
DELIBERATIVE AGENDA
LOCAL CONTROL COMMISSION
CONTOIS AUDITORIUM, CITY HALL
MONDAY, JUNE 3, 2013
7:00 P.M.

1. AGENDA

2. CONSENT AGENDA

2.01. OUTSIDE CONSUMPTION PERMIT EXPANSION/EXTRA HOUR:

American Flatbread, 115 St. Paul Street

*waive the reading, accept the communication, place it on file and approve the outside consumption permit expansion for additional seating along with an extra hour of outside consumption service for American Flatbread

2.02. EXTENSION OF HOURS PERTAINING TO OUTSIDE CONSUMPTION: Pacific Rim

*waive the reading, accept the communication, place it on file and approve the extension of hours for Pacific Rim

2.03. OUTSIDE CONSUMPTION PERMIT EXPANSION: Skinny Pancake

*waive the reading, accept the communication, place it on file and approve the outside consumption permit expansion for additional seating for Skinny Pancake

3. FIRST CLASS HOTEL LIQUOR LICENSE APPLICATION (2013-2014):

Made Inn Vermont@204, LLC, 204 South Willard Street

4. ADJOURNMENT

ANNUAL MEETING, CITY COUNCIL
MONDAY, JUNE 3, 2013

1. AGENDA

2. COMMUNICATION: Chief Michael Schirling, Burlington Police Department, re: Summer Strategy (oral)

2.01. COMMUNICATION: Chief Michael Schirling, Burlington Police Department, re: Summer Strategy

3. PUBLIC FORUM **(Time Certain: 7:30 p.m. – 8:00 p.m. unless extended by the Council President per Council Rules)**

4. CONSENT AGENDA

Members of the public may speak when recognized by the Chair, during the Public Forum (time certain: 7:30 p.m.) or during a Public Hearing. This agenda is available in alternative formats upon request. Persons with disabilities, who require assistance or special arrangements to participate in programs and activities of the Clerk/Treasurer's Office, are encouraged to contact us at 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will air live on the night of the meeting on Burlington Telecom, Channel 317. This meeting will also air on Channel 17 on June 5, 2013 at 8:00 p.m., repeating at 1 a.m., 7 a.m. and 1 p.m. the following day. For information on access, call Scott Schrader, Assistant CAO for Administration and Management (865-7140) or Lori Olberg, Licensing, Voting and Records Coordinator (865-7136) (TTY 865-7142).

5. INDOOR ENTERTAINMENT PERMIT APPLICATION (2013-2014): Daily Planet
6. PUBLIC HEARING: Allocation Method and Standards for Common Area Fees of The Church Street Marketplace
 - 6.01. RESOLUTION: Allocation Method and Standards for Common Area Fees of The Church Street Marketplace for Fiscal Year 2014 (Councilors Shannon & Blais)
 - 6.02. COMMUNICATION: Church Street Marketplace District: Common Area Fee
 - 6.03. COMMUNICATION: Ron Redmond, Executive Director, Church Street Marketplace, Re: Explanation of City Council Public Hearings for The Church Street Marketplace
 - 6.04. COMMUNICATION: Clerk/Treasurer's Office, re: Notice of Public Hearing, Monday, June 3, 2013, Church Street Marketplace District, City of Burlington
7. PUBLIC HEARING: MDP-13-01-DRAFT planBTV – Downtown & Waterfront Master Plan; Amendment of the Burlington Municipal Development Plan Land Use Plan and Re-adoption of the Burlington Municipal Development Plan
 - 7.01. COMMUNICATION: Kimberlee Sturtevant, Assistant City Attorney, re: MDP-13-01 DRAFT planBTV-Downtown & Waterfront Master Plan; Amendment of the Burlington Municipal Development Plan Land Use Plan and Re-adoption of the Burlington Municipal Development Plan, Public Hearing Notice
8. APPOINTMENT: Director of Aviation
 - 8.01. COMMUNICATION: Mayor Miro Weinberger, re: Appointment of Permanent Director of Aviation
 - 8.02. COMMUNICATION: Gene Richards III Resume
 - 8.03. COMMUNICATION: Julie Hulburd, HR Generalist and Susan Leonard, Director of Human Resources, re: Step Placement – Gene Richards, Aviation Director
 - 8.04. COMMUNICATION: Human Resources, re: Department Head Pay Scales FY13
 - 8.05. COMMUNICATION: Human Resources, re: City of Burlington Job Description, Director of Aviation
9. COMMUNICATION: Mayor Miro Weinberger, re: Mayoral Reappointments for FY14

City Council Appointments

10. APPOINTMENT: Chittenden County Transportation Authority (Term expires 6/30/16)
11. APPOINTMENT: Church Street Marketplace Commission (Term expires 6/30/16)
12. APPOINTMENT: Church Street Marketplace Commission (Term expires 6/30/16)

13. APPOINTMENT: Church Street Marketplace Commission (Term expires 6/30/16)
14. APPOINTMENT: Church Street Marketplace Commission (Term expires 6/30/16)
15. APPOINTMENT: Conservation Board (Term expires 6/30/17)
16. APPOINTMENT: Conservation Board (Term expires 6/30/17)
17. APPOINTMENT: Conservation Board (Term expires 6/30/17)
18. APPOINTMENT: Conservation Board (Term expires 6/30/17)
19. APPOINTMENT: Development Review Board (Term expires 6/30/15)
20. APPOINTMENT: Development Review Board (Term expires 6/30/17)
21. APPOINTMENT: Development Review Board (Term expires 6/30/17)
22. APPOINTMENT: Fence Viewer (Term expires 6/30/14)
23. APPOINTMENT: Housing Board of Review (Term expires 6/30/17)
24. COMMITTEE REPORTS (5 mins.)
25. COMMUNICATION: City Councilors, re: General City Affairs (oral)(10 mins.)
26. COMMUNICATION: Mayor Weinberger, re: General City Affairs (oral)(5 mins.)
27. COMMUNICATION: Eileen Blackwood, City Attorney, re: Status of the Burlington Telecom Cases (oral)

* * * * **EXPECTED EXECUTIVE SESSION** * * * *

28. ADJOURNMENT

CITY COUNCIL WITH MAYOR PRESIDING
MONDAY, JUNE 3, 2013

1. AGENDA

2. CONSENT AGENDA

2.01. COMMUNICATION: David J. Roberts, Deputy Chief, Burlington Fire Department,
re: Listing of Fire Wardens to be Appointed at the June Meeting of
The City Council

*waive the reading, accept the communication, place it on file and appoint the individuals listed as the Fire Wardens, terms expiring June 30, 2014

3. APPOINTMENT: Airport Commission (Term expires 6/30/17)
4. APPOINTMENT: Cemetery Commission (Term expires 6/30/16)
5. APPOINTMENT: Design Advisory Board (Term expires 6/30/16)

6. APPOINTMENT: Electric Light Commission (Term expires 6/30/16)
7. APPOINTMENT: Electric Light Commission (Term expires 6/30/16)
8. APPOINTMENT: Fire Commission (Term expires 6/30/16)
9. APPOINTMENT: Board of Health (Term expires 6/30/16)
10. APPOINTMENT: Board of Health (Term expires 6/30/16)
11. APPOINTMENT: Library Commission (Term expires 6/30/16)
12. APPOINTMENT: Parks and Recreation Commission (Term expires 6/30/16)
13. APPOINTMENT: Parks and Recreation Commission (Term expires 6/30/16)
14. APPOINTMENT: Planning Commission (Term expires 6/30/17)
15. APPOINTMENT: Planning Commission (Term expires 6/30/17)
16. APPOINTMENT: Police Commission (Term expires 6/30/16)
17. APPOINTMENT: Police Commission (Term expires 6/30/16)
18. APPOINTMENT: Public Works Commission (Term expires 6/30/16)
19. APPOINTMENT: Public Works Commission (Term expires 6/30/16)
20. APPOINTMENT: Retirement Board (Term expires 6/30/16)
21. APPOINTMENT: Board of Tax Appeals (Term expires 6/30/16)
22. APPOINTMENT: Board of Tax Appeals (Term expires 6/30/16)
23. APPOINTMENT: Board of Registration for Voters (Term expires 6/30/18)
24. ADJOURNMENT

CONSENT AGENDA

ANNUAL MEETING, CITY COUNCIL
MONDAY, JUNE 3, 2013

- 4.01. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re:
Accountability List
*waive the reading, accept the communication and place it on file
- 4.02. RESOLUTION: Amend FY 2013 Street & Sidewalk Capital Program Street Paving
Budget to Increase Budget by the Amount Unexpended in FY 2012
On the Approved Drew Street Project (Councilors Shannon, Bushor,
Aubin: Board of Finance)
*waive the reading and adopt the resolution
- 4.03. RESOLUTION: Authorization for Bike Path Rehabilitation Design and Engineering

(Councilors Shannon, Bushor, Aubin: Board of Finance)

*waive the reading and adopt the resolution

4.04. COMMUNICATION: Jesse Bridges, Director, Department of Parks & Recreation to the Board of Finance, re: Bike Path Rehabilitation: Design & Engineering

*waive the reading, accept the communication and place it on file

4.05. RESOLUTION: Reclassification of One Limited Service Part Time Art Sales and Leasing Coordinator Position to One Limited Service Full Time Exhibitions and Sales Coordinator Position at the Burlington City Arts Department and Budget Amendment (Councilors Shannon, Bushor, Aubin: Board of Finance)

*waive the reading and adopt the resolution

4.06. COMMUNICATION: Human Resources, re: City of Burlington Job Description, Art Sales and Exhibitions Coordinator

*waive the reading, accept the communication and place it on file

4.07. COMMUNICATION: Human Resources, re: BCA Organizational Chart, FY 13 reorg FY 14

*waive the reading, accept the communication and place it on file

4.08. COMMUNICATION: Julie Hulburd, HR Generalist and Susan Leonard, Director of Human Resources, re: Reclassification and title change of the BCA Art Sales and Leasing Coordinator Limited Service Part-Time to Limited Service Full Time Exhibitions and Sales Coordinator

*waive the reading, accept the communication and place it on file

4.09. COMMUNICATION: Human Resources, re: BCA Organizational Chart FY 13 reorg FY14

*waive the reading, accept the communication and place it on file

4.10. COMMUNICATION: Doreen Kraft, Executive Director, Burlington City Arts to Susan Leonard, Director, Human Resources, re: Reorganization

*waive the reading, accept the communication and place it on file

4.11. RESOLUTION: Authorization to Execute Extension of Letter of Agreement Between The City of Burlington and University of Vermont (Councilors Shannon, Bushor, Aubin: Board of Finance)

*waive the reading and adopt the resolution

4.12. COMMUNICATION: Mayor Miro Weinberger, re: UVM Payment for Services

*waive the reading, accept the communication and place it on file

4.13. RESOLUTION: Authorization to Enter into License Agreement to Maintain Tables and Chairs on a Portion of The City's Right-of-way with Big Daddy's Restaurant (Councilors Blais, Tracy, Ayres; License Committee)

*waive the reading and adopt the resolution

4.14. COMMUNICATION: License Agreement for Tables and Chairs Big Daddy's Restaurant 2013-2014 Season

*waive the reading, accept the communication and place it on file

4.15. RESOLUTION: Authorization to Enter into License Agreement to Maintain Tables and Chairs and Potted Plants on a Portion of The City's Right-of-way with New Moon Café (Councilors Blais, Tracy, Ayres: License Committee)

*waive the reading and adopt the resolution

4.16. COMMUNICATION: License Agreement for Tables and Chairs and Potted Plants with New Moon Café 2013-2014 Season

*waive the reading, accept the communication and place it on file

4.17. RESOLUTION: Authorization to Enter into License Agreement to Maintain Tables and Chairs on a Portion of The City's Right-of-way with Pacific Rim Café (Councilors Blais, Tracy, Ayres: License Committee)

*waive the reading and adopt the resolution

4.18. COMMUNICATION: License Agreement for Tables and Chairs and Stanchions Pacific Rim 2013-2014 Season

*waive the reading, accept the communication and place it on file

4.19. RESOLUTION: Authorization to Execute Amended Lease for Verizon Wireless Cellular Tower at Burlington International Airport (Councilors Shannon, Bushor, Decelles: Board of Finance)

*waive the reading and adopt the resolution

4.20. COMMUNICATION: Ryan Betcher, Burlington International Airport to the Board of Finance, re: Finance Board Term Amendment – NYNEX, d/b/a Verizon Wireless Lease Agreement

*waive the reading, accept the communication and place it on file

4.21. RESOLUTION: Endorsement of IATSE Collective Bargaining Agreement 2012-2015 (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance, pending BOF approval)

*waive the reading and adopt the resolution

4.22. RESOLUTION: Acceptance of EPA Area-Wide Planning Grant for Fiscal Year 2014 and Fiscal Year 2015 (Councilors Shannon, Bushor, Aubin: Board of Finance)

*waive the reading and adopt the resolution

4.23. COMMUNICATION: Peter Owens, CEDO Director, re: Acceptance of EPA Grant

*waive the reading, accept the communication and place it on file

4.24. COMMUNICATION: AmyJean McKeown, Project Officer, United States Environmental Protection Agency to Michael Kenyon, Director, Office of Administration and Resource Management (MIO), re: City of Burlington, Vermont – Approval of Pre-Award Costs

*waive the reading, accept the communication and place it on file

4.25. COMMUNICATION: Miro Weinberger, Mayor to Ms. Diane Kelley, EPA Region 1, re: Proposal for the Brownsfield Area-Wide Planning Grant

*waive the reading, accept the communication and place it on file

4.26. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (one day only):

Ken's Pizza & Pub, 71 Church Street, June 9, 2013, 11 a.m. – 4 p.m., Miller Pub Trio

*waive the reading, accept the communication, place it on file and approve the one day only special event outdoor entertainment permit application for Ken's Pizza & Pub

4.27. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (four days only):

Monkey House, SEABA Parking Lot on Pine Street, Food Truck Rally, June 7th, 14th, 21st, 28th
4 p.m. – 9 p.m.

*waive the reading, accept the communication, place it on file and approve the four day only special event permit application for Monkey House

4.28. COMMUNICATION: Parks and Recreation Commission Meeting Attendance Record
July – June 2013

*waive the reading, accept the communication and place it on file

4.29. COMMUNICATION: Clerk/Treasurer's Office, re: Openings Burlington City Commissions/
Boards

*waive the reading, accept the communication and place it on file

4.30. COMMUNICATION: Ron Ruloff, Chair, Chittenden Emergency Food Shelf Client Advisory
Group, re: Information

*waive the reading, accept the communication and place it on file

4.31. RESOLUTION: Authorization for Parks and Recreation Master Plan (Councilors
Shannon, Bushor, Aubin: Board of Finance)

*waive the reading and adopt the resolution

4.32. COMMUNICATION: Jesse Bridges, Director, Parks & Recreation to the Board of Finance,
Re: Parks Master Plan Development

*waive the reading, accept the communication and place it on file



May 1, 2013 ---- April 30, 2014

CITY OF BURLINGTON Annual Outside Consumption Renewal Form

New Renewal

Additional Seating expansion)

PART I--ORGANIZATION

All information is required

- 1. Corporation/Sole Proprietor name Third Place Inc
- 2. D/B/A (Business Name) Amer. Flatbread 3. Bus. Phone 861-2999
Burl. Hearth
- 4. Business Address 115 St. Paul St, Burlington, VT 05401
- 5. Contact person Tracy Howard 6. Contact Phone 861-2999
- 7. Email Address tracy@flatbreadhearth.com

PART II--OPERATION

1. Requested period of operation:

Months: April 1 to October 31

2. Requested times of operation:

Sunday 11:30 AM - MIDNIGHT Wednesday 11:30 - Midnight Saturday 11:30 - Midnight
 Monday " Thursday "
 Tuesday " Friday "

133 seats total

*recommended for approval @ 5/21/13 limits to end time: 12 AM (everyday)

PART III--DESCRIPTION

- 1. Proposed Dimensions 84' x 40' (minus insets amounting to 114 sq. feet)
- 2. Is it a patio, deck, alleyway etc. alley and adjoining patio
- 3. Is it on City property? no if yes, do you have a current license agreement? _____

Please provide a detailed description of the area and its planned use on the back of this form.

total sq. ft =
 3402 sq. ft - 1144 = 2258 sq. ft

May 1, 2013 ---- April 30, 2014

Annual outside Consumption Renewal Form -Page 2

Detailed description _____

Alley and adjoining patio in Lawson Square -
alley between 111 & 115 St. Paul. Area is fully
enclosed by a maintained perimeter and holds
149 seats. Area to be properly supervised
at all times.

