Checklist

Department: Public Works Submitter: Julia Ursaki

Title/Subject: Old North End Greenway Construction Grant Project Commitments Form

	Approval:	Meeting Date:
☐	Board of Finance	Click or tap to enter a date.
☐	City Council	Click or tap to enter a date.
☒	Concurrent	9/18/2023

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	9/7/2023	Chapin Spencer/Norm Baldwin
Mayor's Office informed and approved memo	Yes	9/13/2023	Samantha Sheehan
Board/Commission, if required	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Yes	9/13/2023	Hayley McClenahan
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	9/13/2023	Hayley McClenahan
CAO has reviewed budget, financing, and memo	Yes	9/13/2023	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	Yes	Click or tap here to enter text.
Additional Materials, if necessary	No	Click or tap here to enter text.
Draft Resolution or Motion?	Yes	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	Yes	Board of Finance

CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS

645 Pine Street, Suite A
Post Office Box 849
Burlington, VT 05402-0849
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www.burlingtonvt.gov

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

MEMORANDUM

TO: Board of Finance/City Council

FROM: Phillip Peterson, PE, Public Works Engineer
Laura Wheelock, PE, Senior Public Works Engineer

DATE: September 18, 2023

CC: Chapin Spencer, Director of Public Works
Norman Baldwin, PE Assistant Director of Public Works/City Engineer

RE: Authorization to Execute the Design Contract for the Queen City Park Road (QCPR) Sidepath

---

Request:
The Department of Public Works ("DPW") is requesting approval and recommendation from Board of Finance and authorization from City Council to execute the Design Contract for the Queen City Park Road (QCPR) Sidepath project with Hoyle Tanner & Associate Inc. for $214,245, and to authorize the use of an additional $21,000.00 (~10%) in contingency funds to be available to use toward any necessary future contract amendments, for a total authorized amount of $235,245.00.

Background of the QCPR Sidepath
The Chittenden County Regional Planning Commission (CCRPC), in association with the Cities of Burlington and South Burlington, initiated a Scoping Study for a bicycle and pedestrian connection between the Lindenwood Drive intersection on US Route 7 in South Burlington, along QCPR and Austin Drive, to the Burlington Waterfront Greenway (commonly called the Burlington bike path). Toole Design was retained to conduct the study, which includes the required elements of a VTrans scoping study. This has allowed the City of Burlington to pursue funding through the VTrans Bicycle and Pedestrian Program for which we were selected for improvements to QCPR from Austin Drive (Burlington) through Central Ave (South Burlington, represented as Segment D of that study.

This section of roadway only designates an advisory lane for people walking and biking, and while this modest improvement has highlighted to users of the road the multimodal nature of its use it does not meet the City's vision for our transportation network. Which is to provide transportation options that are safe, affordable, accessible, and equitable. This shared-use path will increase safety, accessibility, and equitability to portions of our population if they cannot afford or choose not to use a vehicle. This facility is consistent with planBTV Walk/Bike – the City's bike and pedestrian plan.

Our expected timeline for this project targets spring 2028 for construction of the QCPR Sidepath. This project includes extensive coordination with VTrans. It also includes time for processes that the federal grant money is contingent upon, like National Environmental Policy Act (NEPA) permit documentation and review.

Professional Design Consultant Procurement

As approved by the Board of Finance on 2/27/2023 and City Council on 3/13/2023, DPW used the VTrans At-the-Ready program for Consultant procurement for this project. City and VTrans staff reviewed consultant qualifications that were provided and evaluated by VTrans for consultants who are highly qualified in sidepath design, railroad crossings, and public outreach. The Requests for Proposal(s) was sent to Hoyle Tanner & Associate Inc. as it was determined to be the highest qualified firm. A scope and fee was then negotiated.

Funding for the Shared-Use Path Project

The City Council approved budget for design and construction of the QCPR Sidepath project is $1,035,000. The grant funding for this project comes from VTrans Municipal Assistance Section Bicycle and Pedestrian Program Grant. The local City-funded match comes from Capital funds from the annual CIP Bond as well as the Capital bond. This capital funding was reviewed and approved by the City's Capital Committee at their 6/6/2022 meeting, and approved under the annual budget cycle for funding available starting in FY24. This request ask for the full grant amount to be amended to the project budget.

This grant will have the City incurring project expenses upfront and then seeking reimbursement under the grant for 80% of those expenses. The funding breakdown is as follows:

VTrans Municipal Assistance Section Bicycle and Pedestrian Program Grant #CA0678: $828,000 to be paid upfront by the City of Burlington and then reimbursed by VTrans.

Annual CIP Bond: $207,000.00 local match

Queen City Park Road Shared Use Path	Total Revenue
Vtrans Bike Ped Grant	$ 828,000.00
CIP $23M TMD Bond 2022	$ 207,000.00
Total Project Cost	$ 1,035,000.00

With the prior approved grant acceptance and budget created for a significant portion of overall project funding, DPW now seeks authorization to execute this contract for design of the project.

Attachments

1. Queen City Park Road (QCPR) Sidepath Burlington STP BP22(15) Design Contract.
2. Queen City Park Road (QCPR) Sidepath Project Budget Amendment.

Motions

Board of Finance:

1. To approve and recommend that the City Council authorize the Director of Public Works to execute a contract with Hoyle Tanner & Associate Inc. in an amount not to exceed $214,245, and further authorize the Director of Public Works to execute any necessary future amendments using up to $21,000 (10%) in available contingency funds, for a total authorized amount of $235,245, for the development of the design of the QCPR Sidepath project, subject to the review and approval of the City Attorney's Office.

2. To approve and recommend that the City Council authorize the Chief Administrative Officer, or their designee, to affect all necessary budget amendments and transfers of funds from the sources identified in the attached budget amendment form to amend the project budget to total $1,035,000 for the Queen City Park Road Sidepath Project.

City Council:

1. To authorize the Director of Public Works to execute a contract, subject to City Attorney approval with Hoyle Tanner & Associate Inc. in an amount not to exceed $214,245, and further authorize the Director of Public Works to execute any necessary future amendments using up to $21,000 (10%) in available contingency funds, for a total authorized amount of $235,245 for the development of the design of the QCPR Sidepath project, subject to the review and approval of the City Attorney's Office.

2. To approve and authorize the Chief Administrative Officer, or their designee, to affect all necessary budget amendments and transfers of funds from the sources identified in the attached budget amendment form to amend the project budget to total $1,035,000 for the Queen City Park Road Sidepath Project.

CITY OF BURLINGTON
CONSULTANT CONTRACT

Queen City Park Road Sidepath
Burlington STP BP22(15)

This Consultant Contract ("Contract") is entered into by and between the City of Burlington, Vermont ("the City"), and Hoyle Tanner & Associate Inc. (HTA) ("Consultant"), a New Hampshire corporation located at 150 Dow Street, Manchester, NH registered with the Secretary of State to do business in Vermont, with a Vermont location at 125 College Street 4th Floor, Burlington, VT, 05401.

Consultant and the City agree to the terms and conditions of this Contract.

1. DEFINITIONS

The following terms shall be construed and interpreted as follows:

A. **"Contract Documents"** means all the documents identified in Section 4 (Scope of Work) of this Contract.

B. **"Effective Date"** means the date on which this Contract is approved and signed by the City, as shown on the signature page.

C. **"Party"** means the City or Consultant, and "Parties" means the City and Consultant.

D. **"Project"** means the Queen City Park Road Sidepath Design.

E. **"Work"** means the services described in Section 5 (Payment for Services) of this Contract, along with the specifications contained in the Contract Documents as defined in Section 4 (Scope of Work) below.

2. RECITALS

A. **Authority.** Each Party represents and warrants to the other that the execution and delivery of this Contract and the performance of such Party's obligations have been duly authorized.

B. **Consideration.** The Parties acknowledge that the mutual promises and covenants contained herein and other good and valuable consideration are sufficient and adequate to support this Contract.

C. **Purpose.** The City seeks to employ the Consultant to develop design and construction documents for the Queen City Park Road Sidepath .

3. EFFECTIVE DATE & TERM

A. Effective Date. This Contract shall not be valid or enforceable until the Effective Date. The City shall not be bound by any provision of this Contract before the Effective Date and shall have no obligation to pay Consultant for any performance or expense incurred before the Effective Date or after the expiration or termination of this Contract.

B. Term. This Contract and the Parties' respective performance shall commence on the Effective Date and expire on June 30, 2027 or upon the satisfaction of the City, unless sooner terminated as provided herein.

4. SCOPE OF WORK

The Consultant shall perform the services listed in Attachments A (Request for Proposals) and B (Consultant's Response to Request for Proposals).

5. PAYMENT FOR SERVICES

A. Amount. The City shall pay the Consultant for completion of the Work in accordance with Attachment B (Consultant's Response to Request for Proposals).

Consultant agrees to accept this payment as full compensation for performance of all services and expenses incurred under this Agreement.

B. Payment Schedule. The City shall pay the Consultant in the manner and at such times as set forth in the Contract Documents. The City seeks to make payment within thirty days of receipt of an invoice and any backup documentation requested under subsection D (Invoice) below.

C. Maximum Limiting Amount. The total amount that may be paid to the Consultant for all services and expenses under this Contract shall not exceed the maximum limiting amount of **$214,245**. The City shall not be liable to Consultant for any amount exceeding the maximum limiting amount without duly authorized written approval.

D. Invoice. Consultant shall submit one copy of each invoice, including rates and a detailed breakdown by task for each individual providing services, and backup documentation for any equipment or other expenses to the following:

Phillip Peterson, PE
645 Pine St, Burlington VT 05401
802-598-8356
ppeterson@burlingtonvt.gov

The City reserves the right to request supplemental information prior to payment. Consultant shall not be entitled to payment under this Contract without providing sufficient backup documentation satisfactory to the City.

6. SECTION & ATTACHMENT HEADINGS

The article and attachment headings throughout this Contract are for the convenience of City and Consultant and are not intended nor shall they be used to construe the intent of this Contract or any part hereof, or to modify, amplify, or aid in the interpretation or construction of any of the provisions hereof.

7. CONTRACT DOCUMENTS & ORDER OF PRECEDENT

A. Contract Documents. The Contract Documents are hereby adopted, incorporated by reference, and made part of this Contract. The intention of the Contract Documents is to establish the necessary terms, conditions, labor, materials, equipment, and other items necessary for the proper execution and completion of the Work to ensure the intended results.

The following documents constitute the Contract Documents:

Attachment A: Request for Proposals dated June 14, 2023
Attachment B: Consultant's Response to Request for Proposals dated September 9, 2023
Attachment C: VTrans Specification for Contractor Services
Attachment D: Burlington Livable Wage Ordinance Certification
Attachment E: Burlington Outsourcing Ordinance Certification
Attachment F: Burlington Union Deterrence Ordinance Certification
Attachment G: Consultant's Certificate of Insurance
Attachment H: Conflict of Interest Form
Attachment I: Debarment and Non-Collusion Form

B. Order of Precedent. To the extent a conflict or inconsistency exists between the Contract Documents, or provisions therein, then the Contract takes precedent. Any Invitation for Bids, Additional Contract Provisions, and the City Ordinance Certifications shall prevail over any inconsistency with the Contractor's Scope of Work and Cost Proposal.

8. [Reserved]

— Signatures follow on the next page —

SIGNATURE

Persons signing for the Parties hereby swear and affirm that they are authorized to act on behalf of their respective Party and acknowledge that the other Party is relying on their representations to that effect.

Consultant
Hoyle Tanner & Associate Inc.

By: ______________________________

Date: _____________________________

City of Burlington
Department of Public Works

By: ______________________________
Chapin Spencer
Director of Public Works

Date: ____________________

CITY OF BURLINGTON, VT
PROJECT BUDGET AMENDMENT REQUEST

Department: DPW **Requested by:** Phillip Peterson **Date:** **DRAFT**

Briefly explain the reason for the amendment:

Amend the budget as approved by City Council

______________________________ **(under 10k)**
Dept. Head Approval

______________________________ **(10k to 24,999)**
Chief Administrative Officer Date

______________________________ **(25K - 50K)**
Mayor Date

BUDGET AMENDMENT DETAILS

Org Set		**GL Account**	**Account Name**	**Project/Sub/Detail Name**	**Increase/ (Decrease)**
843-19-700	.	4875_130	VTRANS Grants, Public Works, Capital Projects.Grants - Federal Capital Indirect	843 VTRANS Grant - Queen City Park -	693,800
843-19-700	.	9500_100	VTRANS Grants, Public Works, Capital Projects.Capital Outlay - Construction	843 VTRANS Grant - Queen City Park -	693,800
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Board of Finance and City Council Submission Checklist

Department: Public Works Submitter: Phillip Peterson

Title/Subject: Authorization to Execute the Design Contract for the Queen City Park Road (QCPR) Sidepath

	Approval:	Meeting Date:
☒	Board of Finance	9/18/2023
☒	City Council	9/18/2023
☐	Concurrent	Click or tap to enter a date.

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	9/11/2023	Chapin Spencer
Mayor's Office informed and approved memo	Yes	9/13/2023	Samantha Sheehan
Board/Commission, if required	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Yes	9/12/2023	Hayley McClenahan
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	9/12/2023	Hayley McClenahan
CAO has reviewed budget, financing, and memo	Yes	9/13/2023	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	Yes	Click or tap here to enter text.
Additional Materials, if necessary	Yes	
Draft Resolution or Motion?	Yes	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	N/A	Click or tap here to enter text.

Resolution Relating to

ALLOCATION OF BOND PROCEEDS FOR PUBLIC IMPROVEMENTS -ROCKPOINT BRIDGE PROJECT

RESOLUTION_______

Sponsor(s): Bd. of Finance
Introduced: ____________________
Referred to: ____________________
____
Action: ________________________
Date: ___________________________
Signed by Mayor: ________________

CITY OF BURLINGTON

In the year Two Thousand Twenty-Three……………………………………………………………………

Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, at the special meeting held November 8, 2016, the voters of the City authorized the City Council to issue general obligation bonds in a principal amount not to exceed Twenty-Seven Million, Five Hundred Seventy-Three Thousand, Five Hundred Eight Dollars and 00/100 ($27,573,508.00) for the purpose of funding capital improvement infrastructure projects of the City and its departments in furtherance of the City's Ten Year Capital Plan (the “November 2016 Bond Vote”); and

WHEREAS, at the annual meeting held March 6, 2018, the voters of the City authorized the City Council to issue general obligation bonds in a principal amount not to exceed Six Million One Hundred Thousand Dollars ($6,100,000) for the purposes of accomplishing public infrastructure capital improvements, with the expectation that the University of Vermont and Champlain College will make contributions to the City in support of the City's ten year capital plan (the “March 2018 Bond Vote”); and

WHEREAS, pursuant to such November 2016 Bond Vote and the March 2018 Bond Vote, City Charter Section 62, and City Council authorizing resolutions, the City issued (1) General Obligation Public Improvement Bonds, Series 2017A (the “Series 2017A Bonds”), (2) General Obligation Public Improvement Bonds, Series 2018A (the “Series 2018A Bonds”), (3) General Obligation Public Improvement Bonds, Series 2018B (the “Series 2018B Bonds”), and (4) General Obligation Public Improvement Bonds, Series 2019A (the “Series 2019A Bonds”); and

WHEREAS, the City has certain funds available, including unspent bond proceeds from such bond issuances, for which the City seeks to allocate to the replacement and realignment of the Rockpoint Bridge project, which is located along Rock Point Road and spans the Burlington Bike Path; and

WHEREAS, the Rockpoint Bridge project supports the City’s bike path, which was specifically identified as an important element of the City’s infrastructure under the City’s Ten Year Capital Plan;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the allocation and expenditure of funds in the amount not to exceed $675,135.00, from any unspent proceeds and investment earnings from the Series 2017A Bonds, the Series 2018A Bonds, the Series 2018B Bonds and the Series 2019A Bonds, to complete capital improvements associated with the Rockpoint Bridge project, subject to final review and approval of the City Attorney; and

BE IT FURTHER RESOLVED that the Mayor, the Chief Administrative Officer, and the Banking and Cash Operations Manager are, and each one of them is, hereby authorized to execute and deliver such documents, records and certificates as to allocation and use of proceeds as advisable or necessary in connection with the Series 2017A Bonds, the Series 2018 A Bonds, the Series 2018B Bonds and the Series 2019A Bonds.

AP/TM/Resolutions 2023/*Allocation of Bond Proceeds for Public Improvements – Rockpoint Bridge Project*
September 14, 2023

City of Burlington Capital Program

MEMORANDUM

To: Board of Finance & City Council

Fr: Ashley Parker, Capital Program Director

Cc: Chapin Spencer, DPW Director
Katherine Schad, CAO
Darlene Bayko, Banking & Cash Operations Manager
Andrea Gunther, Senior Accountant
Cindi Wight, Parks Director
Norm Baldwin P.E., DPW City Engineer
Laura Wheelock, Senior Public Works Engineer
Olivia Darisse, Public Works Engineer
Sophie Sauvé, PLA, BPRW Comprehensive Planner

Re: Authorization to Reallocate Identified Bond Proceeds and Premiums to the Rockpoint Bridge Project

Date: September 18, 2023

Purpose

The City's Capital Program Team seeks approval and authorization to reallocate $675,135.00 of identified unused capital bond proceeds from the following bonds: Series 2017A, 2018A, 2018B, and 2019A . The identified funds are remaining balances for projects that are no longer active or have no additional funding requirements (see list below) and are recommended for reallocation to and use by the Rockpoint Bridge project.

Rockpoint Bridge Project Background

The Rockpoint Bridge project involves the replacement and realignment of this bridge, which is located along Rock Point Road and spans the Burlington Bike Path. The City holds an easement with the State which grants the City rights to construct, maintain, and use the Burlington Bike Path within the railroad right of way. The City is also required to maintain all infrastructure within that right of way, including all bridge structures spanning the property.

The City's DPW Tech Services Team has reported that the bridge is in very poor condition. It is over 100 years old and is past its intended design life. The bridge is currently posted with a weight limit for 15 tons and does not allow for regular or cyclical loading. It is structurally deficient as determined by a structural analysis completed in 2019.

Since 2019, the bridge has further deteriorated, and has become a safety concern for everyday traffic, as well as emergency response vehicles. The steel beams are severely eroded with severe delamination of the flanges and web, which are critical components of the structure. If not addressed, the bridge will continue to deteriorate which could lead to urgent safety concerns which could force closure of the bridge and result in the need for more expensive emergency construction. This closure would also cut off access to the west side of the bridge and disrupt operations that currently include summer camps, school programs, hiking trails, and residences.

The proposed project will allow for development on the west side of the bridge, which will create additional recreational opportunities. It will also improve accessibility for all users, including bicycles, pedestrians, passenger vehicles, emergency vehicles, construction vehicles, and more. It will also create an immediate and long-term safety benefit and will prevent the City from becoming liable for future emergencies or safety issues resulting from the bridge's deficiencies.

On December 1, 2022, the City's Capital Committee reviewed a request from the Project Team related to an urgent need to fund this project. Tech Services identified it as a high priority project given the following: it is an existing structure, it has an easement-required maintenance obligation, it is an aged structure with significant deterioration, and it has a high consequence of failure. At the time of this review, the Project Team was requesting an additional $867,000 of capital funds to complete the project. The capital request proposed using a combination of remaining project funds ($450,000) and existing bond premiums ($417,000). The Committee approved this request noting its level of urgency.

The Project Team received two qualified bids for the project in July 2023. Both of these bids were over their engineer's cost estimate for the project, and therefore identified a need to find an additional $224,000 to complete the project. This additional need led the Capital Team to begin a review of older projects with leftover funding that could be reallocated to support the Rockpoint Project. This work is described in the next section.

<u>Review of Proposed Bond Reallocation</u>

In an attempt to identify capital funding sources to be reallocated to the Rockpoint Bridge Project, the Capital Team reviewed many older projects, reviewed all associated bond documentation and project schedules, and consulted with the City's Bond Counsel. The Rockpoint Bridge project was previously identified for funding in bond series 2019A. As this project is also supporting the City's Bike Path that runs underneath the bridge, it is notable that bond series 2017A, 2018A, 2018B, and 2019A all had identified the bike path for funding. The City's Bond Counsel has indicated that any premium received at the time of sale of the Bonds may be used on projects that are consistent with the underlying authorization for the applicable series of bond(s). The applicable series of bonds were issued for (1) projects that were in furtherance of the City's Ten Year Capital Plan and (2) in the case of the Series 2018B Bonds, the annual Charter authority borrowing for City capital projects. The Ten Year Capital Plan was adopted in September 2016 and for which the City voters approved issuance of bonded general obligation debt at a special meeting held November 8, 2016 in a principal amount up to $27,573,508 and again at the annual City meeting held March 6, 2018 in a principal amount up to $6,100,000. The City bike path and associated infrastructure is a significant component of such Ten Year Capital Plan.

Here is a summary of the recommended bond reallocations, noting their project, bond series, and remaining project balance. The total amount proposed to be reallocated is $675,135.00.

Project	Bond Series	Remaining Balance
Shelburne Roundabout	2018A & 2019A	$450,000.00
BP 3A – Perkins – Design; BP3A South – Construction; BP 3B North – Construction	2017A, 2018A, 2018B, & 2019A	$30,835.00
BP Realignment Construction	2019A	$48,423.67
City Hall Park	2019A	$68,901.93
Washington Berry Street Construction	2019A	$34,361.72
ROW DPW North Ave Ethan Allen Parkway	2017A	$11,697.51
Interdepartmental Proj – Lavalley Ln.	2019A	$15,915.15
Interdepartmental Proj – Lavalley Ln.	2018A	$15,000.00

In December 2022, the City's Capital Committee approved the reallocation of the remaining funds from the Shelburne Roundabout project ($450,000), and are in support of the current recommendation for the remaining project balance ($225,135) pending Bond Counsel review and approval of the Board of Finance and City Council (amended request being reviewed at Capital Committee Meeting, September 13, 2023).

