



Board of Finance Meeting - Monday, October 30, 2023, 5:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM

5:30 pm, Bushor Conference Room, 1st Floor City Hall OR Remotely via ZOOM:

Please click the link below to join the webinar:

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1. Agenda

Subject	1.1. Motion to adopt agenda
Meeting	October 30, 2023 - Board of Finance Meeting - Monday, October 30, 2023, 5:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	1. Agenda
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to adopt agenda

2. Public Forum

Subject	2.1. Verbal Comments
Meeting	October 30, 2023 - Board of Finance Meeting - Monday, October 30, 2023, 5:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	2. Public Forum
Department	Council and Board
Type	Action Procedural
Recommended Action	open Public Forum close Public Forum

3. Consent Agenda

Subject	3.1. Motion to adopt the consent agenda and take the actions indicated
Meeting	October 30, 2023 - Board of Finance Meeting - Monday, October 30, 2023, 5:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	3. Consent Agenda
Department	Council and Board
Type	Action (Consent) Procedural
Recommended Action	Motion to adopt the consent agenda and take the actions indicated
Subject	3.2. October 10, 2023, Board of Finance Minutes, Draft
Meeting	October 30, 2023 - Board of Finance Meeting - Monday, October 30, 2023, 5:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	3. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information Minutes
Recommended Action	approve the minutes
Subject	3.3. October 16, 2023, Board of Finance Meeting Minutes, Draft
Meeting	October 30, 2023 - Board of Finance Meeting - Monday, October 30, 2023, 5:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	3. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information Minutes
Recommended Action	approve the minutes
Subject	3.4. Calahan Park Shared-Use Path Design Consultant Contract with Stantec, Inc. - BPRW
Meeting	October 30, 2023 - Board of Finance Meeting - Monday, October 30, 2023, 5:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	3. Consent Agenda
Department	Parks, Recreation, & Waterfront

Type	Action (Consent)
Recommended Action	1. To approve and authorize Cindi Wight, Director of Parks & Recreation, to execute a Consultant Agreement with Stantec, Inc. for Calahan Park Shared-Use Path Design services in an amount not to exceed \$72,000, and further authorize an earmarked contract contingency in the amount and any of \$7,000, subject to review by the City Attorney's Office. 2. To approve and recommend the City Council authorize the Chief Administrative Officer, or their designee, to affect all necessary budget amendments and transfers of funds from the referenced funding sources to create the project budget for FY24, for use of Capital Funds as described in this memorandum and related attachments, subject to the review and approval of the Chief Administrative Officer.
Subject	3.5. Fletcher Free Library Restoration & Preservation Project Dore + Whittier Contract, First Amendment: Restoration & Preservation of Windows and Masonry to 1904 Building - Library
Meeting	October 30, 2023 - Board of Finance Meeting - Monday, October 30, 2023, 5:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	3. Consent Agenda
Department	Fletcher Free Library
Type	Action (Consent)
Recommended Action	to approve and recommend that the City Council approve the execution of a Contract Amendment and any related documents needed to carry out said contract amendment with Dore + Whittier Architects for a contract of services for the Schematic Design - Restoration & Preservation of Windows and Masonry for the Fletcher Free Library in an amount not to exceed \$30,000.00 and amend the maximum limiting amount of the overall contract from \$183,000 to \$213,000.00, as well as authorize the, Director of the Fletcher Free Library, to execute the contract and any related documents needed to carry out said contract, upon final review and approval of the City Attorney's Office

4. For Approval and Recommendation to the City Council

Subject	4.1. Request for Approval of Contract Amendment for Emergency Winooski River Siphon Repair Work - DPW - Water Resources
Meeting	October 30, 2023 - Board of Finance Meeting - Monday, October 30, 2023, 5:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	4. For Approval and Recommendation to the City Council
Department	Public Works Department - Water Resources
Type	Action
Recommended Action	to approve and recommend that the City Council authorize the Director of Public Works' to enter into and execute a contract amendment with Engineers Construction Inc. for \$414,100, and to increase the maximum limiting amount of the contract to \$1,247,600, subject to the review and approval of the City Attorney's Office
Subject	4.2. Creation of one position at CJC - CJC/HR
Meeting	October 30, 2023 - Board of Finance Meeting - Monday, October 30, 2023, 5:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	4. For Approval and Recommendation to the City Council

Department	Community Justice Center
Type	Action
Recommended Action	to approve and recommend that City Council approve the creation of the Youth Restorative Services Coordinator—BARJ position within CEDO, a Limited Service, Full-time, Union, Grade 16, position

5. Town Meeting TV FY23 Update and FY24/Municipality's FY25 Budget Request

Subject	5.1. Town Meeting TV FY23 Update and FY24/Municipality's FY25 Budget Request
Meeting	October 30, 2023 - Board of Finance Meeting - Monday, October 30, 2023, 5:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	5. Town Meeting TV FY23 Update and FY24/Municipality's FY25 Budget Request
Department	Clerk/Treasurer's Office
Type	Action Communication Information
Recommended Action	waive the reading, accept the communication and place it on file

6. Adjournment

Subject	6.1. Motion to adjourn
Meeting	October 30, 2023 - Board of Finance Meeting - Monday, October 30, 2023, 5:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	6. Adjournment
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to adjourn

**BURLINGTON BOARD OF FINANCE
SPECIAL MEETING
BUSHOR CONF. ROOM, FIRST FLOOR, CITY HALL *OR*
REMOTE MEETING WITH CALL-IN NUMBER
BURLINGTON, VERMONT
MINUTES OF MEETING
DRAFT
October 10, 2023**

MEMBERS PRESENT:

Karen Paul
Ali Dieng
Joe Magee
Mark Barlow
Miro Weinberger

OTHERS PRESENT:

Katherine Schad
Jordan Redell
Brian Pine
Sarah Russell
Michael LaChance

1.0 CALL TO ORDER and AGENDA

1.1 Motion to amend/adopt the agenda

Mayor Weinberger called the Board of Finance meeting to order at 5:06 PM.

MOTION by Councilor Magee, SECOND by City Council President Paul, to adopt the agenda.

VOTING: unanimous; motion carries (Councilor Dieng absent for vote).

2.0 PUBLIC FORUM

2.1 Verbal Comments

Sharon Bushor spoke with strong support of the two items on the deliberative agenda. She spoke about the overdose response team pilot, saying that it is a measured and smart response. She said that the community has confidence in the Fire Department because it isn't the enforcement department. She agreed with potential concerns about redundancy but said she looks forward to the evaluation of the pilot. She then spoke about the warming shelter, saying she is thankful that the City has found a space to shelter these people. She asked about the timeline, noting that Vermont's climate gets colder before December 15, and asked whether the timeline to open the shelter can be moved up. She also asked about offering breakfast to the shelter occupants, noting that food insecurity is also a real issue in the community.

3.0 FOR APPROVAL AND RECOMMENDATION TO THE CITY COUNCIL

3.1 Burlington Fire Department Community Response Team (CRT) – Fire

Chief LaChance said that this is in response to the continued opioid crisis and overdoses, and that it is a pilot to help alleviate the pressure on the Police Department to respond to overdose calls. He noted that this is a six-month pilot that will be staffed through voluntary overtime hours (not new positions). He said that will be run for 12 hours per day, 7 days per week.

City Council President Paul emphasized the need for concrete responses and new, innovative ideas, to tackle the opioid epidemic. She applauded this effort.

MOTION by City Council President Paul, SECOND by Councilor Magee, to approve and recommend that the City Council authorize the Chief Administrative Officer to make any and all necessary budget amendments to allocate the use of the assigned Opioid Money Fund to support the formation and associated costs of a Community Response Team operated within the Burlington Fire Department for six months with a budget not to exceed \$182,598.00.

VOTING: unanimous; motion carries (Councilor Dieng absent for vote).

3.2 City of Burlington Seasonal Warming Shelter Project: Creation of (1) FTE position within CEDO; AHS Grant Agreement; Contracts; Lease – CEDO

Mayor Weinberger noted that this represents another example of the City's advancement of efforts to combat homelessness and keeping community members safe. He noted that the City received funding from the State to make this warming shelter possible. He noted that he has few concerns about the location of the facility, since the City has operated a warming shelter at a location very near here for a number of years with little complaint.

Councilor Barlow noted that there are concerns in the community that this will exacerbate some of the criminal activity occurring downtown. He asked whether there are plans to deal with some of the peripheral activity that may occur outside of the shelter. He asked whether the State funding is tied to this location. Special Assistant Russell replied that the funding is tied to this location and that the City is limited in where it has space to be able to open a warming shelter, and noted that the budget for this was created and presented to the State for this particular location. She said that in terms of security, there will be overnight security on this site (which is different than when a shelter was run at a location across the street in prior years), in addition to two social workers who will be on-call for this site. Director Pine also noted that this is operating as a shelter which may have a nightly turnover rate and that individuals are not guaranteed beds for an extended period of time. Mayor Weinberger noted that previous warming shelters did not impact the community negatively. He said that if there are issues, the City will address them. He said that the City has overwhelming complaints and concerns about unsheltered individuals sleeping outside in encampments, storefronts, church properties, and parking garages. He said that that visible, unsheltered presence isn't being caused by the shelters themselves, but by a lack of capacity in the shelters and other social services. He said that shelters are one of the only tools for addressing the problem of unsheltered, unhoused individuals sleeping outside. He then spoke about some of the State programs that the City is advocating for.

MOTION by Councilor Magee, SECOND by City Council President Paul, to recommend that the City Council approve and authorize: 1. The creation of (1) FTE position within the Community Economic Development Office; the Homelessness Initiatives Manager, a non-union, limited service, grade 18 position; 2. Approve the acceptance of SFY 2024 grant funds in the amount of \$590,023 from the State of Vermont Housing and Opportunities Program for the operations of the seasonal overnight shelter and authorize the Director of CEDO to execute all contracts and documents necessary to accept the funding

through the period of June 30th, 2024 including the retroactive approval for the period of November 1, 2023 through June 30, 2024, subject to the final review and approval of the City Attorney's Office; Approve and authorize the Director of CEDO or their designee to create a project budget not to exceed \$590,023 for the development of a seasonal overnight shelter and to execute all contracts in furtherance of this initiative upon review and approval of the Chief Administrative Officer and City Attorney's Office; Approve and authorize the Director of CEDO to execute Maxim Healthcare Staffing contract and related documents with maximum limiting amount of \$340,990 for the time period of December 1, 2023 through March 31, 2024, subject to the final review and approval of the City Attorney's Office; and approve and authorize the Director of CEDO to execute VFW lease and related documents with maximum limiting amount of \$10,000 over a five month period (November 1, 2023 – March 31, 2024), subject to the final review and approval of the City Attorney's Office.

VOTING: unanimous; motion carries.

4.0 ADJOURNMENT

4.1 Motion to Adjourn

With no further business and without objection the meeting was adjourned at 5:32 PM.

RScty: AACoonradt

**BURLINGTON BOARD OF FINANCE
BUSHOR CONF. ROOM, FIRST FLOOR, CITY HALL *OR*
REMOTE MEETING WITH CALL-IN NUMBER
BURLINGTON, VERMONT
MINUTES OF MEETING
DRAFT
October 16, 2023**

MEMBERS PRESENT:	Karen Paul (via Zoom) Ali Dieng Mark Barlow Miro Weinberger (via Zoom, then in person)
OTHERS PRESENT:	Katherine Schad Jared Pellerin Jordan Redell Nic Longo Ashley Parker Chris Rawlins Doreen Kraft Sara Katz Zach Williamson

1.0 CALL TO ORDER and AGENDA

1.1 Motion to amend/adopt the agenda

Chief Administrative Officer Schad (for Mayor Weinberger) called the Board of Finance meeting to order at 5:04 PM.