Signature of Applicant Paul Saylor

Date: 5/16/13

Print Signature Paul Saylor

APPROVED BY LOCAL CONTROL COMMISSION _____

SENT TO DEPARTMENT OF LIQUOR CONTROL _____

FINAL APPROVAL BY DEPARTMENT OF LOCAL CONTROL _____



OFFICE OF THE CLERK AND TREASURER
149 CHURCH STREET
BURLINGTON, VT 05401

802-865-7131 TTY 802-865-7142

2011-2012 License Application
Outside Consumption Permit

Corporation/Sole Proprietor Name: THIRD PLACE INC

D/B/A (Business Name): AMERICAN FLATBREAD-BURLINGTON

Business Location: 115-117 ST PAUL STREET

HOURS OF OPERATION

WEEKDAY	HOURS	REQUESTED CHANGES
Sunday	11:30 AM - 11:00 PM	<u>11:30 AM - MIDNIGHT</u>
Monday	11:30 AM - 11:00 PM	<u>11:30 AM - MIDNIGHT</u>
Tuesday	11:30 AM - 11:00 PM	<u>11:30 AM - MIDNIGHT</u>
Wednesday	11:30 AM - 11:00 PM	<u>11:30 AM - MIDNIGHT</u>
Thursday	11:30 AM - 11:00 PM	<u>11:30 AM - MIDNIGHT</u>
Friday	11:30 AM - 11:00 PM	<u>11:30 AM - MIDNIGHT</u>
Saturday	11:30 AM - 11:00 PM	<u>11:30 AM - MIDNIGHT</u>

DESCRIPTION OF PREMISES

Description (patio, desk, alleyway, etc): Alleyway

Proposed Changes: _____

Dimensions: Not specified

Proposed Changes: _____

Is it on City property? No

If yes, do you have a current license agreement? No

PERMIT CONDITIONS

Alley located between 111 & 115 St. Paul Street. Area is fully enclosed and will hold a total of 48 seats; area to be properly supervised at all times.
April 1st - October 31st

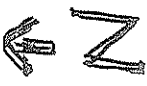
SIGNATURES

By signing below, I certify that I understand that outside consumption is by waitress/waiter service only. I also acknowledge receipt of any standard or special conditions placed on said outside consumption permit and agree to be bound by said conditions. I further understand that I may not extend the hours or the dimensions of the outside consumption area without prior approval of the City Council.

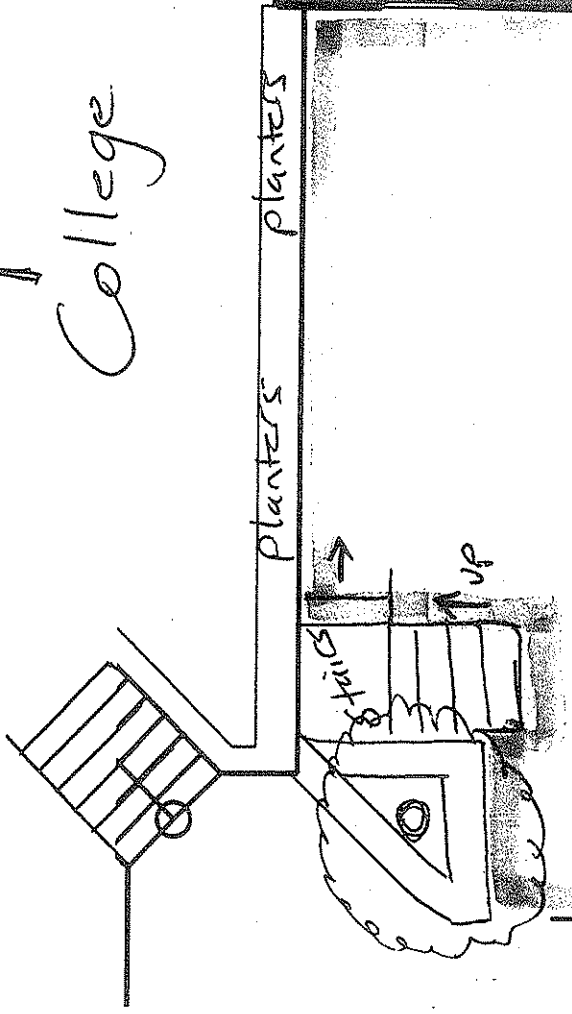
Signature of Applicant [Handwritten Signature]

Date 2/14/13

Print Name Robert Downey

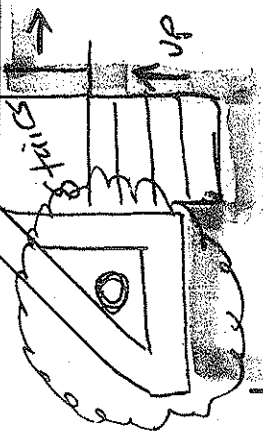


College Street ↑



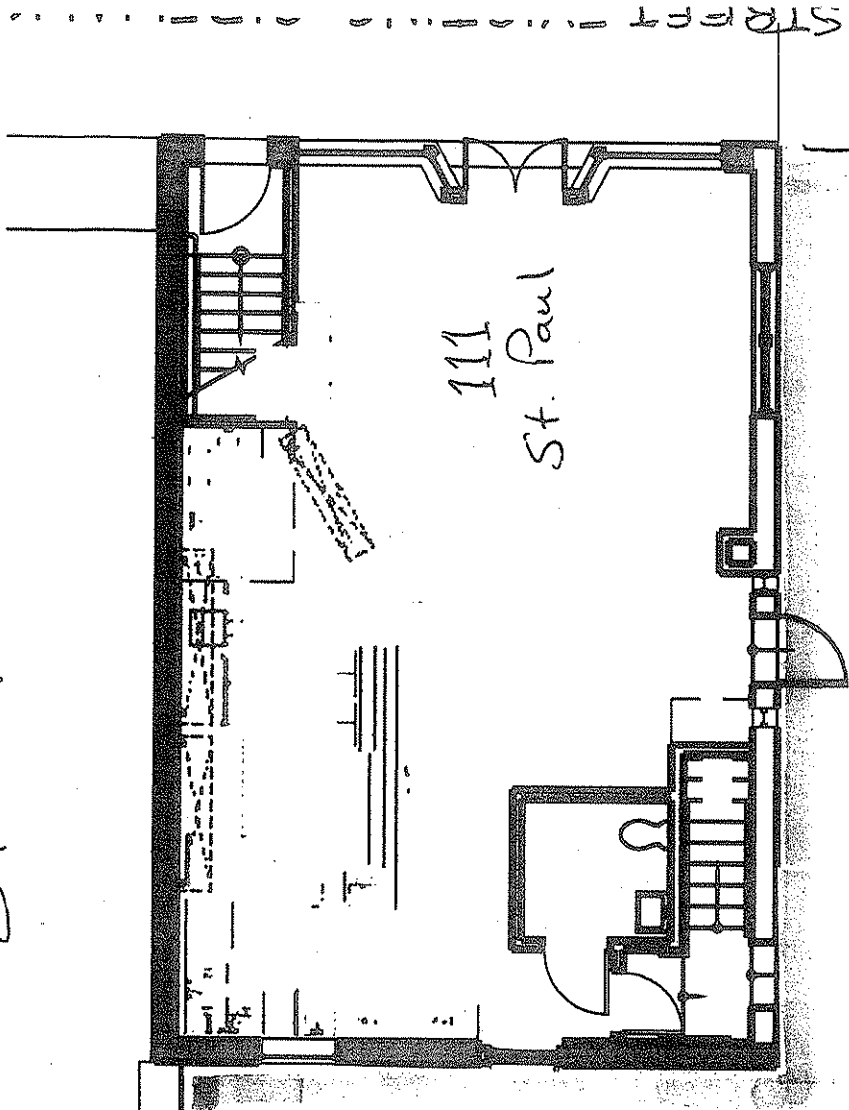
planters

planters



stairs

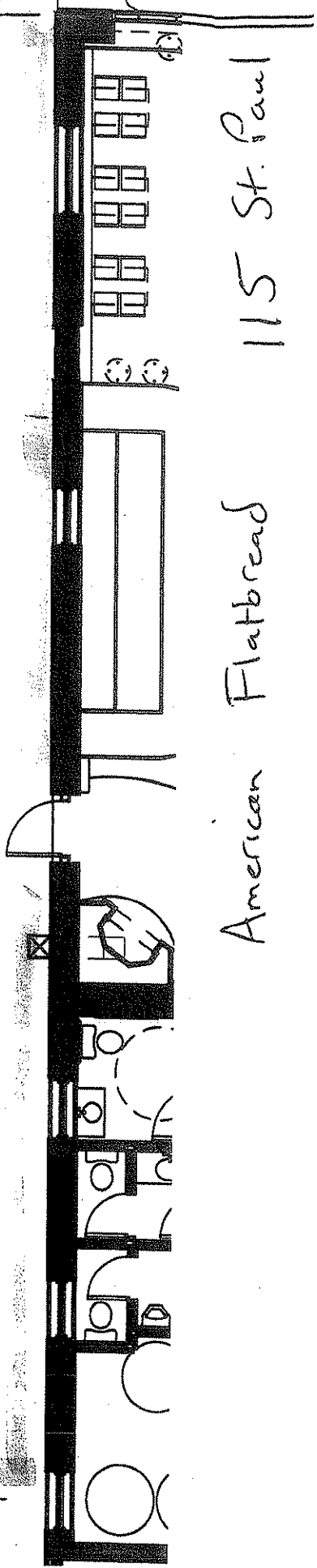
up



111
St. Paul

fence ↙

ST PAUL STRIP



American Flatbread 115 St. Paul

Lori Olberg

From: Joseph Keenan
Sent: Thursday, May 16, 2013 3:18 PM
To: Lori Olberg
Subject: American Flatbread revised

Hello Lori,

I performed a site visit today with Paul Saylor of American Flatbread to discuss his outdoor seating capacity. The area he utilizes is just under 2000 square feet after allowing for egress paths from the rear exit of the restaurant. Applying the occupancy factor from NFPA 101:7.3.1.4 for assembly use (less concentrated) of 15 SF per person we arrived at an occupant load of 133. As this is an outdoor space and egress is not a limiting factor, we do not issue an OLC for this space. If I can provide any further help please let me know.

Joe
Joe Keenan
Assistant Fire Marshal
President, BFFA Local 3044
864-6923
316-0465
355-5764



May 1, 2013 ---- April 30, 2014

CITY OF BURLINGTON Annual Outside Consumption Renewal Form

New Renewal

PART I--ORGANIZATION

All information is required

Extension of hours

- 1. Corporation/Sole Proprietor name Pacific Rim Cafe LLC
- 2. D/B/A (Business Name) Pacific Rim 3. Bus. Phone 802 881-0642
- 4. Business Address 161 Church St
- 5. Contact person Rich Brandt 6. Contact Phone 399-1444
- 7. Email Address rbrandt6@hotmail.com

PART II--OPERATION

**recommended for approval @ 5/21/13 kchitgo*

1. Requested period of operation:

Months: May to November | 11:30 AM - 12 AM
Everyday

2. Requested times of operation:

Sunday 11:30 AM - 3, 5 - 12 Wednesday 11:30 - 3, 5 - 12 Saturday "

Monday closed Thursday " * 12 AM

Tuesday 11:30 AM - 3, 5 - 12 Friday " each night

PART III--DESCRIPTION

- 1. Proposed Dimensions 27' x 14'
- 2. Is it a patio, deck, alleyway etc. Sidewalk patio
- 3. Is it on City property? Yes If yes, do you have a current license agreement? no

Please provide a detailed description of the area and its planned use on the back of this form.

May 1, 2013 ---- April 30, 2014

Annual outside Consumption Renewal Form -Page 2

Detailed description The dining area is 21' x 31'. The Parameter
of the dining area will be defined by 13 fabric covered powder
coated 43 inch x 8 ft steel barricade with 4 ft opening. The
inside area will have 13 tables seating 42 people

Signature of Applicant 

Date: 5/17/13

Print Signature Richard Brandt

APPROVED BY LOCAL CONTROL COMMISSION _____

SENT TO DEPARTMENT OF LIQUOR CONTROL _____

FINAL APPROVAL BY DEPARTMENT OF LOCAL CONTROL _____



May 1, 2013 ---- April 30, 2014

CITY OF BURLINGTON
Annual Outside Consumption Renewal Form

New Renewal

(Expansion)

PART I--ORGANIZATION

All information is required

- 1. Corporation/Sole Proprietor name The Skinny Pancake, Inc
- 2. D/B/A (Business Name) The Skinny Pancake 3. Bus. Phone 802-540-0188
- 4. Business Address 60 Lake St, Ste 11A
- 5. Contact person Benjamin Adler 6. Contact Phone 802-548-3028
- 7. Email Address Benjamin.adler@gmail.com

PART II--OPERATION

1. Requested period of operation:

Months: JAN to Dec *Additional seating 40 to 100(max)*
Recommended approval @ 5/21/13

2. Requested times of operation: *No changes requested. Consistent hours with past license*
Sunday 8am - 9pm Wednesday _____ Saturday _____
Monday 8am Thursday _____
Tuesday _____ Friday _____

8AM - 12AM (everyday)

PART III--DESCRIPTION

- 1. Proposed Dimensions _____
- 2. Is it a patio, deck, alleyway etc. Patio
- 3. Is it on City property? No If yes, do you have a current license agreement?

RECEIVED
2013 APR 22 P 4:20
BURLINGTON CLERK
TREASURER'S OFFICE

Please provide a detailed description of the area and its planned use on the back of this form.

May 1, 2013 ---- April 30, 2014

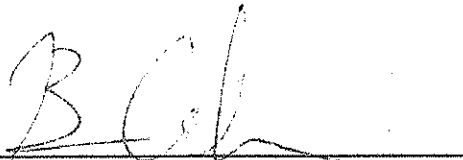
Annual outside Consumption Renewal Form --Page 2

Detailed description The Skinny Pancake is working to expand
patio from its current size (about 600 sq ft and 40 seats)
to an expanded size of 1470 sq ft and 100 seats.

We are requesting to right to serve alcohol on this addition
space and these additional chairs and tables

Please see attached diagram.