Next Steps

The Capital Program Team requests the Board of Finance and City Council authorize the reallocation of the funds identified in this memo for the Rockpoint Bridge Project. The Team has looked through all available funding sources for alternative options, and has learned that this project will not be eligible for any grant funding due to the bridge not being open to the public. The recommended reallocation is the best option for supporting this project, and also helps utilize any remaining bond funds from previous issuances.

The Board of Finance and City Council will also be asked to review and authorize a contract for the Rockpoint Bridge project. The materials provided for that request will provide additional project information, including an overall project budget.

Recommended Motions

For Board of Finance –

Move to recommend that the City Council approve the attached resolution authorizing the Mayor's Office, Chief Administrative Officer, or the City's Banking and Cash Operations Manager to execute the reallocation of the identified Series 2017A, 2018A, 2018B, and 2019A bond proceeds, which includes premium received from the sale of such bonds, not to exceed $675,135.00, to complete capital improvements associated with the Rockpoint Bridge project, subject to final review and approval of the City Attorney's Office.

For City Council –

To adopt the attached resolution authorizing the Mayor's Office, Chief Administrative Officer, or the City's Banking and Cash Operations Manager to execute the reallocation of the identified Series 2017A, 2018A, 2018B, and 2019A bond proceeds, which includes premium received from the sale of such bonds, not to exceed $675,135.00, to complete capital improvements associated with the Rockpoint Bridge project, subject to final review and approval of the City Attorney's Office.

Board of Finance and City Council Submission Checklist

Department: CT Office/DPW Submitter: Ashley Parker

Title/Subject: Bond Reallocation Authorization – Rockpoint Bridge Project

	Approval:	Meeting Date:
☐	Board of Finance	Click or tap to enter a date.
☐	City Council	Click or tap to enter a date.
☒	Concurrent	9/18/2023

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	9/13/2023	Katherine Schad
Mayor's Office informed and approved memo	Yes	9/13/2023	Samantha Sheehan Reviewed
Board/Commission, if required	Yes	9/13/2023	City's Capital Committee
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	9/12/2023	Jared Pellerin
CAO has reviewed budget, financing, and memo	Yes	9/13/2023	Click or tap here to enter text.
Human Resources, if personnel action -Identify HR Manager in note	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	N/A	Click or tap here to enter text.
Additional Materials, if necessary	N/A	Click or tap here to enter text.
Draft Resolution or Motion?	Yes	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	No	Click or tap here to enter text.

Resolution Relating to

ALLOCATION OF BOND PROCEEDS FOR PUBLIC IMPROVEMENTS -ROCKPOINT BRIDGE PROJECT

RESOLUTION 5.11

Sponsor(s): Bd. of Finance
Introduced: 09/18/23
Referred to:

Action: adopted
Date: 09/18/23
Signed by Mayor: 10/10/23

CITY OF BURLINGTON

In the year Two Thousand Twenty-Three...

Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, at the special meeting held November 8, 2016, the voters of the City authorized the City Council to issue general obligation bonds in a principal amount not to exceed Twenty-Seven Million, Five Hundred Seventy-Three Thousand, Five Hundred Eight Dollars and 00/100 ($27,573,508.00) for the purpose of funding capital improvement infrastructure projects of the City and its departments in furtherance of the City's Ten Year Capital Plan (the "November 2016 Bond Vote"); and

WHEREAS, at the annual meeting held March 6, 2018, the voters of the City authorized the City Council to issue general obligation bonds in a principal amount not to exceed Six Million One Hundred Thousand Dollars ($6,100,000) for the purposes of accomplishing public infrastructure capital improvements, with the expectation that the University of Vermont and Champlain College will make contributions to the City in support of the City's ten year capital plan (the "March 2018 Bond Vote"); and

WHEREAS, pursuant to such November 2016 Bond Vote and the March 2018 Bond Vote, City Charter Section 62, and City Council authorizing resolutions, the City issued (1) General Obligation Public Improvement Bonds, Series 2017A (the "Series 2017A Bonds"), (2) General Obligation Public Improvement Bonds, Series 2018A (the "Series 2018A Bonds"), (3) General Obligation Public Improvement Bonds, Series 2018B (the "Series 2018B Bonds"), and (4) General Obligation Public Improvement Bonds, Series 2019A (the "Series 2019A Bonds"); and

WHEREAS, the City has certain funds available, including unspent bond proceeds from such bond issuances, for which the City seeks to allocate to the replacement and realignment of the Rockpoint Bridge project, which is located along Rock Point Road and spans the Burlington Bike Path; and

WHEREAS, the Rockpoint Bridge project supports the City's bike path, which was specifically identified as an important element of the City's infrastructure under the City's Ten Year Capital Plan;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the allocation and expenditure of funds in the amount not to exceed $675,135.00, from any unspent proceeds and investment

* * * * * * * * * * * * *

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

Attest:

* * * * * * * * * * * * *

ORIGINAL

RESOLUTION RELATING TO

....

....

....

Adopted by the City Council

...., 20 ....

.... Clerk

Approved.................................., 20 ....

.... Mayor

Vol. .... Page ....

earnings from the Series 2017A Bonds, the Series 2018A Bonds, the Series 2018B Bonds and the Series 2019A Bonds, to complete capital improvements associated with the Rockpoint Bridge project, subject to final review and approval of the City Attorney; and

BE IT FURTHER RESOLVED that the Mayor, the Chief Administrative Officer, and the Banking and Cash Operations Manager are, and each one of them is, hereby authorized to execute and deliver such documents, records and certificates as to allocation and use of proceeds as advisable or necessary in connection with the Series 2017A Bonds, the Series 2018 A Bonds, the Series 2018B Bonds and the Series 2019A Bonds.

AP/TM/Resolutions 2023/*Allocation of Bond Proceeds for Public Improvements – Rockpoint Bridge Project*
September 14, 2023

ORIGINAL

RESOLUTION RELATING TO

Allocation Of Bond Proceeds For Public Improvements-Rock Point Bridge Project

Adopted by the City Council

September 18, 20 23

Clerk

Approved October 10, 20 23

Mayor

Vol. Page

* * * * * * * * * * * * *

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

CT, Ashley Parker
DPW, Laura Wheelock, Olivia Darisse and Dora Bean

Attest:

Lori Olberg
Licensing and Records Coordinator

* * * * * * * * * * * * *

City of Burlington
Department of Public Works

Technical Services Engineering Division
645 Pine Street, Suite A
Burlington, VT 05402
P 802-863-9094 / F 802-863-0466 / TTY 802-863-0450
www.burlingtonvt.gov/DPW

TO: Board of Finance & City Council

FROM: Laura Wheelock, P.E., Senior Public Works Engineer
Olivia Darisse, P.E., Public Works Engineer
Dora Bean, Associate Public Works Engineer

CC: Chapin Spencer, Director of Public Works
Norm Baldwin, P.E., Assistant Director of Public Works and City Engineer
Cindi Wight, Director of Parks, Recreation and Waterfront
Sophie Sauvé, Parks Comprehensive Planner
Ashley Parker, Capital Program Director

DATE: September 18, 2023

RE: Rock Point Bridge – Authorization to Award Construction Contract and Proposed Budget Amendment

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Request:

The Department of Public Works (DPW) and the Department of Parks, Recreation and Waterfront (BPRW) seek authorization from the Board of Finance and City Council to:

1. Affect all necessary budget amendments and transfers of funds from the sources identified in Attachment A as needed to create the project budget in the amount of $1,219,128.51 in accordance with the attached Budget Amendment (Attachment B) for the Rock Point Bridget Replacement Project.
2. Execute a construction contract with Desroches Construction Services in the amount of $984,131.00, and to further authorize the use of an additional $**98,413.00** in contingency funds (10%).

Background:

The Rock Point Bridge spans the Burlington Bike Path and serves vehicular and foot traffic between properties owned by the Episcopal Diocese of Vermont. This area, commonly known and referred to as Rock Point, was established in 1855 and is home to the Episcopal Church of Vermont, The Rock Point School, The Rock Point Conference Center, summer camps, special events, community gardens, and several maintained hiking trails which are open to the public. The bridge was built in 1900 to establish a connection over the new railroad.

While the bridge is currently owned by the Vermont Agency of Transportation and is over a railway that they still deem to be an active corridor, the City assumed the responsibility to maintain the bridge when it obtained the easement to build and use the bike path. The bridge is currently in poor condition and in need of replacement. The deck was replaced in the 1960s, but the steel superstructure has corroded enough to reduce the structure's capacity to a maximum weight restriction of 15 tons.

In 2017, DPW began the process of addressing the bridge’s condition. A local consulting firm, Engineering Ventures, was hired to perform a scoping study on the bridge. The scoping study assessed the current condition of the bridge, determined its current working capacity, and provided conceptual design solutions. In the interest of minimizing costs and traffic disruptions, Engineering Ventures made a recommendation to rehabilitate the bridge by retrofitting the existing superstructure.

In 2019, DPW solicited competitive proposals for the subsequent design phase and awarded the design phase of the project to Dubois & King (D&K). Upon assessment of the information provided in the scoping report, D&K suspected that a complete bridge replacement would be a more cost-effective solution than rehabilitation. The existing bridge is covered with lead paint that requires removal, which is a very expensive process. Further, the bridge does not meet codes to accommodate pedestrian traffic, and extensive upgrades to the existing bridge railings need to be made. Lastly, the existing bridge is over 120 years old. The typical lifespan of a bridge is around 100 years, therefore this structure has outlived its useful life and it is time to move forward with fully replacing the structure.

One alternative that was considered was rehabilitating the current structure. However, the rehabilitation strategy would add around only 20 years to the lifespan of the existing bridge, and at almost half the cost of a new structure, it was not found to be in the City's best interest.

The City has collaborated with the Rock Point Organization, throughout all project phases since 2017. They are in support of the replacement alternative and have been collaborative in the use of the property surrounding the structure to facilitate and support construction. The City also worked with D&K to complete soil exploration and geotechnical evaluation, soil sampling and testing for soil contaminants to minimize financial risk during the construction phase.

The City’s work has benefitted from a close collaboration between the Department of Parks, Recreation & Waterfront and the Department of Public Works. Given the bridge is a structure associated with the Burlington Greenway easement, BPRW internally is considered the owner of the structure and DPW is managing the bridge replacement project given our technical expertise.

Contractor Bids & Selection

DPW staff issued an Invitation for Bids on **June 20, 2023**, and opened competitive bids on **July 20, 2023**. Construction is expected to commence in April 2024, with a required completion date of June 30, 2024.

Two bids were received in response to the Invitation to Bid. The total bid prices for each are shown in Table 1 – Bid Results below.

Table 1 – Bid Results

Contractor	Bid
Desroches Construction Services	**$984,131.00**
S.D. Ireland Brothers	$1,094,043.00

Desroches Construction Services was determined to be the lowest bidder with a total bid price of $984,131.00. DPW prepared a bid analysis of both bids received compared to the Engineer's Estimate, which recommended that Desroches Construction Service's bid should be accepted. The Bid Analysis is included in Attachment C.

Funding for Project:

This project is funded 100% locally through the Capital Improvement Program (CIP). In November 2022, DPW brought forward to the Capital Committee a request to fund the project based on the engineer's estimate. The Capital Committee approved the use of $417,000 in bond premiums that were also subsequently approved during the City's FY24 annual budget process. The Capital Committee also approved reallocating $450,000 in excess funds from the Shelburne Street Roundabout soil contingency funds that were not needed to be available to this project.

However, bids came in over the engineer's estimate, resulting in the need for additional funds to be allocated to this project by approximately $225,135.00. The City's Capital Team has identified several completed projects with remaining project budgets that may be reallocated to cover this funding gap. These projects have been completed and closed and do not require any additional funding. A breakdown of these funding sources are provided as **Attachment A**. The City's Capital Committee is in support of this reallocation recommendation and is reviewing the project's amended funding on September 13, 2023. The Department of Public Works is requesting authorization of a budget amendment (Attachment B) to create a total project budget of $1,219,128.51 funded with the sources identified in **Attachment A**.

Thank you for your consideration of these requests. If you have any questions, please feel free to contact Olivia Darisse (odarisse@burlingtonvt.gov, 802-557-1414), or Laura Wheelock (Lwheelock@burlingtonvt.gov, 802-338-2125).

Attachments:

A. Rock Point Bridge Funding Breakdown
B. Budget Amendment Request
C. Bid Analysis and Recommendation
D. Capital Committee Approvals

Motions:

Board of Finance Action Items:

1. To approve and recommend that the City Council authorize the Chief Administrative Officer, or their designee, to affect all necessary budget amendments and transfers of funds to amend the project budget to total $1,219,128.51 as detailed in Attachment B for the Rock Point Bridge Replacement Project.

2. To approve and recommend that the City Council authorize the Director of Parks, Recreation and Waterfront (BPRW), or their designee, to execute a construction contract with Desroches Construction Services in an amount not to exceed 984,131.00, and to further authorize the use of an additional $98,413.00 in contingency funds (10%), for a total authorized expenditure in the amount of $1,082,544.00.

City Council Action Items:

1. To authorize the Chief Administrative Officer, or their designee, to affect all necessary budget amendments and transfers of funds to amend the project budget to total $1,219,128.51 as detailed in Attachment B for the Rock Point Bridge Replacement Project.

2. To authorize the Director of Parks, Recreation and Waterfront (BPRW), or their designee, to execute a construction contract with Desroches Construction Services in the amount of 984,131.00, and to further authorize the use of an additional $98,413.00 in contingency funds (10%), for a total authorized expenditure in the amount of $1,082,544.00.

Rockpoint Bridge Project - Overall Budget			
Fund	Project	Amount	Detail
709	Rockpoint	$62,628.53	Historic Project Budget/Expenses
842	Rockpoint	$45,000.00	FY21 (Annual)
842	Rockpoint	$19,365.00	FY19 (10.5M)
842	Rockpoint	$417,000.00	FY23 GO Bond Premiums
843	Shelburne Roundabout	$450,000.00	2018A & 2019A
831	BP 3A Perkins - Design, BP 3A South - Construction; BP 3B North - Construction	$30,835.00	2017A, 2018A, 2018B, & 2019A
831	Bike Path - BP Realignment-Const	$48,423.67	2019A
809	Other Capital - City Hall Park	$68,901.93	FY20 Bond Premiums
843	Washington Berry Street, Const Contr	$34,361.72	FY20 Bond Premiums
842	ROW DPW North Ave EA Pwy	$11,697.51	FY17 Bond ($8M)
842	Interdepartmental Project, Lavalley Ln	$15,915.15	FY19 Bond Premium
842	Interdepartmental Project, Lavalley Ln	$15,000.00	FY18 Bond ($9M)
Total:		$1,219,128.51	

CITY OF BURLINGTON, VT
PROJECT BUDGET AMENDMENT REQUEST

Department: DPW   Requested by: L. Wheelock/O. Darisse   Date: DRAFT for BOF/CC

Briefly explain the reason for the amendment:

Reallocation of unused funds from completed projects to the Rock Point Bridge Replacement project, per City Council Approvals.

______________________________ (under 10k)
Dept. Head Approval

______________________________ (10k to 24,999)
Chief Administrative Officer   Date

______________________________ (25K - 50K)
Mayor   Date

BUDGET AMENDMENT DETAILS

Org Set		GL Account	Account Name	Project/Sub/Detail Name	Increase/ (Decrease)	
843-19-700	.	9500_800	VTRANS Grants, Public Works, Capital Projects.Capital Outlay - Bond Tsf Expenditures	843 VTRANS Grant - Wash Berry St - Construct Contra	(34,361.72)	Move Washington Berry to Rockpoint
843-19-700	.	4990_800	VTRANS Grants, Public Works, Capital Projects.Interfund Transfer Proceeds - Bond Proceeds Tsf	843 VTRANS Grant - Wash Berry St - Construct Contra	(34,361.72)	
800-00-700	.	4990_843	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer Proceeds - Vtrans Grant	800 Bond Premium -2020-	34,361.72	
800-00-700	.	7900_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer - Streets & Sidewalks	800 Bond Premium -2020-	34,361.72	
842-19-700-772	.	4990_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Interfund Transfer Proceeds - Bond Proceeds Tsf	842 Bridge - Rockpoint -	34,361.72	
842-19-700-772	.	9500_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Capital Outlay - Bond Tsf Expenditures	842 Bridge - Rockpoint -	34,361.72	
	.					
809-19-700	.	9500_800	Other Capital, Public Works, Capital Projects.Capital Outlay - Bond Tsf Expenditures	809 Other Cap - City Hall Park -	(68,901.93)	Move City Hall Park to Rockpoint
809-19-700	.	4990_800	Other Capital, Public Works, Capital Projects.Interfund Transfer Proceeds - Bond Proceeds Tsf	809 Other Cap - City Hall Park -	(68,901.93)	
800-00-700	.	4990_809	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer Proceeds - Other Capital	800 Bond Premium -2020-	68,901.93	
800-00-700	.	7900_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer - Streets & Sidewalks	800 Bond Premium -2020-	68,901.93	
842-19-700-772	.	4990_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Interfund Transfer Proceeds - Bond Proceeds Tsf	842 Bridge - Rockpoint -	68,901.93	
842-19-700-772	.	9500_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Capital Outlay - Bond Tsf Expenditures	842 Bridge - Rockpoint -	68,901.93	
	.					
842-19-700-774	.	9500_800	Streets & Sidewalks, Public Works, Capital Projects, ROW/DPW Projects.Capital Outlay - Bond Tsf Expenditures	842 ROW DPW - North Ave EA Pwy -	(11,697.51)	Move North Ave EAP to Rockpoint
842-19-700-774	.	4990_800	Streets & Sidewalks, Public Works, Capital Projects, ROW/DPW Projects.Interfund Transfer Proceeds - Bond Proceeds Tsf	842 ROW DPW - North Ave EA Pwy -	(11,697.51)	
800-00-700	.	4990_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer Proceeds - Street Reconstruction	800 Bond Proceed -2017-	11,697.51	
800-00-700	.	7900_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer - Streets & Sidewalks	800 Bond Proceed -2017-	11,697.51	
842-19-700-772	.	4990_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Interfund Transfer Proceeds - Bond Proceeds Tsf	842 Bridge - Rockpoint -	11,697.51	
842-19-700-772	.	9500_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Capital Outlay - Bond Tsf Expenditures	842 Bridge - Rockpoint -	11,697.51	
	.					
842-19-700-775	.	9500_800	Streets & Sidewalks, Public Works, Capital Projects, Interdepartmental Project.Capital Outlay - Bond Tsf	842 Interdepart - Other s - Lavalley Lane	(15,915.15)	Move Lavalley Ln construction to Rockpoint
842-19-700-775	.	7900_800	Streets & Sidewalks, Public Works, Capital Projects, Interdepartmental Project.Interfund Transfer - TRANSFER TO CAPITAL PROJECTS	842 Interdepart - Other s - Lavalley Lane	15,915.15	
842-19-700-775	.	4990_800	Streets & Sidewalks, Public Works, Capital Projects, Interdepartmental Project.Interfund Transfer Proceeds - Bond Proceeds Tsf	842 Interdepart - Other s - Lavalley Lane	(15,915.15)	
800-00-700	.	4990_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer Proceeds - Street Reconstruction	800 Bond Premium -2019-	15,915.15	
800-00-700	.	7900_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer - Streets & Sidewalks	800 Bond Premium -2019-	15,915.15	
842-19-700-772	.	4990_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Interfund Transfer Proceeds - Bond Proceeds Tsf	842 Bridge - Rockpoint -	15,915.15	
842-19-700-772	.	9500_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Capital Outlay - Bond Tsf Expenditures	842 Bridge - Rockpoint -	15,915.15	