MOTION by Councilor Dieng, SECOND by Councilor Barlow, to adopt the agenda.

VOTING: unanimous; motion carries (City Council President Paul and Mayor Weinberger absent for vote).

2.0 PUBLIC FORUM

2.1 Verbal Comments

Chief Administrative Officer Schad noted that Sharon Bushor had submitted written feedback on the investment policy statement, suggesting that roles and responsibilities be further described through a visual graphic. Chief Administrative Officer Schad noted that the City is working with consultants at Fiducient to incorporate that feedback into the policy statement.

3.0 CONSENT AGENDA

3.1. Motion to adopt the consent agenda and take the actions indicated

3.2 Amendment to Ground Lease Agreement between the City of Burlington and the Champlain Community Sailing Center, Inc. – CEDO – approve and recommend that the City Council approve and authorize the Mayor to execute “Amendment B” to the Ground Lease Agreement between the City of Burlington and the Lake Champlain Community Sailing Center, Inc., in order to adjust the allowable amount of Community Service Credit and include provisions related to public access, upon final review by the City Attorney’s Office.

3.3 Request to Execute a Five-Year Contract with Casella Waste Systems, Inc. for Resource Recovery Services – Waste Recycling and Compost Removal Services – Airport – approve and recommend that the City Council approve and authorize the Director of Aviation to execute a five year contract with Casella Waste Systems, Inc. for Resource Recovery Services which includes Receptacles and Container Supply, Training, Waste, Recycling, and Compost Removal Services subject to the review of the City Attorney’s Office.

3.4 Approval of ARPA Community Infrastructure Grant Agreement with the Burlington City Arts Foundation – BCA – approve and recommend that City Council approve an ARPA Community Infrastructure Project Grant paid from the City of Burlington to the Burlington City Arts Foundation in the amount of \$500,000, and authorize the Director of Burlington City Arts to execute a grant agreement memorializing the same, subject to review by the City Attorney’s Office.

MOTION by Councilor Barlow, SECOND by Councilor Dieng, to adopt the consent agenda and take the actions indicated for items 3.1-3.5.

VOTING: unanimous; motion carries (City Council President Paul and Mayor Weinberger absent for vote).

4.0 FOR APPROVAL AND RECOMMENDATION TO THE CITY COUNCIL

4.1 Request to Execute a Contract Amendment with Jacobs Engineering Group, Inc. for the completion of Design, Permitting, Construction Contractor Coordination and Construction Oversight Services for the North Concourse Replacement Project (Project NEXT) – Airport Aviation Director Longo said that this would be for the next phase in Project NEXT, which would involve amending the existing contract with Jacobs Engineering Group and adding funding and additional scope of work responsibilities to complete design, permitting, and construction contractor coordination and oversight work for the project. He said that this is included in the FY24 budget, though 90% of the funding is an FAA-funded grant.

MOTION by Councilor Barlow, SECOND by Councilor Dieng, to approve and recommend that the City Council authorize the Director of Aviation to execute an amended contract with Jacobs Engineering Group, Inc. for an amount up to \$4,525,288.00, with a 15% contingency totaling up to \$5,204,081, as allowed under a potential FAA grant, for the final design, permitting, CMAR coordination and construction oversight services of the North Concourse Replacement Project (Project NEXT), subject to review and approval of the City Attorney’s Office.

DISCUSSION:

- **Councilor Barlow asked whether this project is ahead/on/behind schedule, and Aviation Director Longo replied that the project is ahead of schedule at this juncture. He said that they will likely return to Board of Finance with a request for approval for a construction contract with Engelberth, and said he anticipates construction to begin in 2024.**

VOTING: unanimous; motion carries (City Council President Paul and Mayor Weinberger absent for vote).

4.2 Authorization For Reimbursement Of Waterfront TIF District And Downtown TIF District Related Costs For FY 2023 – C/T Capital Program Director Parker said that this is a request for authorization to request reimbursement for personnel and administrative work related to the TIF districts.

MOTION by Councilor Dieng, SECOND by Councilor Barlow, to recommend that the City Council approve the attached resolution.

VOTING: unanimous; motion carries (City Council President Paul and Mayor Weinberger absent for vote).

4.3 Update to the 2019 investment Police Statement – BERS/CT

Chief Administrative Officer Schad noted that this is an update to the Burlington Employees Retirement System investment policy statement.

Chris Rawlins, a senior consultant at Fiducient, provided a brief summary of the changes to the IPS from its 2019 version. Mr. Rawlins noted the important elements within the IPS, which include investment objectives, assignment of responsibilities, an asset allocation framework, rebalancing guidelines, selection of monitoring criteria, termination guidelines, and liquidity guidelines for investment strategies. He noted that this version of the IPS has been approved by the BERS Board.

Councilor Barlow asked if the asset allocation is skewing more conservative, and Mr. Rawlins replied that it is, and that it backs into the plan's discount rate and investment assumption of 7%. He said that he would generally characterize the asset allocation as containing passive equity strategies and more actively managed fixed income strategies. Councilor Barlow asked about how any Council action to divest from particular types of investments could be incorporated into the IPS. Mr. Rawlins replied that divestment has not yet occurred, given fiduciary duty concerns, and so those details have not been incorporated into the IPS.

Councilor Dieng asked if the BERS Board supports this updated policy, and Chief Administrative Officer Schad replied that the BERS Board unanimously supported making these changes. She noted that representatives from the Police, Fire, IBEW, and AFCSME unions are part of the BERS Board and have been given the opportunity to give their input to this. Mayor Weinberger noted that he has reviewed the policy revisions and also supports them.

MOTION by Councilor Barlow, SECOND by Councilor Dieng, to approve and recommend that the City Council approve and ratify the attached Investment Policy Statement for the Burlington Employees' Retirement System (BERS).

VOTING: unanimous; motion carries (City Council President Paul absent for vote).

4.4 Presentation and Approval of Solar Eclipse Budget and Program – BCA

Director Kraft noted that the City must develop a safety plan to account for the substantial increase in vehicular traffic and the influx of visitors as a result of the solar eclipse that will occur in April of 2024. She spoke about the eclipse itself, noting that one of the City's goals is to ensure that once the eclipse ends, all of the visitors don't try to leave the City at once. She noted that the projected number of visitors is between 50,000 and 150,000 between April 6 and 9, 2024. Festival and Events Director Williamson spoke briefly about what other cities have experienced when they have been in the direct path of a full solar eclipse. He spoke about health and safety planning, including ensuring the availability of amenities such as bathrooms, trash and recycling, parking and shuttle buses, eclipse safety glasses, emergency services, additional RV parking, traffic control, as well as potential modifications to the Burlington School District schedule. He also spoke about planning to have an enhanced event that includes much more than just the observation of the eclipse. He broke down the budget into the public health, safety, and basic amenity portion (\$235,195) and the event and tourism investment budget (\$204,140), for a total projected budget of \$439,335.

MOTION by City Council President Paul, SECOND by Councilor Barlow, to approve and recommend that the City Council create and approve the Solar Eclipse Public Health, Safety, Amenities, and Events Plan budget as detailed in the chart herein, in an

amount not to exceed \$439,335 and to authorize the Chief Administrative Officer to make any necessary budgetary amendments and transfers of funds to carry out this initiative.

DISCUSSION:

- Councilor Dieng suggested discussing the budget further at a subsequent Board of Finance meeting, once further information is gathered and additional partners can be brought in to provide private funding for the budget. Director Kraft replied that the request is for the authority to spend the funding, but that if the funding is secured from the other sources, it would remain unspent. She noted that the public health, safety, and basic amenities budget is already pretty bare bones and is the minimum that the City believes is necessary to ensure a successful and safe event. Mayor Weinberger said he understands the desire to work on this prior to committing the funding to it, but said that they are at a point where the plans need to be greenlit in order to move forward. He acknowledged that further work will be needed on this plan and that they will work to continue refining it over the coming months.

VOTING: unanimous; motion carries.

4.5 FY25 Operating Budget – Winooski Valley Park District

Mayor Weinberger noted that this request is for FY2025, so action is not needed on potentially allocating the funding for it until later in the winter or early spring, but that this is mostly information for the Board's reference.

MOTION by Councilor Barlow, SECOND by Councilor Dieng, to accept the communication and place it on file.

VOTING: unanimous; motion carries.

5.0 ADJOURNMENT

5.1 Motion to Adjourn

With no further business and without objection the meeting was adjourned at 6:10 PM.

RScty: AACoonrad

MEMO

Date: October 30, 2023

To: Board of Finance and City Council

From: Max Madalinski, Parks Project Coordinator

CC: Cindi Wight, Director of Parks & Recreation; Sophie Sauvé, Parks Comprehensive Planner

Re: Calahan Park Shared-Use Path Design Consultant Contract with Stantec, Inc.

I. Purpose

This memo seeks approval to execute a contract agreement with Stantec, Inc in the amount of \$72,000.00 and a \$7,000 contingency to conduct engineering investigations, develop construction plans, specifications, and estimates, and provide design engineering services during the construction phase of a paved multi-use pathway along a portion of Locust Street in Calahan Park. Board of Finance and City Council approval was granted on May 1, 2023 to enter into a grant agreement with the State of Vermont Transportation Assistance Program (TAP, Grant #CA0755 Burlington TAP TA23(15)) for the shared funding of this project (80% State, 20% City) and this contract will serve as the first step toward completing the project.

II. Background

BPRW submitted a proposal to design and construct 700 feet of an 8- to 10-foot-wide shared-use path along the north side of Calahan Park along Locust Street. This is the first phase of the shared-use path, as described in the Calahan Park Comprehensive Plan. Phase 1 will run from Locust Terrace, connecting the existing crosswalk that leads into the park at Locust Street, continuing east to connect to crosswalks at Charlotte and Caroline Streets. The path will connect these crosswalks, the playground, and the Locust Street on-street parking area to the north-south connecting path that leads to the tennis and basketball courts in the upper and eastern section of the park. The path will provide accessible entry into the upper section of this terraced park.

This work will also include expansion of the bioretention area in the park at the corner of Locust Street/Locust Terrace. Calahan Park is terraced from the high point at the eastern end and is prone to flooding and erosion. The bioretention expansion will allow stormwater discharge from impervious surfaces to be treated onsite in accordance with stormwater best management practices.

III. Consultant Selection Process

Consistent with procurement requirements for the grant funding of this project, the State of Vermont's At-The-Ready (ATR) Consultant process was used to select Stantec, Inc. for this project. The state issues an annual RFP to engineering consultants to submit proposals that demonstrate their firm's capabilities, qualifications, and adequate staffing for inclusion on the ATR Approved Consultants list. As a grantee, BPRW staff reviewed the proposals of pre-approved consultants and ranked the top three firms from the list to pursue the project. Staff then sent an RFP, compliant with grant requirements, to the highest-ranked consultant (Stantec) on August 11, 2023 with a submission deadline of September 1, 2023.



BPRW staff reviewed the initial proposal from Stantec in coordination with the State's Project Manager (PM). After a brief negotiation between all parties, some elements of the work scope were narrowed and simplified to reduce cost, recognizing that this is a simpler project than typical for this grant program. The final cost for the design proposal is \$72,000.00.