Signature of Applicant



Date:

04.21.13

Print Signature

Benjamin Adler

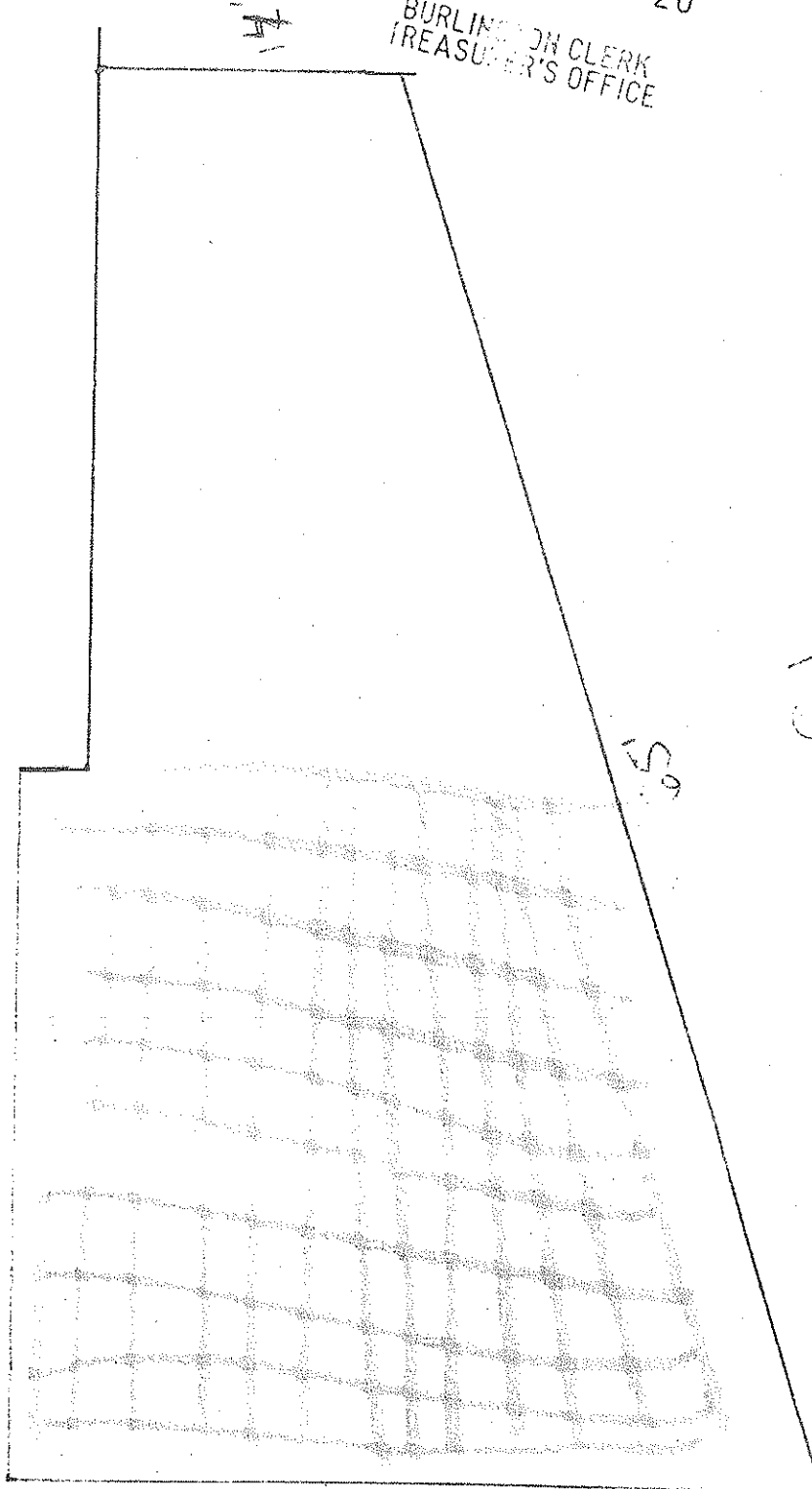
APPROVED BY LOCAL CONTROL COMMISSION _____

SENT TO DEPARTMENT OF LIQUOR CONTROL _____

FINAL APPROVAL BY DEPARTMENT OF LOCAL CONTROL _____

RECEIVED
2013 APR 22 P 4: 20
BURLINGTON CLERK
TREASURERS OFFICE

Main St Landing building



ST RECEIVED
College

2013 APR 22 P 4:20

BURLINGTON CLERK
TREASURER'S OFFICE

Lake St

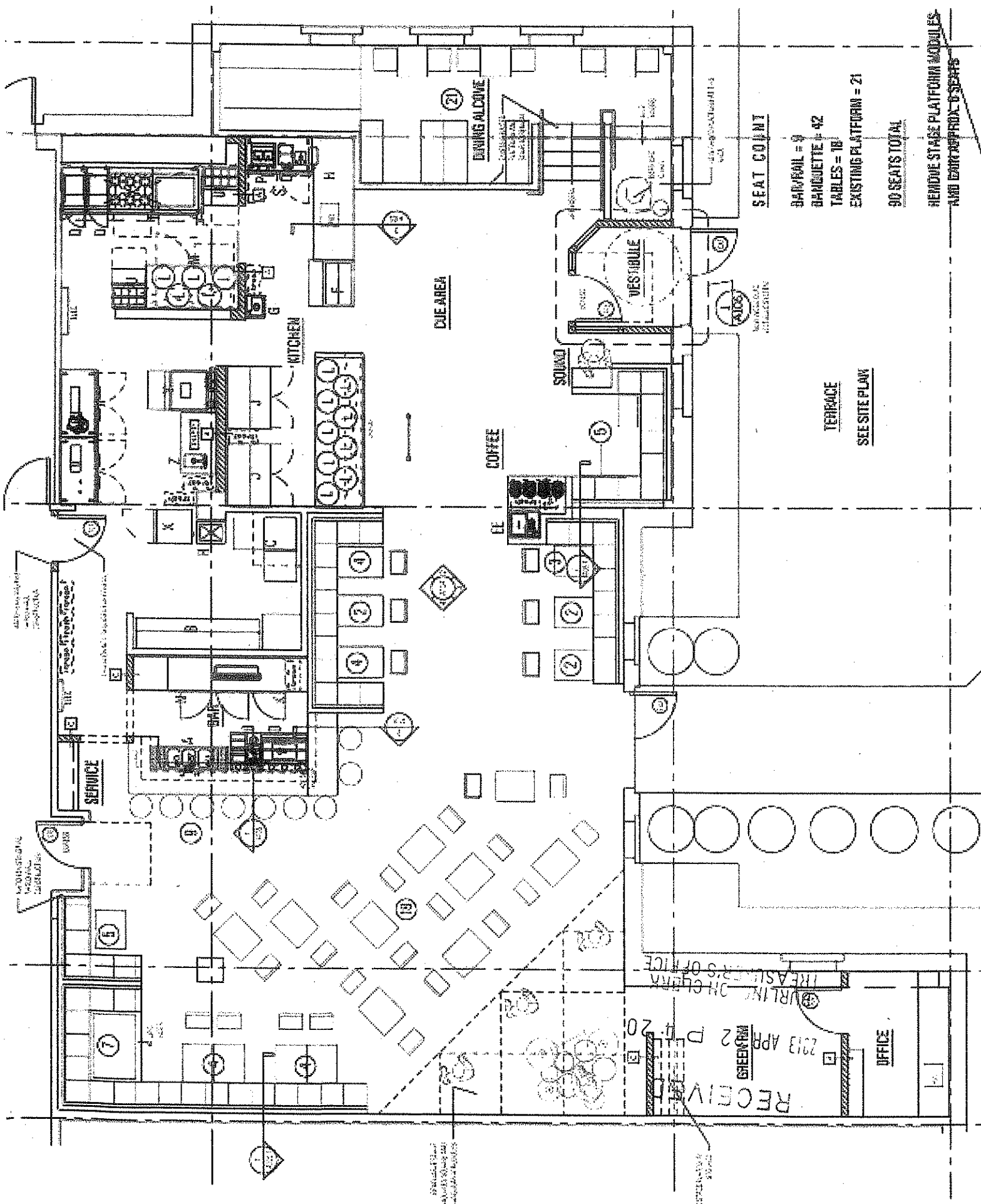
Existing Paving, ~600 sq ft, 40 seeds

Proposed addition, ~870 sq ft, 60 seeds

Total sq ft: 1470' Total seeds: 100

Scale: 1/8" = 1'

39'



SEAT COUNT

- BAR/BOUL = 9
- BANQUETTE = 42
- TABLES = 78
- EXISTING PLATFORM = 21
- 90 SEATS TOTAL**

TERRACE

SEE SITE PLAN

REMOVE STAGE PLATFORM MODULES
AND ENTRY APPROX. 6 SEATS

RECEIVING GREEN ROOM
2013 APR 2 11:20 AM
TREASURER'S OFFICE
VIRGINIA CHAMBER OF COMMERCE

DUE AREA

COFFEE

SOUND

OFFICE

DINING ALCOVE

KITCHEN

SERVICE

ALL FURNITURE
- 100% WOOD
- 100% METAL

REPAIRS TO BE MADE

REPAIRS TO BE MADE

STAIRCASE TO 2ND FLOOR
AT THIS LOCATION

STAIRCASE TO 2ND FLOOR
AT THIS LOCATION

20 13

FIRST/SECOND CLASS LIQUOR LICENSE AND TOBACCO APPLICATION
LICENSE YEAR IS MAY 1ST THROUGH APRIL 30TH OF THE FOLLOWING YEAR

Made Inn Vermont @204, LLC

Print Full Name of Person, Partnership, Corporation, Club or LLC

Doing Business As - Trade Name

204 S. Willard Street

Street and street number of premises covered by this application

Burlington, VT 05401

Town or City & Zip Code

802-399-2788

Telephone Number

Mailing Address (if different from above)

Email address MIV@madeinnvermont.com

* recommended for approval
C 5/21/13 1c mtg do

all standard conditions

contingent upon Fire Marshal approval

Please circle appropriate categories

FIRST CLASS SECOND CLASS TOBACCO

Restaurant

Hotel

Cabaret

Club

Commercial Kitchen (a Liquor Control Commercial Caterer's License is needed with this license)

FEES:

FIRST CLASS LICENSE - \$100.00 to DLC and \$100.00 to Town/City

SECOND CLASS LICENSE- \$50.00 to DLC and \$50.00 to Town/City

TOBACCO ONLY LICENSE- \$10.00 to Town/City only
(there is no fee for tobacco if applying for second class)

TO THE CONTROL COMMISSIONERS OF THE TOWN/CITY OF Burlington, VERMONT

Application is hereby made for a license to sell malt and vinous beverages under and in accordance with Title 7, Vermont Statutes Annotated, as amended, and certify that all statements, information and answers to questions herein contained are true; and in consideration of such license being granted do promise and agree to comply with all local and state laws; and to comply with all regulations made and promulgated by the Liquor Control Board. Upon hearing, the Liquor Control Board may, in its discretion, suspend or revoke such license whenever it may determine that the law or any regulations of the Liquor Control Board have been violated, or that any statement, information or answers herein contained are false.

MISREPRESENTATION OF A MATERIAL FACT ON ANY LICENSE APPLICATION SHALL BE GROUNDS FOR SUSPENSION OR REVOCATION OF THE LICENSE, AFTER NOTICE AND HEARING.

If this premise was previously licensed, please indicate name _____

I/we are applying as: (please circle one)

INDIVIDUAL

PARTNERSHIP

LIMITED LIABILITY COMPANY

CORPORATION

Please fill in name and address of individual, partners, directors or members.

LEGAL NAME

STREET/CITY/STATE

Linda Wolf 204 S. Willard Street Burlington, VT 05401

Are all of the above citizens of the UNITED STATES? Yes No
(Note: Resident Alien is not considered a U.S. Citizen)

If naturalized citizen, please complete the following:

Name

Court where naturalized (City/State/Zip)

Date

pd ch #162
\$145.00 do
4/22/12

CORPORATE INFORMATION:

If you have checked the box marked CORPORATION, please fill out this information for stockholders (attach sheet if necessary).

LEGAL NAME

STREET/CITY/STATE

Linda Wolf (managing member) 204 S. Willard St. Burlington, VT 05401

Date of incorporation 2/12/13

Is corporate charter now valid? yes

Corporate Federal Identification Number 46-2092501

Have you registered your corporation and/or trade name with the Town/City Clerk? yes and/or Secretary of State? yes (as required by VSA Title 11 § 1621, 1623 & 1625).

ALL APPLICANTS

HAVE ANY OF THE APPLICANTS EVER BEEN CONVICTED OR PLED GUILTY TO ANY CRIMINAL OR MOTOR VEHICLE OFFENSE IN ANY COURT OF LAW (INCLUDING TRAFFIC TICKETS) AT ANY TIME?

YES X NO

If yes, please complete the following information: (attached sheet if necessary)

Name	Court/Traffic Bureau	Offense	Date

Do any of the applicants hold any elective or appointive state, county, city, village/town office in Vermont? (See VSA, T. 7, Ch. 9, §223) YES NO If yes, please complete the following information:

Name	Office	Jurisdiction

Please give name, title and date attended of manager, director, partner or individual who has attended a Liquor Control Licensee Education Seminar, as required by Education Regulation No. 3:

NAME: LINDA WOLF
TITLE: MANAGING MEMBER
DATE: SCHEDULED FOR 4/17/13

(If you have not attended an Education Seminar prior to making application, please visit www.liquorcontrol.vermont.gov and click on Seminar Schedule for a list of Seminars in your area)

FOR ALL APPLICANTS: DESCRIPTION /LOCATION OF PREMISES (Section 4)

Description of the premises to be licensed: bed and breakfast

Does applicant own the premises described? yes If not owned, does applicant lease the premises? _____

If leased, name and address of lessor who holds title to property: _____

Are you making this application for the benefit of any other party? No

FIRST CLASS APPLICANTS ONLY: No first class license may be issued without the following information.

HEALTH LICENSE #: Food _____ Lodging 15265 (if licensed as a Hotel)

VERMONT TAX DEPARTMENT: Meals & Rooms Certificate/Business Account # 440-462092501F-01

Business is devoted primarily to: (Circle one)

FOOD (restaurant) ENTERTAINMENT (cabaret) HOTEL CLUB COMMERCIAL CATERING

If you are considering Outside Consumption service on decks, porches, cabanas, etc. you must complete an Outside Consumption Permit. This form can be found on our website at www.liquorcontrol.vermont.gov and then click on licensing and then applications.

CABARET APPLICANTS ONLY:

Applicant hereby certifies that the sale of food shall be less in amount or volume than the sales of alcoholic beverages and the receipts from entertainment and dancing; if at any time this should not be the case, the applicant/licensee shall immediately notify the Department of Liquor Control of this fact.

Signature of Individual, Partner, authorized agent of Corporation or LLC member

ALL APPLICANTS MUST COMPLETE AND SIGN BELOW

The applicant(s) understands and agrees that the Liquor Control Board may obtain criminal history record information from State and Federal repositories prior to acting on this application.

I/We hereby certify, under pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan approved by the Commissioner of Taxes to pay any and all taxes due the State of Vermont as of the date of this application. (VSA, Title 32, §3113).

In accordance with 21 VSA, §1378 (b) I/We certify, under pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan to pay any and all contributions or payments in lieu of contributions due to the Department of Employment and Training.

If applicant is applying as an individual: I hereby certify that I/We are not under an obligation to pay child support or that I/We are in good standing with respect to child support or am in full compliance with a plan to pay any and all child support payable under a support order. (VSA, Title 15, §795).