842-19-700-775	.	6800_170	Streets & Sidewalks, Public Works, Capital Projects, Interdepartmental Project.Fees for Services - Engineering Services	842 Interdepart - Other s - Lavalley Lane	(15,000.00)	Move Lavalley Ln eng fee to Rockpoint
842-19-700-775	.	4990_800	Streets & Sidewalks, Public Works, Capital Projects, Interdepartmental Project.Interfund Transfer Proceeds - Bond Proceeds Tsf	842 Interdepart - Other s - Lavalley Lane	(15,000.00)	
800-00-700	.	4990_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer Proceeds - Street Reconstruction	800 Bond Proceed -2018-	15,000.00	
800-00-700	.	7900_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer - Streets & Sidewalks	800 Bond Proceed -2018-	15,000.00	
842-19-700-772	.	4990_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Interfund Transfer Proceeds - Bond Proceeds Tsf	842 Bridge - Rockpoint -	15,000.00	
842-19-700-772	.	9500_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Capital Outlay - Bond Tsf Expenditures	842 Bridge - Rockpoint -	15,000.00	
831-23-700	.	9500_800	Bike Path Rehabilitation, Parks and Recreation, Capital Projects.Capital Outlay - Bond Tsf Expenditures	831 Bike Path - BP Realignment - Construction	(48,423.67)	Move Bike Path Realign to Rockpoint
831-23-700	.	4990_800	Bike Path Rehabilitation, Parks and Recreation, Capital Projects.Interfund Transfer Proceeds - Bond Proceeds Tsf	831 Bike Path - BP Realignment - Construction	(48,423.67)	
800-00-700	.	4990_831	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer Proceeds - Bike Path	800 Bond Proceed -2019-	48,423.67	
800-00-700	.	7900_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer - Streets & Sidewalks	800 Bond Proceed -2019-	48,423.67	
842-19-700-772	.	4990_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Interfund Transfer Proceeds - Bond Proceeds Tsf	842 Bridge - Rockpoint -	48,423.67	
842-19-700-772	.	9500_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Capital Outlay - Bond Tsf Expenditures	842 Bridge - Rockpoint -	48,423.67	
831-23-700	.	9500_800	Bike Path Rehabilitation, Parks and Recreation, Capital Projects.Capital Outlay - Bond Tsf Expenditures	831 Bike Path - BP 3A S Barge - Construction	(30,835.00)	Move Bike Path 3A South to Rockpoint
831-23-700	.	4990_800	Bike Path Rehabilitation, Parks and Recreation, Capital Projects.Interfund Transfer Proceeds - Bond Proceeds Tsf	831 Bike Path - BP 3A S Barge - Construction	(30,835.00)	
800-00-700	.	4990_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer Proceeds - Street Reconstruction	800 Bond Proceed -2019-	30,835.00	
800-00-700	.	7900_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer - Streets & Sidewalks	800 Bond Proceed -2019-	30,835.00	
842-19-700-772	.	4990_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Interfund Transfer Proceeds - Bond Proceeds Tsf	842 Bridge - Rockpoint -	30,835.00	
842-19-700-772	.	9500_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Capital Outlay - Bond Tsf Expenditures	842 Bridge - Rockpoint -	30,835.00	
	.					
843-19-700	.	9500_800	VTRANS Grants, Public Works, Capital Projects.Capital Outlay - Bond Tsf Expenditures	843 VTRANS Grant - Shel Round Trans - Construct Contra	(250,000.00)	Move Shelb Rdabout to Rockpoint
843-19-700	.	4990_800	VTRANS Grants, Public Works, Capital Projects.Interfund Transfer Proceeds - Bond Proceeds Tsf	843 VTRANS Grant - Shel Round Trans - Construct Contra	(250,000.00)	
800-00-700	.	4990_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer Proceeds - Street Reconstruction	800 Bond Proceed -2019-	250,000.00	
800-00-700	.	7900_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer - Streets & Sidewalks	800 Bond Proceed -2019-	250,000.00	
842-19-700-772	.	4990_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Interfund Transfer Proceeds - Bond Proceeds Tsf	842 Bridge - Rockpoint -	250,000.00	
842-19-700-772	.	9500_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Capital Outlay - Bond Tsf Expenditures	842 Bridge - Rockpoint -	250,000.00	
	.					
843-19-700	.	9500_800	VTRANS Grants, Public Works, Capital Projects.Capital Outlay - Bond Tsf Expenditures	843 VTRANS Grant - Shel Round Trans - Construct Contra	(200,000.00)	Move Shelb Rdabout to Rockpoint
843-19-700	.	4990_800	VTRANS Grants, Public Works, Capital Projects.Interfund Transfer Proceeds - Bond Proceeds Tsf	843 VTRANS Grant - Shel Round Trans - Construct Contra	(200,000.00)	
800-00-700	.	4990_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer Proceeds - Street Reconstruction	800 Bond Proceed -2018-	200,000.00	
800-00-700	.	7900_842	Bond Proceeds Fund, Non-Departmental, Capital Projects.Interfund Transfer - Streets & Sidewalks	800 Bond Proceed -2018-	200,000.00	
842-19-700-772	.	4990_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Interfund Transfer Proceeds - Bond Proceeds Tsf	842 Bridge - Rockpoint -	200,000.00	
842-19-700-772	.	9500_800	Streets & Sidewalks, Public Works, Capital Projects, Bridge Infrastructure.Capital Outlay - Bond Tsf Expenditures	842 Bridge - Rockpoint -	200,000.00	

Bid Analysis and Recommendation of Award

The Bid Opening for the referenced project was held on July 20th, 2023 at 10:00 a.m. A total of two bids were received, in the amounts of $ $984,131.00 from Desroches Construction Services, Inc., and $1,094,043.00 from S.D. Ireland. The Engineer's Estimate was $784,925.00. The low bid, received from Desroches Construction Services, is $199,206.00 (25.4%) over the Engineer's Estimate.

A bid analysis has been performed by the Department of Public Works to determine if the low bid is acceptable. A deviation of 1% of the engineer's estimate was evaluated for major cost deviations. All unit prices were evaluated for major deviations from the engineer's estimated unit price. The low bid unit prices that fell outside this range were evaluated and no significant risks to the City were identified.

Item Number: 201.10
Item Name: Clearing and Grubbing, Including Individual Trees and Stumps
Estimated Quantity: 1 LS

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$10,000.00	$10,000.00	$37,000.00	$37,000.00	$27,000.00

The bids for this item ranged from $10,000/LS to $37,000/LS. SDI's price was the lower of the two. The contractor is carrying more overhead costs in this item. This is a lump sum item, and accepting this price does not pose any risk to the City. Acceptance of bid price is recommended.

Item Number: 203.16
Item Name: Solid Rock Excavation
Estimated Quantity: 80 CY

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$120.00	$9,600.00	$130.00	$10,400.00	$800.00

The bids for this item ranged from $130/CY to $350/CY. DCS's price was the lower of the two. The quantity for this item has been verified and there is no significant risk to the City in moving forward with this unit price. Acceptance of bid price is recommended.

Item Number: 203.30
Item Name: Earth Borrow
Estimated Quantity: 130 CY

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$20.00	$2,600.00	$58.00	$7,540.00	$4,940.00

The bids for this item ranged from $27.50/CY to $58.00/CY. SDI's price was the lower of the two.

Item Number: 204.30
Item Name: Granular Backfill for Structures
Estimated Quantity: 160 CY

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$60.00	$9,600.00	$77.00	$12,320.00	$2,720.00

The bids received for this item ranged from $60/CY to $77/CY. SDI's price was the lower of the two. The quantity for this item has been verified and there is no significant risk to the City in moving forward with this unit price. Acceptance of bid price is recommended.

Item Number: 210.10
Item Name: Coarse Milling, Bituminous Pavement
Estimated Quantity: 120 SY

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$15.00	$1,800.00	$45.00	$5,400.00	$3,600.00

The bids received for this item ranged from $45/SY to $60/SY. DCS's price was the lower of the two. Based on the bids received, it is likely that the engineer's estimate was low for this item. The quantity has been verified for this item. Acceptance of bid price is recommended.

Item Number: 301.35
Item Name: Subbase of Dense Graded Crushed Stone
Estimated Quantity: 130 SY

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$38.00	$4,940.00	$69.00	$8,970.00	$4,030.00

The bids received for this item ranged from $55/SY to $69/SY. SDI's price was lower of the two.

Item Number: 401.10
Item Name: Aggregate Surface Course
Estimated Quantity: 10 CY

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$75.00	$750.00	$98.00	$980.00	$230.00

The bids received for this item ranged from $55/CY to $98/CY. SDI's price was the lower of the two. The quantity for this item has been verified and there is no significant risk to the City in moving forward with this unit price. Acceptance of bid price is recommended.

Item Number: 506.50
Item Name: Structural Steel, Rolled Beam
Estimated Quantity: 25,020 LB

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$3.50	$87,570.00	$7.20	$180,144.00	$92,574.00

The bids received for this item ranged from $7.20/LB to $6.20/LB. SDI's price was the lower of the two. The contractor's price is consistent with other recent bids containing this items. Acceptance of bid price is recommended.

Item Number: 507.12
Item Name: Reinforcing Steel, Level 2
Estimated Quantity: 10,100 LB

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$3.00	$30,300.00	$3.80	$38,380.00	$8,080.00

The bids received for this item ranged from $3/LB to $3.80/LB. SDI's price was the lower of the two. The contractor's price is consistent with other recent bids containing this items. Acceptance of bid price is recommended.

Item Number: 507.16
Item Name: Drilling and Grouting Dowels
Estimated Quantity: 90 LF

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$50.00	$4,500.00	$60.00	$5,400.00	$900.00

The bids received for this item ranged from $60/LF to $80/LF. DCS's price was the lower of the two. The quantity for this item has been verified and there is no significant risk to the City in moving forward with this unit price. Acceptance of bid price is recommended.

Item Number: 508.15
Item Name: Shear Connectors (348 7/8" DIA. X7")
Estimated Quantity: 1 LS

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$5,000.00	$5,000.00	$8,000.00	$8,000.00	$3,000.00

The bids received for this item ranged from $8,000/LS to $10,000/LS. DCS's price was the lower of the two. This is a lump sum item, and accepting this price does not pose any risk to the City. Acceptance of bid price is recommended.

Item Number: 525.33
Item Name: Bridge Railing, Galvanized 2 Rail Box Beam
Estimated Quantity: 121 LF

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$300.00	$36,300.00	$316.00	$38,236.00	$1,936.00

The bids received for this item ranged from $316/LF to $350/LF. DCS's price was the lower of the two. The quantity for this item has been verified and there is no significant risk to the City in moving forward with this unit price. Acceptance of bid price is recommended.

Item Number: 529.15
Item Name: Removal of Structure
Estimated Quantity: 1 LS

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$25,000.00	$25,000.00	$71,000.00	$71,000.00	$46,000.00

The bids received for this item ranged from $71,000/LS to $80,000/LS. DCS's price was the lower of the two. This unit price for this item is likely impacted by the needed lead abatement during the bridge removal. This is a lump sum item, and accepting this price does not pose any risk to the City. Acceptance of bid price is recommended.

Item Number: 531.17
Item Name: Bearing Device Assembly, Steel Reinforced Elastomeric pad
Estimated Quantity: 6 EA

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$700.00	$4,200.00	$2,124.50	$12,747.00	$8,547.00

The bids received for this item ranged from $2,124.50/EA to $3,200/EA. DCS's price was the lower of the two. The price of this item was likely impacted by the fabricator's design. The quantity for this item has been verified and there is no significant risk to the City in moving forward with this unit price. Acceptance of bid price is recommended.

Item Number: 541.30
Item Name: Concrete Class C
Estimated Quantity: 60 CY

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$700.00	$42,000.00	$800.00	$48,000.00	$6,000.00

The bids received for this item ranged from $800/CY to $850/CY. DCS's unit price was the lower of the two.

Item Number: 620.12
Item Name: Chain-Link Fence, 6 Feet
Estimated Quantity: 96 LF

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$50.00	$4,800.00	$114.00	$10,944.00	$6,144.00

The bids received for this item ranged from $100/LF to $114/LF. SDI's price was the lower of the two.

Item Number: 621.725
Item Name: Guardrail Approach Section Galvanized 3 Rail Box Beam
Estimated Quantity: 4 EA

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$8,000.00	$32,000.00	$10,645.00	$42,580.00	$10,580.00

The bids received for this item ranged from $10,645/EA to $11,750/EA. DCS's price was the lower of the two.

Item Number: 621.80
Item Name: Removal and Disposal of Guardrail
Estimated Quantity: 123 LF

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$5.00	$615.00	$7.00	$861.00	$246.00

The bids received for this item ranged from $7/LF to $10/LF. DCS's price was the lower of the two. This unit price for this item is likely impacted by the needed lead abatement during the bridge removal. The quantity for this item has been verified and there is no significant risk to the City in moving forward with this unit price. Acceptance of bid price is recommended.

Item Number: 629.28
Item Name: Hydrant
Estimated Quantity: 1 EA

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$3,500.00	$3,500.00	$6,000.00	$6,000.00	$2,500.00

The bids received for this item ranged from $6,000/EA to $5900/EA. SDI's price was the lower of the two. These prices match recent bids for the same item. Acceptance of bid price is recommended.

Item Number: 629.30
Item Name: Remove Hydrant
Estimated Quantity: 1 EA

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$900.00	$900.00	$1,100.00	$1,100.00	$200.00

The bids received for this item ranged from $750/EA to $1100/EA. SDI's price was the lower of the two. These prices match recent bids for the same item. Acceptance of bid price is recommended.

Item Number: 631.16
Item Name: Testing Equipment, Concrete
Estimated Quantity: 1 LS

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$1,000.00	$1,000.00	$1,200.00	$1,200.00	$200.00

The bids received for this item ranged $500/LS to $1200/LS. SDI's price was the lower of the two. This unit price for this item is likely impacted by the needed lead abatement during the bridge removal. This is a lump sum item, and accepting this price does not pose any risk to the City. Acceptance of bid price is recommended.

Item Number: 651.18
Item Name: Fertilizer
Estimated Quantity: 60 LB

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$5.00	$300.00	$10.00	$600.00	$300.00

The bids received for this item ranged from $5/LB to $10/LB. SDI's price was the lower of the two. These prices match recent bids for the same item. Acceptance of bid price is recommended.

Item Number: 651.20
Item Name: Agricultural Limestone
Estimated Quantity: 1 TON

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$750.00	$750.00	$900.00	$900.00	$150.00

The bids received for this item ranged from $900/TON to $1,500/TON. DCS's price was the lower of the two. These prices match recent bids for the same item. Acceptance of bid price is recommended.

Item Number: 651.35
Item Name: Topsoil
Estimated Quantity: 70 CY

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$40.00	$2,800.00	$94.00	$6,580.00	$3,780.00

The bids received for this item ranged from $60/CY to $94/CY. SDI's price was the lower of the two.

Item Number: 653.35
Item Name: Stabilized Construction Entrance
Estimated Quantity: 60 CY

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$50.00	$3,000.00	$100.00	$6,000.00	$3,000.00

The bids received for this item ranged from $60/CY to $100/CY. SDI's price was the lower of the two. The price of stone has been higher than usual. The quantity has been verified for this item. Acceptance of bid price is recommended.

Item Number: 653.475
Item Name: Silt Fence Type 1
Estimated Quantity: 160 LF

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$2.50	$400.00	$4.00	$640.00	$240.00

The bids received for this item ranged from $4/LF to $10/LF. DCS's price was the lower of the two. The quantity has been verified for this item. Acceptance of bid price is recommended.

Item Number: 900.608
Item Name: Special Provision (Waterline Bridge (2”))
Estimated Quantity: 1 LS

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$6,000.00	$6,000.00	$12,000.00	$12,000.00	$6,000.00

The bids received for this item ranged from $12,000/LS to $33,000/LS. DCS's price was the lower of the two. This is a lump sum item, and accepting this price does not pose any risk to the City. Acceptance of bid price is recommended.

Item Number: 900.645
Item Name: Special Provision (Heat Trace and Power Interface)
Estimated Quantity: 1 LS

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$5,500.00	$5,500.00	$7,500.00	$7,500.00	$2000.00

The bids received for this item ranged from$7500/LS to $10,000/LS. DCS's price was the lower of the two. This is a lump sum item, and accepting this price does not pose any risk to the City. Acceptance of bid price is recommended.

Item Number: 900.680
Item Name: Special Provision (Bituminous Concrete Pavement, Small Quantity)
Estimated Quantity: 90 TON

Estimated Unit Price	Extended Estimate	Low Bid Unit Price	Extended Low Bid	Low Bid Difference
$160.00	$14,400.00	$275.00	$24,750.00	$10,360.00

The bids received for this item ranged from $275/TON to $250/TON. SDI's price was the lower of the two. The price is likely impacted by the small quantity. The quantity has been verified for this item. Acceptance of bid price is recommended.

Capital Project Request Form

(For New Projects & Existing Projects Requiring Budget Adjustments)

Form Completed By:	Olivia Darisse / Chapin Spencer		
Today's Date:	09/13/2023 (Amended)		
Funds Requested	$867,000 (orig request); $225,135 additional (see breakdown attached)		
Date Funds Needed:	3/1/2023 - Original Request; 9/18/23 Revised Date		
Project Title:	Rock Point Bridge		
Department/ Staff Involved:	DPW, BPRW/Olivia Darisse, Laura Wheelock, Cindi Wight		
Total Project Cost:	1,219,128.51	**Level of Urgency:**	High

Brief Project Description.

Replacement and realignment of the Rock Point Bridge, along Rock Point Road and spanning the Burlington Bike Path. 11.28.22 Funding Proposal (in order): $450K of remaining funds from the Shelburne St Roundabout project, and FY'23 bond premiums for any remaining project expenses (up to $417K).

$225,135 in additional funds are needed due to the low bid exceeding the engineer's estimate. Additional funds proposed to be reallocated from completed projects. See attached breakdown for details.

500 characters max

Is there a requirement to complete this project (i.e.: legal mandate or local, state, or federal agreement)? (Provide a reference (link, etc.) and explain how the project meets the requirement.)

Yes. The City of Burlington holds an easement with the State which grants the City rights to construct, maintain, and use the Burlington Bike Path within the railroad right of way. Per the provisions of the easement, the City is required to maintain all infrastructure within that right of way, which includes bridge structures spanning the property. This is a high priority project given it 1) is an existing structure, 2) has easement-required maintenance obligations, and 3) is an aged structure with significant deterioration, and 4) has a high consequence of failure.

1000 characters max

Does the project address a gap in outcomes/services based on race, religion, gender, sexual orientation, accessibility, age, or income? (Consider how well the project closes gaps in outcomes, and how residents affected were engaged.)

The new bridge will allow for development on the west side of the bridge, which will provide more recreational opportunities. The bridge itself is structurally deficient and does not allow for significant or repetitive live loads, which preclude construction vehicles from using the bridge. The existing bridge railings and guardrails also do not meet standards which pose a safety hazard to vehicles and those crossing the bridge by bicycle or on foot. The upgrades will improve accessibility for all.

2000 characters max

Does the project create an immediate or long-term health or safety benefit?

Yes, replacing the bridge would create an immediate and long-term safety benefit, as described in the prior section and next section. Also, the existing bridge is painted with lead paint which is a potential health hazard - removal of the bridge will eliminate this hazard.

1000 characters max

What is the condition of the asset? (Consider where it is at in its lifespan, and determine if funding this now minimizes long-term costs.)

The existing bridge is in very poor condition. The bridge is over 100 years old and past it's intended design life. It is currently posted with a weight limit for 15 tons, and does not allow for regular or cyclical loading. It is structurally deficient as determined by a structural analysis completed in 2019. Since that time the bridge has further deteriorated, and has become a safety concern for everyday traffic as well as emergency response vehicles. The steel beams are severely corroded with severe delamination of the flanges and web, which are critical components of the structure. If not addressed, the bridge will continue to deteriorate which could lead to urgent safety concerns which would force closure of the bridge and result in the need for (more expensive) emergency construction, while cutting off access to the west side of the bridge, and operations such as summer camps and school programs, hiking trails, and residences.

1000 characters max

Will investment in the project increase tax revenue, reduce costs to the City, or leverage other funds? (Provide dollar amounts.)

Addressing these issues will prevent the City from becoming liable for future emergencies or safety issues resulting from the bridge's deficiencies.

1000 characters max

Will the project improve air or water quality, or reduce greenhouse gas emissions?

Removal of the existing bridge will address stormwater management and erosion issues surrounding the bridge.

1000 characters max

Is this project the most cost-effective solution? Is it coordinated with other projects to increase impact? Is the problem clearly defined and does the project successfully solve it? Are there other solutions that might solve the problem in a more creative/cost-effective way?

The project team worked with a design consultant with a strong background in bridge design and contracting. We worked with the consultant to evaluate design alternatives, including rehabilitation and replacement, in order determine the most long-term, cost-effective solution. Unfortunately, the rehabilitation option would have involved lead abatement due to the presence of lead paint on the existing structure, which would have cost nearly as much as a total replacement. A complete replacement of the bridge, constructed off-alignment to allow for access to the Rock Point Property during construction, was determined to be the most efficient and cost-effective long-term solution.

2000 characters max

Reviews & Recommendations/Approvals

	Review Date:	Recommendation/Approval:
Capital Committee:	9/13/2023	Ashley Parker moved to approve the revised request as writtend. Motion was seconded by Nicole Losch. Committee approved the request 5-0, with Parks and DPW abstaining, and Katherine Schad voting via email.
Mayor's Office:		

NW Project Name	842 Bridge Infrastructure - Rockpoint Bridge							
Project Manager:	Laura Wheelock/Olivia Darisse							
Last Updated:	8-Nov-22							
N/W Account Code:	842-19-700-772						Projected	Projected
Description:	Rockpoint Bridge Replacement		FY19-	FY20	FY21	FY22	FY23	FY24
FUNDING SOURCES:								
CIP - FY19/FY20 funding		$ 62,691.53	$ 17,714.03	$ 44,977.50				
CIP - FY21/FY22 funding	(800 Bond Proceeds, 2021, Annual CIP)	$ 45,000.00			$ 2,870.16	$ 292.11	$ 41,837.73	
CIP - FY21/FY22 funding	(800 Bond Proceeds, 2019, 10.5 million)	$ 19,365.33			$ 19,365.33		$ -	
CIP - FY23		$ 867,000.00					$ 867,000.00	
Total Funding Sources:		$994,056.86	$17,714.03	$44,977.50	$22,235.49	$292.11	$908,837.73	$0.00
Project Budget Expenses:	Line Item	Total Expense	FY19-	FY20	FY21	FY22	FY23	FY24
	Professional and Consulting Services -Concept/Rating FY19	$ 17,714.03	$ 17,714.03	$ -	$ -	$ -	$ -	$ -
	Professional and Consulting Services -100% Design	$ 67,228.00	$ -	$ 44,977.50	$ 17,542.37	$ -	$ 4,708.13	$ -
	Professional and Consulting Services - Design Contingency	$ 27,772.00	$ -	$ -	$ -	$ -	$ 27,772.00	$ -
	Force Account	$ 19,365.00	$ -	$ -	$ 4,693.12	$ 292.11	$ 14,379.77	$ -
		$ -	$ -	$ -	$ -	$ -	$ -	$ -
			$ -					
value from 11/7/22 DK estimate	Construction Contractual - Contractor	$ 679,630.00	$ -		$ -	$ -	$ 679,630.00	$ -
	Construction Contractual - RE Services	$ 50,000.00	$ -		$ -	$ -	$ 50,000.00	$ -
	Construction Contractual - Contingency (15%)	$ 102,347.83	$ -		$ -	$ -	$ 102,347.83	$ -
	Tree Removal	$ 30,000.00	$ -	$ -	$ -	$ -	$ 30,000.00	$ -
		$ -	$ -	$ -	$ -	$ -	$ -	$ -
		$ -	$ -	$ -	$ -	$ -	$ -	$ -
		$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Total	$ 994,056.86	$ 17,714.03	$ 44,977.50	$ 22,235.49	$ 292.11	$ 908,837.73	$ -

Capital Project Request Form

(For New Projects & Existing Projects Requiring Budget Adjustments)

Form Completed By:	Olivia Darisse / Chapin Spencer		
Today's Date:	09/13/2023 (Amended)		
Funds Requested	$867,000 (orig request); $225,135 additional (see breakdown attached)		
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Department/ Staff Involved:	DPW, BPRW/Olivia Darisse, Laura Wheelock, Cindi Wight		
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500 characters max

Is there a requirement to complete this project (i.e.: legal mandate or local, state, or federal agreement)? (Provide a reference (link, etc.) and explain how the project meets the requirement.)