The overall design cost for this project is higher than BPRW staff typically expect for a project of this scale. The additional cost is due to many additional administrative and design costs required by the grant process, including: an archaeological assessment, additional reports required for the NEPA documentation process, and supporting financial documentation. Staff discussed possibilities for further scope reduction or a more protracted RFP process to try and reduce costs for this project with the VTRANS PM and was advised that there would not be additional cost reductions. The recommendation from the State PM was to move forward with the project at the proposed cost as it is in line with how much projects typically cost to design under this grant program. The State PM also confirmed that if the design cost impacts funding available for construction, the City can apply for additional grant funding under the program.

IV. Project Funding Sources, Budget, and Estimates

The City's Capital Committee reviewed and approved a request for local match on March 31, 2023. Funding for this project's 20% local match comes from a variety of Capital sources, including the March 2022 General Obligation bond and the FY23 Annual CIP bond (see breakout below).

Local Match – Identified Capital Sources	
Parks March 2022 General Obligation Bond	\$65,000.00
FY23 Annual CIP Bond	\$5,005.00
Capital Contingency (FY23)	\$1,595.00
Total Capital Match:	\$71,600.00

The remaining 80% will be funded by Federal Grant administered through the VTrans Transportation Alternatives Grant Program (TAP), Agreement #CA0755; Burlington TAP TA23(15) as per the table below and as approved by Board of Finance and City Council on 5/1/2023:

Project Funding Sources	
City of Burlington Capital Funds – Local Match	\$71,600
VTrans TAP Grant	\$286,400
Total Approved Project Design & Construction Budget	\$358,000

Estimated Design Budget	
Construction-Ready Engineering Design	\$72,000
10% Contingency	\$7,000
Total Estimated Design Budget	\$79,000
Funding Sources Split for this contract	
City of Burlington Capital Funds	\$15,800
Federal Grant Match	\$63,200
Total Design Funding Sources	\$79,000



Estimated Future Costs	
Construction	\$233,700
Resident Engineering, Construction Management and Contingency	\$45,300

The design budget above includes \$72,000 for the contractual services and an additional 10% contingency of \$7,000 to account for any additional services that may be needed.

The \$63,200 in grant funding is a reimbursable grant awarded by VTRANS which will pay 80% of the total design cost, with the City providing the remaining \$15,800 as a 20% local match. The total authorized project budget inclusive of design and construction is \$358,000.

As this project moves into the construction phase, the project team will review revised cost estimates and work the City's Capital Planning Team and the State PM to determine the best strategy for funding full construction of this project. If needed, the project team will work with the Capital Committee to secure any additional local match that may be required, and then return to the Board of Finance and City Council with additional project requests.

V. Schedule

- ATR RFP Issued: August 11, 2023
- Proposal Due: September 1, 2023
- Scope Negotiation Finalized: September 21, 2023
- Board of Finance Approval Request: October 16, 2023
- Contract Signing: Week of October 23, 2023
- Project Kick-off/Survey Begins: November, 2023
- Estimated Design Completion: October 2024
- Estimated Construction Bid: Winter of '24, Spring of '25
- Estimated Construction Timeline: Spring/Fall of 2025

VI. Department Recommendation

Board of Finance Motion:

1. To approve and authorize Cindi Wight, Director of Parks & Recreation, to execute a Consultant Agreement with Stantec, Inc. for Calahan Park Shared-Use Path Design services in an amount not to exceed \$72,000, and further authorize an earmarked contract contingency in the amount and any of \$7,000, subject to review by the City Attorney's Office.
2. To approve and recommend the City Council authorize the Chief Administrative Officer, or their designee, to affect all necessary budget amendments and transfers of funds from the referenced funding sources to create the project budget for FY24, for use of Capital Funds as



described in this memorandum and related attachments, subject to the review and approval of the Chief Administrative Officer.

City Council Motion:

1. To authorize the Chief Administrative Officer, or their designee, to affect all necessary budget amendments and transfers of funds from the referenced funding sources to create the project budget for FY24, for use of Capital Funds as described in this memorandum and related attachments, subject to the review and approval of the Chief Administrative Officer.

Capital Project Funding Opportunity Request Form

AMENDMENT DATE	3/31/23 Nicole Losch			
Brief Reason for Amendment	A calculation error was made and the grant was submitted with a higher project cost and match amount than was originally approved by the Capital Committee.			
Amended Request	Original local match: \$60,000 from the Parks FY23 capital bond allotment New total project cost: \$358,000 Amended local match request: \$65,000 from the Parks FY23 capital bond allotment \$5,005 Remaining FY23 Annual CIP \$1,595 Capital Contingency New total match: \$71,600 Capital Committee Request to Approve the following match sources for the Calahan Park Phase 1 Path project: \$5,000 Parks FY23 allotment \$5,005 Annual CIP \$1,595 Capital Contingency			
Form Completed By & Today's Date:	Nicole Losch & Sophie Sauve 11/29/22			
Grant/Funding Opportunity & Due Date:	Transportation Alternatives Program (VTrans) Due 12/14/22			
Project Title & Brief Description:	Calahan Park Shared Use Path – Phase 1 Construct a shared use path along the north side of Calahan Park adjacent to Locust Street. Phase 1 will connect the existing crosswalk from Locust Terrace to the Calahan parking lot and playground.			
Department/Staff Involved:	BPRW, Sophie Sauve			
Total Project Cost:	\$360,000	Amt. of Grant Funds Requested:	\$300,000	Match Required (Y/N) & What %: Yes, 20%
Requested Match (source & amount):	\$60,000 Capital	Other Funds Secured (Y/N) & Amount:	No	

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

This grant allows the city to leverage \$300k, which benefits BPRW and DPW.

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

This project has been in the DPW Transportation Capital Plan since 2013 and more recently has been identified as a high priority by BPRW in the Calahan Park Master Plan.

How does Project Achieve Burlington's Equity Goals:

Burlington has a goal for a sidewalk on both sides of every major street, but Locust Street only has a sidewalk on the north side of the street. Calahan Park is a major destination for local and regional activities including team sports. An accessible path will allow universal access to the park and connections to adjacent streets.

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

[Pages from 220401-Calahan-Comprehensive Plan-Report estimated cost.pdf](#)

The Phase 1 budget is in development to extrapolate the expenses for Phase 1 only.

Impact of Supplemental Funding on Project Success: (Likelihood of project success with or without this funding.)

Neither BPRW nor DPW have funds to construct new shared-use paths without acquiring grant funds. This project would not be constructed anytime in the near future without grant funds.

Reviews & Recommendations/Approvals -

	Review Date:	Recommendation/Approval:
Capital Committee: Amended Request	4/6/2023	Motion to approve amended request as written. Motion was seconded. Motion was approved 4-0-3.
Mayor's Office:		

Board of Finance and City Council Submission Checklist

Department: Parks & Recreation Submitter: Max Madalinski

Title/Subject: Calahan Park Pathway – Design Contract & Budget Approval

	Approval:	Meeting Date:
☒	Board of Finance	10/30/2023
☒	City Council	11/6/2023
☐	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	10/18/2023	Cindi Wight
Mayor's Office informed and approved memo	Yes	10/25/2023	Jordan Redell
Board/Commission, if required	N/A		
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Yes	10/16/2023	Hayley Mclenahan;
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	10/23/2023	Hayley Mclenahan
CAO has reviewed budget, financing, and memo	Yes	10/24/2023	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A		
CIO, if an IT-related investment/purchase	N/A		

Materials Included

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



To: Board of Finance, City Council

From: Mary Danko, Library Director

Date: 10/25/23

Re: Fletcher Free Library Restoration & Preservation Project Dore + Whittier Contract, First Amendment: **Restoration & Preservation of Windows and Masonry to 1904 building**

1. PURPOSE

This memo seeks approval to execute a contract amendment for the Fletcher Free Library's (FFL) Restoration & Preservation Project with Dore + Whittier Architects (D+H) for \$30,000.00 by invoking the option of continuing with the same vendor as outlined in our Schematic Design RFP. This amendment will address the **Fletcher Free Library Schematic Design - Restoration & Preservation of Windows and Masonry to 1904 building**

2. BACKGROUND

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 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 are 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 need to be repaired as well as bricks and terra cotta need to be repointed and

replaced as needed, as per recommendations in a 2022 FFL library assessment, to prepare for the larger renovation.

The Restoration & Preservation Project is a continuing project from the Schematic Design (SD) Phase. The Library anticipated extending the contract and included the following paragraph in the original RFP:

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.

4. OVERALL FUNDING SOURCES, BUDGET & ESTIMATE

The entire FFL Restoration & Preservation Project will be funded by several funding sources that are in various stages of acceptance. Each funding source has its own requirements and timelines. All of the funding sources have expressed their willingness to work together on this project as the goal for all of historic preservation of a significant building in the National Register of Historic Places.

1. NEH - National Endowment Humanities – 3:1 Match Required
 - Federal Government/NEH Grant - \$245,425
 - City of Burlington Match - \$736,275
 - **Total NEH Grant & COB Match funding - \$981,700**
 - Grant accepted by BOF/CC on 9/18/23
2. Senator Patrick Leahy CDS - Congressional Directed Spending - 1:1 Match Required
 - Federal Government/National Parks (NPS)-Save America's Treasures (SAT) Grant-\$500,000
 - City of Burlington Match - \$500,000
 - **Total NPS/SAT Grant & COB Match Funding - \$1,000,000.00**
 - Grant acceptance by BOF/CC forthcoming
3. Vermont Historic Preservation –1:1 Match required
 - Vermont Historic Preservation (VHP) Grant - \$20,000
 - City of Burlington Match - \$20,000
 - **Total VHP & COB Match Funding - \$40,000.00**
 - Grant acceptance by BOF/CC forthcoming

TOTAL FFL RESTORATION & PRESERVATION PROJECT FUNDING: \$2,021,700.00

5. PROJECT SCOPE for Fletcher Free Library Schematic Design - Restoration & Preservation of Windows and Masonry to 1904 building

The City of Burlington and Dore + Whittier entered into a Schematic Design agreement on 1/13/22 to develop Schematic Design documents that were to build off the FFL Visionary Redesign Project done in 2019.

Dore + Whittier performed the services of developing conceptual Schematic Design documents, which included floor plans, elevations, and sections to describe the building at a Schematic level. Design documents showed compliance with program elements, applicable building and zoning codes/setbacks, environmental and conservation requirements, and included provisions for required permits and variances. Design consideration considered alternative energy and energy conservation design and storm water collection and distribution systems. Also, provided site plans showing utilities, parking and access, site improvements and landscaping.

Recommendations were given based on work with City Utilities to include obtaining rebates, grants and efficiencies. Evaluations of the historical structure and the needs and requirements to maintain the integrity and the feel of the building, was developed.

Now we need to enter into this first contract Amendment in order to continue to undertake further schematic design work specific and detailed for the Restoration and Preservation of the Windows and Masonry of the 1904 building. This includes:

- a. Additional site verification and spot-measurement
- b. Consultation with a Construction Manager (CM) to further develop the scope of work and means & methods of construction.
- c. Consultation with VT Division for Historic Preservation on plans for the façade & roof repairs.
- d. Development of schematic design floor plan for scope location, annotated building elevations and/or photographs assembled on drawing sheets indicating façade renovations and reconditioning, conceptual enlarged window elevations and details.
- e. Development of SD-level written specifications for the work.
- f. Review of the drawings and scope of work, and make modifications if needed.
- g. Prepare an estimated conceptual cost prepared by the CM.