Dated at Burlington in the County of Chittenden and State of Vermont, this 5th day of April, 20 13.

Corporations/Clubs: Signature of Authorized Agent Individuals/Partners: (All partners must sign)

Carole Wong

Managing Member
(Title)

NOTICE: After local action, all new applications are investigated by the Enforcement and Licensing Division prior to approval/disapproval of the license by the Liquor Control Board. This process can take anywhere from two weeks to six weeks to complete once the application has reached Liquor Control.

TOWN/CITY APPROVAL/DISAPPROVAL

Upon being satisfied that the conditions precedent to the granting of this license as provided in Title 7 of the Vermont Statutes Annotated, as amended, have been fully met by the applicant, the commissioners will endorse their recommendation on the back of the applications and transmit both copies to the Liquor Control Board for suitable action thereon, before any license may be granted. For the information of the Liquor Control Board, all applications shall carry the signature of each individual commissioner registering either approval or disapproval. Lease or title must be recorded in town or city before issuance of license.

_____, Vermont, _____
Town/City Date

APPROVED

DISAPPROVED

Approved/Disapproved by Board of Control Commissioners of the City or Town (circle one) of _____

Total Membership _____ members present

Attest, _____
City or Town Clerk

TOWN OR CITY CLERK SHALL MAIL ONE APPLICATION DIRECTLY TO THE DEPARTMENT OF LIQUOR CONTROL, 13 Green Mountain Drive, Montpelier, VT 05602. If application is disapproved, local control commissioners shall notify the applicant by letter.

No formal action taken by any agency or authority of any town board of selectmen or city board of aldermen on a first or second class application shall be considered binding except as taken or made at an open public meeting. VSA Title 1 §312.

SECTION 5111 AND 5121 OF THE INTERNAL REVENUE CODE OF 1954 REQUIRE EVERY RETAIL DEALER IN ALCOHOLIC BEVERAGES TO FILE A FORM ANNUALLY AND PAY A SPECIAL TAX IN CONNECTION WITH SUCH SALES ACTIVITY. FOR FURTHER INFORMATION, CONTACT:

THE BUREAU OF ALCOHOL, TOBACCO & FIREARMS (TTB)
DEPARTMENT OF THE TREASURY
550 MAIN STREET, CINCINNATI, OH 45202

(513) 684-2979



LIQUOR LICENSE

NEW APPLICANT QUESTIONNAIRE

D/B/A (Business Name) Made Inn Vermont @204, LLC

Contact person Linda Wolf Contact Phone 802-399-2788

1. Have you ever had a liquor license before? If yes, please explain.

No

2. Please describe your experience serving or selling alcohol?

3. Are you familiar with the laws relating to the sale of alcohol in Vermont? Have you completed the training required by DLC? Have your employees? If not, what is your plan for training?

Yes. Training through DLC is scheduled.

4. Have you had an opportunity to meet with an inspector from the Department of Liquor Control?

Yes.

5. How many employees will you have?

1-2 but I am generally always on site as host and am the main server.
I do have one employee who has taken the bartending course as well.

6. What is/will the square footage of the public space and what is/will be your occupancy load??

Our max guest count is 8-10 if completely full. Average is 4-6.
Public space square footage on the first floor where alcohol will be served
is approximately 1100 sq ft.

7. What kind of precautions will you take to prevent underage sales?

As a Bed and Breakfast we have a slightly more intimate arrangement with guests and as such are aware of who is on site and being served. We will, of course, require ID from any guests we serve.

And as a note, we will not be selling alcohol as a separate fee, we plan on offering wine and beer along with snacks in the evenings to our guests only as part of their room package.

Please note that your application will not go before the License Subcommittee until this application has been satisfactorily completed and returned to the Clerk's Office

Madeynn VT 2024

Vermont Department of Liquor Control
Certificate of First Class Seminar Attendance

Name (print):

KYNDRA MOORE

Signature:

[Handwritten Signature]
4/23/12

Date:

Investigator's Signature:

[Handwritten Signature]

Certificate of First Class Seminar Attendance

Category (circle one):

Owner

Director

Partner

Manager

Employee

Corporation Name:

MADEYNN VERMONT

Business Name:

MADEYNN VERMONT

Street and Town:

304 S WELLS ST

Seminar held in:

94 FOLBROS

Town/City

Education Regulation 3-B

V.S.A. T.7 §239




OFFICE OF THE CLERK AND TREASURER
149 CHURCH STREET
BURLINGTON, VT 05401

802-865-7131 TTY 802-865-7142

Application Review
First Class Liquor License - Hotel

05/01/2013 - 04/30/2014

TO: Jeff Herwood, Clerk/Treasurer's Office
FROM: Lori Olberg, Clerk/Treasurer's Office
DATE: Monday, April 29, 2013
COMPANY: Made Inn Vermont @204, LLC
DBA NAME:
FORMERLY:
LOCATION: 204 South Willard Street
PHONE: 399-2788

Hi Jeff
Please review -
thanks 

The above applicant has applied for a new/renewal license. Please complete the appropriate section below verifying the status of the applicant's taxes and return it to this office as soon as possible.

Property Taxes Overdue?

Yes

No

Initials

Property Taxes Delinquent?

Yes

No

Initials

Gross Receipts Tax Overdue?

Yes

No

Initials

LO

Thank You,

Lori Olberg
Clerk/Treasurer's Office
City Hall

Date: Monday, April 29, 2013



OFFICE OF THE CLERK AND TREASURER
149 CHURCH STREET
BURLINGTON, VT 05401

802-865-7131 TTY 802-865-7142

Application Review
First Class Liquor License - Hotel

05/01/2013 - 04/30/2014

RECEIVED
APR 29 2013
DEPARTMENT OF
PLANNING & ZONING

TO: Ken Lerner, Planning & Zoning Office
FROM: Lori Olberg, Clerk/Treasurer's Office
DATE: Monday, April 29, 2013
COMPANY: Made Inn Vermont @204, LLC
DBA NAME:
FORMERLY:
LOCATION: 204 South Willard Street
PHONE: 399-2788

Hi Ken
Please review -
Thanks - *LO*

Please attach any pertinent information which the City Council License Committee may require.

Please indicate:

Approved?

Yes

No

Initials

Date

LO 5/6/13

Notes: They were given permit (conditional use)
by DRB. No mention or disclosure of
intent to obtain liquor license was included
in application or testimony.

They should ask DRB ~~if~~ if this is
their intent - apply to amend Cond
Use permit.

Thank You,

Lori Olberg
Clerk/Treasurer's Office
City Hall

Date: Monday, April 29, 2013

Lori Olberg

From: Ken Lerner
Sent: Tuesday, May 07, 2013 7:01 PM
To: 'Made Inn Vermont @ 204 wolf'
Cc: Lori Olberg
Subject: RE: Thank You, Please Accept this Letter for the Board

Hi Linda:

Good news the DRB has no objection to your proposal to provide beer & wine in the B&B as long as it is only to guests. I'm cc'ing Lori who will get the request to the License Committee as soon as she can.

Ken

From: Made Inn Vermont @ 204 wolf [<mailto:madeinnvermont@gmail.com>]
Sent: Tuesday, May 07, 2013 11:13 AM
To: Ken Lerner
Subject: Re: Thank You, Please Accept this Letter for the Board

Thank you again. If they don't approve this possibility/amendment, then we will file tomorrow, for sure!

Linda Wolf

On Tue, May 7, 2013 at 11:04 AM, Ken Lerner <KLerner@burlingtonvt.gov> wrote:
I will provide it to the Board. It is a public meeting and you are free to attend although it is not required as the Board will review and comment as to the procedure to follow - either acceptable proposal under your present permit or as per my conversation with Linda an amendment is needed, which must be filed by May 8th in order to be before the DRB on June 4.

-----Original Message-----

From: Jess [<mailto:madeinnvermont@gmail.com>]
Sent: Tuesday, May 07, 2013 10:20 AM
To: Ken Lerner
Subject: Thank You, Please Accept this Letter for the Board

Greetings Ken,

Please accept this letter for the board; thank you for the opportunity to present this amendment letter so that we may move forward with our plan to obtain a license to serve beer/wine at our Inn. Let us know if we should schedule to attend the meeting tonight, or if there is anything else we need to do. Do we need to bring the attached document down to City Hall to be stamped, or can you handle it from here for us?

Thank you for your support, we appreciate the information regarding the Shell Station. If you have any other ideas or suggestions, please forward them to us; we appreciate your support!

Regards,

Jess

--

**Linda Wolf,
Owner/Designer**

Have you seen our reviews on [Tripadvisor](#)?

Rated "[One of the Top Five Hotels in Vermont](#)" by Richard Bangs, travel author for [The Huffington Post](#).

Ranked #3, of the Top Ten North American Winter Travel Destinations by [Table & Travel Magazine](#) (p. 28)

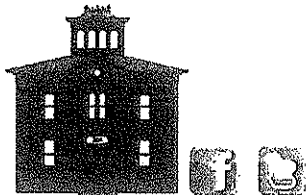
Read more about us in the [Montreal Gazette](#) and [Offmetro NY](#).

Made INN Vermont

204 S. Willard Street

Burlington, VT 05401

802-399-2788





May 1, 2013 ---- April 30, 2014

CITY OF BURLINGTON ENTERTAINMENT PERMIT APPLICATION

- Checkboxes for New/Renewal and Indoor/Outdoor options.

PART I ORGANIZATION

All information in this section is required

- 1. Corporation/Sole Proprietor name HOUGHTON ASSOC. INC.
2. D/B/A (Business Name) DAILY PLANET 3. Bus. Phone 802-862-9647
4. Business Address 15 CENTER ST BURLINGTON VT 05401
5. Mailing Address SAME
6. Contact person COPEY HOUGHTON 7. Contact Phone 999-7032
8. Email contact address DAILYPLANET15@MYFAIRPOENT.NET

PART II OPERATION

- 1. Occupancy Load 100 2. # of Restrooms 2 3. # of Egresses 2
4. Date of last Fire/Safety Check 2/6/13 5. Dancing by Patrons? Yes or No
6. Amplified Music? Yes or No

PART III TYPE OF ENTERTAINMENT

Please identify with a check mark the entertainment for which you are applying. Check all that apply.

- Live Instrumental Music, Live Vocal Music, Disc Jockey, Karaoke, Jukebox

***Please give additional description for any selections below on the next page (REQUIRED)

- ***Floor/Stage Shows
() Fashion Show/Trade Show/Exhibition
() Readings
() Stage Play/Pantomime
() Comedian
() Dance Performance
() Contests/Games/Amusements
() Movies
() Other

pd chk #2314
\$245.00/2/5/13
(Continued on back)

Additional description
(REQUIRED):

LIGHT JAZZ, BLUEGRASS 1

4pm-11pm everyday recommended for approval @

PART IV
PROPOSED HOURS OF ENTERTAINMENT

WEEKDAYS	ENTERTAINMENT HOURS
Sunday	<i>OPEN - 11:00 PM</i>
Monday	" "
Tuesday	" "
Wednesday	" "
Thursday	" "
Friday	" "
Saturday	" "

*5/21/13
lc mts
LO*

STATEMENT OF APPLICANT: Under the pains and penalties of perjury, I affirm that the preceding answers are true to the best of my knowledge and belief. I have read, understand and agree to comply with all City and State conditions, laws, ordinances, regulations and statutes.

DATE SIGNED: 2/6/13

SIGNATURE OF APPLICANT *[Signature]*

PRINT NAME: FRANCEE "LOPEY" HOUGHTON

RELATIONSHIP TO BUSINESS OWNER

OFFICE USE ONLY

Fee Paid \$ _____ Date: _____ Fee Returned \$ _____ Date: _____

At their meeting of 5/21/13, the Burlington City Council License Committee recommended
Approval X Denial _____

At their meeting of _____, the Burlington City Council _____ this entertainment permit application.



BURLINGTON POLICE DEPARTMENT

1 North Avenue
Burlington, Vermont 05401

Michael E. Schirling
Chief of Police

Phone (802) 658-2704
Fax (802) 865-7579
TTY/TDD (802) 658-2700

To: All Sworn Personnel
From: Michael E. Schirling, Chief of Police
Re: Citywide Summer Strategies
Downtown Patrol and Enforcement
CC: Mayor Miro Weinberger, City Council, Police Commission, Marketplace
Director Ron Redmond, State's Attorney TJ Donovan, Street Outreach
Team Supervisor Matt Young
Date: May 3, 2013
Memorandum #: 2013- 16

As we enter the spring season we plan to re-deploy a multi-faceted strategy, developed and implemented over the past four years, to ensure robust presence and enforcement in key areas of the City including the inner city district (particularly the Church Street Marketplace and City Hall Park) and key areas of the Old North End, among others. These efforts have been developed to compliment other crime and disorder reduction efforts being deployed including, but not limited to, crime prevention by environmental design initiatives, city ordinance enhancements, and efforts to foster productive activities and events to eliminate or displace disorder.

Our *patrol* strategy – **to be deployed by supervisors on a daily basis** - will include a variety of resources, utilized in differing ways to achieve comprehensive coverage. They include but are not limited to:

1. Assignment of full time Marketplace and City Hall Park officers.
2. Daily assignment of shift officers from day, swing, and evening shifts to foot patrols – specifically targeting the Old North End and Inner City District.
3. Assignment of Street Crimes Unit officers to drug interdiction efforts and targeted patrols in key areas of the City.
4. Use of plain clothes personnel to conduct targeted operations.
5. Use of Detectives to conduct unannounced saturation patrols and sweeps for wanted persons, conditions and trespass violations, and other violations on a periodic basis.
6. Assignment of School Resource Officers (SROs) to the Marketplace, City Hall Park, high traffic corridors of the Old North End, Roosevelt Park, and other areas frequented by youth.
7. Assignment of other personnel to the Marketplace, City Hall Park, and Old North End

during peak times of use.

8. Regular assignment of Beach & Parks patrols to the Marketplace and key Parks. For 2013, as with 2011 and 2012, we will be expanding the number of Beach and Parks Patrol personnel assigned specifically to the inner-City District.
9. Use of targeted overtime patrols and assignments as needed.
10. Use of specific requests for conditions of release for repeat offenders in the Inner City District.
11. Effective May 3, 2013 the Community Service Officers are directed to spend any time not assigned to calls or case follow-up in areas of high visibility including the Marketplace and City Hall Park.
12. Traffic calming and drug interdiction by ALL uniformed officers conducting traffic enforcement, with extra emphasis on high traffic corridors daily.
13. Parking enforcement citywide by ALL officers targeting prohibited areas daily.

In an effort to ensure that we are setting clear and reasonable standards for conduct in our inner-city business district as warm weather and notable increases in call volumes occur, we will be continuing following the *enforcement strategies* as follows:

1. For all cases rising to the level of a felony or for which ANY exception to Rule 3 exists, the defendant shall be arraigned or lodged. For any case in which lodging is not possible, a flash citation shall be used. *Overtime is authorized* to complete investigations and case paperwork. We will be exploring administrative support to assist officers in completing paperwork from inner City/downtown arrests swiftly to enable them to quickly return to the street.
2. Trespass Warning shall be issued for all incidents occurring in the Library, City Hall Park, and on the Marketplace for which a Trespass Warning is permitted by ordinance. Each trespass warning MUST be accompanied by a citation or municipal ticket with a strong preference for a citation unless mitigating circumstances exist.
3. A cover sheet with specific requests related to conditions of release has been developed for use. This cover sheet is available in the BPD Forms Directory and is titled "Inner-City District Arrest Pre-trial Conditions Request." It *shall* be attached to every Court case originating on the Marketplace and in the inner-City District.
4. This cover sheet makes specific reference to information about the defendant's history of criminal, disorderly, or problematic behavior in the downtown. A list of all contacts with the Defendant that fit this description *shall* be embedded directly into the affidavit.