Yes. The City of Burlington holds an easement with the State which grants the City rights to construct, maintain, and use the Burlington Bike Path within the railroad right of way. Per the provisions of the easement, the City is required to maintain all infrastructure within that right of way, which includes bridge structures spanning the property. This is a high priority project given it 1) is an existing structure, 2) has easement-required maintenance obligations, and 3) is an aged structure with significant deterioration, and 4) has a high consequence of failure.

1000 characters max

Does the project address a gap in outcomes/services based on race, religion, gender, sexual orientation, accessibility, age, or income? (Consider how well the project closes gaps in outcomes, and how residents affected were engaged.)

The new bridge will allow for development on the west side of the bridge, which will provide more recreational opportunities. The bridge itself is structurally deficient and does not allow for significant or repetitive live loads, which preclude construction vehicles from using the bridge. The existing bridge railings and guardrails also do not meet standards which pose a safety hazard to vehicles and those crossing the bridge by bicycle or on foot. The upgrades will improve accessibility for all.

2000 characters max

Does the project create an immediate or long-term health or safety benefit?

Yes, replacing the bridge would create an immediate and long-term safety benefit, as described in the prior section and next section. Also, the existing bridge is painted with lead paint which is a potential health hazard - removal of the bridge will eliminate this hazard.

1000 characters max

What is the condition of the asset? (Consider where it is at in its lifespan, and determine if funding this now minimizes long-term costs.)

The existing bridge is in very poor condition. The bridge is over 100 years old and past it's intended design life. It is currently posted with a weight limit for 15 tons, and does not allow for regular or cyclical loading. It is structurally deficient as determined by a structural analysis completed in 2019. Since that time the bridge has further deteriorated, and has become a safety concern for everyday traffic as well as emergency response vehicles. The steel beams are severely corroded with severe delamination of the flanges and web, which are critical components of the structure. If not addressed, the bridge will continue to deteriorate which could lead to urgent safety concerns which would force closure of the bridge and result in the need for (more expensive) emergency construction, while cutting off access to the west side of the bridge, and operations such as summer camps and school programs, hiking trails, and residences.

1000 characters max

Will investment in the project increase tax revenue, reduce costs to the City, or leverage other funds? (Provide dollar amounts.)

Addressing these issues will prevent the City from becoming liable for future emergencies or safety issues resulting from the bridge's deficiencies.

1000 characters max

Will the project improve air or water quality, or reduce greenhouse gas emissions?

Removal of the existing bridge will address stormwater management and erosion issues surrounding the bridge.

1000 characters max

Is this project the most cost-effective solution? Is it coordinated with other projects to increase impact? Is the problem clearly defined and does the project successfully solve it? Are there other solutions that might solve the problem in a more creative/cost-effective way?

The project team worked with a design consultant with a strong background in bridge design and contracting. We worked with the consultant to evaluate design alternatives, including rehabilitation and replacement, in order determine the most long-term, cost-effective solution. Unfortunately, the rehabilitation option would have involved lead abatement due to the presence of lead paint on the existing structure, which would have cost nearly as much as a total replacement. A complete replacement of the bridge, constructed off-alignment to allow for access to the Rock Point Property during construction, was determined to be the most efficient and cost-effective long-term solution.

2000 characters max

Reviews & Recommendations/Approvals

	Review Date:	Recommendation/Approval:
Capital Committee:	9/13/2023	Ashley Parker moved to approve the revised request as writtend. Motion was seconded by Nicole Losch. Committee approved the request 5-0, with Parks and DPW abstaining, and Katherine Schad voting via email.
Mayor's Office:		

Rockpoint Bridge Project - Overall Budget			
Fund	**Project**	**Amount**	**Detail**
709	Rockpoint	$62,628.53	Historic Project Budget/Expenses
842	Rockpoint	$45,000.00	FY21 (Annual)
842	Rockpoint	$19,365.00	2019A
842	Rockpoint	$417,000	2022A
843	Shelburne Roundabout	$450,000	2018A & 2019A
831	BP 3A Perkins - Design, BP 3A South - Construction; BP 3B North - Construction	$30,835	2017A, 2018A, 2018B, & 2019A
831	Bike Path - BP Realignment-Const	$48,423.67	2019A
809	Other Capital - City Hall Park	$68,901.93	2019A
843	Washington Berry Street, Const Contr	$34,361.72	2019A
842	ROW DPW North Ave EA Pwy	$11,697.51	2017A
842	Interdepartmental Project, Lavalley Ln	$15,915.15	2019A
842	Interdepartmental Project, Lavalley Ln	$15,000	2018A
Total:		**$1,219,128.51**	

The project's amended Capital Committee Funding Request includes all lines in blue. The City's Bond Counsel is reviewing this reallocation recommendation, and a resolution will be submitted to City Council for reallocation authorization. All other lines are revenues that have either been received or approved for use by this project to-date.

Board of Finance and City Council Submission Checklist

Department: Public Works Submitter: Olivia Darisse/Laura Wheelock

Title/Subject: Authorization to Execute the Construction Contract for the Rock Point Bridge Replacement and Amend Project Budget

	Approval:	Meeting Date:
☒	Board of Finance	9/18/2023
☒	City Council	9/18/2023
☐	Concurrent	Click or tap to enter a date.

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	9/11/2023	Chapin Spencer
Mayor's Office informed and approved memo	Yes	9/12/2023	Samantha Sheehan
Board/Commission, if required	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Yes	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	9/12/2023	Hayley McClenahan
CAO has reviewed budget, financing, and memo	Yes	9/13/2023	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	Yes	Click or tap here to enter text.
Additional Materials, if necessary	Yes	
Draft Resolution or Motion?	Yes	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	N/A	Click or tap here to enter text.

OFFICE OF THE CLERK/TREASURER
City of Burlington

City Hall, Room 20, 149 Church Street, Burlington, VT 05401 Voice (802) 865-7000

To: Board of Finance
City Council

From: Katherine Schad, Chief Administrative Officer
Kerin Durfee, Director of Human Resources
Timothy Clancy, Human Resources Manager

Date: September 18, 2023

Subject: Reclassification of two (2) Clerk Treasurer's positions and not filling of one (1) position

Executive Summary

We propose reclassifying two (2) positions in the Clerk Treasurer's office and despite having approval and an approved budget, not filling one (1) position. The specifics are:

- Reclassification of Director of Financial Operations, a regular service, full-time, exempt, non-union, market factored position to Director of Finance, a regular service, full-time, exempt, non-union, market factored position.
- Reclassification of Banking & Cash Operations Manager, a regular service, full-time, exempt, non-union Grade 21 to Assistant Director of Finance, a regular service, full-time, exempt, non-union Grade 23.
- The Clerk Treasurer's Office recognizes that the general fund budget constraints necessitate not filling the previously approved Budget Manager position and those tasks have been absorbed into the positions above with the reclassifications.

Director of Finance

In February 2023 the previous Director of Financial Operations left the City after a lengthy tenure. At that time the Administration and CT staff decided to review and reconsider what is needed and therefore to update the job description. Over the past six months various CT staff have been filling in for the tasks that the former Director was performing. Significant updates to the attached job description include a larger focus on budgeting and ensuring quality control. The full scope includes overseeing City-wide budgeting, accounting, finance, purchasing, and retirement functions for the City, as well as direct supervision of the Comptroller, Cash & Banking Operations Manager, and Retirement Administrator. Additionally, since the last time this job description was reviewed the CT Office was reorganized and the Director of Operations position was created, for the sake of clarity we are asking that this title be adjusted to Director of Finance.

Assistant Finance Director
With the departure of the Director of Financial Operations, the Cash & Banking Operations Manager has taken on significant additional new tasks, especially related to financing including:

- Responsible for determining the City's short- and long-term borrowing needs to include: Grant Anticipation Notes (GAN), Revenue Anticipation Notes (RAN), and Tax Anticipation Notes (TAN), Bonding, Capital Leasing and other funding mechanisms;
- Confers with bond counsel for the issuance of long-term and short-term borrowing and prepares necessary paperwork for bond authorizations;
- Prepares requests for proposals (RFPs), negotiates, and structures the terms of a deal. Exercises discretion as to when short-term borrowing should be converted to other forms of bonding; and
- Responsible for the City's Official Statement (OS) for all bonding for the General Fund, Burlington School District, and all Enterprise Funds and ensuring Federal Tax Compliance; Continuing Disclosures and paying Bondholders.

Taking these tasks off of the Director of Finance directly allows that person to be more directly involved in the City budgeting process.

Financial Impact

Position Title	**FY24 Budgeted Salary**	**Proposed Reclass Salary**
Director of Financial Operations / Finance Director	$140,191	$127,900-$191,900
Budget Manager	$81,968	$0
Banking & Cash Ops Manager / Asst Finance Director	$95,279	$100,101.68
TOTAL	**$317,438**	**$228,001.68-$292,001.68**

This will result in a savings of between $25,436.32 and $89,436.32 to the FY24 CT budget which will help to meet planned attrition.

<u>Motions</u>

<u>Board of Finance Motion</u>:

To approve and recommend approval to the City Council for the:

Modification, retitle, and reclassification of the Director of Financial Operations, a regular service, full-time, exempt, non-union position with a market factor range of $118,055.69 to $165,325.93 to Director of

Finance, a regular service, full-time, exempt, non-union position with a market factor range of $127,900 to $191,900.

Modification, retitle, and reclassification of the Banking & Cash Operations Manager, a regular service, full-time, exempt, non-union Grade 21 to Assistant Director of Finance, a regular service, full-time, exempt, non-union Grade 23.

<u>City Council Motion</u>:

To approve the:

Modification, retitle, and reclassification of the Director of Financial Operations, a regular service, full-time, exempt, non-union position with a market factor range of $118,055.69 to $165,325.93 to Director of Finance, a regular service, full-time, exempt, non-union position with a market factor range of $127,900 to $191,900.

Modification, retitle, and reclassification of the Banking & Cash Operations Manager, a regular service, full-time, exempt, non-union Grade 21 to Assistant Director of Finance, a regular service, full-time, exempt, non-union Grade 23.

City of Burlington
Job Description

Position Title: Director of Finance

Department: Clerk/Treasurer

Reports to: Chief Administrative Officer

Pay Grade: N/C, and TBD Market Based **Job Code:** 110

Exempt/Non-Exempt: Exempt **Union:** Non-Union

Remote Work Rating: Tier 2

General Purpose:

The Director of Finance is responsible for overseeing City-wide budgeting, accounting, finance, purchasing, and retirement functions for the City, as well as direct supervision of the Comptroller, Cash & Banking Operations Manager, and Retirement Administrator.

Essential Job Functions: (This section outlines the fundamental job functions that must be performed in this position. The "Qualifications/Basic Job Requirements" and the "Physical and Mental/Reasoning Requirements and Work Environment" state the underlying requirements that an employee must meet in order to perform these essential functions. In accordance with the Americans with Disabilities Act, reasonable accommodations may be made to qualified individuals with disabilities to perform the essential functions of the position.)

- Directly supervises Comptroller and Cash and Banking Operations Manager providing guidance over the accounting, purchasing, and finance functions.
- Directly supervises Retirement Administrator and works with outside experts to manage the City's self-financed retirement plan.
- Prepares or oversees the preparation of: monthly revenue and expenditure reports; monthly, quarterly, and annual City reports; Federal/State reports; and other reports as requested.
- Oversees audits to ensure compliance with Generally Accepted Accounting Principles (GAAP), state and federal requirements and statutes.
- Directs, confers, and coordinates audit process including preparing of ACFR (Annual Comprehensive Financial Report).
- In coordination with CAO, prepares City-wide operating budgets, working closely with CT staff and Department Heads.
- In coordination with the CAO, update and oversee standards and procedures to guide the administration of Citywide organizational budgeting.
- As directed, conduct budget and financial requirement analyses on major budget planning issues and alternatives, including but not limited to, union negotiations.
- Plans and evaluates financial management procedures and implements such procedures.
- Oversees grant financial reports including timely financial reporting to various agencies.

- Performs other duties as required.

Qualifications/Basic Job Requirements:

- Bachelor's Degree in Business or related field.
- Preference given for candidates that maintain professional designations such as CPA or CGFM.
- At least five (5) years' experience in finance and accounting, with experience in government preferred.
- Thorough knowledge of Generally Accepted Accounting Procedures and regulatory requirements required, knowledge of municipal accounting preferred.
- At least three (3) years of supervisory experience.
- Advanced financial expertise in budget planning and financial forecasting.
- Demonstrated leadership, supervisory and planning skills.
- Excellent verbal and written communication skills.
- Strong analytical and problem-solving skills
- Strong ability to establish and maintain effective working relationships with City Officials and Departments, state and other public officials
- Ability to maintain confidentiality and make decisions in accordance with established policies and procedures.

Physical & Mental/Reasoning Requirements; Work Environment:
These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position.

_x_ seeing
__ ability to move distances within and between warehouses/offices
__ lifting (specify) __ pounds
__ color perception (red, green, amber)
__ carrying (specify) __ pounds
_x_ hearing/listening
__ climbing
_x_ clear speech
__ ability to mount and dismount forklift/truck
__ driving (local/over the road)
_x_ touching
_x_ dexterity
_x_ hand
_x_ finger
_ pushing/pulling
__ reading - basic
__ math skills - basic
_x_ analysis/comprehension
_x_ reading – complex
_x_ math skills - complex

_x_ judgment/decision making

__ writing - basic

_x_ clerical

_x_ writing - complex

__ shift work

__ outside

__ pressurized equipment

_x_ works alone

__ extreme heat

__ moving objects

_x_ works with others

__ extreme cold

__ high places

_x_ verbal contact w/others

__ noise

__ fumes/odors

_x_ face-to-face contact

__ mechanical equipment

__ hazardous materials

_x_ inside

__ electrical equipment

__ dirt/dust

Supervision:

Directly Supervises: 2 Indirectly Supervises: ___8_

Disclaimer:
The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

Approvals:

Department Head: ______________________________ Date: __________

Human Resources: ______________________________ Date: __________

Created August 2023

City of Burlington
Job Description

Position Title: Director of Financial Operations

Department: Clerk/Treasurer

Reports to: Chief Administrative Officer

Pay Grade: N/C, and TBD Market Based **Job Code:** 110

Exempt/Non-Exempt: Exempt **Union:** Non-Union

General Purpose: Reporting to and partnering with the Chief Administrative Officer (CAO) to oversee the City's financial operations, except for Burlington Electric Department and Burlington School District, to continuously improve all of the City's financial systems while increasing revenues and decreasing expenses. As a member of the senior leadership team, the Director of Financial Operations (DFO) will be an advisor to department managers, evaluating and assisting them with financial plans, economic, and cash modeling.

Essential Job Functions: (This section outlines the fundamental job functions that must be performed in this position. The "Qualifications/Basic Job Requirements" and the "Physical and Mental/Reasoning Requirements and Work Environment" state the underlying requirements that an employee must meet in order to perform these essential functions. In accordance with the Americans with Disabilities Act, reasonable accommodations may be made to qualified individuals with disabilities to perform the essential functions of the position.)

Administrative / Accounting Functions:

- Act for the Chief Administrative Officer (CAO) in his/her absence.
- Under direction of CAO responds to Public Record Requests and citizen complaints related to City's financial systems.
- Oversee day-to-day function of finance team to include financial, accounting, payroll, retirement, and procurement personnel.
- Build, and look for opportunities to expand scope and responsibility of finance team, including but not limited to the administrative function of the team.
- Team management responsibility include training, mentoring problem resolution, performance evaluation, and the building of an effective team dynamic. Plan, direct, and monitor the work of department personnel. Coordinates with CAO and then implements personnel actions within established policies, procedures, and contractual agreements.
- Prepare and produce staffing forecasts systems, and works with Payroll department to then create on a weekly, monthly, quarterly, and annual basis and comparative data on results vs. forecasts as requested; identify opportunities for improvement and recommend solutions.
- Create systems that can report on historical data and forecasting from applicable systems for position control.
- Coordinate with CAO and then develop and oversee creations of department standard

operating procedures and necessary training programs; draft and recommend department policy changes to the CAO.

- Draft and coordinate with CAO and then implement department and City wide accounting Standard Operating Procedures as appropriate works with the Human Resources Department.
- Develop and lead systems for internal controls such as Committee of Sponsoring Organization (COSO) modules, implementation and maintenance of internal controls, and regularly updates CAO on internal control progress. Coordinates with CAO to set internal control goals and systems to measure success.
- Identify and then lead the finance and accounting team effort to achieve Federal, State, and Professional awards for the highest standards in municipal accounting / report – such as Government Financial Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting.
- Coordinate overall strategy with CAO regarding Audit Management Letter (ML), and Management Discussion Analysis (MDA), and then develops an implementation strategic plan to correct findings. Updates CAO of success of strategic plan.
- Analyze position control data for active employees, assess system, and recommends steps and systems to improve data management accuracy.
- Oversee the creation of the City of Burlington Annual Benefit Statements to City employees.
- Expand current ability of accounting software, and creates new systems so as to better assess revenue streams and thereby develop and implement innovative solutions that generate new revenue streams. This includes building customized interfaces, imports, templates, financial, and the creation of summary data that allows for full drill down capability to the detailed level with the push of a button.
- Prepare or oversee the preparation of financial statements and reports on a monthly and annual basis. Provide and build special financial reports upon request.
- Analyze and develop position control data for forecasting budgetary accuracy.
- Continuously assess and identify and implement ways to improve systems management, configuration, operation, and related infrastructure of the City wide Fixed Asset System, Sage.
- Oversee the administration of the City wide indirect and direct costing modules which includes: workers compensation, general liability and insurances, allocation of payroll, human resources, information technology, governmental services, retirement, health, life insurance, dental, and legal costs to all departments of the City.
- Coordinate with CAO and then lead the Clerk/Treasurer's efforts to institute, benchmark, and track progress on finance and accounting performance metrics across all City Departments with emphasis on the Clerk/Treasurer's Office of continuous performance improvement efforts.
- Continuously improve the administrative systems for the Burlington employees customized retirement database which includes the tracking of benefits to their members, which are financed by contributions from members, departments, and a dedicated tax from taxpayers. Oversee work of Retirement and Insurance Administrator, work with actuary regarding Federal reporting requirements to provide required data and improve

systems by which we can provide this data.

- Manage the City and Burlington School District census retirement data for all active, vested, and retired employees and the utilization of database to track all retirement data for the City by union type and rules to include: vesting periods, rates of returns, deferrals, employer contributions, maintains all historical data and oversees staff implementation of custom builds, and continuous training with staff to maintain and report on the data as required of union contracts, annual actuarial reporting, and compliance with Generally Accepted Accounting Principles.
- Ensure all systems are tracked and data is managed in accordance with City Ordinances.
- Establish and administer a system that tracks the needs of users and monitors user access security, performance and managers parameters to provide fast responses to front-end users using New World, VC3, Land Records, and Board Docs.
- Coordinate with CAO and then implement systems and procedures to ensure compliance with applicable laws, audit, and reporting requirements for State and Federal Grants.
- Coordinate with the CAO to develop systems to assist in the creation of the Annual Budget; monitor expenditures and revenues. Assist CAO, Mayor and Board of Finance in preparing annual City budget; provide ongoing control and maintenance of adopted budget. Develop systems whereby on at least a quarterly basis City can accurately project fiscal year final revenues and expenses.
- Provide to all City departments other than Burlington School District, high-level technical support on accounting and budget related system; establish City-wide accounting procedures, provide training, and insure compliance.
- Provide support and /or management of special projects as assigned by the CAO.
- Coordinate with CAO to manage the annual City audit. Develop audit schedules for each entity of the City; verify accuracy of data and disclosures; and supervise production of annual report.
- Develop systems for accounting team and other departmental finance staff to ensure that entries are accurate and conform to Generally Accepted Accounting Principles (GAAP); Responsible for accurate reconciliation of all account transactions of the City to the department records on a monthly basis.
- Collaborate with Assistant City Clerk to assess land records and vital record systems to then continuously improve management systems of these areas. Ensure City of Burlington Land Records Management is compliant with City Ordinances and State Law.
- Develop high level of understanding of all union contracts, develops systems to assist Payroll and Human Resources to implement appropriates sections of current contracts, assist City contract negotiation team with recommendation to upcoming contracts, develop system to identify and then update total compensation data, and assist City negotiation team as requested.
- Coordinate with CAO to set central purchasing revenue enhancement and expenditure reductions goals, and then creates systems to measure goal achievement. Supervise central purchasing staff and directly assist in negotiating with vendors and banks identify and then meet goals. Develop systems or access to data so as to compare prices, discounts, and quality of levels of City wide purchases.
- Responsible for System for Award Management (SAM) for the entire City, and manages

the oversight of all federal and state grants awards to include renewal, compliance, reporting, procurement, disbursement and reimbursement of funds. The management of SAM is a pre-requisite in submission of grant applications.
- Maintain and update all accounting computer systems with coordination of CIO, including the general ledger and all sub-ledgers of the City.