The projected costs for Schematic Design - Restoration & Preservation of Windows and Masonry to 1904 building is \$30,000.00. This will be paid by grant funds and city matching funds. The NEH portion has already been approved and the approval is attached in Appendix C.

The Contract Amendment (Appendix A) and Contract Amendment Attachment G (***Historic 1904 Building Exterior and Structural Repairs D+W Proposal for Professional Services***) (Appendix B) are at the end of this memo.

6. DEPARTMENT RECOMMENDATIONS & MOTIONS

Board of Finance:

“To approve and recommend that the City Council approve the execution of a Contract Amendment and any related documents needed to carry out said contract amendment with Dore + Whittier Architects for a contract of services for the Schematic Design - Restoration & Preservation of Windows and Masonry for the Fletcher Free Library in an amount not to exceed \$30,000.00 and amend the maximum limiting amount of the overall contract from \$183,000 to \$213,000.00, as well as authorize the, Director of the Fletcher Free Library, to execute the contract and any related documents needed to carry out said contract, upon final review and approval of the City Attorney’s Office.”

City Council:

“To approve and authorize the execution of a Contract Amendment and any related documents needed to carry out said contract amendment with Dore + Whittier Architects for a contract of services for the Schematic Design - Restoration & Preservation of Windows and Masonry for the Fletcher Free Library in an amount not to exceed \$30,000.00 and amend the maximum limiting amount of the overall contract from \$183,000 to \$213,000.00, as well as authorize the, Director of the Fletcher Free Library, to execute the contract and any related documents needed to carry out said contract, upon final review and approval of the City Attorney’s Office.”

Appendix A – Contract Amendment

Appendix B – Contract Amendment Attachment G named ***Historic 1904 Building Exterior and Structural Repairs D+W Proposal for Professional Services***

Appendix C – BOF/CC Approval to Accept NEH Funds

**First AMENDMENT TO THE AGREEMENT BETWEEN Dore + Whittier AND THE
CITY OF BURLINGTON REGARDING Fletcher Free Library Schematic Design -
Restoration & Preservation of Windows and Masonry to 1904 building**

A first amendment to the Agreement between **Dore + Whittier** and The City of Burlington regarding **Fletcher Free Library Schematic Design - Restoration & Preservation of Windows and Masonry to 1904 building** (the first Amendment) is made and entered into as of the ____ day of October, 2023 by and between the City of Burlington, a Vermont municipal corporation (“City”), and Dore + Whittier (collectively, “the parties”).

Background

- A. The parties entered into that certain agreement, dated as of 1/13/22 (the “Agreement”) in order to develop Schematic Design documents that were to build off of the FFL Visionary Redesign Project done in 2019.
- B. The consultant was to perform the services of developing conceptual Schematic Design documents. This included floor plans, elevations, and sections to describe the building at a Schematic level. Design documents were to show compliance with program elements, applicable building and zoning codes/setbacks, environmental and conservation requirements, and include provisions for required permits and variances. Design consideration was to consider alternative energy and energy conservation design and storm water collection and distribution systems. Also, they were to provide site plans showing utilities, parking and access, site improvements and landscaping.

Additionally, recommendations were to be given based on work with City Utilities to include obtaining rebates, grants and efficiencies. Evaluation of the historical structure and the needs and requirements to maintain the integrity and the feel of the building, included in the overall design was to be developed. Additionally, there were to be developed system descriptions for structural and MEP systems that create the most energy efficiency possible.

- C. The parties desire to enter into this first Amendment in order to continue to undertake further schematic design work specific to and detailed for the Restoration and Preservation of the Windows and Masonry of the 1904 building. This includes:
 - a. Additional site verification and spot-measurement

- b. Consultation with a CM to further develop the scope of work and means & methods of construction.
- c. Consultation with VT Division for Historic Preservation on plans for the façade & roof repairs.
- d. Development of schematic design floor plan for scope location, annotated building elevations and/or photographs assembled on drawing sheets indicating façade renovations and reconditioning, conceptual enlarged window elevations and details.
- e. Development of SD-level written specifications for the work.
- f. Review of the drawings and scope of work , adding modifications if needed.
- g. Prepare an estimated conceptual cost prepared by the CM.

NOW THEREFORE, in consideration of the Background described above and other good and valuable consideration, IT IS AGREED by and between the parties as follows:

1. In **EFFECTIVE DATE, TERM, AND TERMINATION**, paragraph B., the original text shall be revised as follows, with deletions indicated by strikethroughs and additions indicated by underlines:

This Contract and the Parties' respective performance shall commence on the Effective Date and expire on ~~June 30, 2023~~ June 30, 2024 or upon the satisfaction of the City, unless sooner terminated as provided herein.

2. In **PAYMENT FOR SERVICES**, paragraph A., the original text shall be revised as follows, with deletions indicated by strikethroughs and additions indicated by underlines:

Amount. The City shall pay the Consultant the sum of ~~One Hundred Eighty Three Thousand Dollars (\$183,000.000)~~ Two Hundred and Thirteen Thousand Dollars (\$213,000.00).

3. A new Attachment G named ***Historic 1904 Building Exterior and Structural Repairs D+W Proposal for Professional Services*** be added after Attachment [F] and will be adopted by reference and made part of this Agreement.

4. 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

By: _____
Mary Danko, Director
Duly Authorized Agent
Fletcher Free Library

By: _____
Duly Authorized Agent

(Print Name and Position)

June 29, 2023

Mary Danko, Library Director
Fletcher Free Library
235 College Street
Burlington, VT 05401



Re: Historic 1904 Building Exterior and Structural Repairs
D+W Proposal for Professional Services

Dear Mary:

Dore + Whittier is pleased to provide this Architectural Services proposal in response to your recent request.

Based on our conversations in early June, and our meeting on 6/29/23 the project scope includes the following items which will include work entirely on the Fletcher Free Library historic 1904 wing:

- Masonry restoration/rehabilitation at brick and terra cotta elements, including associated flashings
- Investigation and repair of excessive efflorescence at brick chimneys
- Historic wood window rehabilitation and glazing replacement
- Historic exterior wood doors rehabilitation / potential replacement

As you indicated in your email of June 23, 2023 the potential budget for this work is approximately \$2M.

Our previous Schematic Design effort described a comprehensive project that addressed the renovations to the entire facility, and only dealt with specific elements like the roof structure repairs in conceptual form. As we've discussed, if the renovations cannot be executed all at one time, we ought to use the SD documents as a Master Plan for executing smaller, defined projects. We would call this proposed scope of work for the 1904 wing "Phase 1" of the Master Plan.

Each aspect of the exterior repairs demands specific knowledge of historic materials, and acceptable methods for executing the repairs. As we discussed, this work will be complex and the planning moving forward should include—as soon as possible—the addition of a qualified and experienced Construction Manager (CM) to aid with constructability review, means and methods of construction planning, and cost estimating support for the team. We are happy to support and assist you in hiring such a firm.

As such, we propose to break our Phase 1 scope of work and fee into two Tasks:

Task 1 – Detailed Schematic Design

Building off our initial information, we will complete a more detailed schematic design package that defines the scope elements listed above based on means and methods recommended by the CM.

As part of this SD package, we will continue to work with our team of consultants:

- Building Envelope – We may consult with expert Trade representatives experienced in masonry restoration on technical aspects of masonry and terra cotta rehabilitation
- Historic Wood Windows – We may consult with team members Public Archaeology Lab or Simpson Gumpertz Heger on historic wood window restoration and reconditioning, and would welcome input from the CM on this topic as well.
- Cost Estimating – if a CM is not hired, we would work with team member PM&C as an additional service to this proposal.

Dore + Whittier's proposes to work on an hourly basis during this SD phase, with a not-to-exceed fee limit of \$30,000.00 as outlined below.

Our fee includes the following:

1. Additional site verification and spot-measurement
2. Consultation with a CM to further develop the scope of work and means & methods of construction.
3. Consultation with VT Division for Historic Preservation on plans for the façade & roof repairs.
4. Development of schematic design floor plan for scope location, annotated building elevations and/or photographs assembled on drawing sheets indicating façade renovations and reconditioning, conceptual enlarged window elevations and details.
5. Development of SD-level written specifications for the work.
6. Review of the drawings and scope of work with you and modifications if needed.
7. Prepare an estimated conceptual cost prepared by the CM (preferred).

This proposal assumes that the drawings produced for the preceding schematic design phase will be accurate enough to be used as base documentation for this Phase 1 scope-defining exercise. If exhaustive site measurements are required, this will be billed as an additional service.

As we discussed, we would also advise that prior to construction, existing exterior building materials proposed to be disturbed should be tested for hazardous materials.

Task 2 – Detailed Construction Documents, Bidding, and Construction Administration

Once we have determined the true scope of the work and are assured that it will fit within your budget, we will prepare an additional fixed-fee proposal to develop detailed construction documents for bidding and construction. Our team would include those members mentioned above.

Due to the nature of this project which does not encompass the whole of the building and site, we recommend that a U.S. Green Building Council LEED certification not be pursued. However, our normal standard of practice will include many sustainability measures and initiatives which could be included in a later certification if required.

Tom Hengelsberg, AIA will continue to be the Project Manager and your main point of contact. You can contact him or myself should you need anything further in the interim. Thank you for requesting this proposal from us and we look forward to assisting the Library with this effort.

This proposal is valid for ninety (90) days from the date of this letter. We will be billing based on our current hourly rates. A copy is attached. Please sign and return the attached Project Proposal Approval Form when you are ready to proceed.

Sincerely,

DORE + WHITTIER

A handwritten signature in black ink, appearing to read 'Lee P. Dore', written over a horizontal line.

Lee P. Dore, President

802.863.1428

lpdore@doreandwhittier.com

Terms:

In recognition of the relative risks, rewards and benefits of the Project to both the Owner and the Architect, the risks have been allocated such that the Owner agrees, to the fullest extent permitted by law, to limit the Architect's liability to the Owner for any and all claims, losses, costs, damages of any nature whatsoever or claims expenses from negligent errors or omissions or causes, including reasonable attorney's fees and costs and expert witness fees and costs, so that the total aggregate liability of the Architect to Owner shall not exceed the amount of the Architect's total fee for services rendered on this project. It is intended that this limitation shall apply to any and all liability or cause of action however alleged or arising, unless otherwise prohibited by law.

In an effort to provide resolution for any conflicts that may arise during the design or construction of the Project, the Owner and the Architect agree that all disputes between them, arising out of or relating to this Proposal, shall be submitted to non-binding mediation unless the parties agree otherwise.

The Architect cannot or shall not be required to author or execute any documents that would certify, guarantee, or warrant the existence of conditions whose existence the Architect has been contracted to ascertain or over which the Architect has not control.

Neither the Architect, the Architect's Consultants, nor their agents or employees have offered any fiduciary service to the Owner and no fiduciary responsibility shall be owed to Owner by Architect, the Architect's Consultants, nor their agents or employees, as a consequence of Architect entering into this agreement with Owner.

The Owner shall, to the fullest extent permitted by law, indemnify and hold harmless the Architect, its officers, directors, employees, agents and subconsultants from and against all damage, liability and cost, including reasonable attorney's fees and defense cost, arising out of, or in any way connected with, the performance by any of the parties above named for the services under this agreement, excepting only those damages, liabilities or costs attributable to the sole negligence or willful misconduct of the Architect.