Finally, we continue to believe that non-enforcement tools are critical to setting the tone and standard of conduct in the City, specifically the Inner City District. Toward that end we are continuing efforts to:

- Set clear standards of conduct through ordinances and associated signage.
- Train downtown employees to successfully intervene in low-level disorder.
- Create meaningful ways to discourage poor behavior, such as charity drop boxes and other initiatives.
- Continue use of the Universal Trespass program.
- Continue partnership with the Street Outreach Team and use of the Street Outreach Interventionist.
- Continue use of Crime Prevention through Environmental Design



BURLINGTON POLICE DEPARTMENT
1 North Avenue
Burlington, Vermont 05401

Michael E. Schirling
Chief of Police

Phone (802) 658-2704
Fax (802) 865-7579

CONDITIONS REQUEST - DOWNTOWN DISTRICT

To: Office of the Chittenden County State's Attorney
Honorable Chittenden Superior Court – Criminal Division
From: Michael E. Schirling, Chief of Police
Re: Request for Pre-Trial Conditions of Release and Sentencing Considerations
Date: May 3, 2013 – **Standing Request**

On _____, a _____ was arrested for the crime(s) of _____ for exhibiting disorderly, violent, or aggressive behavior in the Inner-City Fire District (the primary business and social district) of City of Burlington.

It is the position of the City of Burlington through the Burlington Police Department that such behavior is a serious quality of life issue for residents, businesses, and visitors as it creates an atmosphere of fear and unease. Complaints regarding disorderly and tumultuous behavior in the downtown have increased each year for the past three years. The downtown district is designed to offer a safe and enjoyable opportunity to engage in shopping, dining, and cultural activities. The vitality of the downtown district is critical to the well being of the City of Burlington, its residents, and businesses.

() The Defendant's behavior is not an isolated incident. Included in the affidavit is a list of incidents in which the Defendant has had notable negative contact with the Burlington Police in Inner-City Fire District in the prior 12 months.

We respectfully request the following pre-trial Condition of Release be imposed on the Defendant in the event that the Court finds probable cause:

→Defendant shall not, at any time except for brief travel to and from Court appearances, be in the Inner-City Fire District of the City of Burlington – the boundaries of which are Battery Street, Pearl Street, South Winooski Avenue, and Maple Street.

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ALLOCATION METHOD AND STANDARDS FOR
COMMON AREA FEES OF THE CHURCH STREET
MARKETPLACE FOR FISCAL YEAR 2014

In the year Two Thousand Thirteen.....

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

That WHEREAS, Sec. 326 of the City Charter provides that common area fees may be levied on taxable properties located within the Church Street Marketplace District to defray the expenses of the Commission in connection with the operation, maintenance and repair of the Marketplace; and

WHEREAS, Sec. 326(b) of the City Charter provides that the City Council, after public hearing and after considering the advice of the Marketplace Commission, shall establish standards to aid in the determination of individual common area fees; and

WHEREAS, on March 16, 1992 the City Council resolved that the common area fees for the Church Street Marketplace shall be allocated on the basis of total ground floor square footage of buildings within the Marketplace District and that this method of allocation shall be fixed in order to provide predictability, stability and foster long term planning and investment by property owners in the Marketplace District; and

WHEREAS, the Marketplace Commission, after its own public hearing on May 15, 2013, proposed a 2.5 % increase for Marketplace properties excluding 37-43 Church St. (Outdoor Gear Exchange and Panera Bread) and 47-55 Church St. (Burlington Town Center) – from \$2.68 per square foot to \$2.75 per square foot or \$533,272; and

34
35 ALLOCATION METHOD AND STANDARDS FOR
36 COMMON AREA FEES OF THE CHURCH STREET
37 MARKETPLACE FOR FISCAL YEAR 2014
38

39 WHEREAS, in 2004 the Church Street Marketplace Commission and the City Council
40 approved the following common area fee strategy, that effects 37-43 Church St. (owned by
41 Pomerleau Real Estate) and 47-55 Church St. (owned by General Growth Properties), the two
42 properties with the largest amount of square footage:

- 43 1. These properties pay no more than 80% of the established common area fee each fiscal
44 year:
- 45 • properties occupied by a single tenant that operate within the confines of a single
46 retail enterprise, in excess of 20,000 square feet on the ground floor of the
47 property, directly fronting Church Street Marketplace
 - 48 • enclosed regional shopping malls which have, within the confines of the
49 Marketplace district or directly connected to it, total gross leasable area in excess
50 of 150,000 square feet. This exception applied to Burlington Square Mall, now
51 called Burlington Town Center.
- 52
- 53 2. The continuation of this formula for Burlington Town Center is based on a mutually
54 agreeable joint marketing program between Burlington Town Center and the Church
55 Street Marketplace, approved by our two organizations April, 2005 and reviewed
56 annually; and
57

58 WHEREAS, 37-43 Church Street (Pomerleau Real Estate) and 47-55 Church Street
59 (Burlington Town Center) have traditionally paid a lower common area fee, based on a 1991
60 Marketplace Commission policy applicable to anchor stores and malls exceeding 20,000 square
61 feet; and

62 WHEREAS, for 47-55 Church Street (Burlington Town Center) the Common Area Fee
63 will increase from \$2.14 per square foot to \$2.20 per square foot or \$54,726 in FY 2014; and

64 WHEREAS, for 37-43 Church Street (Pomerleau Real Estate), the space is divided in two
65 parts, one measuring 20,013 square feet (Outdoor Gear Exchange) and one measuring 4,000
66 square feet (Panera Bread), total square footage of 24,013. For the 20,013 square foot space, the
67 rate will increase from \$2.14 per square foot to \$2.20 per square foot or \$43,978 in FY 2014.

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ALLOCATION METHOD AND STANDARDS FOR
COMMON AREA FEES OF THE CHURCH STREET
MARKETPLACE FOR FISCAL YEAR 2014

74 For the 4,000 square foot space, the rate will increase from \$2.68 to \$2.75 or \$10,987, for a total
75 of \$54,965 in FY 2014. Combined the total for 37-43 Church Street will be \$109,691; and

76 WHEREAS, the Marketplace Commission recommends that the standards and common
77 area fees in the total amount of \$642,963 set forth in Attachment A appended hereto be adopted;
78 and

79 WHEREAS, City Charter Sec. 326(c) requires that the City Council finally set such
80 common area fees no later than June 15th of each year after public hearing, of which all
81 interested parties receive 12 days' notice as to time and place;

82 NOW, THEREFORE, BE IT RESOLVED that the City Council, pursuant to City
83 Charter Sec. 326(b), hereby establishes standards and levies common area fees for 2012-2013 as
84 set forth in Attachment A; and

85 BE IT FURTHER RESOLVED that a public hearing on the above-referenced
86 assessment of common area fees shall be held on June 24, 2013, after which the City Council
87 shall finally set the common area fees.

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89
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91

Church Street Marketplace District: Common Area Fee																	PROPOSED
		Sq. Ft	FY '94	FY '00	FY '03	FY '04	FY '05	FY '06	FY '07	FY '08	FY '09	FY 10	FY 11	FY 12	FY 13	FY 14	
Common Area Fee for Anchor Properties											1.91	2.00	2.05	2.05	\$ 2.08	\$ 2.14	\$ 2.20
47-55	Burlington Town Center (GGP)	24,904	26,320	27,437	28,267	36,570	41,341	42,586	45,076	47,567	49,703	50,946	50,946	\$ 51,710	\$ 53,391	\$ 54,726	
37-43	Woolworth Bldg (Pomerleau)	24,013	20,414	21,280	21,923	28,363	32,418	35,969	40,702	45,865	47,925	49,123	49,123	51,937	\$ 53,625	\$ 54,965	
	Panera Bread	4,000												10,382	\$ 10,719	\$ 10,987	
	Outdoor Gear	20,013												41,555	\$ 42,905	\$ 43,978	
	Total Anchor Properties	48,917	46,734	48,717	50,190	64,933	73,758	78,555	85,778	93,431	97,629	100,069	100,069	103,647	\$ 107,015	\$ 109,691	
Common Area Fee for all other Church Street Properties																	PROPOSED
	Fee Per S.F.		1.69	1.75	1.81	2.03	2.07	2.14	2.27	2.39	2.49	2.56	\$ 2.56	\$ 2.60	\$ 2.68	\$ 2.75	
West Side	Property Owner	Sq. Ft	FY '94	FY '00	FY '03	FY '04	FY '05	FY '06	FY '07	FY '08	FY '09	FY 10	FY 11	FY 12	FY 13	FY 14	
1-7	One Church St.	8,400	14,230	14,726	15,171	17,068	17,409	17,975	19,053	20,054	20,956	21,480	21,480	\$21,802	\$ 22,511	\$ 23,073	
11-17	Prelco, Inc.	5,102	8,711	8,945	9,215	10,367	10,574	10,918	11,573	12,181	12,729	13,047	13,047	\$13,242	\$ 13,673	\$ 14,014	
19-21	CMG Partnership	7,318	11,950	12,829	13,216	14,868	15,166	15,659	16,598	17,470	18,256	18,712	18,712	\$18,994	\$ 19,611	\$ 20,101	
23	Handy	1,792	3,036	3,141	3,236	3,640	3,713	3,834	4,064	4,277	4,470	4,581	4,581	\$4,651	\$ 4,802	\$ 4,922	
25-27	Handy	3,944	6,681	6,914	7,123	8,014	8,174	8,440	8,946	9,416	9,839	10,085	10,085	\$10,237	\$ 10,569	\$ 10,833	
29-35	Nick-Morrissey LLC	16,665	26,605	29,215	30,098	33,860	34,537	35,660	37,799	39,784	41,574	42,613	42,613	\$43,254	\$ 44,659	\$ 45,776	
57-59	Dana	3,160	5,279	5,539	5,706	6,420	6,548	6,761	7,166	7,543	7,882	8,079	8,079	\$8,202	\$ 8,468	\$ 8,680	
61-69	Dot Real Estate	4,500	7,623	7,889	8,127	9,143	9,326	9,629	10,207	10,743	11,226	11,507	11,507	\$11,680	\$ 12,059	\$ 12,361	
71-75	Miller	3,834	6,495	6,721	6,924	7,790	7,946	8,204	8,696	9,153	9,565	9,804	9,804	\$9,951	\$ 10,274	\$ 10,531	
81-91	Howard Opera	14,415	24,419	25,270	26,034	29,288	29,874	30,845	32,695	34,412	35,960	36,859	36,859	\$37,414	\$ 38,630	\$ 39,596	
93-95	Howard Opera	2,885	4,887	5,058	5,211	5,862	5,980	6,174	6,544	6,888	7,198	7,378	7,378	\$7,488	\$ 7,731	\$ 7,925	
97	Flynn Estate	966	1,636	1,694	1,745	1,963	2,002	2,067	2,191	2,306	2,410	2,470	2,470	\$2,507	\$ 2,589	\$ 2,653	
99-101	Berger	2,310	3,913	4,049	4,172	4,693	4,787	4,943	5,239	5,514	5,762	5,906	5,906	\$5,996	\$ 6,190	\$ 6,345	
103-105	Grand View Farms	1,846	3,144	3,237	3,335	3,752	3,827	3,952	4,189	4,409	4,607	4,722	4,722	\$4,791	\$ 4,947	\$ 5,071	
107-109	King	1,200	2,033	2,103	2,167	2,438	2,487	2,567	2,722	2,864	2,993	3,068	3,068	\$3,115	\$ 3,216	\$ 3,296	
111	Fuller	1,350	3,981	2,367	2,439	2,744	2,799	2,890	3,063	3,224	3,369	3,453	3,453	\$3,504	\$ 3,618	\$ 3,708	
113-115	Fuller	1,000	1,670	1,753	1,806	2,031	2,072	2,139	2,268	2,387	2,494	2,557	2,557	\$2,595	\$ 2,680	\$ 2,747	
117	Grand View Farms	1,705	2,853	2,989	3,080	3,464	3,534	3,649	3,867	4,071	4,254	4,360	4,360	\$4,425	\$ 4,569	\$ 4,683	
123-129	131 Church LLC	7,623	14,946	13,365	13,768	15,490	15,799	16,313	17,292	18,199	19,018	19,494	19,494	\$19,785	\$ 20,428	\$ 20,939	
East Side	Property Owner	Sq. Ft	FY '94	FY '00	FY '03	FY '04	FY '05	FY '06	FY '07	FY '08	FY '09	FY 10	FY 11	FY 12	FY 13	FY 14	
2-10	Two Church St.	12,802	20,942	22,443	23,122	26,012	26,532	27,394	29,038	30,563	31,938	32,736	32,736	\$33,227	\$ 34,307	\$ 35,165	
12-14	Eastman	1,876	3,178	3,288	3,387	3,810	3,887	4,013	4,254	4,477	4,679	4,795	4,795	\$4,869	\$ 5,027	\$ 5,153	
16-18	Eastman	1,850	3,073	3,243	3,341	3,759	3,834	3,959	4,196	4,417	4,615	4,731	4,731	\$4,802	\$ 4,958	\$ 5,082	
20-26	Chioffi	3,198	5,417	5,607	5,776	6,498	6,628	6,844	7,254	7,635	7,979	8,178	8,178	\$8,300	\$ 8,570	\$ 8,784	
28	Perkins	1,380	2,727	2,420	2,493	2,804	2,861	2,954	3,131	3,295	3,443	3,529	3,529	\$3,582	\$ 3,698	\$ 3,791	
30	Read	1,560	3,083	2,735	2,818	3,170	3,233	3,338	3,539	3,724	3,892	3,989	3,989	\$4,049	\$ 4,181	\$ 4,285	
32	Fenix	1,890	3,202	3,313	3,413	3,840	3,917	4,044	4,287	4,512	4,715	4,833	4,833	\$4,905	\$ 5,065	\$ 5,192	
34-36	Fenix	2,108	3,574	3,696	3,807	4,283	4,369	4,511	4,781	5,033	5,259	5,390	5,390	\$5,471	\$ 5,649	\$ 5,790	