Financing Functions:
- Investigate, initiate and maintain effective working relationships with banks, auditors, financial advisors, and credit analysts, and other financial institutions. Coordinates with CAO and then initiates Request for Proposal process (RFP) for auditor, actuary, banks, etc. makes recommendation to CAO to then be approved by Board of Finance and City Council.
- Recommend to CAO and then implement all steps and processes related to City financing including financial closing costs as allowed by City Charter, management of time schedules related to financing, management of the project team involved in the financing deals to include: consultants such as Public Finance Group (PFM), underwriters of the bonds, lawyers on record, accountant firm, and bond council. Update CAO on progress of implementing financing deals.
- Create draft presentations, review with CAO, and then present City financial performance, project surplus of funds, cash flow, and future borrowings to Moody's, Fitch, and S&P for overall credit rating for City, and all departments.
- Create systems that ensure City receives respectively Enterprise closing costs payable for investment of Clerk/Treasurer's Office time for the successful sale or refinance deals for all bonds.
- Create and oversee implementation of systems for timely and accurate cash management for the City, to include preparing certified cash flow certificates, Lines Of Credit (LOC), Tax Anticipation Notes (TAN), Grant Anticipation Notes (GAN), and Revenue Anticipation Notes (RAN) as allowed by City Charter.
- Invest City funds per the City's Investment Policy, including management of daily cash flow exceeding $200 million annually. In addition, management per bond covenant and City Charter is required for trusts, special funds, and reserve maintenance is required. At least quarterly reviews investment strategies with CAO.
- Produce the City of Burlington's Official Statement (OS) for all bonding and potential refinancing for the General Fund, Burlington School District, and all Enterprise Funds. The OS is used to market and sell City of Burlington's Government (GO) bonds, and Certificate of Participations (COP). Total bonding for City commonly exceeds $25 million annually.
- Recommend to CAO method of sale of bonds and implements strategy, prepare underwriter request for proposals (RFP) and summary of proposals if negotiated, structure bonds, prepare rating agency material, market and sale of bonds to bidders on behalf of the City.
- Ensure all financial, operating data, debt compliance, credit rating changes are communicated to meet both Internal Revenue Services (IRS) and Security Exchange Commission (SEC) required tax and non-tax filings are done in a timely, reliable manner.

- Coordinate with CAO on rate setting to ensure debt compliance, reserve requirements, compliance with bondholders are met, liquidity, and EBIDTA is met for Enterprise Funds.
- Perform various analysis including refunding analysis, rating analysis, debt and call analysis, internal rate of return (IRR), and net-present value (NPV) on proposed deals.
- Review bond proposals from underwriters, whether solicited or unsolicited, and make recommendation to CAO, Mayor, Board of Finance, and City Council.
- Previously Counsel approved to function as Officer of the City the DFO oversees overall financing structure of the borrowing. Coordinates with CAO to develop Resolutions for specific terms of borrowings.
- As Officer of the City, DFO communicates directly with investors to assist in negotiating the price of bonds. Works in conjunction with financial advisors, and underwriters. Communication provides an overview of financial operations directly with potential investors that may lead to successful sale of the bonds. Coordinates with CAO.
- Maintain outstanding debt book, recommend financing vehicles.

Technology Functions:

- Apply state-of-the-art approaches from other state / municipalities and relevant advances in information and digital technology to refine a strategic plan for the Clerk Treasurer's Office based on the financial vision and data-driven innovation strategy.
- Manage the data mining process of analyzing data from different perspectives and summarizing it into useful information - information that can be used to increase revenue, decrease costs, or both. Lead in the development of a data-driven innovation strategy for the Clerk Treasurer's (CT) Office which includes (a) leading CT's efforts to collect, analyze, and disseminate data to the public and across City departments, (b) facilitating the institutionalization of data-driven decision-making and continuous improvement processes across departments, and (c) promoting openness through the use of accessible, public data.
- Design, develop and implement department systems and work as liaison with the CIO to assist as needed with City-wide information management systems, procedures and programs, including necessary training programs
- Research and recommend improvements in information accounting management systems related to financial, position management and control, grants, procurement, community development tracking, payroll, and 10- year capital plan.
- Oversee, maintain and develop custom built databases used to produce monthly financial to include: weekly payroll forecasting, actuarial reporting, compliance with GASB 68, applicant and benefit tracking solutions used by the City of Burlington, including but not limited to acquisition, conversion, testing, execution, effective use, and training of staff.
- Responsible for all interfaces of software administration to include New World (NW), and Board Docs. Responsible for end users to connect to NW, and VC3 financial system using the local land network, and the Cloud environment. This includes effective provisioning, installation, and maintenance of systems.
- Individual will assist departments with technical issues in the initiation and planning phases of project management for: Grant Tracking, Community Development Module,

Tax Reporting requirements, VC3 our Cloud based provider for our accounting system, and the Retirement Database. These activities include the definition of needs, benefits, and technical strategy: research & development; technical analysis and design; support of information technology in executing, testing, and rolling-out new City- Wide solutions in coordination with CIO.

- Database administrator job duties include: identifies database requirements by interviewing potential users; analyzing department applications, and designs proposed customized system.
- Ability to customize financial solutions based on knowledge of union contracts. The individual will have to maintain retirement vesting periods for all active employees, update rates of returns based on collective bargaining units, and maintain highly confidential information.

Non-Essential Job Functions:

- Performs other duties as required.

Qualifications/Basic Job Requirements:

- Master of Business Administration (MBA) or Master's Degree, with major in accounting or finance, or a related field required.
- Serve in the capacity as such, as a Chief Financial Officer, Chief Operating Officer, Chief Administration Office, or Vice President of Finance/or accounting for a minimum of ten (10) years. Additional experience may be substituted for a degree requirement on a two-for-one year basis.
- In addition, (5) years combined related experience working with Enterprise Funds and non- profits is required.
- Demonstrates continuous improvement to streamlining Accounting, Operating, and Database systems.
- Knowledge of multiple technology platforms including Microsoft Servers, web- based products, expertise in Microsoft Database query design, cloud-based computing and CISCO networking required.
- Knowledge of financial reporting tools such as F9, Cognos, Crystal, or Business Analytics software required.
- Thorough knowledge of budget development and administration, including fund accounting.
- Previous management of staff required with experience managing teams,
- Required direct supervisor experience of 3, and indirect experience supervising 10.
- Considerable knowledge of personnel administrative practices and procedures.
- Considerable knowledge of management principles and practices; ability to accomplish work through others.
- Ability to plan and forecast department workload, including equipment and staffing requirements, develop objectives and arrange resources to assure the accomplishment of objectives.
- Experience in bond offerings to include GO and Enterprise Funds.
- Advanced financial stills required in private, public and negotiated deal placement.

- Thorough knowledge on ROI, Total in Costs (TIC), points, leverage, NPV, escrows, arbitrage, premiums, and discounts.
- Must be consistent and accurate.
- Initiative, creativity, and attention to detail required.
- Strong problem solving and organizational skills required.
- Ability to work well under pressure and appropriately deal with stress.
- Ability to meet schedules and deadlines while working with minimal supervision.
- Ability to work independently and in a team environment.
- Ability to communicate effectively both orally and in writing with City management and departmental staff.
- Ability to establish and maintain good relations with co-workers and public relations.
- Ability to listen to and appropriately react to a supervisor's constructive criticism and incorporate said criticism to improve performance.
- Maintain cooperative relationships with Commissioners, City Councilors, Financial Advisors, legal counsel, and regulatory agencies.
- Ability to obtain a working knowledge of departmental operations and procedures, City Charter, and ordinances and pertinent state and local regulations.
- Experience with information systems, data mining, and all Microsoft Products a plus.
- Advanced skills in management and financial reporting to include knowledge and experience working with numerous applications.
- Flexibility, adaptability and commitment to constant improvement and innovation.
- Ability to actively support City diversity, equity, and cultural competency efforts within stated job responsibilities and work effectively across diverse cultures and constituencies.
- Demonstrated commitment to diversity, equity and inclusion as evidenced by ongoing trainings and professional development.
- Regular attendance is necessary and is essential to meeting the expectations of the job functions.
- Ability to understand and comply with City standards, safety rules and personnel policies.

Physical & Mental/Reasoning Requirements; Work Environment:
These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position.

_x_ seeing
__ color perception (red, green, amber)
_x_ hearing/listening
_x_ clear speech
_x_ touching
    _x_ dexterity
    _x_ hand
    _x_ finger

__ ability to move distances within and between warehouses/offices
__ climbing
__ ability to mount and dismount forklift/truck
_ pushing/pulling

__ lifting (specify)
    __ pounds
    __ carrying (specify)
    __ pounds
    __ driving (local/over the road)

__ reading - basic
_x_ reading – complex

__ math skills - basic
_x_ math skills - complex

_x_ analysis/comprehension
_x_ judgment/decision

__ writing - basic	_x_ clerical	making
_x_ writing - complex		
__ shift work	__ outside	__ pressurized equipment
_x_ works alone	__ extreme heat	__ moving objects
_x_ works with others	__ extreme cold	__ high places
_x_ verbal contact w/others	__ noise	__ fumes/odors
_x_ face-to-face contact	__ mechanical equipment	__ hazardous materials
_x_ inside	__ electrical equipment	__ dirt/dust

Supervision:

Directly Supervises: __4__ Indirectly Supervises: ___12_

Disclaimer:
The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.
Approvals:

Department Head: ______________________________ Date: __________

Human Resources: ______________________________ Date: __________

Created February 2016.

City of Burlington
Job Description

Position Title: Banking & Cash Operations Manager

Department: Clerk/Treasurer's Office

Reports to: Director of Financial Operations

Pay Grade: 21

Job Code: 1279

Exempt/Non-Exempt: Exempt

Union: Non-Union

Remote Work Rating: Tier 2

General Purpose: This position provides senior level accounting services, including supervision, in support of the City's central accounting function. This position may also provide accounting services to all City Departments. This position is also responsible to research, negotiate, and initiate agreements with financial institutions, vendors and suppliers for cost savings so as to continuously improve the City's financial position and cash management systems.

Essential Job Functions: (This section outlines the fundamental job functions that must be performed in this position. The "Qualifications/Basic Job Requirements" and the "Physical and Mental/Reasoning Requirements and Work Environment" state the underlying requirements that an employee must meet in order to perform these essential functions. In accordance with the Americans with Disabilities Act, reasonable accommodations may be made to qualified individuals with disabilities to perform the essential functions of the position.)

Finance / Accounting Functions:

- Research and meet with financial institutions and negotiates terms related to City's cash that increases interest payments to the City, and or reduce City's borrowing costs.
- Recommend ways to improve and integrate all City's cash management systems; banking, credit card companies, consultants, etc. to create efficiency and highest level of internal controls.
- Responsible for determining the size of short-term borrowings to include the Grant Anticipation Note (GAN), Revenue Anticipation Notes (RAN), and Tax Anticipation (TAN). Prepare request for proposals, negotiate, and structure the terms of deal.
- Responsible for managing the City's Cash Flow and all Cash Management and Business Deposit products and services to include profitability updating agreements and compliance requirements.
- Manage risk related to Cash Management products and services.
- Direct supervision of fiscal staff to include leading, coaching & team building to increase communication, motivation and cooperation in achieving goals. This may include, evaluation, on-going training, one on one support and disciplinary action when necessary.
- Design and maintain system controls to ensure internal/external vendor compliance and audit readiness.

- Invest City and Perpetual Care Funds to maximize return on investment in accordance with State of Vermont Statutes and Board of Finance and City Council's Investment Policy.
- Assist in production of the Official Statement (OS) for all bonding for the General Fund, Burlington School District, and all Enterprise Funds.
- Build strong relationships with all City departments, lawyers, bankers, and auditors.
- Work with all City departments for short-term borrowing and banking needs.
- Direct Liaison for the Department of Public Works and Church Street Marketplace.
- Reconcile, create and file mandated reports such as quarterly Sales & Use Tax Returns and 1099 miscellaneous. Reconciliation of Pension Investments, and Retirement and Perpetual Care Funds.
- Oversight of all bank reconciliations.
- Draft and enforce City accounts payable policies and procedures and monitors compliance with Federal and State laws and regulations.
- Report at least quarterly to Chief Administrative Officer (CAO) and Director of Financial Operations (DFO) as to progress in improving City's cash position.
- Help draft required yearly Fiscal Stability Bond analysis.
- Perform and/or supervise accounting duties such as the preparation of journal entries, bank statement reconciliation, general ledger account reconciliation and billing, including but not limited to, payroll, accounts payable, revenue collections, and fixed asset accounting.
- Assist in the preparation of the City's budget by providing necessary information and suggestions.
- Develop and maintain appropriate accounting standards and procedures in accordance with Generally Accepted Accounting Principles (GAAP) and other regulatory guidelines and requirements.
- Work in conjunction with other team members on all audits. This may include the reconciliation of assigned general ledger accounts producing schedules and documentation as well as responding to auditor inquiries.
- Ensure timely and accurate posting of transactions associated with the City's fiscal and accounting functions.
- Assist in the processing, checking and posting of transactions associated with the City's fiscal and accounting functions.
- Responsible for working in conjunction with other senior management team members in cross training of critical tasks to ensure coverage during absences.
- Responsible for departmental training on compliance guidelines and procedures, at least once per year.

Central Purchasing Functions:

- Analyze price proposals, financial reports, and other information to determine reasonable prices.
- Negotiate and renegotiate pricing for the City of Burlington with vendors and suppliers.
- Evaluate and monitor contracts to be sure that vendors and supplies comply with the terms and conditions of the contract and to determine need for changes.

- Provides general supervision of all City purchasing functions.
- Build and maintain good relationships with new and existing suppliers.
- Collaborate with other entities to centralize types of purchases that are best suited to achieve economies of scale and lower costs.
- Implement three-year plan to centralize purchasing activity with the goal to achieve economies of scale and lower costs. Work with vendors and City departments to implement and facilitate these savings.
- Draft purchasing policies and procedures in conjunction with other City departments with the goal of process improvement; brings to supervisor and City Attorney for final approval before implementation.
- Present measurable goals for purchasing savings, and/or cost reductions, and when approved initiate steps to meet or exceed saving's goals; document goal achievement.
- Initiate bid/quote process for City for services, supplies and equipment; consult with users and outside consultants to develop specifications; prepare bid documents and oversee the bid process; perform bid analysis and make recommendations regarding purchases.
- Work relationships with vendors to stay current with trends and technologies, products and services.
- Meet with key stakeholders and others with a collaborative approach on an at least a quarterly basis to assess future cost savings.
- Prepare monthly reports detailing cost initiatives for CAO and BoF.
- Ensure that the City reaches out to other municipalities to determine interest in joint purchasing.
- Assess State purchasing plans to determine whether City can/should take advantage of programs such as Municipal Vehicle etc.
- Collaborates with DFO to identify opportunities for refinancing debt and thereby saving costs.
- Lead and builds C/T purchasing team to include but not limited to Accounts Payable Team and Administrative Assistant position.
- Lead efforts to most cost efficiently utilize City credit cards and identifies methods by which we can receive cash back and/or reduce fees.

Non-Essential Job Functions:

- Performs other duties as required.

Qualifications/Basic Job Requirements:

- Bachelor's Degree in Accounting, Business Administration, or related field and five (5) years of relevant experience in accounting and banking. Additional experience may be substituted for a degree requirement on a two-for-one-year basis.
- Minimum of three (3) years supervisory experience required.
- Thorough knowledge of general accounting principles and banking practices required.
- Working knowledge of computerized accounting systems including the ability to operate spreadsheets, word-processing, and database software in a Windows based environment.
- Ability to delegate, direct and review the work of subordinate staff and the ability to train associates in accounting practices and procedures.

- Ability to work with vendors in price and/or contract negotiations.
- Must possess knowledge in modern purchasing methods, procedures, and specifications preparation.
- Must possess knowledge in purchasing software.
- Must possess knowledge in methods and techniques utilized in analyzing the quality of services, supplies, and equipment and in sources of purchasing information.
- Must possess knowledge in budgets and revenue control.
- Ability to write specifications, prepare bid documents, handle bidding process and analyze all bid results.
- Ability to analyze, understand and negotiate legal contracts and forms.
- Ability to perform detailed work related to purchasing with judgment, accuracy, confidentiality and promptness.
- Must be consistent and accurate.
- Initiative, creativity, and attention to detail required.
- Strong problem solving and organizational skills required.
- Ability to work well under pressure and appropriately deal with stress.
- Ability to meet schedules and deadlines while working with minimal supervision.
- Ability to work independently and in a team environment.
- Ability to communicate effectively both orally and in writing with City management and departmental staff.
- Ability to establish and maintain good relations with co-workers.
- Ability to listen to and appropriately react to a supervisor's constructive criticism and incorporate said criticism to improve performance.
- Flexibility, adaptability and commitment to constant improvement and innovation.
- Ability to actively support City diversity, equity, and cultural competency efforts within stated job responsibilities and work effectively across diverse cultures and constituencies.
- Demonstrated commitment to diversity, equity and inclusion as evidenced by ongoing trainings and professional development.
- Regular attendance is necessary and is essential to meeting the expectations of the job functions.
- Ability to understand and comply with City standards, safety rules and personnel policies.

Physical & Mental/Reasoning Requirements: Work Environment:
These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position. Upon request for a reasonable accommodation, the City may be able to adjust or excuse one or more of these requirements, depending on the requirement, the essential function to which it relates, and the proposed accommodation.

x	seeing		ability to move distances within warehouses and offices
	color perception (red, green, amber)	x	lifting (specify 30 pounds)
x	hearing/listening		carrying (specify 30 pounds)
	clear speech		climbing

x	touching		driving
x	dexterity x hand x finger		ability to mount and dismount forklift
	reading – basic		pushing/pulling
x	reading – complex		shift work
	math skills – basic		moving objects
x	math skills – complex		pressurized equipment
	writing – basic		extreme heat
x	writing – complex		extreme cold
x	analysis/comprehension		high places
x	judgment/decision making		noise
	clerical		fumes/odors
x	inside		dirt/dust
	outside		hazardous materials
x	works alone		electrical equipment
x	works with others		mechanical equipment
x	face-to-face contact		
x	verbal contact w/others		

Supervision:
Directly Supervises: __4__ Indirectly Supervises: ____

Disclaimer:
The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

Approvals:
Department Head: ______________________________ Date: __________

Human Resources: ______________________________ Date: __________

(revised February 2011). Revised June 2015 Revised February 2016. Revised July 2017. Revised January 2023 with Remote Work Rating.

City of Burlington
Job Description

Position Title: Assistant Finance Director

Department: Clerk/Treasurer's Office

Reports to: Director of Finance

Pay Grade: 23

Job Code: 1279

Exempt/Non-Exempt: Exempt

Union: Non-Union

Remote Work Rating Tier: Tier 2

General Purpose:

This position provides senior level accounting services, is a leader in the Clerk & Treasurer's Department, and provides supervision and development of staff in support of the City's central accounting function. It will also provide oversight, advice, and administration of the City's various finance-related activities including cash flow/cash handling, debt, investments, and purchasing with a specific focus on generating savings.

Essential Job Functions:
(This section outlines the fundamental job functions that must be performed in this position. The "Qualifications/Basic Job Requirements" and the "Physical and Mental/Reasoning Requirements and Work Environment" state the underlying requirements that an employee must meet in order to perform these essential functions. In accordance with the Americans with Disabilities Act, reasonable accommodations may be made to qualified individuals with disabilities to perform the essential functions of the position.)

- Researches, negotiates, and initiates agreements with financial institutions pertaining to the City's cash handling, borrowing, purchasing, and investment portfolio. Focus on cost savings so as to continuously improve the City's financial position and cash management.
- Directs City investment allocations, decides mix of investment vehicles, depository, and investment terms. Monitors & ensures adherence to the City's investment policy in all financial dealings.
- Directs Perpetual Care Fund investments to maximize return on investment in accordance with State of Vermont Statutes and the City's investment policy.
- Responsible for managing the City's cash flow, cash management services, and deposit products to include profitability updating agreements and compliance requirements related to debt and risk mitigation.
- Reports at least quarterly to the Chief Administrative Officer (CAO) and Director of Finance as to progress in improving City's cash position.
- Delegates authority for the receipt, disbursement, banking, protection, and custody of funds, securities, and financial instruments.
- Responsible for determining the City's short- and long-term borrowing needs to include: Grant Anticipation Notes (GAN), Revenue Anticipation Notes (RAN), and Tax Anticipation Notes (TAN), Bonding, Capital Leasing and other funding mechanisms.