In providing services under this Agreement, the Architect will endeavor to perform in a manner consistent with the degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances. The Architect makes no warranty, express or implied, as to its professional services rendered under this Agreement.

Drawings, specifications, and other documents prepared by the Architect are instruments of the Architect's service and are for the Owner's use solely with respect to this Project. The Architect shall retain all common law, statutory and other reserved rights, including the copyright. Upon completion of the Project or termination of this Agreement, the ownership of these instruments of service shall transfer to the Owner only after the Architect has been paid in full for the services rendered and for all applicable reimbursable expenses. When transmitting copy-right-protected information for use on the Project, the transmitting party represents that either the transmitting party is the copyright owner of the information or has permission from the copyright owner to transmit the information for its use on the Project.

In the event of termination, suspension or abandonment of the Project by the Owner, the Architect shall be compensated, for services performed. The Owner's failure to make payments in accordance with this Agreement shall be considered substantial nonperformance and sufficient cause for the Architect to suspend or terminate services. Either the Architect or the Owner may terminate this Agreement after giving no less than seven days' written notice if the Project is suspended for more than 90 days, or if the other party substantially fails to perform in accordance with the Terms of this Agreement.

Fees:

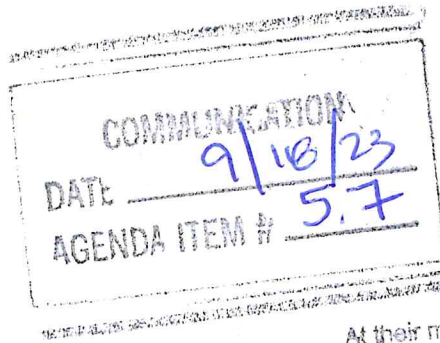
Basic Services: Not to Exceed fee of \$30,000.00

A professional services fee retainer will not be required for this project.

This Proposal shall remain valid for a period of Ninety (90) days from the date of issue.

Billings are compiled at the end of each month based upon the work completed and are due in full upon receipt of invoice. Invoices which are unpaid and past due more than Sixty (60) days may be subject to interest penalty charges at 1.5% every month. In the event that any portion of an account remains unpaid Sixty (60) days after billing, the Owner shall pay all costs of collection, including reasonable attorney's fees and the Architect may elect to suspend services.

The Owner explicitly understands and agrees that the Architect's fees for professional services for this project are payable per the terms stated herein and are not dependent upon funding for the project, approval by agencies, or the construction of the project. The Architect will not issue final deliverables if the Owner's account is not current.



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

At their meeting of 9/18/23
the Burlington City Council voted to

Approve the motion
Attest: *Jaci Oberg*
as
secretary

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

Board of Finance and City Council Submission Checklist

Department: Fletcher Free Library Submitter: Mary Danko
 Fletcher Free Library Restoration & Preservation Project Dore + Whittier Contract,
 First Amendment: **Restoration & Preservation of Windows and Masonry to 1904**
 Title/Subject: **building**

	Approval:	Meeting Date:
☒	Board of Finance	10/30.23
☒	City Council	11/6/2023
☐	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	10/18/2023	Click or tap here to enter text.
Mayor's Office informed and approved memo	Yes	10/26/2023	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	Yes	10/20/2023	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	10/24/2023	Click or tap here to enter text.
CAO has reviewed budget, financing, and memo	Yes	10/25/2023	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?	Yes	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 / City Council

FROM: Martin Lee, PE, Engineering Manager – Water Resources
Kate Komorowski, Water Resources Engineer
Megan Moir, DPW Division Director – Water Resources
Chapin Spencer, Director of Public Works

DATE: October 30, 2023 / November 6, 2023

RE: Request for Approval of Contract Amendment for Emergency Winooski River Siphon Repair Work

REQUEST

The Department of Public Works (DPW) and its Water Resources Division (WRD) seeks approval and authorization to amend the recently approved (October 10, 2023 City Council) construction contract for the Emergency Winooski River Siphon Repair Work by \$414,100, for a total value of \$1,247,000, including \$40,000 contingency.

BACKGROUND

This contract was recently approved by the Board of Finance on October 2 and City Council on October 10, 2023 in support of the next critical step in our efforts to manage the damages associated with the July flooding, an event which is eligible for Federal Emergency Management Agency (FEMA) funding. For a full and up to date accounting of this incident and the City's response, please see <https://www.burlingtonvt.gov/water/WinooskiBreakJuly12>.

This project involves the in-river repair of the Winooski River sewer siphon to bring it back into service. After the siphon broke on July 12, DPW conducted two non-toxic dye tests to try to narrow the potential location of the break and in August commercial divers were finally able to safely enter the river to inspect the siphon. Unfortunately, due to the continuous wet weather conditions that increased the turbidity in the river the pipe was still not visible during the dive inspection. The divers completed an inspection by feel and reported that the siphon was at least broken near the shore, feeling a gap and deflection between the first in-river pipe sections, and that the next pipe joints back may be compromised as well (approximately 20 and 40 ft from the first joint). This 50 foot limit from shore to the third joint was the basis of the initial contract and cost estimate. During construction, the contractor and commercial divers completed additional investigations with much better visibility and discovered that broken pipes exist to a limit of 116 feet from the shore. This extended distance is where the pipe is above the river bottom sediment and exposed to the same changing river conditions. Beyond the 116 feet distance, the pipe dives below the river bottom sediment and is less likely to have breaks. We are

confident in this revised approach but since there is uncertainty in this work we will provide an update if anything else changes.

Per our memo approved at the 10/10/23 City Council, the repair is intended to serve as an emergency repair of the original pipe that will enable the City to temporarily use the siphon again and shut down the temporary pump station for the winter, minimizing the risks involved with running the temporary station for the winter. This is a complex repair that involves commercial divers, a construction barge, a crane, and other heavy equipment.

With the more difficult operating conditions of winter fast approaching, this repair will have a huge benefit for wastewater operations, the City, and water quality. Returning to using the repaired old siphon pipe until a permanent solution can be implemented is preferred over keeping the temporary pump station and above ground force main in service over the winter.

FUNDING

Given the official disaster declaration DR4720, it is understood that at least 75% of these expenses will be covered by FEMA. FEMA funding is a reimbursement-based funding, meaning that the City must cover expenses, paying careful attention to eligibility and documentation requirements, and then file for reimbursement at a future date.

We expect that the City will be responsible for 12.5% of projects costs and we believe that a portion of these (12.5% of total project cost) will be covered by the State due to our compliance with the qualifying mitigation measures under the Emergency State Assistance Funding process. It also looks increasingly likely that Vermont damages will meet the threshold needed to reach 90% FEMA reimbursement, in which case the City's local match will be greatly reduced.

These expenses are being tracked in a project in the Wastewater Capital Project Fund 862 separate from the FY24 Wastewater Annual Budget in Fund 480.

The Wastewater Fund has sufficient days of cash on hand to cover these unplanned expenses before receiving the anticipated reimbursements. Regardless of the level of reimbursements, there will be a portion of these necessary expenses that will need to be covered by our utility.

MOTION

Board of Finance:

1. "To approve and recommend that the City Council authorize the Director of Public Works' to enter into and execute a contract amendment with Engineers Construction Inc. for \$414,100, and to increase the maximum limiting amount of the contract to \$1,247,600, subject to the review and approval of the City Attorney's Office."

City Council:

1. "To retroactively approve, authorize, and ratify the Director of Public Works' execution of a contract amendment with Engineers Construction Inc. for \$414,100 and to increase the maximum limiting amount of the contract to \$1,247,600, subject to the review and approval of the City Attorney's Office."

Thank you for your consideration of this request.



October 23, 2023

Ms. Kate Komoroski
Water Resources Engineer
234 Penny Lane
Burlington, Vermont 05401

Re: Design-Build North WWTF Emergency Inverted Siphon Repair
Change Order #1-Additional Pipe Removal and Installation within Winooski River

Dear Ms. Komoroski:

On Friday October 20, 2023, our team performed an air test on the remaining lengths of unburied sewer pipe within the Winooski River which are outside of the contract limits. The air test proved that additional pipe joints into the river were broken and leaking. The original scope of work for this project included the removal and installation of new 24" sewer pipe within 50 feet of the shoreline (defined at the top of bank). Based on what was discovered on site, the project now includes the removal and installation of new 24" sewer pipe within 116 feet of the shoreline resulting in 66 additional feet of pipe within the Winooski River.

This additional work will require changes to methodology, increased material costs, increased equipment costs, and the ability of the entire project team to rearrange their schedules and delay other projects as needed to perform the additional work. Below you will find a list of the new challenges this additional work brings:

- Increased water depth
- Spudding the barge down in higher water creating a less stable working platform as we will need longer spuds which become unstable as they get longer.
- As the job takes longer, weather conditions may continue to deteriorate.
- Now that the work can no longer be completed with the barge secured to shore, we need an additional crane boat to work between the barge and the shoreline.
- Reduced shore support.
- Heavier loads on the barge.
- An increased crew size will be needed to help facilitate the barge movements required.
- Additional crew will be needed to man the work skiff to shuttle people and materials from shore as needed.
- Every morning and every evening the barge will need to be reset to ensure safe dockage at night.

The additional scope of work includes the following:



- Performing additional under water pipe connections. Given the additional distance and weight of more pipes the previous plan of preassembly and swinging into place is not feasible for portions of the additional work.
- The additional distance from the shoreline will require larger crane capacity.
- Driving 2 additional H piles to support the new placement of the Hymax connection.
- Removal and delivery to shore of the leaking pipe sections.
- Grading the river bottom to allow new and existing pipes to meet at the same alignment and elevation in a deeper section of the river.
- Supply, expedited delivery, and installation of an additional 66 linear feet of 24" Ductile Iron pipe and fittings.

The following contract agreement changes are requested:

Original Contract Amount:	\$ 793,500.00
Change to Contract Price (Increase):	\$ 414,100.00
Revised Contract Amount:	\$ 1,207,600.00

Original Contract Completion date:	December 29, 2023
Revised Contract Completion date:	January 8, 2024

Increased Contract Amount Accounting:

For work associated with the removal and replacement of 24" sewer pipe between the original contract limits (50' from shoreline) and the revised contract limits (116' from shoreline) see below:

- Labor: \$133,500
- Equipment: \$221,100
- Materials: \$59,500

Respectfully,

Benjamin D. Heath

Benjamin D. Heath, P.E.
Civil Construction Manager

enc.

Board of Finance and City Council Submission Checklist

Department: DPW Submitter: Martin Lee

Title/Subject: North Plant Siphon Break Emergency Repair Amendment

	Approval:	Meeting Date:
☒	Board of Finance	10/30/2023
☒	City Council	11/6/2023
☐	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	10/25/2023	Chapin Spencer
Mayor's Office informed and approved memo	Yes	10/25/2023	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	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	10/25/2023	Jared Pellerin
CAO has reviewed budget, financing, and memo	Yes	10/25/2023	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?	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.



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

MEMORANDUM

To: Board of Finance
City Council

From: Brian Pine, Director of CEDO
Rachel Jolly, Assistant Director, CJC
Kerin Durfee, Director of Human Resources
Tim Clancy, Human Resources Manager

Date: October 24, 2023

RE: Creation of one position at CJC

Executive Summary

We propose creating one new position in the Community Justice Center (CJC):

- Youth Restorative Services Coordinator--Balanced and Restorative Justice (BARJ) Case Coordinator, a Limited Service, Full-time, Union, Grade 16, position.