38-44	Grand View Farms	5,264	8,917	9,228	9,507	10,695	10,909	11,264	11,940	12,566	13,132	13,460	13,460	\$13,663	\$ 14,107	\$ 14,459
46-50	Frank	4,836	8,192	8,478	8,734	9,826	10,023	10,348	10,969	11,545	12,065	12,366	12,366	\$12,552	\$ 12,960	\$ 13,284
52-54	Bouchett	6,016	10,191	10,546	10,865	12,223	12,467	12,872	13,645	14,361	15,007	15,382	15,382	\$15,614	\$ 16,122	\$ 16,525
56-58	Dana	6,016	10,191	10,546	10,865	12,223	12,467	12,872	13,645	14,361	15,007	15,382	15,382	\$15,614	\$ 16,122	\$ 16,525
62	City of Burl./CSM	529	896	928	956	1,076	1,097	1,133	1,201	1,264	1,321	1,354	1,354	\$1,373	\$ 1,418	\$ 1,453
66-78	Wood	6,890	12,034	12,079	12,444	13,999	14,279	14,743	15,628	16,449	17,189	17,618	17,618	\$17,883	\$ 18,464	\$ 18,926
80-84	WEW Vt.	3,708	6,281	6,500	6,697	7,534	7,685	7,935	8,411	8,852	9,251	9,482	9,482	\$9,624	\$ 9,937	\$ 10,185
86-88	Grand View Farms	1,554	2,633	2,725	2,807	3,158	3,222	3,326	3,526	3,711	3,878	3,975	3,975	\$4,033	\$ 4,164	\$ 4,269
90-96	C. Durrell Simonds	8,372	15,782	14,676	15,119	17,009	17,350	17,913	18,988	19,985	20,884	21,407	21,407	\$21,729	\$ 22,436	\$ 22,996
98-100	St. Albans	3,618	6,129	6,343	6,535	7,352	7,499	7,743	8,208	8,639	9,028	9,254	9,254	\$9,390	\$ 9,696	\$ 9,938
102	Pomerleau	1,752	3,740	3,071	3,164	3,559	3,630	3,748	3,973	4,182	4,370	4,479	4,479	\$4,547	\$ 4,695	\$ 4,812
104-106	St. Albans	2,080	3,524	3,646	3,757	4,226	4,311	4,451	4,718	4,965	5,189	5,319	5,319	\$5,399	\$ 5,574	\$ 5,713
108-110	Pomerleau	2,640	4,472	4,628	4,767	5,363	5,471	5,648	5,987	6,302	6,585	6,750	6,750	\$6,852	\$ 7,075	\$ 7,252
112	Berger	1,560	2,643	2,735	2,818	3,170	3,233	3,338	3,539	3,724	3,892	3,989	3,989	\$4,049	\$ 4,181	\$ 4,285
114-116	Grand View Farms	3,082	5,201	5,403	5,566	6,262	6,387	6,595	6,991	7,358	7,689	7,881	7,881	\$7,999	\$ 8,259	\$ 8,466
118-126	Kennedy Bros	3,413	5,782	5,983	6,164	6,935	7,073	7,303	7,741	8,148	8,514	8,727	8,727	\$8,858	\$ 9,146	\$ 9,375
128-130	Fenix	1,440	2,439	2,524	2,600	2,925	2,984	3,081	3,266	3,437	3,592	3,682	3,682	\$3,737	\$ 3,859	\$ 3,955
132-134	Fenix	1,620	2,744	2,840	2,926	3,292	3,358	3,467	3,675	3,868	4,042	4,143	4,143	\$4,205	\$ 4,341	\$ 4,450
136-140	Walsh	3,726	6,312	6,532	6,729	7,571	7,722	7,973	8,451	8,895	9,295	9,528	9,528	\$9,671	\$ 9,985	\$ 10,235
142-144	Grand View Farms	2,548	4,316	4,467	4,602	5,177	5,281	5,452	5,780	6,083	6,357	6,516	6,516	\$6,613	\$ 6,828	\$ 6,999
146-148	Mike Williams	2,175	3,685	3,813	3,928	4,419	4,507	4,654	4,933	5,192	5,426	5,561	5,561	\$5,645	\$ 5,829	\$ 5,974
150	Farrell	1,518	2,572	2,662	2,743	3,085	3,147	3,249	3,444	3,625	3,788	3,883	3,883	\$3,940	\$ 4,068	\$ 4,170
154	Farrell	1,518	2,572	2,662	2,743	3,085	3,147	3,249	3,444	3,625	3,788	3,883	3,883	\$3,940	\$ 4,068	\$ 4,170
156	Bohen	1,587	2,688	2,782	2,866	3,225	3,289	3,396	3,600	3,789	3,959	4,058	4,058	\$4,119	\$ 4,253	\$ 4,359
	SUBTOTAL	194,141	333,221	340,346	350,634	394,463	402,352	415,429	440,355	463,474	484,331	496,439	496,439	\$503,889	\$ 520,266	\$ 533,272
	TOTAL, including Anchor Properties	243,058	379,955	389,063	400,824	459,396	476,111	493,984	526,134	556,905	581,959	596,509	596,509	\$607,536	\$ 627,281	\$ 642,963

EXPLANATION OF CITY COUNCIL PUBLIC HEARINGS FOR THE CHURCH STREET MARKETPLACE

The Church Street Marketplace District is a business improvement district (BID).

- A business improvement district or BID is a defined area within which property owners pay an additional tax or fee in order to fund programming, maintenance and operations.
- There are 1,200 BIDs in the United States.
- The Church Street Marketplace BID was created in 1981, and includes all properties abutting Church Street between Main and Pearl Streets. The BID is managed by the Marketplace Department, a city department.
- Church Street is a public street.

How is the BID funded? The BID is funded entirely through fees and sponsorships. City tax dollars may not be used to fund its operations.

What is the Common Area Fee?

- It is a tax that Marketplace Property Owners pay to the City.
- It is the largest revenue source for the Marketplace Department's operating budget (73%).
- All common area fees raised are appropriated to the Church Street Marketplace, a special revenue fund.

What is the Common Area Fee Formula?

- The Common Area Fee formula was determined by Marketplace property owners in 1991. It is based on a building's ground floor square footage, multiplied by a per square foot rate. The proposed common area fee for FY 14 is \$2.75 per square foot.

What is the Process for Setting and Approving the Common Area Fee?

- Every year, the Marketplace Commission holds a public hearing where it presents a budget, and sets a common area fee for the coming fiscal year. The Commission then sends its recommended budget and common area fee to the City Council for their final approval.
- The City Council then holds two hearings.
 - The first public hearing concerns approval of the Common Area Fee formula.
 - The second public hearing concerns approval of the Common Area Fee amount for that coming fiscal year.

NOTICE OF PUBLIC HEARING, MONDAY, JUNE 3, 2013
Church Street Marketplace District, City of Burlington

Mon, June 3, 2013: 7 pm., Burlington City Council, City Hall. Public hearing to establish annual standards, levies for common area fees for the Church Street Marketplace District FY 14. To be allocated on basis of total ground floor square footage of buildings w/in Marketplace District. Method of allocation shall be fixed to provide predictability, stability and foster long term planning and investment by property owners in the Marketplace District. For information, contact Ron Redmond, 802-238-5598 or ron.redmond.vt@gmail.com

BURLINGTON, VERMONT PUBLIC HEARING NOTICE

MDP-13-01 - DRAFT planBTV – Downtown & Waterfront Master Plan; Amendment of the Burlington Municipal Development Plan Land Use Plan and Re-adoption of the Burlington Municipal Development Plan

Pursuant to 24 V.S.A. §§4385, 4387 and 4432 the Burlington City Council will hold two public hearings on **Monday, June 3, 2013** and **Monday, June 10, 2013** to hear public comment on the *Draft planBTV – Downtown & Waterfront Master Plan, its incorporation into the Burlington Municipal Development Plan (MDP) by amendment of the Land Use Plan of the MDP and the re-adoption of the MDP.* The hearings will begin at **7:00 p.m.**, in Contois Auditorium of Burlington City Hall at 149 Church Street, Burlington VT.

Statement of Purpose:

planBTV presents the City of Burlington's vision for the downtown and waterfront area of the City over the next decades. The plan refines the more general city-wide goals for sustainable development, established in the MDP, into focused, actionable, area-specific strategies for the central core and economic engine of our community. All City plans and programs which effect transportation and development, including the Zoning Ordinance, Subdivision Regulations, Impact Fees and Capital Improvement Plan, must be in conformance with the policies and directives found in the Municipal Development Plan.

The following sections of the MDP are being readopted (an asterisk indicates the sections that are changed due to the incorporation of planBTV):

Introduction
Burlington Demographic Profile
Our Community Vision: A "Sustainable" Burlington
*I. Land Use Plan
II. Natural Environment
III. Built Environment
IV. Historic Preservation
V. Transportation
VI. Economic Development Plan
VII. Community Facilities and Services Plan
VIII. Energy Plan
IX. Housing Plan
X. Education Plan
Implementation Plan
Relationship to Other Plans
Glossary of Terms
References and Resources
Appendix: Community and Housing Profile

planBTV contains the following general sections:

Project Background
The Plan BTV Process
The Facts
Commentary
Burlington Values
Themes in Detail
Around the Burlington Plan
Call to Action

The geographic area affected for planBTV is the downtown and waterfront area of the City of Burlington, Vermont. The geographic area affected for the 2013 Burlington Municipal Development Plan is the entire City of Burlington, Vermont.

Full text copies of both documents are available for public review at the following locations: Department of Planning & Zoning, and the Burlington City Clerk's Office both in Burlington City Hall, 149 Church Street, Burlington, Vermont.



Office of Mayor Miro Weinberger

MEMORANDUM

TO: Burlington City Council

FROM: Mayor Miro Weinberger

DATE: May 23, 2013

RE: Appointment of Permanent Director of Aviation

Together, last July, we appointed Gene Richards the interim Director of Aviation of the Burlington International Airport. Gene has flourished in that role, generating progress at the airport on many fronts. Now, I respectfully request that the City Council approve Gene as the permanent Director of Aviation at your June 3, 2013 meeting.

Last July, I wrote the following to you in my interim appointment request:

The months immediately ahead represent an important time for the airport. The airport is attempting to refinance \$12 million of short-term debt, stabilize and improve the outlook of credit rating agencies, and increase revenues in multiple ways. Gene has been a force for change, a person who has driven the improvement of the past 18 months. He is the right person to run the airport until a permanent Aviation Director is named approximately six to nine months from now.

During the past 10+ months as interim Director of Aviation, Gene has far exceeded my high expectations. He has worked tirelessly to address long-standing issues, stabilize the airport's finances through both revenue and expense measures, improve airport facilities, and improve air service. Gene brings exactly the kind of passion, skills, community understanding, and character needed to succeed as the next permanent Director of Aviation.

Gene has made substantial progress on BTV's serious financial issues

The airport has been facing a number of serious financial concerns for several years. In 2010, these concerns caused Moody's to downgrade the airport to junk bond status. Gene – an experienced businessman and real estate professional – has been working on many fronts. His achievements include:

- Successfully refinancing \$12 million of short-term debt and an additional \$12 million of long-term debt, addressing significant liquidity concerns, and reducing borrowing costs approximately \$300,000 a year.
- Methodically addressing large numbers of long-neglected and lapsed leases, and restructuring space to create more leasable area, generating substantial new income.
- Negotiating large revenue increases from rental car tenants, the airlines, and concessionaires.

Restoring the airport's finances will require airport management to sustain and build on these successes. A permanent appointment will allow Gene to finish the financial fix he has started so well.

Gene already has completed substantial capital improvements at BTV

In Gene's short-time at the airport he has dramatically improved the facility:

- He negotiated deals that have resulted in substantial investments from private partners that have substantially upgraded the airport's food service facilities, and soon will entail dramatically enhanced retail facilities.
- In under a year Gene has created a nursing mother room, a yoga facility, scores of new charging stations, and enhanced restrooms. These enhanced traveler amenities have in large part been achieved, despite acute financial pressures, through creative sponsorships and donations.
- The north concourse TSA area was expanded to significantly improve the efficiency of the safety screening process.
- Gene has completed a roof replacement that had long plagued the facility.

The financial and operational success of BTV hinges in large part on facilities, maintenance, and leasing efforts. Gene's extensive property management experience will continue to serve him well as a permanent director.

Gene is working hard and making progress stabilizing and enhancing air service

The airline industry was hit very hard by the 2008 recession, and BTV – like virtually all established airports – has experienced significant enplanement reductions in the years since. Gene is working on multiple fronts to reverse this trend:

- He and his team secured an important air service grant and used it to secure new daily Delta air service to Atlanta that will begin in June.
- Even before becoming interim Director of Aviation, as an extremely active Airport Commission Chair, Gene helped secure Porter service from Toronto, the first international service in many years.
- Gene has worked hard to establish good relationships with the airlines. Local airline representatives have expressed considerable confidence in Gene's work.

These efforts should begin to be reflected in rising enplanements in the months ahead.

Gene has dramatically improved the workplace culture of the airport and staff morale

Gene's enthusiasm for his work and "can do" attitude are infectious and are impacting City operations beyond the airport. Even as an interim Director, Gene has become a leader among the City's department heads. I fully anticipate that, as permanent Director of Aviation, Gene's positive impact on overall municipal operations will expand considerably.

Further details of Gene's career can be found in the attached resume.

Thank you for your consideration of Gene Richards as Burlington International Airport's next permanent Director of Aviation.

Gene Richards III

168 Summit Street
Burlington, VT 05401
H. 802.658.5620 | C. 802.343.9909
E. generichards@generichards3.com

Strengths & Qualifications:

Business Development: Efficiency expert with demonstrated skills in reviving business performance and profitability through improvements in sales, marketing and financial strategies. Successful history of inspiring vision within an organization and achieving business objectives through cross-functional support, task coordination and drawing on people's strengths. Able to effectively identify and analyze markets, and generate creative campaigns and promotions with limited resources.

Operations Management: More than 25 years of experience managing operations, organizational change and projects in business and banking. Well-developed analytical, planning and negotiating skills. Enjoy managing multiple workloads in changing and stressful environments. Committed to providing superior customer service.

Personnel Management: Highly motivated, hard-working self-starter and team builder. Experience leading outstanding groups of people, eliciting interest, enthusiasm, and drive.

Professional Experience:

CEO and Founder, Spruce Mortgage

Spruce Mortgage; Burlington, VT - 1995 to Present

- Manage team of 13 and all residential real estate loan operations.

Business Development Consultant; Burlington, VT

1995 to Present

Successful record of improving operations, devising and implementing strategic plans, increasing market share and developing motivated work teams while creating positive work environments. Select clients/projects include:

Post Script, Inc.: Burlington, VT - 1996 to 1997

- Advise advertising firm on sales and marketing strategies. Develop market analyses.

Merchants Bank; Burlington, VT - 1995 to 1996

- Researched, analyzed and compared client banking products and services to those of competing banks. Recommended new products and specific improvements to enhance customer service and satisfaction.

Key Bank; Burlington, VT (formerly Bank of Boston & Bank of Vermont)

1989 to 1995

Vice President - Mortgage Department

1990 to 1995

Managed team of 12 and all residential real estate loan operations. Priced products, originated and processed loans, managed closing and sale to the secondary mortgage market.

Key Accomplishments:

- Through exceptional sales team effort tripled business volume from \$50 million to \$150 million within two years. Sales division cited as number one and two among all Bank of Boston affiliates in U.S.
- Created first-of-its-kind sales culture in a conventional bank environment, reducing staff from 42 to 12 while improving productivity and morale.
- Developed Old North End Housing Program, a Community Reinvestment Act project improving low income housing. Successful program was adopted by banks throughout New England.
- Member of Executive Management Team responsible for Bank operations and hiring of Bank President.
- Launched low-cost, innovative promotional campaigns: (e.g. Eagle Program - placed marketing computers at realtor locations state-wide; Realtor Limo Tour - a multi-limousine tour of properties bringing realtors and bank originators together).

Vermont State Manager of Regional Sales

1989 to 1990

Directed loan production of 20 originators throughout Vermont.

Key Accomplishment:

- Identified and implemented strategies to reduce costs and improve efficiencies, including the conversion of entire real estate operation to a PC-based computer system.

Merchants Bank; Burlington, VT

1980 to 1989

Manager of Residential Real Estate Underwriting & Processing

1986 to 1989

Managed staff and workflow of residential real estate underwriting and loan processing department. Maintained Bank's mortgage loan quality process and knowledge of underwriting requirements. Assisted Real Estate Department Manager with departmental operations and projects.