- Confers with bond counsel for the issuance of long-term and short-term borrowing and prepares necessary paperwork for bond authorizations.
- Prepares requests for proposals (RFPs), negotiates, and structures the terms of a deal. Exercises discretion as to when short-term borrowing should be converted to other forms of bonding.
- Responsible for the City's Official Statement (OS) for all bonding for the General Fund, Burlington School District, and all Enterprise Funds and ensuring Federal Tax Compliance; Continuing Disclosures and paying Bondholders.
- Identifies and implements ways to improve and integrate all City's cash management systems (point-of-sale, gateways, third-party processors, banking, etc.) with a focus to reduce cost, increase efficiency, and maintain the highest level of security and internal controls.
- Direct supervision of fiscal staff to include leading, coaching & team building to increase communication, motivation and cooperation in achieving goals. This may include, evaluation, on-going training, one on one support and disciplinary action when necessary.
- Designs and maintains system controls to ensure internally (staff) and externally (vendors, partners) in accordance with GAAP and City policies.
- Drafts and enforces the City's accounts payable policies and procedures and monitors compliance with Federal and State laws and regulations.
- Oversight of 1099NEC & 1099MISC filing to ensure compliance with the Internal Revenue Service.
- Analyzes price proposals, financial reports, and other information to determine reasonable prices.
- Collaborates with departments to negotiate and renegotiate pricing for the City of Burlington with vendors and suppliers as necessary with the goal to achieve economies of scale and lower costs.
- Meets with key stakeholders and others with a collaborative approach on at least a quarterly basis to assess future cost savings.
- Initiates bids/quotes process for City for services, supplies and equipment; consult with users and outside consultants to develop specifications; prepares bid documents and oversees the bid process; performs bid analysis and make recommendations regarding purchases.
- Oversees purchasing policies and procedures and works with CAO and City Attorney on making changes and updates to manual. .
- Leads efforts to most cost efficiently utilizing the City's purchasing cards and identifying methods by which we can receive rebates and/or reduce fees.
- Responsible for working in conjunction with other senior management team members in cross training of critical tasks to ensure coverage during absences.
- Work in conjunction with other team members on all audits. This may include the reconciliation of assigned general ledger accounts producing schedules and documentation as well as responding to auditor inquiries.

Non-Essential Job Functions:

- Performs other duties as required.

Qualifications/Basic Job Requirements:

- Bachelor's Degree in Business or related field. Additional experience may be substituted for degree requirement on a two-for-one year basis.
- At least five (5) years' experience in finance and banking.
- Thorough knowledge of Generally Accepted Accounting Procedures and regulatory requirements required.
- At least three (3) years of supervisory experience.

- Demonstrated leadership, supervisory and planning skills.
- Excellent verbal and written communication skills.
- Strong analytical and problem-solving skills
- Ability to maintain confidentiality and make decisions in accordance with established policies and procedures.

Physical & Mental/Reasoning Requirements; Work Environment:

These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position.

x	seeing
	color perception (red, green, amber)
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x	dexterity x hand x finger
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x	reading – complex
	math skills – basic
x	math skills – complex
	writing – basic
x	writing – complex
x	analysis/comprehension
x	judgment/decision making
x	clerical
x	inside
	outside
x	works alone
x	works with others
x	face-to-face contact
x	verbal contact w/others
	ability to move distances within warehouses and offices
	lifting (specify pounds:)
	carrying (specify pounds:)
	climbing
	driving
	ability to mount and dismount forklift
	pushing/pulling
	shift work
	moving objects
	pressurized equipment
	extreme heat
	extreme cold
	high places
	noise

	fumes/odors
	dirt/dust
	hazardous materials
	electrical equipment
	mechanical equipment

Supervision:
Directly Supervises: 4
Indirectly Supervises: 0

Disclaimer:
The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

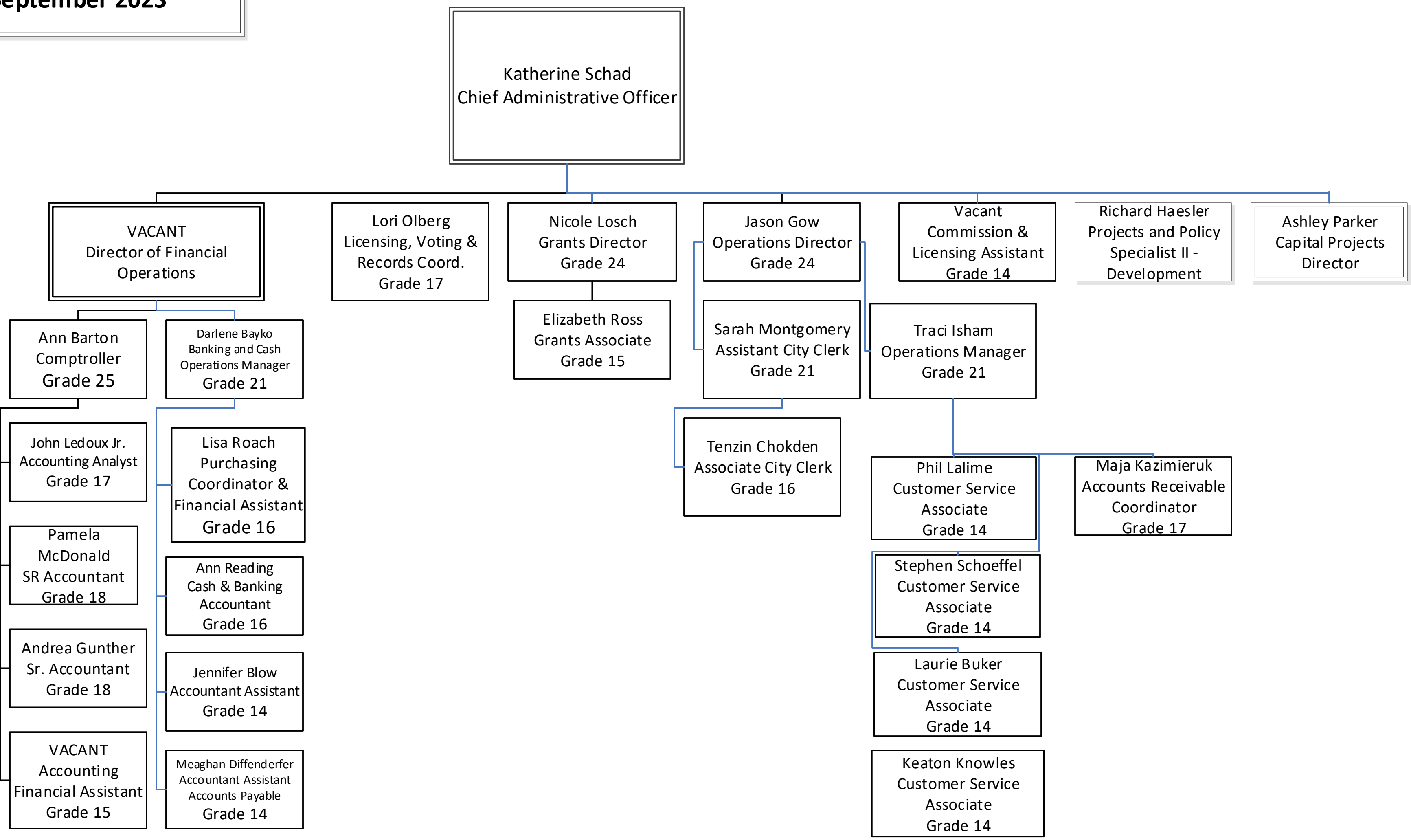
Approvals:

Department Head: ________________________________ Date: ___________

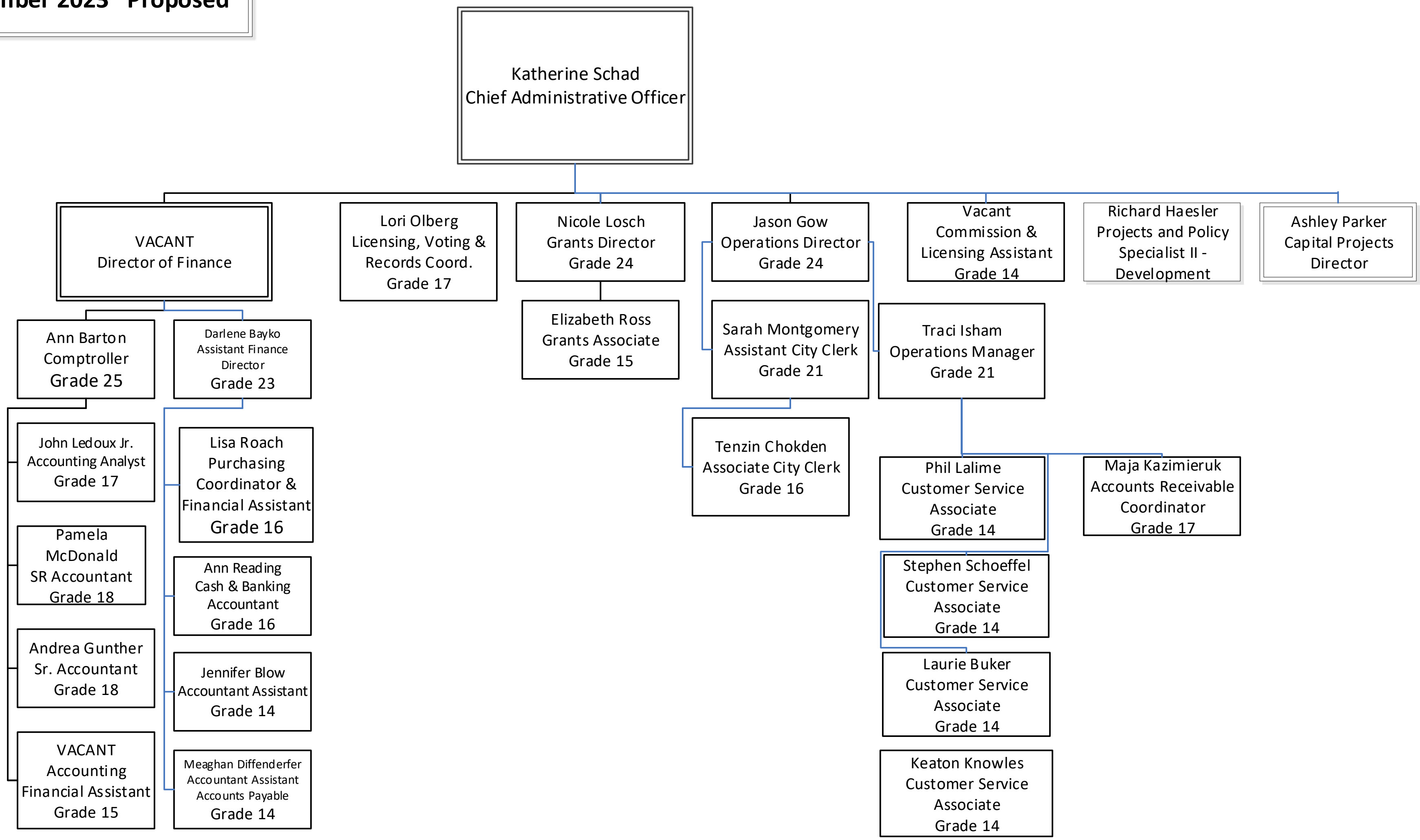
Human Resources: ________________________________ Date: ___________

Revision Dates: August 2023

Clerk / Treasurer's Office
City of Burlington
September 2023



Clerk / Treasurer's Office
City of Burlington
September 2023 "Proposed"



Board of Finance and City Council Submission Checklist

Department: Clerk/Treasurer's Office Submitter: Katherine Schad

Title/Subject: Reclassification of Director of Financial Operations and Banking & Cash Operations Manager

	Approval:	Meeting Date:
☒	Board of Finance	9/18/2023
☒	City Council	9/18/2023
☐	Concurrent	Click or tap to enter a date.

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	9/3/2023	Katherine Schad
Mayor's Office informed and approved memo	Yes	9/14/2023	Click or tap here to enter text.
Board/Commission, if required	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	9/14/2023	Click or tap here to enter text.
CAO has reviewed budget, financing, and memo	Choose an item.		Click or tap here to enter text.
Human Resources, if personnel action -Identify HR Manager in note	Yes	9/11/2023	Tim Clancy
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	N/A	Click or tap here to enter text.
Additional Materials, if necessary	Yes	Click or tap here to enter text.
Draft Resolution or Motion?	Yes	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	Yes	Click or tap here to enter text.

BURLINGTON
PARKS
RECREATION
WATERFRONT

To: Board of Finance
City Council

From: Cindi Wight, Director of Parks, Recreation & Waterfront and Erin Moreau, Waterfront Superintendent and Harbormaster

Date: September 18, 2023

Re: Approval of Marina Slip and Mooring Fees

Executive Summary:

Parks, Recreation & Waterfront is requesting:
- Approval of 2024 Marina slip and mooring fees for the 2024 season.

COST Recovery Goals related to Marinas

Category – Enterprise
Our cost recovery goals for Enterprise range from 100-150%

Enterprise categories have a commercial service or contract, similar to a private operation, including specialized services, and are generally more tourist-focused.

The cost recovery *Enterprise* category requires the least subsidy from the taxpayers because it serves a unique group of users. The activity (motor and sail boating) has a higher price point than other activities, similar to our campground. Our marina enterprise group covers approximately 150% of expenses. It includes indirect costs but not capital expenses, typically covered through bonds or Penny for Parks (small projects). The investment in capital expenses supports an open public facility, including restrooms, public docks, and water testing of beaches with our Harbor Master boat and marina staff.

Background:

Per Appendix D of the Burlington Code of Ordinances, Rules and Regulations of the Burlington Parks and Recreation Department, sec. 2(B)(8), the City Council must approve annually the marina mooring and slip fees.

For Seasonal Boaters, primarily Burlington residents, we applied a 5-6% fee increase to account for our increased expenses for labor and utilities.

We increased at a higher % our transient rates, putting the majority of our revenue increases on our visitors. Based on other marinas that share Burlington Harbor, there was room to elevate these to more market rates while still accounting for our older facility and lack of amenities. Fee increases to transient/overnight slips and moorings will leverage seventy percent of our projected increased revenue. We anticipate that the transient boater increase will net approximately $50,000 in additional revenue, nearly 100% of that coming from non-residents of Burlington.

In addition, we are adding Peak Transient Boater rates for July and August and increasing the fees for our July 3rd Celebration night to reflect the current marketplace within Burlington Harbor.

The Harbor Commission unanimously approved the fees at their 9/12/23 meeting.

Fees

Description	Current	New Price	% Increase FY24
Daily Transient docking after one hour	$5.00/hr	$10.00/hr	100.00%
Overnight Slips	$2.25/ft.	$2.75/ft.	22.00%
Overnight Slips Peak Rate		$3.00/ft	33.00%
Transient moorings after 5:00pm	$1.25/ft.	$1.50/ft.	20.00%
Seasonal Boathouse Dock Resident	$97.00/ft	$102.00/ft	5.15%
Seasonal Boathouse Dock Non-Resident	$112.00/ft	$118.00/ft	5.35%
Seasonal Perkins Pier Dock Resident	$77.00/ft	$81.00/ft	5.19%
Seasonal Perkins Pier Dock Non-Resident	$89.00/ft	$94.00/ft	5.61%
Seasonal Mooring Rates Resident	$51.00/ft	$54.00/ft	5.88%
Seasonal Mooring Rates Non-Resident	$59.00/ft	$63.00/ft	6.77%
Boater Waiting List	$25/year	No Change	
Monthly Slip	$30/ft	$32.00/ft	6.60%
Monthly Mooring	$23/ft	$25.00/ft	8.60%
Commercial Slip Rates for existing slips	non-resident plus 20%	No change	
Commercial Rate for dedicated areas (Spirit)	2022 - 5% of gross (leased contract)	2023 - 5.25% of gross (leased contract)	
July 3rd Slip (flat rate)	$200.00	$250.00	25%
July 3rd Mooring (flat rate)	$125.00	$150.00	20%

Motions:

Board of Finance Motion
To approve and recommend that the City Council approve the 2024 Marina fees as set by the Harbor Commission during its September 12, 2023 meeting, subject to review by the City Attorney's Office.

City Council Motion
To approve the 2024 Marina fees as set by the Harbor Commission during its September 12, 2023 meeting, subject to review by the City Attorney's Office.

Board of Finance and City Council Submission Checklist

Department: BPRW Submitter: Cindi Wight

Title/Subject: 2024 Marina Fees

	Approval:	Meeting Date:
☒	Board of Finance	9/18/2023
☒	City Council	9/18/2023
☒	Concurrent	9/18/2023

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	9/6/2023	Click or tap here to enter text.
Mayor's Office informed and approved memo	Yes	9/13/2023	Click or tap here to enter text.
Board/Commission, if required	Yes	9/12/2023	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A	9/11/2023	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	9/11/2023	Kyle Clauss
CAO has reviewed budget, financing, and memo	Yes	9/14/2023	Click or tap here to enter text.
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	N/A	Click or tap here to enter text.
Additional Materials, if necessary	N/A	Click or tap here to enter text.
Draft Resolution or Motion?	Yes	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	N/A	Click or tap here to enter text.

MEMORANDUM:

TO: Board of Finance / City Council

FR: Chapin Spencer, DPW Director

Lee Perry, DPW Division Director – Maintenance Division

CC: Sarah Reeves, CSWD Executive Director

RE: **195-201 Flynn Avenue 2019 Third MOU Extension**

Date: September 18, 2023

Request:

In order to improve solid waste drop off center services for Burlington residents and businesses, as well as insure the City has a place to manage soils properly, the Department of Public Works (DPW) is recommending the City Council approve a one-year, no-cost extension (through 9/30/2024) of the 2019 Chittenden Solid Waste District (CSWD) / City of Burlington Second Memorandum of Understanding (expiring 9/30/2023) to provide the City and CSWD time to negotiate a Purchase and Sale Agreement, for 195-201 Flynn Avenue, or alternatively a lease agreement for 201 Flynn Avenue. Although the City has been working diligently to meet this September 30, 2023 deadline, both CSWD and DPW are asking for more time resulting in a need to extend the current Memorandum of Understanding.

Purpose:

The additional extension will provide CSWD and the City additional time to complete the Phase II environmental assessment, in advance of finalizing the terms of the Purchase and Sale Agreement, or a lease agreement, for 201 Flynn Avenue.

Due diligence completed by both parties to date:

- Property appraisal
- Wetlands survey
- Phase I environmental assessment
- Building Inspection

Due diligence remaining:

- Archeological assessment (CSWD)
- Deed research (DPW)
- Phase II environmental assessment (DPW/CSWD)

Background:

In 2001, CSWD purchased 195-201 Flynn Avenue (two adjoining parcels) for the purpose of developing a modern, full-service DOC at that location. Since then, the City of Burlington's DPW and CSWD have been working to construct a modern, safe, full-service drop off center (DOC) in the City. This has been a protracted effort because of uncertainty with the Champlain Parkway and other issues. In the meantime CSWD has operated a space-constrained and service-constrained DOC at 339 Pine Street for many years as a stopgap measure. Below is a brief history of recent events.

DPW and CSWD continue to work diligently to find innovative ways to bring expanded DOC services to Burlington residents, as well as enhanced soil management best practices to construction teams. Through this dialogue, DPW and CSWD have multiple options that would benefit both our needs. In the coming months through negotiations with CSWD, DPW plans to come back to BOF and CC with a preferred option that would benefit both DPW's and CSWD's needs, and takes into account the financial position of the City.

In June of 2023, DPW brought to the City Council a request for an additional 3-month extension of the 2019 Second Memorandum of Understanding between CSWD and DPW, which was approved by City Council. CSWD and DPW are working to complete a purchase and sales agreement prior to the September 30, 2023 expiration of the current extension, but due to considerations beyond our control, we are not able to complete our due diligence. The most notable delay is due to the need for a Phase II environmental assessment of the properties.

With known contaminants at adjacent properties, the City incurs a risk by purchasing a property expected to have contaminants. As such, both DPW and CSWD agreed that there should be a Phase I, and subsequently a Phase II environmental assessment completed for both 195 and 201 Flynn Ave. Unfortunately, it was not feasible to procure a contractor, Vanasse Hangen Brustlin, Inc. (VHB) to perform the assessment, and have it completed prior to the September 30, 2023 expiration of the current extension, due to the timing of the request occurring during a busy construction season.

VHB completed the Phase I study on July 6, 2023, which indicated that a Phase II study should be completed. DPW expects VHB to complete the Phase II around December 31, 2023. Once DPW receives the results, and understands the level of contaminants at the sites, then negotiations can commence and a purchase and sale or some other agreement will be completed.

Detailed History:

- CSWD purchased 195-201 Flynn Avenue for ~$510,000 with the intent of setting up an expanded DOC. CSWD's expectation was, and continues to be, that the City purchase the property and lease a portion back to CSWD for the DOC.

- 2015: CSWD told City they were planning to sell the parcels on the open market given the lack of progress on a DOC.

- 2016: City and CSWD agreed on a 3-year Memorandum of Understanding offering the City an option to purchase 195-201 Flynn Avenue with an annual $16,667 option payment counted towards the ultimate purchase price.

- 2019: City and CSWD agreed on a 2-year extension of the 2016 MOU.

- 2020: CSWD closed the Burlington DOC during the pandemic, and reopened just for organics due to the limited space and significant safety concerns

- 2021-2022: City and CSWD negotiated 2 MOU extensions to allow for negotiations for a lease purchase agreement (the current one expiring June 30, 2023). The City has currently made $100,001.32 in option payments that will count toward the purchase price.