Background:

Balanced and Restorative Justice (BARJ)

For the past year, the Burlington Community Justice Center has held the Balanced and Restorative Justice (BARJ) contract for the VT Department for Children and Families, serving youth who are involved with the criminal-legal system or at risk of being so. In addition, for two years prior, we have delivered the restorative justice portion of the contract as a subcontractor of Spectrum Youth and Family Services. The state-wide contracts have historically been under-funded, but thanks to advocacy on the part of several CJC directors, the Legislature has awarded additional money to the various agencies holding the BARJ contracts.

On October 10, 2023, City Council approved the acceptance of a \$311,061 award, for 18 months of service. This was an addition of \$140,433 from our 12 month contract, and allows for an extra FTE to address the large caseload referred through this particular contract. While we anticipate that the contract will renew in July 2024 at a level that will allow for the continuation of 3 FTE that can be supported with our current funding, until that has been confirmed, we are proposing a Limited Service status for this position.

Financial Impact:

The BARJ contract will cover 100% of the cost of the new position.

Motions

Board of Finance Motion:

To approve and recommend that City Council approve the creation of the Youth Restorative Services Coordinator—BARJ position within CEDO, a Limited Service, Full-time, Union, Grade 16, position.

City Council Motion:

To approve the creation of the Youth Restorative Services Coordinator—BARJ position within CEDO, a Limited Service, Full-time, Union, Grade 16, position.

City of Burlington Job Description

Position Title: Youth Restorative Services Coordinator - BARJ

Department: CEDO – Community Justice Center

Reports to: Youth Restorative Programs Manager

Pay Grade: 16

Job Code:

Exempt/Non-Exempt: Limited Service, Non-Exempt

Union: Yes

General Purpose:

This position is responsible for providing restorative interventions across youth programs with young people who are at risk to engage, or who are already engaged, with the juvenile justice system, particularly through our Balanced and Restorative Justice (BARJ) program and through our Restorative Practices work in the Burlington School District. Program staff work with young adults ages 11-23 to repair harm that they might have caused to themselves, others and the community, as well as assist in skill development to ensure harm does not happen again. This position also provides support to affected parties across youth programs.

This position will use restorative practices, a trauma-informed lens, and collaborate with multiple community partners, including area schools, to create a system for culturally responsive, early interventions. Staff will support programming that strengthens life skills development such as conflict resolution, social skills, decision making, community service/leadership skills and effective communication. For their justice-involved youth caseload, staff will provide a Youth Assessment and Screening Instrument (YASI) to determine risk and protective factors.

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.)

Essential Functions

- Work collaboratively with team members and agency partners to maintain and support a caseload of program participants, making appropriate referrals as necessary.
- Provide client intakes, screenings and assessments, case management, and support.
- Provide restorative interventions that reduce and eliminate further involvement in the justice system.
- Provides consultation and educational workshops to schools, with an emphasis on building accountability skills for youth and guiding staff to support alternatives.
- Accurately maintain participant program records and progress reporting systems in compliance with agency standards.

- Create and facilitate skill building workshops and activities.
- Support youth to complete restorative plan agreements.
- Attend court, trainings, and facilitate restorative meetings as assigned.
- Actively ensure impacted parties' voices are included in restorative processes of participants.
- Work to ensure effective, confidential, consistent, and timely communication with affected and responsible parties.
- Prioritize identifying and designing for equity in youth programs.
- Communicate with schools, State's Attorney, Dept. for Children and Families, courts and referring partners on a daily basis, as needed or requested.
- Complete all required forms, correspondence and reports in a timely manner and retain copies of such writings in an organized format.
- Complete any other duties as assigned by the Youth Restorative Programs Manager.

Non-Essential Job Functions:

- Participate in agency meetings and events as directed, including monthly CEDO and CJC staff meetings, and at least one CJC committee.
- Performs other duties as required.

Qualifications/Basic Job Requirements:

- Associate's degree in education, criminal justice, youth development, domestic or sexual violence, or human services or related field and three years related work experience. Additional experience may be substituted for a degree requirement on a two for one-year basis.
- Training, education, course work in the areas of substance use, youth development, domestic and sexual violence, mental health, trauma, poverty, crime and other challenges.
- Ability to develop strong relationships with a wide range of individuals and groups, who may have conflicting interests and opinions.
- Demonstrated ability to engage with youth who have experienced trauma, and come from diverse racial, economic, and other backgrounds.
- Knowledge of community resources and the ability to make appropriate referrals.
- Strong attention to detail, time management, record-keeping and computer skills.
- Evening availability required.
- Reliable transportation required.
- Regular attendance is necessary and is essential to meeting the expectations of the job functions.
- General knowledge and utilization of virtual platforms and databases
- Maintain procedures that protect confidentiality and personal boundaries
- Ability to understand and comply with City standards, safety rules and personnel policies.
- The City of Burlington is committed to diversity, equity, and inclusion. We strongly encourage people from underrepresented groups to apply recognizing and respecting that diverse perspectives and experiences are valuable to our team and essential to our public service.

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.

☒ seeing	☒ ability to move distances
☐ color perception	☐ lifting (specify) ☐ pounds
(red, green, amber)	within and between warehouses/offices
☒ hearing/listening	☐ carrying (specify) ☐ pounds
☒ clear speech	☐ climbing
☒ touching	☐ ability to mount and ☐ driving (local/over
☒ dexterity	dismount forklift/truck the road)
☐ hand	
☒ finger	
☐ reading - basic	☒ math skills - basic
☒ reading – complex	☒ analysis/comprehension
☐ writing - basic	☐ math skills - complex
☒ writing - complex	☒ judgment/decision
☐ shift work	☒ clerical making
☒ works alone	☐ outside
☒ works with others	pressurized equipment
☒ verbal contact w/others	☐ extreme heat
☒ face-to-face contact	☐ moving objects
	☐ extreme cold
	☐ high places
	☐ noise
	☐ fumes/odors
	☐ mechanical equipment
	☐ hazardous

x inside

materials

 electrical

equipment

 dirt/dust

Supervision:

Directly Supervises: 0

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.

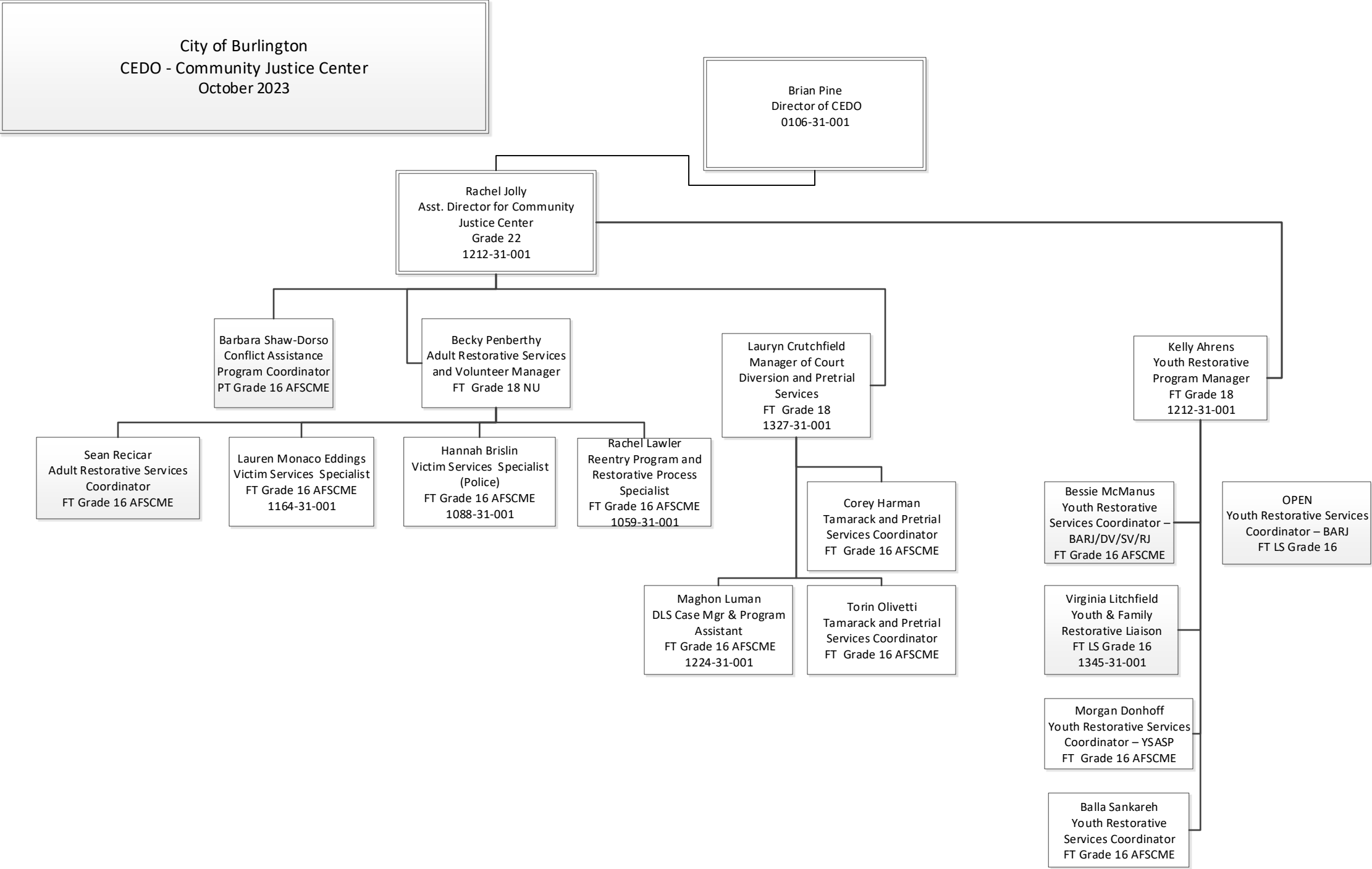
Approvals:

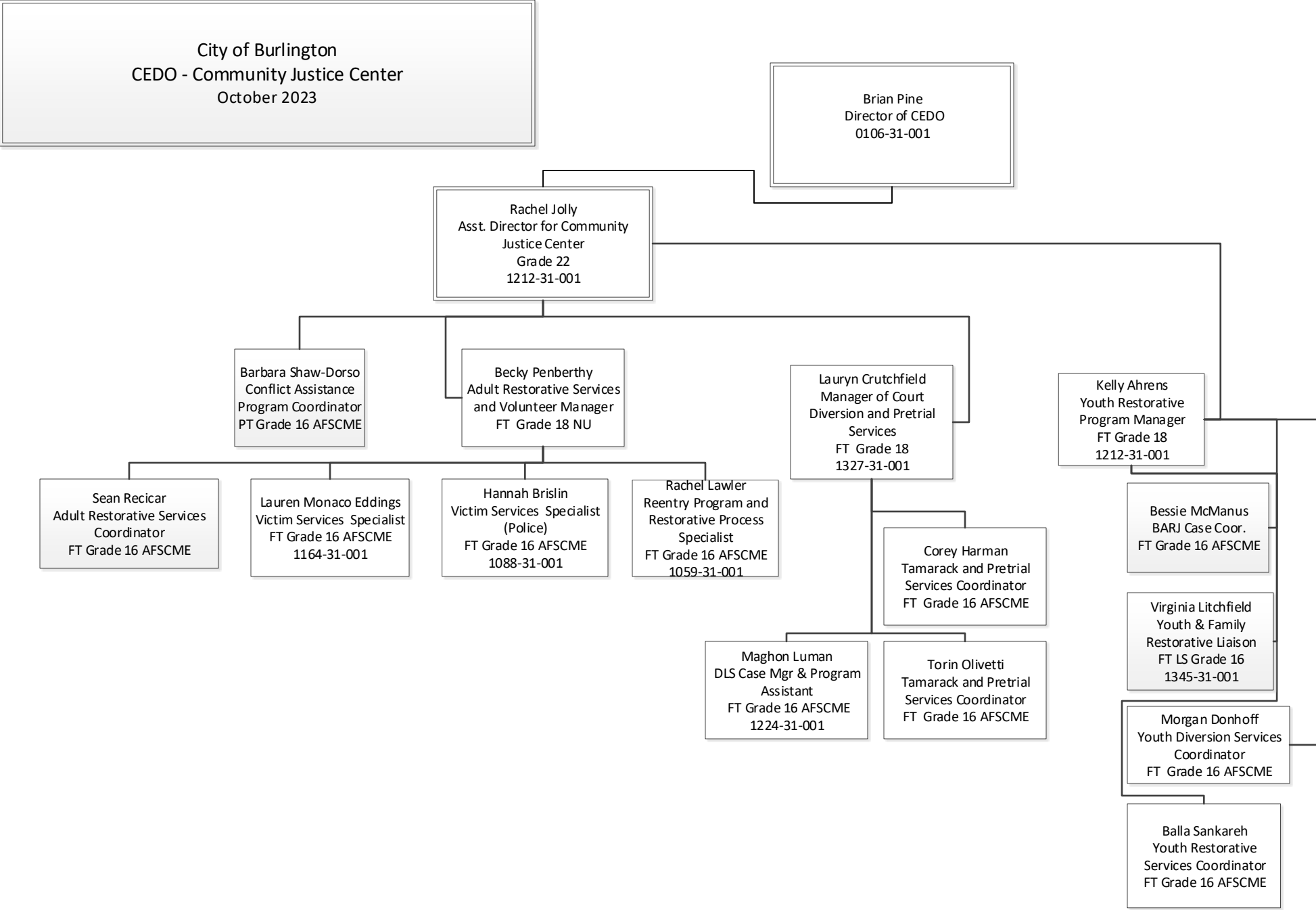
Department Head: _____

Date: _____

Human Resources: _____

Date: _____





Board of Finance and City Council Submission Checklist

Department: CEDO/CJC Submitter: Rachel Jolly

Title/Subject: Creation of new Youth Team position

	Approval:	Meeting Date:
☒	Board of Finance	10/30/2023
☒	City Council	11/6/2023
☐	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	10/24/2023	Approved
Mayor's Office informed and approved memo	Yes	10/25/2023	Approved
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	10/25/2023	Approved
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	10/25/2023	Approved
CAO has reviewed budget, financing, and memo	Yes	10/24/2023	Approved
Human Resources, if personnel action -Identify HR Manager in note	Yes	10/24/2023	Tim Clancy approved
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	Current and proposed org chart and JD
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.



SUMMARY OF COMMUNITY MEDIA PUBLIC BENEFIT FUND BILL

Contact: VAN Public Policy Team

Lauren-Glenn Davitian, davitian@cctv.org, 802.777.7542

Angelike Contis, angelike@mmctv15.org, 802.355.6201

What is the Purpose of the Bill?

The bill would establish a new Community Media Public Benefit Fund, funded by communications service providers in the State, to ensure equitable and sustainable financial support for local public, educational, and government (PEG) access organizations in Vermont.

What are AMOs?

These PEG organizations, known as Access Management Organizations (AMOs), provide essential public services in Vermont, including ongoing access to public meetings and emergency information, connecting communities, and preserving local identity.

Why is the bill needed?

AMOs are currently primarily funded by “franchise fees” paid by cable company subscribers, the amount of which is based on revenue only from the cable services these companies provide. As consumers increasingly cancel their cable subscriptions in favor of internet-based entertainment and news sources, funding for community media is declining. The Community Media Public Benefit Fund recognizes that Vermont AMOs services extend across Vermont and are no longer confined to cable service territories. The bill will provide a reliable source of funding as cable revenue declines across Vermont.

What companies would contribute to the Public Benefit Fund?

The bill would impose a charge on all companies that deliver commercial voice, cable, internet, and wireless services to Vermont homes and businesses. Vermont’s newly created communications union districts (or CUDs) would be exempt. The

charge is an fee on these companies' physical attachments to utility poles installed throughout the State. This includes poles in the public rights-of-way and on private property, but does not include wireless macro towers.

Communications service providers would pay this fee to the Vermont Department of Taxes by July 1st of each year based on every pole attachment they attach to on April 1st of that year.

Cable companies would be permitted to deduct from the pole attachment charge amounts paid to AMO under the current franchise fee funding mechanism.

How will the funds be collected and distributed?

The funds would be collected by the Vermont Department of Taxes and deposited into a special fund known as the Community Media Public Benefit Fund. Each year, the money from the Fund would be appropriated to the Vermont Secretary of State, which would provide an annual grant for the operational costs of AMOs. The grants would be administered by the Vermont Access Network ("VAN"). The criteria for the distribution of the funds will be based on the relative decline in cable revenue and the budget requirements of the AMOs.

VAN is a statewide nonprofit organization that represents all of the AMOs in matters of mutual concern, including the effective operation and advancement of PEG services throughout the State. See: vermontaccess.net



October 30, 2023 [UPDATED]

MEMO TO: City of Burlington, Board of Finance Chair Karen Paul & Burlington Chief Administrative Officer Katherine Schad

FROM: Jordan Mitchell, Town Meeting TV Director of Operations, jmitchell@cctv.org

RE: Town Meeting TV FY23 Update and FY24/Municipality's FY25 Budget Request

Town Meeting TV submits this report in advance of our visit with the City of Burlington. The purpose of the presentation is to brief the City Council on Town Meeting TV operations, to hear from the community on how Town Meeting TV might better serve your needs, and to request support in the amounts as follows:

- *A municipal contribution in the amount of **\$27,783** (5% increase from FY23) for general Town Meeting TV operations (see chart below)*
- ***\$16,695** to Town Meeting TV for production support of ongoing hybrid meeting coverage of 6 Neighborhood Planning Assemblies per month (5% increase from FY23). This represents less than half of the actual cost of services.*
- ***\$40,000** to CCTV Productions for additional Burlington municipal meeting coverage (no increase from FY23)*

Introduction: Town Meeting Television was launched by its member communities in September 1990. Town Meeting TV is operated by CCTV Center for Media & Democracy on behalf of the Chittenden County Government Access Channel Trust.

The City of Burlington is currently represented by Kevin Lumpkin. We sincerely appreciate Kevin's contributions to Town Meeting TV and the community as a Trustee.

Between 10/1/22 and 9/30/23, Town Meeting TV produced and supported 1,386 programs for our member communities; 362 were categorized as municipal coverage.

During the period of 10/1/2022 - 9/30/2023 Town Meeting TV **live streamed, recorded, produced, and archived 202 meetings for the City of Burlington.**

- 28 City Council

- 57 Department (Finance, TEUC, other as-requested)
- 55 Neighborhood Planning Assembly (NPA)
- 10 Police Commission
- 24 Development Review Board
- 11 Department of Public Works
- 17 Executive/Mayor's Press Conferences

In addition, coverage and service includes other general TV programs recorded in and about Burlington, local election programs, legislative updates, and municipal updates. Town Meeting TV studios and internships remain open to all community members. The **contract stipulates** production of 6 meetings/month and at least 5 Burlington specific general programs. We appreciate a close working relationship with City officials who make sure to avail the city of allotted production resources and keep us informed of potential programming needs and opportunities. **Burlington officials are invited to inform us of more community based programming for coverage.**

We are requesting an FY25 City of Burlington municipal contribution of \$27,783 to help meet continued revenue shortfalls from declining cable contributions. This is outlined in the 5 year projection chart below. At this point, we expect municipal contributions to increase along with the rates of inflation or at 5%.

We are requesting \$16,695 for production support of ongoing hybrid meeting coverage of 6 Neighborhood Planning Assemblies per month (5% increase from FY23) This represents less than half of the actual cost of services. We will continue to work with CEDO and the NPA Steering Committee to meet the goal of providing hybrid meetings, live streaming when available, and archiving of these meetings with the goal of increasing transparency and public participation.

We are requesting the continued funding of \$40,000 to CCTV Productions to cover approximately 57 additional meetings and events. These additional meetings are covered based on historic coverage and requests from department heads, chairs, or the general public. Coverage may be decided based on the availability of field staff and on the prevailing interests of the community.

In addition, we are offering municipalities the opportunity to add meeting coverage and/or meeting archiving by CCTV Productions at the municipal rate. The current municipal rate for meeting production, including pre-production, field production, live streaming & titling, post-production, and archiving is estimated to

be 7 hours per meeting at the municipal rate of \$123/hour or approximately \$780 per meeting. Costs for titling, airing, and archiving recorded meetings conducted without Town Meeting TV operators can also be calculated on a case by case basis.

Municipal Funding Request: The City of Burlington contribution is part of the municipal supplement to the Town Meeting TV annual budget. We have projected that Town Meeting TV's municipal members will contribute \$120,305, or 16.7% to the operating revenue. Municipalities may opt to add additional meeting coverage at the current municipal production rate of \$112/hour.

See below for the chart of projected municipal support requests.

PROJECTIONS	FY19 (7/19)	FY20 (7/20)	FY21 (7/21)	FY22 (7/22)	FY23 (7/23)	FY24 (7/24)	FY25 (7/25)	
		50%	0%	5%	5%	5%	5%	5 years
Burlington	\$12,000	\$24,000	\$24,000	\$25,200	\$26,460	\$27,783	\$29,172	\$156,615
South Burlington	\$10,000	\$20,000	\$20,000	\$21,000	\$22,050	\$23,152	\$24,310	\$130,512
Winooski	\$6,000	\$7,000	\$8,000	\$9,000	\$10,000	\$11,000	\$12,000	\$57,000
Essex	\$6,000	\$12,000	\$12,000	\$12,600	\$13,230	\$13,891	\$14,586	\$78,307
Essex Jct	\$6,000	\$12,000	\$12,000	\$12,600	\$13,230	\$13,891	\$14,586	\$78,307
Williston	\$6,000	\$12,000	\$12,000	\$12,600	\$13,230	\$13,891	\$14,586	\$78,307
Increase	\$46,000	\$87,000	\$88,000	\$93,000	\$98,200	\$103,610	\$109,240	\$579,050

Town Meeting TV FY23 Report

Town Meeting TV supports public officials who seek to engage their constituents in the work of local government. We connect community members to local government so they are able to take action on community and public issues.

Revenue Sources: Town Meeting TV is funded, in large part, by the cable subscribers of Comcast and Burlington Telecom (BT). In addition to their requirement to set aside channels and “cable capacity”, regional cable subscribers are assessed 5% of their bills for PEG operating and 1.5% for capital costs. This revenue, locally, is shared by Town Meeting Television and The Media Factory.

In Town Meeting TV's FY24 Budget, approved by the municipal Trustees, cable revenue accounts for **71%** of the FY24 budget revenue, estimated to be **\$572K**, detailed in the budget narrative, below. This is different from the FY23 budget, where cable revenue accounted for 80% of the revenue (\$555k).