Key Accomplishments:

- Introduced and implemented quality standards which improved financial products, replenished cash reserves and increased revenues available for reinvestment.
- Consolidated underwriting, loan processing and clerical staff developing effective team approach.
- Developed broad knowledge of banking (1980-86), rapidly advancing from various customer service positions to consumer loan collections, residential real estate underwriter, and manager.

Airborne Apartment Co.; Burlington, VT

1985 to Present

Owner/Manager

Manage 50 rental unit properties. Interview and screen prospective tenants. Review lease agreements and educate tenants regarding tenant/landlord rights and expectations. Answer tenant inquiries; address and resolve problems. Manage accounts payable and process general bookkeeping

Key Accomplishments:

- Maintain excellent relations with tenants; majority of new tenants are referrals from current tenants.
- Near zero rate of vacancy over 24 years, generating positive cash flow.

Community Service:**Boys & Girls Club; Burlington, VT**

1993 to 2003

Capital Campaign Chairman/Board Member

- Facilitated a \$750,000 fundraising campaign. Fundraising team successfully turned around nonprofit on the brink of bankruptcy
- Coordinated alliances with community businesses to donate products and services.
- Developed fundraising strategies, OCFYHB slogan, manuals, goals, and training for board members and a network of fund-raisers.

Community Health Center of Burlington, Burlington, VT

1985 to 1988

Board Member

March of Dimes, Burlington, VT

1985 to 1991

Board Member

Arthritis Foundation; Vermont & Northern New York Chapter

1989 to 1995

Chair of Budget/Finance Committee/Board Member**United Way – Bank of Vermont, Burlington, VT**

1989 to 1995

Employee Campaign Chairman**American Red Cross, VT/NH and New England Division**

1995 to 2007

Board Member/Finance Committee**Lund Family Center, Burlington, VT**

1996 to Present

Chair of Board/Finance Committee/Board Member**Stern Center for Language & Learning, Williston, VT**

1996 to Present

Chair of Board/Finance Committee/Board Member

Community Service (cont.):

Maple Leaf Farm, Underhill Vermont 2011 to Present
Chair of Capital Campaign

Professional Associations:

Church St. Marketplace, Burlington, VT 1996 to 2007
Board Member/Finance Chair

Vermont Development Credit Union, Burlington, VT 1995 to 1997
Board Member

Burlington Airport Commissioner, Burlington, VT 2007 to Present
Board Member/Commission Chair

Act 250 Commissioner for the State of Vermont, Chittenden County 2003 to Present
Board Member

Burlington Country Club, Burlington, VT 2007 to Present
Chair of Human Resource Committee/Board Member

Education & Training:

St. Michael's College, Colchester, VT
Course in Personal Financial Planning Level I and II

American Institute of Banking, Montpelier, VT
Completed course work in: Principles of Banking, Installment Lending, Real Estate Finance and Computer Processing. Additional training: Facilitation, Dealing with Difficult People, various banking seminars.

References available upon request



HUMAN RESOURCES DEPARTMENT

City of Burlington

179 South Winooski Avenue, Burlington, VT 05401

Voice (802) 865-7145
Fax (802) 864-1777
Vermont Relay: call 711
or 800-253-0191

To: City Council

**From: Julie Hulburd, HR Generalist
Susan Leonard, Director of Human Resources**

Date: May 23, 2013

Re: Step Placement – Gene Richards, Aviation Director

Mayor Weinberger has requested that Gene Richards, appointee for the position of Aviation Director, be considered for placement at Step 2 of the Aviation Director Pay Scale with in the Sadowski Classification System. This request is pursuant to the City of Burlington's Comprehensive Personnel Policy, section 5.4 (a) which states "To the extent that previous relevant experience equals or exceeds the necessary knowledge and skills, job, duties and responsibilities of the positions being sought, those specific and relevant years of experience (less the minimum number of years of experience required in the position description) may be converted to additional steps at a 2:1 ration, up to a maximum of step seven (7)."

The qualifications for the position include; Bachelor's degree in Business Administration, airport administration, public administration or related fields, experience equivalent to education, and a minimum of five years of progressively responsible management experience in executive departmental administration, airport operation financial theory required.

Mr. Richard's resume includes approximately 28 years of experience in finance, banking, management, entrepreneurial experience, and small business ownership. Applying the standard assumption of two years of experience equals one year of higher education, along with the required five years of progressive experience listed above Mr. Richards exceeds the minimum 13 years of experience/education required for the position.

Given Mr. Richard's resume which consists of 15 years of experience beyond the minimum qualifications I respectfully recommend and support of Mayor Weinberger's request for placement at Step 3 of the Aviation Director Pay Scale with in the Sadowski Classification System, equaling an annual FY13 salary of \$106,478.

This step placement for Gene Richards is effective as of the date of his formal appointment by City Council.

Thank you.

Department Head Pay Scales FY13

Step	BED GM		BCA Dir.		CEDO Dir.		Fire Chief		DPW Dir.		Dir. Aviat. (Vacant)	BTGM (Vacant)	
1	\$126,139	60.6437	\$76,780	36.9134	\$87,749	42.1870	\$88,672	42.6309	\$88,845	42.7139	\$101,265	48.6851	\$117,254 \$ 56.3721
2	\$129,150	62.0913	\$78,171	37.5820	\$89,159	42.8648	\$90,269	43.3988	\$90,689	43.6007	\$103,839	49.9225	\$118,982 \$ 57.2028
3	\$132,233	63.5734	\$79,586	38.2627	\$90,591	43.5535	\$91,895	44.1805	\$92,572	44.5059	\$106,478	51.1914	\$120,735 \$ 58.0458
4	\$135,389	65.0909	\$81,028	38.9558	\$92,047	44.2532	\$93,551	44.9763	\$94,494	45.4299	\$109,184	52.4925	\$122,514 \$ 58.9011
5	\$138,621	66.6446	\$82,496	39.6614	\$93,525	44.9642	\$95,236	45.7865	\$96,456	46.3730	\$111,960	53.8267	\$124,320 \$ 59.7691
6	\$141,930	68.2354	\$83,990	40.3798	\$95,028	45.6866	\$96,951	46.6113	\$98,458	47.3358	\$114,805	55.1949	\$126,152 \$ 60.6498
7	\$145,318	69.8642	\$85,511	41.1112	\$96,555	46.4206	\$98,698	47.4509	\$100,502	48.3185	\$117,723	56.5977	\$128,011 \$ 61.5436
8	\$148,786	71.5319	\$87,060	41.8558	\$98,106	47.1664	\$100,476	48.3056	\$102,589	49.3216	\$120,715	58.0363	\$129,897 \$ 62.4505
9	\$152,338	73.2393	\$88,637	42.6140	\$99,682	47.9241	\$102,286	49.1757	\$104,719	50.3456	\$123,784	59.5114	\$131,811 \$ 63.3708
10	\$155,974	74.9876	\$90,243	43.3858	\$101,284	48.6941	\$104,128	50.0615	\$106,893	51.3908	\$126,930	61.0240	\$133,754 \$ 64.3046
11	\$159,697	76.7775	\$91,877	44.1717	\$102,911	49.4764	\$106,004	50.9633	\$109,112	52.4578	\$130,156	62.5750	\$135,725 \$ 65.2522
12	\$163,509	78.6102	\$93,541	44.9718	\$104,564	50.2713	\$107,913	51.8813	\$111,377	53.5468	\$133,464	64.1655	\$137,725 \$ 66.2137
13	\$167,412	80.4866	\$95,236	45.7863	\$106,244	51.0789	\$109,857	52.8158	\$113,690	54.6585	\$136,857	65.7964	\$139,754 \$ 67.1895
14	\$171,408	82.4078	\$96,961	46.6157	\$107,951	51.8996	\$111,836	53.7672	\$116,050	55.7933	\$140,335	67.4688	\$141,813 \$ 68.1796
15	\$175,500	84.3749	\$98,717	47.4600	\$109,685	52.7334	\$113,850	54.7357	\$118,459	56.9516	\$143,902	69.1836	\$143,903 \$ 69.1843
Curre	124,269		74,139		87,779		91,472		93,408		Vacant		Vacant
FY13	127,873		76,289		91,074		95,632		96,117				
FY13	129,150		76,780		92,047		96,951		96,456				
Propc	\$1,277		\$491		\$973		\$1,319		\$339				4,399.3360
Step	\$145,318		\$85,511		\$96,555		\$98,698		\$100,502				39,599.3360
Step	\$175,500		\$98,717		\$109,685		\$113,850		\$118,459				129,226.3360

City of Burlington Job Description

Position Title: Director of Aviation

Department: Burlington International Airport

Reports to: Mayor

Exempt/Non-Exempt: Non-Exempt Union: N/A

General Purpose: The person in this position reports directly to the Mayor and is responsible for the overall management of the Burlington International Airport.

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.)

- Direct the activities of the department through development and communication of strategic goals and specific operating objectives.
- Negotiate leases with tenants and concessionaires, working cooperatively with legal counsel.
- Resolve landlord-tenant disputes, as necessary.
- Develop, maintain and manage approved operating and capital budget.
- Responsible for overall direction and supervision and evaluation of BIA personnel.
- Administer one or more ongoing airport projects such as terminal expansion. Coordinate efforts of architects, construction manager and contractors. During times of construction airfield requires constant surveillance.
- Direct the implementation of the airport security and emergency procedures, including but not limited to snow removal, traffic flow, and safety.
- Maintain contact with news media personnel and respond to demands for status reports during emergency situations such as power failures, snowstorms and fatal aircraft accidents.
- Develop and implement public affairs programs and conventions which provide information to citizens and enhance the airport's stature.
- Act as liaison with state and federal officials to promote funding of Burlington International Airport.
- Maintain awareness of new developments in technology and marketing relevant to Burlington International Airport.
- Mediate passenger complaints and /or customer as necessary.
- Collaborate and coordinate with other City departments as necessary.
- Partner with City agencies to enhance the Library's already strong commitment to cultural competency and diversity programming.
- Maintain positive media and public relations.

- Direct the Airport planning to meet operational needs.
- Staff, support and participate in each Airport Commission meeting.

Non-Essential Job Functions:

- Attend City Council meetings as necessary..
- Perform public speaking assignments for civic groups and organizations throughout the state.
- Performs other duties as required

Qualifications/Basic Job Requirements:

- Bachelor's degree in Business Administration, airport administration, public administration or related fields or experience equivalent to education, and a minimum of five years of progressively responsible management experience in executive departmental administration, airport operation financial theory required.
- Master's degree preferred.
- Demonstrated understanding of airport financing, economic development and FAA regulations desired.
- Knowledge of budgetary procedures and fiscal accountability required.
- Knowledge of capital improvements programs required.
- Knowledge of management principles and practices; ability to accomplish work through others.
- Demonstrated thorough knowledge of technical disciplines such as civil engineering, construction techniques and building and facilities maintenance programs.
- Knowledge of aviation, both for planning purposes and to include FAA regulations compliance.
- Ability to organize and coordinate simultaneous complex functions and subfunctions of departmental activity.
- Ability to establish and maintain effective employee and public relations.
- Ability to communicate effectively orally and in writing

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.

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|---|--|--|
| <input checked="" type="checkbox"/> seeing | <input type="checkbox"/> ability to move distances | <input type="checkbox"/> lifting (specify) |
| <input checked="" type="checkbox"/> color perception
(red, green, amber) | <input type="checkbox"/> within and between
warehouses/offices | <input type="checkbox"/> pounds |
| <input checked="" type="checkbox"/> hearing/listening | <input type="checkbox"/> climbing | <input type="checkbox"/> carrying (specify) |
| <input checked="" type="checkbox"/> clear speech | <input type="checkbox"/> ability to mount and
dismount forklift/truck | <input type="checkbox"/> pounds |
| <input checked="" type="checkbox"/> touching | <input type="checkbox"/> pushing/pulling | <input checked="" type="checkbox"/> driving (local/over
the road) |
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| <input checked="" type="checkbox"/> finger | | |

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| <input type="checkbox"/> reading - basic | <input type="checkbox"/> math skills - basic | <input checked="" type="checkbox"/> analysis/comprehension |
| <input checked="" type="checkbox"/> reading ó complex | <input checked="" type="checkbox"/> math skills - complex | <input checked="" type="checkbox"/> judgment/decision making |
| <input type="checkbox"/> writing - basic | <input type="checkbox"/> clerical | |
| <input checked="" type="checkbox"/> writing - complex | | |
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| <input type="checkbox"/> works alone | <input type="checkbox"/> extreme heat | <input type="checkbox"/> moving objects |
| <input checked="" type="checkbox"/> works with others | <input type="checkbox"/> extreme cold | <input type="checkbox"/> high places |
| <input checked="" type="checkbox"/> verbal contact w/others | <input type="checkbox"/> noise | <input type="checkbox"/> fumes/odors |
| <input checked="" type="checkbox"/> face-to-face contact | <input type="checkbox"/> mechanical equipment | <input type="checkbox"/> hazardous materials |
| <input checked="" type="checkbox"/> inside | <input type="checkbox"/> electrical equipment | <input type="checkbox"/> dirt/dust |

Supervision:

Directly Supervises: 2-6 Indirectly Supervises: 18+

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: _____

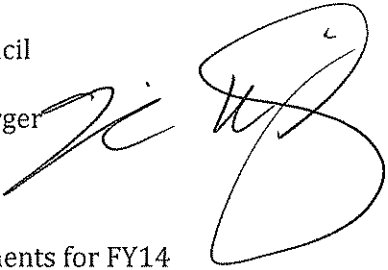
Human Resources: _____ Date: _____



Office of Mayor Miro Weinberger

MEMORANDUM

TO: Burlington City Council

FROM: Mayor Miro Weinberger 

DATE: May 29, 2013

RE: Mayoral Reappointments for FY14

One of my most significant responsibilities as Mayor of Burlington is the appointment of Department Heads to lead and oversee the operations of our great City. In preparation for this year's appointments, I requested and received from all Department Heads a self-assessment of their performance over the past year and their goals for FY14. I also solicited and received an evaluation and recommendation regarding Department Head reappointments from each applicable Commission, as required by Section 116 of the City Charter.

Having considered the input of Department Heads and Commissions, pursuant to Section 122 of the City Charter, I submit for your consideration and confirmation at your June 3, 2013 meeting my FY14 mayoral reappointments.