- 2023: DPW and CSWD have continued productive discussions regarding the development of an expanded service DOC in the City of Burlington, as well as a site for City soils relocation for 339 Pine St., and the Intervale

Summary:

Completing the purchase and sale agreement for 195-201 Flynn Avenue, or arriving at some other long-term negotiated solution, will address needs for both DPW and CSWD including:

1. Provide a space for a permanent, well-designed location for City soil management.

2. Enable CSWD to expand their DOC operations at 339 Pine Street in the short term by removing City soil management from 339 Pine Street. This will give CSWD the ability to add trash, recycling, metal, and leaf and yard waste to their DOC services.

3. Free up space to better accommodate the future Railyard Enterprise Project at 339 Pine Street. One of the options shows a path going through a portion of what currently houses the Street Maintenance Divisions construction materials, and soil storage area. These materials will be displaced by the project, and need an area to relocate.

4. Give the City and CSWD the option, long-term, to locate an expanded service, modern DOC at 339 Pine Street or Flynn Avenue. If the current 339 Pine Street location is no longer viable for CSWD to operate a DOC from, then the back parcel on 195-201 Flynn Avenue, or another suitable location within the City could be used as an alternate location.

5. Secure additional “enterprise” land for current and future municipal operational needs. Other than soil management, other construction materials, and equipment could be stored on site. Recent growth at our 645 Pine Street location has decrease parking as a result. Some equipment is stored off site out in the elements during winter months.

6. Accommodate interests in the Intervale to repurpose Water Distributions’ existing soils management area by relocating to 195-201 Flynn Avenue.

Risks of Not Acting:

1. City will lose $100,001.32 in option payments

2. The current Burlington Drop Off Center services may not expand beyond organics

3. City will continue to struggle with adequately managing urban soils at suboptimal facilities

4. City will continue to store various municipal equipment outdoors in the elements

5. City will be more constrained in accommodating the Railyard Enterprise Project at 339 Pine Street

6. Without additional municipal property, the City will not be able to consider future expansion of municipal services such as consolidated collection as 645 Pine Street is fully utilized.

Funding:

The MOU extension would be a no-cost extension, which would allow both parties more time to finalize an agreement.

The City has budgeted limited funds for the acquisition in FY'24. The funds would cover any debt service payments, if needed, in the current fiscal year. City staff are working on funding approaches to continue funding debt service payments throughout the repayment period. This would require a change to the recycling ordinance to include soils in the definition of recycling per the ordinance, and would allow the use of the Solid Waste Generation tax as a mechanism to cover the remaining debt service payment. This was previously moved to the City Councils Ordinance Committee through the approval of the previous extension in June of 2023. We aim to have a funding plan in place by the time we return seeking approval to execute the Purchase & Sale Agreement.

Next Steps:

If the City Council and the CSWD Board approve this recommended additional one (1) year extension of the Second MOU to September 30, 2024 to give both parties time to undertake additional due diligence, as well as negotiate the terms of the 195-201 Flynn Avenue purchase and sale or some other agreement, we would expect to take the following next steps:

- December 2023 – Receive the results of the Phase II environmental study
- Spring 2024 – Bring Purchase and Sale Agreement to CC
- Spring 2024 – Execute Purchase and Sale Agreement
- Summer 2024 – Complete property acquisition
- Fall 2024 – Undertake site work improvements at 195-201 Flynn Ave and 339 Pine St
- Fall 2024 – Open expanded DOC for public service at 339 Pine Street and City soil management activities begin at 195-201 Flynn Avenue

Board of Finance Motion:

Move to approve, and recommend the City Council approve a one-year, term-only, no cost extension of the Second 2019 Chittenden Solid Waste District – City of Burlington Memorandum of Understanding through September 30, 2024, and authorize the Mayor to execute said agreement subject to the review and approval of the City Attorney's Office.

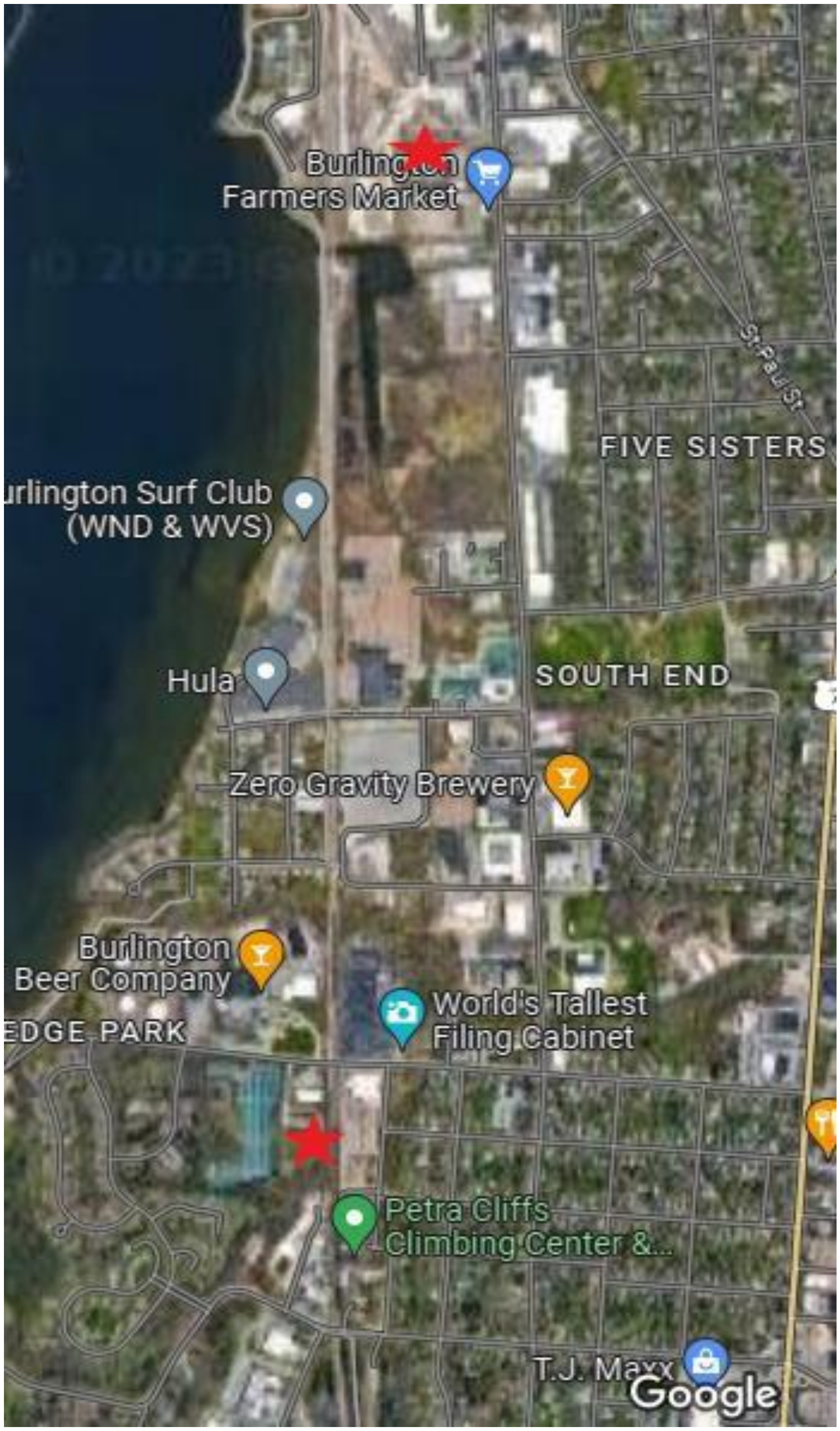
City Council Motion:

Move to approve a one-year, term-only, no cost extension of the Second 2019 Chittenden Solid Waste District – City of Burlington Memorandum of Understanding through September 30, 2024, and authorize the Mayor to execute said agreement subject to the review and approval of the City Attorney's Office.

Attachments: See maps below, and previous MOU provided in packet.

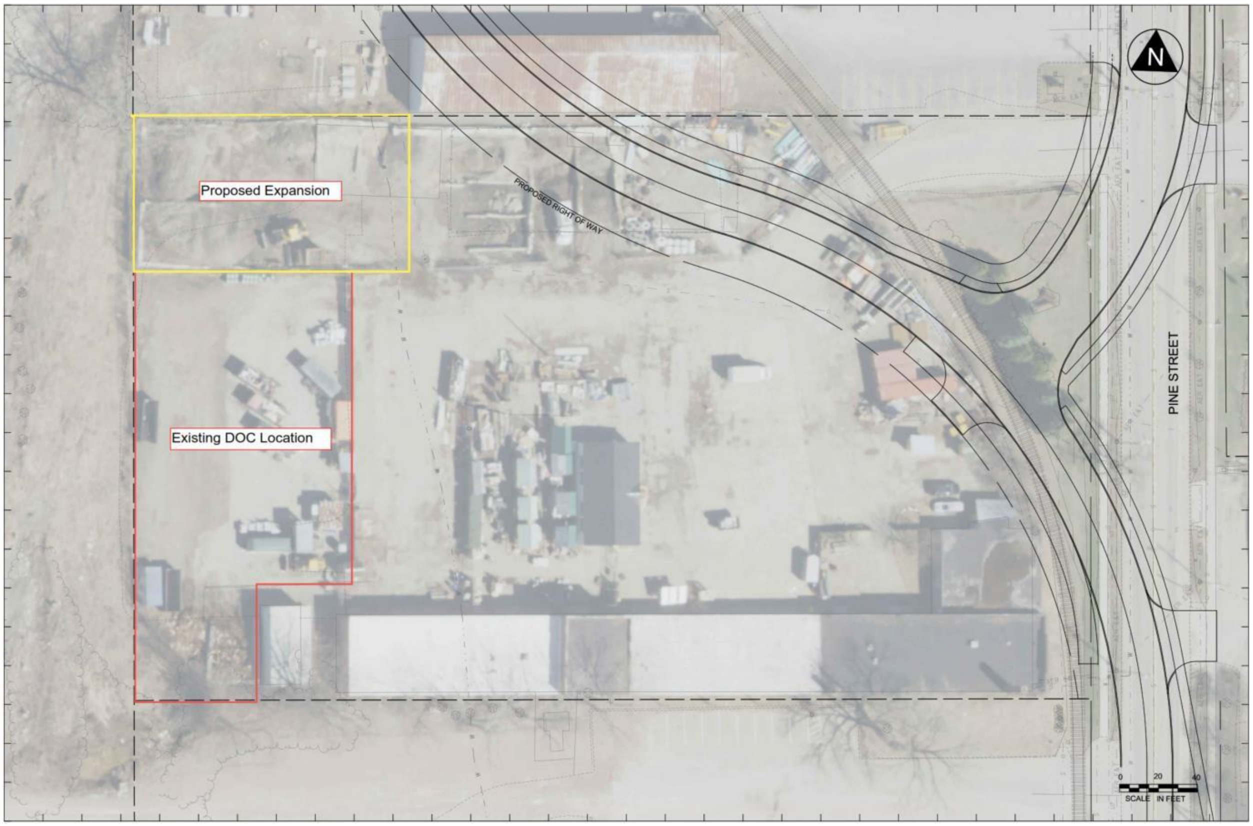
South End Map – 339 Pine Street Red Star To The North

195-201 Flynn Avenue Red Star To The South

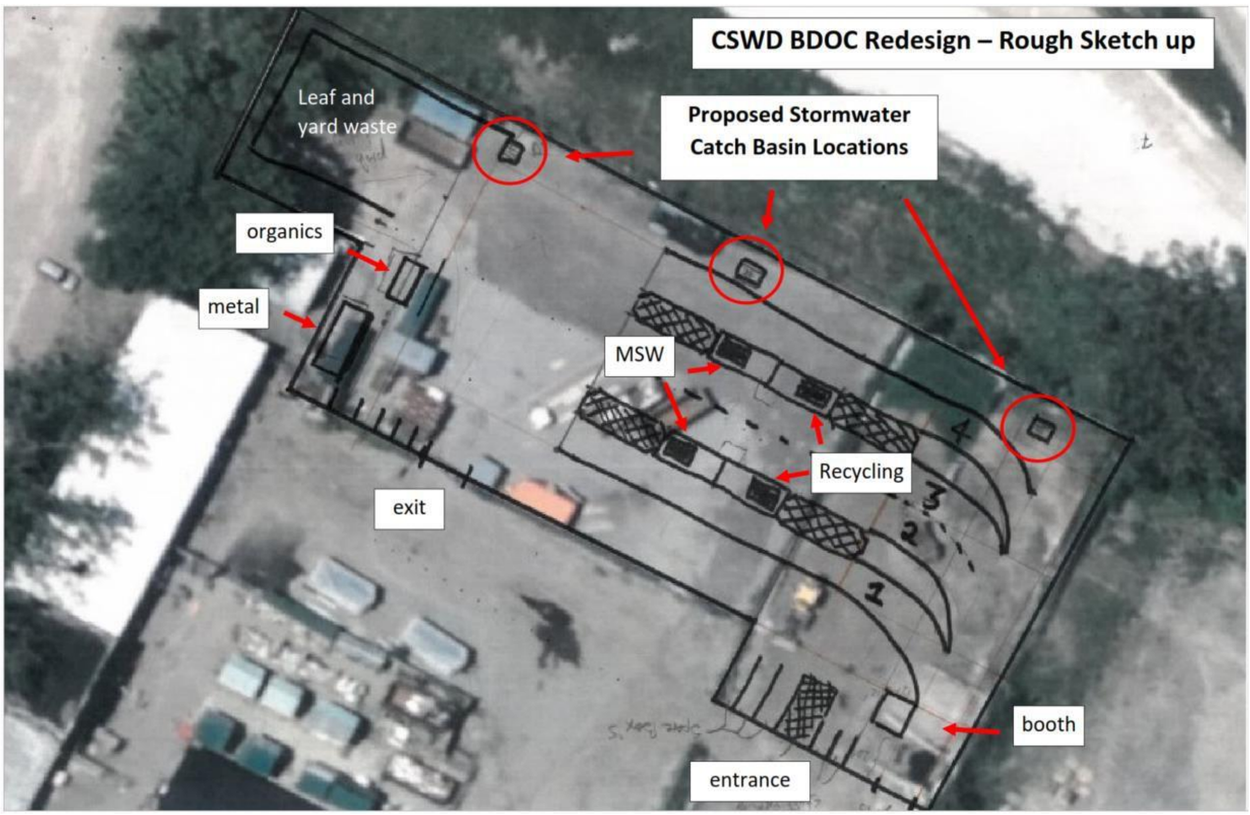


339 Pine Street Proposed Short TermDOC Expansion & REP Proposed Path

(conceptual alignment for the Railyard Enterprise Project overlaid on map)



339 Pine Street DOC Conceptual Design – Will start services with single lane, and possibly expand depending on throughput. Open Tuesday through Saturday.



195-201 Flynn Avenue

(approximation of the property boundaries)

**THIRD EXTENSION
TO THE
AMENDED AND RESTATED
SECOND MEMORANDUM OF UNDERSTANDING
BETWEEN
CHITTENDEN SOLID WASTE DISTRICT
AND
THE CITY OF BURLINGTON**

This Third Extension Agreement is made by and between the Chittenden Solid Waste District ("District") and the City of Burlington ("Burlington") (the District and Burlington are also referred to as the "Parties," and each, a "Party"), and is effective as of June 30, 2023.

The Parties entered into the Second Memorandum of Understanding in 2019 (the "2nd MOU) with respect to the development by the District of a Drop-Off Center (DOC) in the City of Burlington, and the potential lease-purchase of parcels on Flynn Avenue identified collectively as the Premises. The District and Burlington have continued good faith discussions with respect to the development by the District of a DOC within the City of Burlington, and wish to further extend the term of the 2nd MOU in order to allow the District leave to obtain a professional assessment of the valuation of the Premises, in furtherance of agreement on a purchase price and other material terms for the outright sale of the Premises to Burlington by the District.

The discussions have and will continue to take into account the interests of the respective communities and constituents of the Parties, development on Flynn Avenue, the advancement of the Champlain Parkway, the Railroad Enterprise Project, as well as the current District DOC at 339 Pine Street.

In furtherance of these mutual goals and in a show of good faith, the Parties twice previously extended the term of the 2nd MOU, first through December 31, 2022 ("First Extension") and again through June 30, 2023 ("Second Extension"). Now, as these discussions have continued, evolved, and progressed, the Parties agree to further extend the term of the 2nd MOU through September 30, 2023 ("Third Extension").

The 2nd MOU currently provides for Burlington to make additional Option Payments of $16,667 for each year of the extension of the 2nd MOU and affiliated Option. However, in a show of good faith towards negotiation of a purchase and sale agreement for the Premises, as of the Effective Date of this Third Extension through September 30, 2023, the District hereby agrees to waive and disclaim any further option payments that would otherwise be due under the terms of the 2nd MOU. This shall in no way impact Burlington's compliance with the terms of the 2nd MOU or its ability to exercise the Option for lease-purchase of the Premises for the duration of the term of the 2nd MOU. The Parties agree that Burlington has made all Option Payments as necessary to preserve the lease-purchase option of the Premises through September 30, 2023.

The Parties agree that if the City purchases one or both of the parcels at 195-201 Flynn Avenue, all Option Payments received shall be credited to Burlington's purchase of any parcel of the Premises. In the event the Parties work towards development of 339 Pine Street as a new expanded drop-off center, the City will need land for displaced soil management activities and would need one of the Flynn Avenue parcels for such soil management.

Capitalized terms used herein have the respective meanings given in the 2nd MOU. Unless otherwise indicated in this Third Extension Agreement, all terms and conditions as written in the 2nd MOU remain in full force and effect.

In witness whereof, the parties have extended this Second Extension Agreement effective as of June 30, 2023.

-signature page to follow-

Chittenden Solid Waste District

By: ______________________________

[NAME]
Executive Director

City of Burlington

By: ______________________________

Miro Weinberger
Mayor

Board of Finance and City Council Submission Checklist

Department: Public Works Submitter: Lee Perry

Title/Subject: Chittenden Solid Waste District 195-201 Flynn Ave., Additional 1 year MOU Extension

	Approval:	Meeting Date:
☐	Board of Finance	9/18/2023
☐	City Council	9/18/2023
☒	Concurrent	

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	9/12/2023	Approved by Chapin Spencer
Mayor's Office informed and approved memo	Yes	9/13/2023	Approved by Samantha Sheehan
Board/Commission, if required	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A		
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	9/13/2023	Approved by Hayley McClenahan
CAO has reviewed budget, financing, and memo	Yes	9/13/2023	Approved by Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	Choose an item.	Click or tap here to enter text.
Additional Materials, if necessary	N/A	
Draft Resolution or Motion?	Choose an item.	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	N/A	

To: Board of Finance and City Council
From: Katherine Schad, Chief Administrative Officer
Re: FY23 Fiscal Health Report
Date: September 18, 2023

Below is the periodic fiscal health report for the City of Burlington.

Since 2012, the City has realized significant improvement in its overall financial condition because the Administration, Department Heads and all City staff, and the City Council made a commitment to improving the City's financial position. This report provides information about the steps that the City took to improve its financial standing and the impacts of those efforts.

The City's Credit Rating

The City of Burlington receives regular reviews by bond credit rating firm Moody's, which performs a thorough analysis of the City's finances. Moody's assigns a credit score to the City and this score is used by financial institutions to understand the relative risk of lending money to Burlington. A better score is important because it leads to lower interest rates and more preferable terms, saving taxpayers money.

A Credit Crisis

Between 2010 and 2012, the City's credit rating was downgraded six steps in three separate actions by Moody's, from a high of Aa3 to a low of Baa3. A Baa3 rating is only one step from junk bond status. Moody's cited the Burlington Telecom liability and advances to other enterprise funds; increasing reliance on short-term borrowing; and multiple years of operating deficits as key reasons for the downgrades. Further, in FY12 the Management Letter from the City's auditor stated the City was "at risk" due to being "overly reliant on borrowing from financial institutions to provide overall City short-term cash requirements."

In response, and as a foundation for improving the City's fiscal picture, the Mayor and City Council received voter approval to issue $9 million in Fiscal Stability Bonds in 2013. The bond proceeds resulted in an immediate improvement of the City's cash situation and eliminated costly short-term borrowing.

Upgraded to an A

Since the June 2012 downgrade and the 2013 Fiscal Stability Bond issuance, the City has seen four credit rating upgrades **for a total of a six-notch improvement with the most recent**

upgrade to Aa3 being achieved in July 2019 and maintained since, the most recent credit opinion having been issued in August 2023.

Moody's has pointed to the following for Burlington's improved rating:

- Strong City of Burlington management team
- Operating surpluses in recent budget years
- Elimination of short-term borrowing
- Creating and following fund balance policy
- Developing a multi-year capital improvement program
- Stable underlying economy and tax base
- Serving as the economic center of the state
- Strong reserve levels and cash position; and
- Elimination of risks associated with Burlington Telecom litigation.

Impact to Citizens

An improved credit rating has real impacts on the City and its citizens because it is much cheaper to borrow money with an Aa3 rating than with a Baa3 rating.