Services: With your partnership, Town Meeting TV produces, live streams, records, titles, distributes and archives gavel-to-gavel coverage of municipal meetings, regional events, and educational programs designed to help open the doors of local government, civic life, and promote public awareness and participation.

Town Meeting TV is part of a network of community access media centers that provide an essential community service that has expanded to meet the needs of remote participation in public meetings, public health communications, more extensive election coverage, and community producer requests for services.

During this year our services included:

Live streaming of gavel-to-gavel coverage of municipal and regional meetings

in Burlington, South Burlington, Winooski, Essex, Essex Junction, Williston and Colchester. These meetings are streamed live, aired on TV, and archived. Town Meeting TV content is available on Comcast channel 1087, BT channel 217 and 17, BT channel 317, online at ch17.tv (with clickable agendas) and on our YouTube page youtube.com/TownMeetingTV (with auto-generated captions and clickable agendas). Town Meeting TV continues to work with communities to make that experience productive while retaining high video and audio quality for TV distribution and archiving.



Hybrid Meeting support - Town Meeting TV worked with municipalities to continue to support high quality hybrid meeting systems. In many cases these systems were purchased by the municipalities and the expected technical life was 3 years from installation. This year we will be reevaluating the functional life and best

practices on a case by case basis with each municipality.

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Town Meeting TV produces televised local forums featuring all candidates, municipal budgets and ballot presentations during Town Meeting, Primary and General elections. Town Meeting TV also partners with both state and local level organizations such as VPIRG, League of Women Voters and media outlets such as VTDigger.org to bring election information to a wider audience. In

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Town Meeting TV/ Town Meeting Television
BUDGET NARRATIVE FY24 (APPROVED)
October 1, 2023 – September 30, 2024

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Funding Formulas: Funding for Town Meeting TV is calculated at 1.67% of the cable operators' (Comcast and Burlington Telecom) annual gross revenue. These costs are passed on directly to subscribers.

The funding level for Town Meeting TV **capital** is set at .6% of gross revenue after we renegotiated the contract in 2021. Part of that renegotiation was to remove language allowing for "spike" capital requests over the course of the contract. Along with other VAN AMO's in Comcast regions, Town Meeting TV was awarded 20K, of which 15K remains in ROS to provide for capital purchases to support live streaming from remote locations.

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FY24 revenue is estimated at **\$720,210**. Our expenses are estimated to be **\$749,802**. This leaves a shortfall of \$38,280 to be made up through fundraising efforts by CCTV.

- The estimated revenue received from Comcast is projected to be **\$378K** for operating and **\$137K** for capital, a generous 1% decline.
- **Burlington Telecom's** total contribution is estimated to be **\$22.9K** for operating and **\$7K** for capital.
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The total Town Meeting TV FY24 expenses are projected to be **\$749,802** in operating **\$613,647** and capital **\$136,155**.

Operating Expenses are estimated to be **\$613,647** and include:

- **CCTV Base contract** in the amount of **\$581,847** (a 3% increase from FY23) for Town Meeting TV operations which includes staff labor for administration, production, internship support, archiving, and marketing ((about 8 FTE) as well as overall administrative, insurance, professional development, and site costs.
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Capital Expenses are estimated to be **\$136,155**. Town Meeting TV's annual Capital budget is based on priority areas recommended by Staff and approved by the Trustees. The FY24 Capital recommendations include hardware, supplies, network infrastructure, dues and subs, and technical contractors.

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- **Office \$4,000:** Replacement staff computers
- **IT/ Network/ Tech Core Equipment: \$18,925:** This is the largest increase from FY23 anticipating a large increase to our digital storage capacity expected to take us into the next 3 years.

Capital Support Total: \$92,080

Capital Support constitutes the bulk of the capital budget, as most technical solutions are software and consultant supported. The FY24 budget includes (see Capital Detail for the complete list):

- **Tech Core Rental \$6,500:** Supports our portion of the shared tech core space at 208 Flynn providing climate controlled and secure infrastructure space for our playback and network storage. Town Meeting TV is connected to this space via high speed dark fiber provided by Burlington Telecom.
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CCTV Management and Overhead portion for TMTV in FY24 \$120,727: Overhead is calculated as a percentage of each program in CCTV by labor. In FY24 this assumes **48%** of **\$178,305K in admin wage costs.**

4. FUND BALANCE

The Town Meeting TV assets & liabilities as of July 31, 2023 are \$296,677 or 5.2 months of operating revenue. These assets include \$92K in the VCF reserve fund In addition to current receivables and liabilities. As a matter of sound fiscal practice, the Town Meeting TV Trustees have established a 3-6 month set-aside of its annual budget in order to address cash flow issues and emergencies. Monthly expenses in FY24 are projected to be **\$62,484**. A six month reserve amounts to **\$375K** therefore we do not recommend using your reserve to cover operating or capital costs this year.



October 30, 2023

MEMO TO: City of Burlington, Board of Finance Chair Karen Paul & Burlington Chief Administrative Officer Katherine Schad

FROM: Jordan Mitchell, Town Meeting TV Director of Operations, jmitchell@cctv.org

RE: Town Meeting TV FY23 Update and FY24/Municipality's FY25 Budget Request

Town Meeting TV submits this report in advance of our visit with the City of Burlington. The purpose of the presentation is to brief the City Council on Town Meeting TV operations, to hear from the community on how Town Meeting TV might better serve your needs, and to request an annual municipal contribution in the amount of \$27,783 for general Town Meeting TV operations.

Introduction: Town Meeting Television was launched by its member communities in September 1990. Town Meeting TV is operated by CCTV Center for Media & Democracy on behalf of the Chittenden County Government Access Channel Trust.

The City of Burlington is currently represented by Kevin Lumpkin. We sincerely appreciate Kevin's contributions to Town Meeting TV and the community as a Trustee.

Between 10/1/22 and 9/30/23, Town Meeting TV produced and supported 1,386 programs for our member communities; 362 were categorized as municipal coverage.

During the period of 10/1/2022 - 9/30/2023 Town Meeting TV **live streamed, recorded, produced, and archived 189 meetings for the City of Burlington.**

- 36 City Council
- 48 Department (Finance, TEUC, other as-requested)
- 60 Neighborhood Planning Assembly (NPA)
- 12 Police Commission
- 12 Development Review Board
- 12 Department of Public Works
- 9 Executive/Mayor's Press Conferences

In addition, coverage and service includes other general TV programs recorded in and about Burlington, local election programs, legislative updates, and municipal updates. Town Meeting TV studios and internships remain open to all community members. The **contract stipulates** production of 6 meetings/month and at least 5 Burlington specific general programs. We appreciate a close working relationship with City officials who make sure to avail the city of allotted production resources and keep us informed of potential programming needs and opportunities. **Burlington officials are invited to inform us of more community based programming for coverage.**

We are requesting an FY25 City of Burlington municipal contribution of \$27,783 to help meet continued revenue shortfalls from declining cable contributions. This is outlined in the 5 year projection chart below. At this point, we expect municipal contributions to increase along with the rates of inflation or at 5%.

In addition, we are offering municipalities the opportunity to add meeting coverage and/or meeting archiving by CCTV Productions at the municipal rate. The current municipal rate for meeting production, including pre-production, field production, live streaming & titling, post-production, and archiving is estimated to be 7 hours per meeting at the municipal rate of \$123/hour or approximately \$780 per meeting. Costs for titling, airing, and archiving recorded meetings conducted without Town Meeting TV operators can also be calculated on a case by case basis.

Municipal Funding Request: The City of Burlington contribution is part of the municipal supplement to the Town Meeting TV annual budget. We have projected that Town Meeting TV's municipal members will contribute \$120,305, or 16.7% to the operating revenue. Municipalities may opt to add additional meeting coverage at the current municipal production rate of \$112/hour.

See below for the chart of projected municipal support requests.

PROJECTIONS	FY19 (7/19)	FY20 (7/20)	FY21 (7/21)	FY22 (7/22)	FY23 (7/23)	FY24 (7/24)	FY25 (7/25)	
		50%	0%	5%	5%	5%	5%	5 years
Burlington	\$12,000	\$24,000	\$24,000	\$25,200	\$26,460	\$27,783	\$29,172	\$156,615
South Burlington	\$10,000	\$20,000	\$20,000	\$21,000	\$22,050	\$23,152	\$24,310	\$130,512
Winooski	\$6,000	\$7,000	\$8,000	\$9,000	\$10,000	\$11,000	\$12,000	\$57,000

Essex	\$6,000	\$12,000	\$12,000	\$12,600	\$13,230	\$13,891	\$14,586	\$78,307
Essex Jct	\$6,000	\$12,000	\$12,000	\$12,600	\$13,230	\$13,891	\$14,586	\$78,307
Williston	\$6,000	\$12,000	\$12,000	\$12,600	\$13,230	\$13,891	\$14,586	\$78,307
Increase	\$46,000	\$87,000	\$88,000	\$93,000	\$98,200	\$103,610	\$109,240	\$579,050

Town Meeting TV FY23 Report

Town Meeting TV supports public officials who seek to engage their constituents in the work of local government. We connect community members to local government so they are able to take action on community and public issues.

Revenue Sources: Town Meeting TV is funded, in large part, by the cable subscribers of Comcast and Burlington Telecom (BT). In addition to their requirement to set aside channels and “cable capacity”, regional cable subscribers are assessed 5% of their bills for PEG operating and 1.5% for capital costs. This revenue, locally, is shared by Town Meeting Television and The Media Factory.

In Town Meeting TV’s FY24 Budget, approved by the municipal Trustees, cable revenue accounts for **71%** of the FY24 budget revenue, estimated to be **\$572K**, detailed in the budget narrative, below. This is different from the FY23 budget, where cable revenue accounted for 80% of the revenue (\$555k).

Services: With your partnership, Town Meeting TV produces, live streams, records, titles, distributes and archives gavel-to-gavel coverage of municipal meetings, regional events, and educational programs designed to help open the doors of local government, civic life, and promote public awareness and participation.

Town Meeting TV is part of a network of community access media centers that provide an essential community service that has expanded to meet the needs of remote participation in public meetings, public health communications, more extensive election coverage, and community producer requests for services.

During this year our services included:

Live streaming of gavel-to-gavel coverage of municipal and regional meetings in Burlington, South Burlington, Winooski, Essex, Essex Junction, Williston and Colchester. These meetings are streamed live, aired on TV, and archived. Town

Meeting TV content is available on Comcast channel 1087, BT channel 217 and 17, BT channel 317, online at ch17.tv (with clickable agendas) and on our YouTube page youtube.com/TownMeetingTV (with auto-generated captions and clickable agendas). Town Meeting TV continues to work with communities to make that experience productive while retaining high video and audio quality for TV distribution and archiving.



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CCTV Management and Overhead portion for TMTV in FY24 \$120,727: Overhead is calculated as a percentage of each program in CCTV by labor. In FY24 this assumes **48%** of **\$178,305K in admin wage costs.**

4. FUND BALANCE

The Town Meeting TV assets & liabilities as of July 31, 2023 are \$296,677 or 5.2 months of operating revenue. These assets include \$92K in the VCF reserve fund In addition to current receivables and liabilities. As a matter of sound fiscal practice, the Town Meeting TV Trustees have established a 3-6 month set-aside of its annual budget in order to address cash flow issues and emergencies. Monthly expenses in FY24 are projected to be **\$62,484**. A six month reserve amounts to **\$375K** therefore we do not recommend using your reserve to cover operating or capital costs this year.