We have estimated the actual cost of debt service for all bonds issued after the Fiscal Stability Bond to the cost of what those bonds would have been if they had been issued at the Baa3 negative outlook bond rating. Please note that while the Fiscal Stability Bond is not the only reason for the creation of these savings, it was the first key step in this process. **The City has locked in an estimated $24,108,885 in current dollars of savings, over the terms of the bonds, a direct savings for each taxpayer and rate payer.**

On the November 2022 General Election ballot, 72% of Burlington voters approved $165,000,000 of general obligation bonds to build a new high school and technical center, with a total project cost estimated to be $190,000,000. In July 2023, the City Council approved up to $130M in bonds for the high school, which includes $40M for the refinancing of a prior bond note associated with the project, which is due September 14, 2023. **We project that when the debt service is complete for the already approved $130M bond, the City will have saved an additional estimated $20,566,079 in present value savings, for a total current dollar savings to tax payers and ratepayers of no less than $44,674,964.**

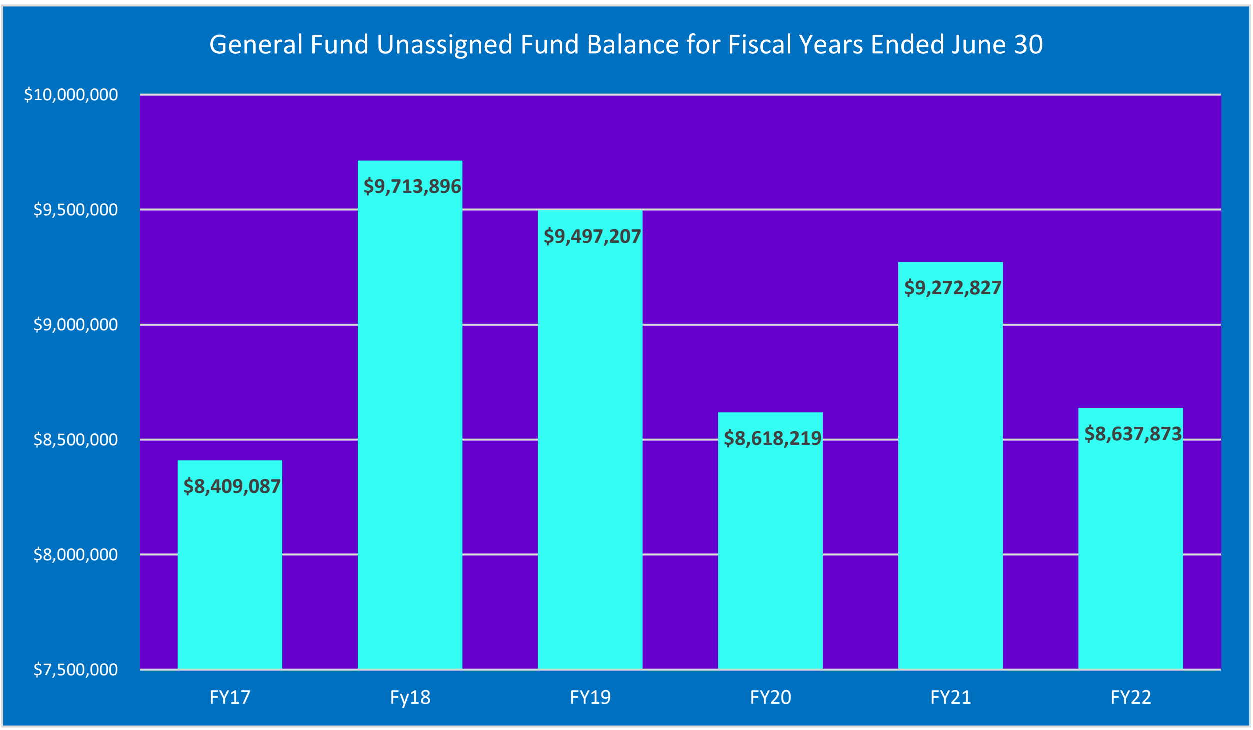
<u>The General Fund Unassigned Fund Balance (also known as The Rainy-Day Fund)</u>

The unassigned fund balance (UAFB) is an important reflection of the City's financial health because it ensures we have the appropriate liquidity to support City operations, cover debt service obligations, and to respond to unforeseen events, such as the COVID-19 pandemic. Further, our fund balance is a direct component of how Moody's assigns its ratings.

The City's Fund Balance Policy establishes a target level for the UAFB as a minimum of 5% and a maximum of 15% of the City's General Fund operational costs, with a preference for staying in the 10-15% range.

Preparing for the Storm

In FY12 the City had a negative UAFB, primarily driven by the uncollectible Burlington Telecom receivable. This means that there was no rainy-day fund at all for the City. As stated above, the first step to stabilize the situation was issuing $9 million in Fiscal Stability Bonds. Then the Administration and leadership team worked hard over many years to focus on fiscal management while also still implementing innovative and new programming. As a result, you can see in the chart below that by FY17 the City had over $8M set aside in case it was needed for a crisis. This rainy-day fund has remained steady despite the COVID crisis and well within our target range.



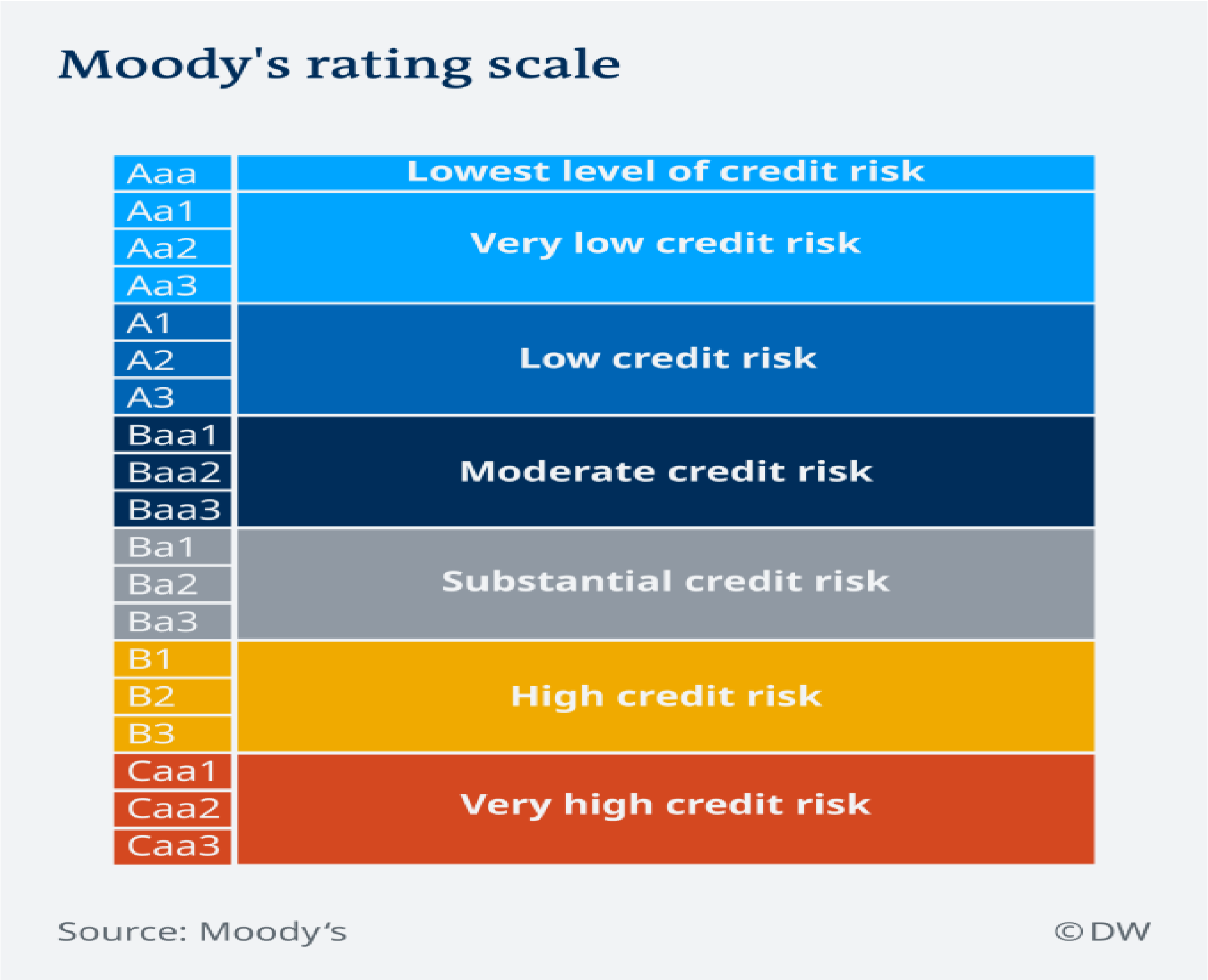
<u>Closing</u>

In summary, over this past year the City has continued to achieve significant savings as a result of its improved fiscal management and health. That said, financial challenges for the City certainly remain as the larger economic impacts from record-high COVID-related inflation persist. We remain optimistic about the financial health of the City of Burlington. The UAFB remains high and the savings we have achieved as a result of our high credit rating are significant. These are a direct result of the commitment and leadership of the Mayor and the City Council, as well as the continued efforts of all of the City departments. Moreover, this plan has succeeded because Burlington voters have consistently supported this focus with multiple votes. We believe that through continued responsible financial management, maintaining the unassigned fund balance, and identifying new sources of efficiencies, we can achieve further ratings upgrades and additional reductions in our debt service costs, keeping Burlington strong for generations to come.

FY23 Fiscal Health Report

City Council – September 18, 2023

Moody’s Rating Scale

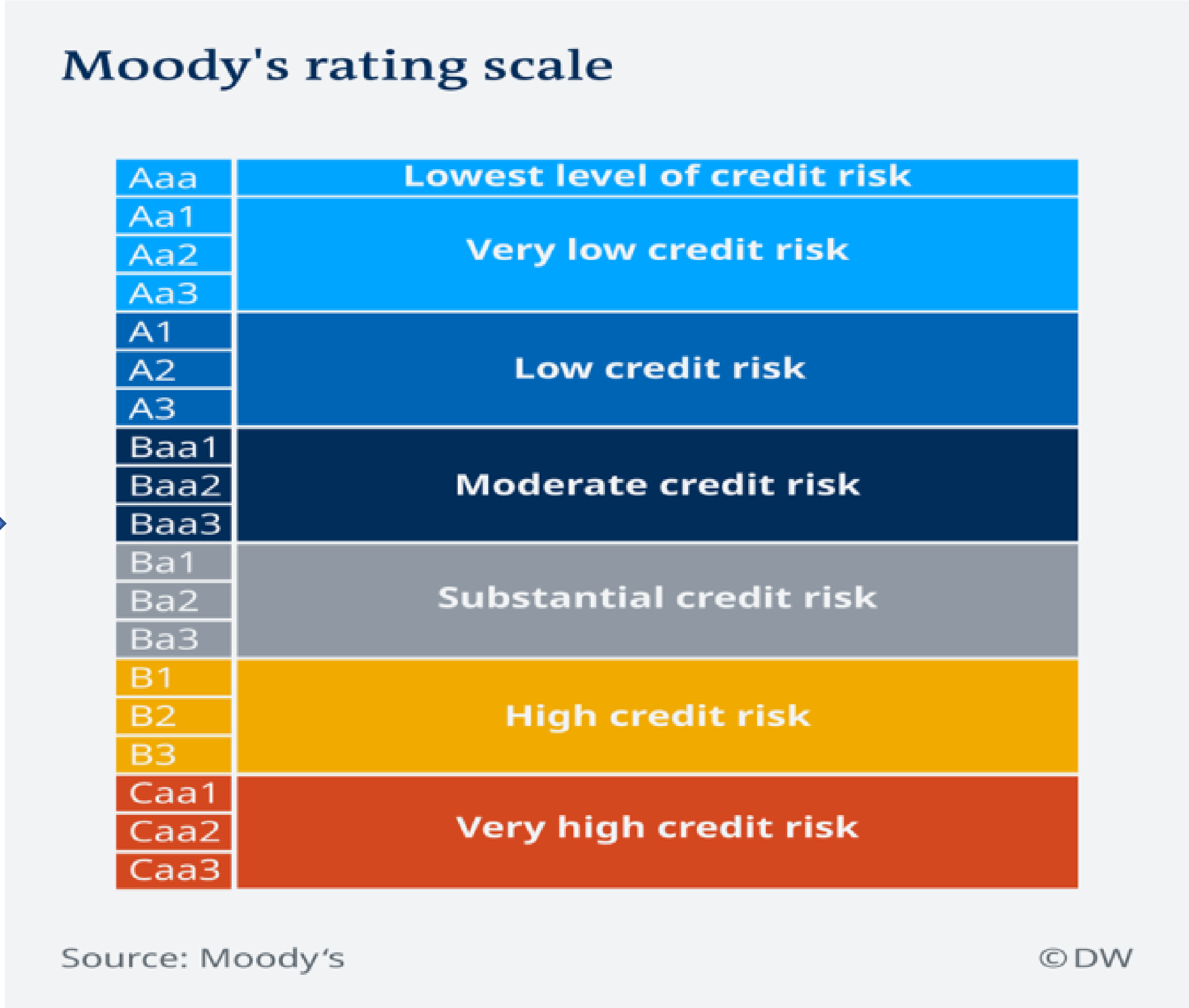


The higher score / the more As, the better!

The higher the score, the lower the interest rates on all of the money the City borrows – this directly **saves taxpayer money.**

2012 – The Edge of Junk Bond Status

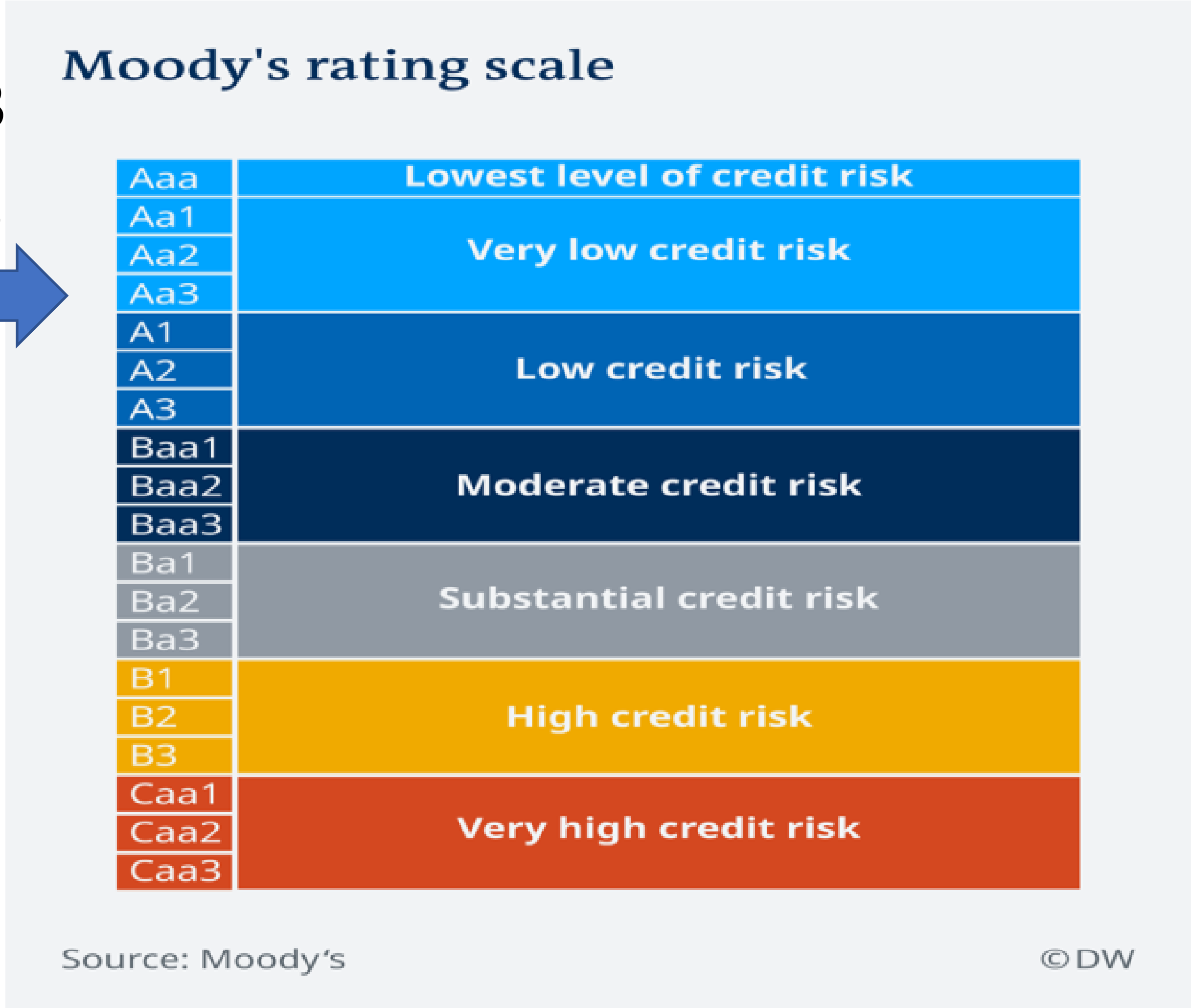
2012 Baa3



2019-2023 – Upgraded to an A

2019-2023

Aa3



August 2023 Moody’s Credit Opinion

“The **city's financial position is stable with sound reserves and liquidity** that are expected to remain healthy over the next few years.”

“The city's financial position is likely to remain stable over the next few years because of **conservative budgeting and prudent revenue increase.”**

Savings in Action: BHS Project Bond

- So far $130M in bonds issued for BHS/BTC project and due to City's current Aa3 credit rating, **those bonds were issued at 3.84%.**
- If City's credit rating were still at Baa3, those bonds would have been issued at 5.31%
- Due to the City's Aa3 credit rating, by the end of the debt service on the $130M bond, the **City will have saved $20.5M in present value savings.**

Savings in Action: Other Bonds

The City has already locked in an estimated **$24,108,885 in current dollars of savings,** over the terms of all its other bonds (not the high school), a direct savings for each taxpayer and rate payer.

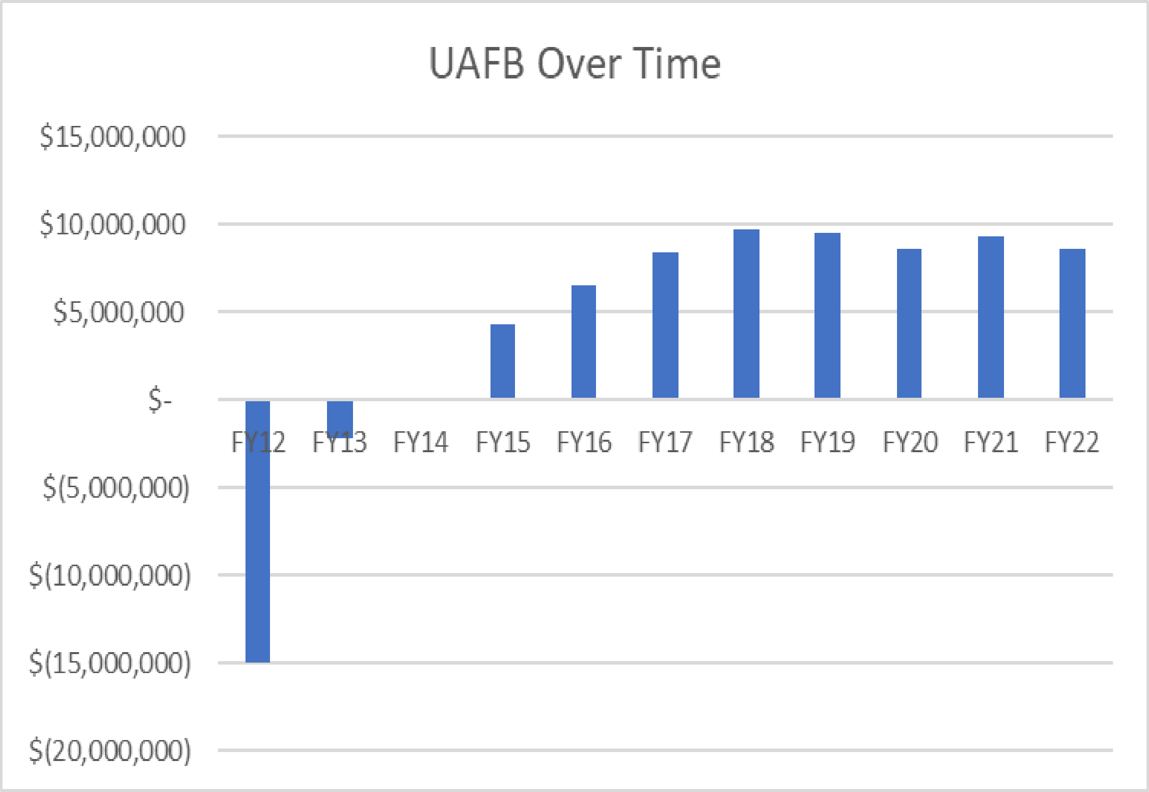
Strong Reserves

Critical to restoring Burlington's positive credit score has been the dramatic improvement to the Unassigned Fund Balance (UAFB), also known as the rainy-day fund, which provides cash reserves used to maintain essential public services during crisis.

Strong Reserves

- In FY12 the City had a more than $15 million deficit in the UAFB, primarily driven by the uncollectible Burlington Telecom receivable.
- In FY13 the City issued $9 million in Fiscal Stability Bonds, and saw its first positive UAFB since 2009.
- The Administration and leadership team worked hard over many years to focus on fiscal management, including by implementing a new UAFB policy in FY15, which commits the City to a UAFB of 5 – 15% of the General Fund budget's operational costs.
- As a result, the UAFB was converted to a surplus of $9.7 million by the end of FY18 and has remained well within our target range despite the COVID crisis.

Unassigned Fund Balance / Rainy Day Fund



Questions and Discussion