One-Year Reappointments

The following members of our City team recommended here for reappointment have performed their duties responsibly, served the City well, and each warrants reappointment. I am confident that the following City officials will continue to ably serve our City and, therefore, recommend them for reappointment for a term of one year:

- Eileen Blackwood City Attorney
- Eugene Bergman Senior Assistant City Attorney,
City Grand Juror, & City Constable
- Richard Haesler, Jr. Assistant City Attorney & Assistant Grand Juror
- Gregg Meyer Assistant City Attorney & Assistant Grand Juror
- Kimberlee J. Sturtevant Assistant City Attorney & Assistant Grand Juror
- Gordon Gilbert Second Constable
- Jesse Bridges Burlington Parks and Recreation Director,
Cemetery Department Superintendent, &
Harbor Master
- Barbara Grimes Burlington Electric Department General Manager
- Doreen Kraft City Arts Director

- Seth Lasker Burlington Fire Department Chief & Emergency Management/Civil Defense Director
- Peter Owens Community & Economic Development Director
- Ron Redmond Church Street Marketplace Executive Director
- Gene Richards Burlington International Airport Aviation Director
- Bob Rusten Chief Administrative Officer
- Michael Schirling Burlington Police Department Chief
- Andi Higbee Pound Keeper
- Rubi Simon Fletcher Free Library Director

Two-Year Reappointments

The following members of our City team recommended here for reappointment have performed their duties responsibly, served the City well, and each warrants reappointment. I am confident that the following City officials will continue to ably serve our City and, therefore, pursuant to that part of Section 122 of the City Charter that requires two-year appointments and reappointments for both the City Assessor and the Human Resources Director, I recommend them for reappointment for a term of two years:

- Susan Leonard Human Resources Director
- John Vickery City Assessor

Continuing to Serve Until Successor Appointed

As you know, on May 28, 2013, Steve Goodkind announced his upcoming retirement and generously offered to continue to serve the City until his successor has been appointed. Based on Section 122 of the City Charter, stating that the service of Mayoral appointees "shall continue until their successors have been appointed and qualified," Steve will continue to serve in the following positions until I conclude my search for and appoint his successor and the City Council confirms that appointment:

- Steve Goodkind Department of Public Works Director & City Engineer and Surveyor

CITY COUNCIL

2013 COMMISSION/BOARD
APPOINTMENT WORKSHEET

Commission/Board	Term Expiration	Name of Person to Appoint
Chittenden County Regional Planning Commission	6/30/15	Not advertised
Chittenden County Regional Planning Commission, Alternate	6/30/15	Not advertised
Chittenden County Transportation Authority	6/30/16	Chapin Spencer
Chittenden Solid Waste District, Alternate	5/31/14	ReAdvertise
Church Street Marketplace Commission	6/30/16	Celia Daly
Church Street Marketplace Commission	6/30/16	Ely Lesser-Goldsmith
Church Street Marketplace Commission	6/30/16	Jeff Nick
Church Street Marketplace Commission	6/30/16	Lorre Tucker
Conservation Board	6/30/16	ReAdvertise
Conservation Board	6/30/17	Damon Lane
Conservation Board	6/30/17	Scott Mapes
Conservation Board	6/30/17	Matthew Moore
Conservation Board	6/30/17	Will Flender
Development Review Board	6/30/15	Missa Aloisi
Development Review Board	6/30/17	Brad Rabinowitz
Development Review Board	6/30/17	Jonathan Stevens
Development Review Board, Alternate	6/30/15	Not advertised
Fence Viewer	6/30/14	Shay Totten
Fence Viewer	6/30/14	Re-advertised
Fence Viewer	6/30/14	Re-advertised
Housing Board of Review	6/30/17	Loyal Ploof



Burlington Fire Department



136 South Winooski Avenue
Burlington, Vermont 05401-8378

(802) 864-4554 • (802) 658-2700 (TTY)

Business Fax (802) 864-5945 • Central Station Fax (802) 865-5387

TO: Lori Olberg

FROM: David J. Roberts
Deputy Chief
Burlington Fire Department

DATE:

RE: LISTING OF FIRE WARDENS TO BE APPOINTED AT THE
JUNE MEETING OF THE CITY COUNCIL

The following is the most current list of Fire Wardens:

Seth S. Lasker
Bruce E. Bourgeois
David J. Roberts
Peter R. Brown
Thomas Mantone
Barry Simays
Joseph A. Keenan
Thomas M. Costello
David L. Gale
Peter G. Walsh
Robert J. Plante
Aaron J. Collette
Scott M. Kilpatrick

CITY COUNCIL WITH MAYOR PRESIDING

2013 COMMISSION/BOARD
APPOINTMENT WORKSHEET

Commission/Board	Term Expiration	Name of Person to Appoint
Airport Commission	6/30/17	Jeff Munger
Cemetery Commission	6/30/16	Donna Waldron
Cemetery Commission	6/30/16	Re-advertise
Design Advisory Board	6/30/16	Matthew Bushey
Design Advisory Board	6/30/16	Re-advertise
Electric Light Commission	6/30/16	Bob Herendeen
Electric Light Commission	6/30/16	Spencer Newman
Fire Commission	6/30/16	Linda Sheehey
Fire Commission	6/30/16	Re-advertise
Board of Health	6/30/16	Mary Hart
Board of Health	6/30/16	Julie Hathaway
Library Commission	6/30/16	
Parks & Recreation Commission	6/30/16	John Bossange
Parks & Recreation Commission	6/30/16	Nancy Kaplan
Planning Commission	6/30/17	Andy Montrol Andy
Planning Commission	6/30/17	TBD
Police Commission	6/30/16	Phil LaVigne
Police Commission	6/30/16	TBD
Public Works Commission	6/30/16	Bob Alberry
Public Works Commission	6/30/16	Nathan Lavery
Retirement Board	6/30/16	Bob Hooper
Board of Tax Appeals	6/30/14	Re-advertise
Board of Tax Appeals	6/30/15	Re-advertise
Board of Tax Appeals	6/30/15	Re-advertise
Board of Tax Appeals	6/30/16	Connie Krosney
Board of Tax Appeals	6/30/16	Marc Monheimer
Board of Registration for Voters	6/30/18	Linda Chagnon

		5/30/2013	
Prepared by: Lori Olberg, Licensing, Voting & Records Coordinator			
Meeting Date	Type of Document	Action Requested	Return to Council
1/9/2012	Resolution: Creation of a Financial Literacy Web Page	progress report to the Council by the Interim CAO	2/13/2012
2/13/2012	Resolution: Ongoing and Future Relationship Between the City of Burlington and the University of Vermont	report due back to the Council by the Community Development and Neighborhood Revitalization Committee	3/26/2012
7/16/2012	Resolution: Appointment of Airport Strategic Planning Committee	progress report and a final report and recommendations due back to the City Council	10/29/12; on or before 1/7/13
8/13/2012	Resolution: Strategic Plan Re Fiscal Health of the City	Board of Finance and the C/T Office will work to produce a strategic plan and present said plan to the Council in a worksession	1/7/13; 1/28/13
8/13/2012	Resolution: Landlord Accountability	report due back to CD & NR Committee from the Code Enforcement Office	not-specified
11/26/2012	Resolution: Moving Urban Agriculture Issues Forward	Board of Health to report back to the Council; Planning Commission to report back to the Council	by 04/15/13; by 04/29/13
1/7/2013	Resolution: Charter Change to Prohibit Assault Weapons and High Capacity Clips	Public Safety Committee to convene a series of public hearings and work together with the BSD, BPD, Howard Services and the State Attorney's Office and other relevant organizations to make our schools and City as safe as can be	not-specified
1/28/2013	Resolution: Changes to the Composition of the Ward Redistricting Committee	report on timeline for the redistricting process	4/15/2013
3/11/2013	Resolution: Commission and Board Appointment Process	report due back from the Charter Change Committee to the Council	first meeting in November 2013
3/11/2013	Resolution: Survey to Determine if Commissions and Boards are Functioning Optimally	report due back from the Charter Change Committee to the Council	first meeting in November 2013
3/18/2013	Communication: Burlington Committee on Accessibility Strategy and Plan	future action to be taken	not-specified
4/15/2013	Resolution: Proposed Amendments to Appendix B Rules and Regulations of The City Council	postpone action for now	post City Council Retreat
4/29/2013	Resolution: Mandatory Wheeled Covered Recycling Toters	report due back from the Ordinance Committee with a proposed Ordinance Change	15-Jul-13

AMEND FY 2013 STREET & SIDEWALK CAPITAL PROGRAM
STREET PAVING BUDGET TO INCREASE BUDGET BY
THE AMOUNT UNEXPENDED IN FY 2012 ON THE APPROVED
DREW STREET PROJECT

In the year Two Thousand Thirteen.....
Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, the Burlington Department of Public Works included in its Fiscal Year 2012 Street & Sidewalk Capital Program for street paving \$68,926.52 for the repaving of Drew Street; and

WHEREAS, this Drew Street repaving project was postponed until the fall of 2012 (FY 2013) in order to allow for the completion of a large scale water line project on the street; and

WHEREAS, because the expenditure for the cost of the project was not made in FY 2012, a budget amendment to increase the FY 2013 street paving capital budget to reflect the cost of the project is needed, such money having been unexpended in the FY 2012 budget; and

WHEREAS, the Board of Finance reviewed this matter at its meeting on May 23, 2013 and, on the Mayor's proposal, unanimously recommended the approval of an increase in the FY 2013 capital budget for street and sidewalk paving expenditure line item budget amendment by the full City Council;

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the proposed budget amendment and increases the Department of Public Works Equipment FY 2013 Street & Sidewalk Capital Program, Street Paving budget as follows:

Public Works Expenditure Budget

INCREASE:

700-19-150-700-8040 Street Paving	\$ 68,926.52
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AUTHORIZATION FOR BIKE PATH REHABILITATION DESIGN
AND ENGINEERING

In the year Two Thousand Thirteen.....

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

That WHEREAS, the 2012 Burlington Bike Path Feasibility Study identified necessary upgrades to the bike path that satisfy current standards and improve safety, enhance user amenities, and raise its standing to that of a world class regional trail; and

WHEREAS, the rehabilitation of the Bike Path requires design strategies that incorporate urban and rural place-making, civil and structural engineering, geotechnical expertise, environmental remediation, as well as innovative and intentional landscape architectural design; and

WHEREAS, an RFQ for professional design/engineering services was issued in March, 2013, and from the three consultant teams that responded, the Department of Parks & Recreation, with the support of DPW, CEDO, CCRPC, and VTrans, selected Vanasse Hangen Brustlin, Inc. to develop the preliminary design for the entire bike path, as well as a detailed design development package for the heavily used waterfront area in and around the Waterfront TIF district; and

WHEREAS, the Department of Parks & Recreation has developed a budget for this project that will pay a cost plus fixed fee totaling \$540,000, which will be funded as follows:

Bike Path Maintenance & Improvement Fund	\$220,000 in FY14/FY15
Parks Foundation fundraising	\$50,000 in FY14
Penny for Parks	\$120,000 in FY13, FY14, FY15
TIF	\$150,000 in FY14; and

WHEREAS, the Board of Finance on May 23, 2013, recommended that the City Council authorize the hiring of Vanasse Hangen Brustlin, Inc. as outlined above;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the selection of Vanasse Hangen Brustlin, Inc. to develop the design for the bike path rehabilitation based on the budget outlined above; and

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AUTHORIZATION FOR BIKE PATH REHABILITATION
DESIGN AND ENGINEERING

BE IT FURTHER RESOLVED that the City Council authorizes the Director of Parks & Recreation to negotiate and execute the agreement and any and all related documents with Vanasse Hangen Brustlin, Inc., subject to prior review and approval by the City Attorney.

lb/gm/Resolutions 2013/Parks Dept. – Bike Path Rehabilitation Design & Engineering Agreement with Vanasse Hangen Brustlin, Inc.
5/30/13



MEMO

Date: May 22, 2013
To: Board of Finance
From: Jesse Bridges, Director, Department of Parks & Recreation
Re: Bike Path Rehabilitation: Design & Engineering

I. BACKGROUND

The 2012 Burlington Bike Path Feasibility Study identified necessary upgrades to the Bike Path that satisfy current standards and improve safety, enhance user amenities, and raise its standing to that of a world class regional trail. The rehabilitation of the Bike Path requires design strategies that incorporate urban and rural place-making and planning, civil and structural engineering, geotechnical expertise, environmental remediation, as well as innovative and intentional landscape architectural design. The path will integrate conservation, sustainability, connectivity and accessibility along its entirety.

II. PROCESS

An RFQ for Professional Design/Engineering Services for the Rehabilitation of the Burlington Bike Path was issued in March of 2013. With the support of the CCRPC and VTrans, City staff evaluated qualifications on April 4 and conducted finalist interviews on April 15. Three consultant teams were interviewed: Hoyle, Tanner & Associates, Inc., Engineering Ventures and Vanasse Hangen Brustlen, Inc.

DPR, in cooperation with DPW & CEDO, selected Vanasse Hangen Brustlen, Inc. (VHB) to develop the preliminary design for the entire Bike Path, in addition to a detailed design development package for the heavily used waterfront area in/around the Waterfront TIF district (Sections 6-10).

III. SCOPE

The project scope is as follows:

- Phase A – Project Definition
Preliminary design, survey & construction cost development for the entire path, inclusive of 25% and 60% design drawings.
- Phase B – Project Design
Final design development including the preparation and completion of all associated environmental review and permitting documents, bid-ready documents and specifications for sections 6-10 (Perkins Pier to North Beach), inclusive of 85% and 100% contract plans for these sections.

IV. COSTS

The estimate for this scope of work is comprised of a cost plus fixed fee not to exceed \$540,000.

V. FUNDING STRATEGY

The proposed funding strategy for is as follows:

Fiscal Year	Revenue	Fund
FY14/FY15	\$220,000	Bike Path Maintenance & Improvement Fund
FY14	\$50,000	Parks Foundation Fundraising
FY13/FY14/FY15	\$120,000	Penny for Parks
FY14	\$150,000	TIF
Revenue Total	\$540,000	

VI. SCHEDULE

The anticipated schedule is outlined below:

- 5/23/13 Board of Finance presentation/approval
- 6/3/13 City Council presentation/approval
- 6/4/13 Contract signing & project kick-off
- September 2014 Construction Start for TIF Sections


DEPARTMENT RECOMMENDATION

The Departments of Parks & Recreation recommends BOF approval of the project, funding strategy, and, pending full City Council approval, the execution and signing of contract by the Parks Director.

COST ESTIMATE SUMMARY SHEET

	City of Burlington, VT Cost Summary Burlington Bike Path Rehabilitation Preliminary/Final/TIF District			
TASK DESCRIPTION	Cost Summary			
VHB Labor:				
<u>Total Hours</u>	<u>Sections 1-5 & 11-16</u>	<u>Sections 6-10</u>	<u>TIF District</u>	<u>TOTAL</u>
Project Management	\$14,081.68	\$4,446.85	\$3,290.67	\$18,528.53
Graphics, Visualization, and Public Meetings	\$12,999.79	\$4,105.20	\$3,037.85	\$17,104.99
Survey (Topographical and Utility Location)	\$41,368.62	\$13,063.77	\$9,667.19	\$54,432.40
Underground Utility Survey	\$0.00	\$5,000.00	\$3,700.00	\$5,000.00
Pavement Design	\$46,387.97	\$14,648.83	\$10,840.13	\$61,036.80
NEPA Permitting	\$0.00	\$46,380.62	\$34,321.66	\$46,380.62
Bike/Ped Engineering	\$63,815.55	\$45,418.00	\$33,609.32	\$109,233.55
General Environmental Analysis and Permits	\$47,154.31	\$14,890.83	\$11,019.21	\$62,045.14
Right-of-Way Process	\$0.00	\$18,652.80	\$13,803.07	\$18,652.80
Project Advertisement	\$0.00	\$7,648.66	\$5,660.01	\$7,648.66
VHB Direct Expenses	\$12,076.40	\$3,813.60	\$2,822.06	\$15,890.00
GeoDesign	\$31,219.28	\$9,858.72	\$7,295.45	\$41,078.00
Direct Expenses	\$23,624.60	\$7,460.40	\$5,520.70	\$31,085.00
SE Group	\$30,605.20	\$9,664.80	\$7,151.95	\$40,270.00
Direct Expenses	\$912.00	\$288.00	\$213.12	\$1,200.00
Sub-Totals:	\$324,245.40	\$205,341.08	\$151,952.39	\$529,586.48

COST ESTIMATE SUMMARY SHEET

 VHB	City of Burlington, VT Cost Summary Burlington Bike Path Rehabilitation Phase A/Phase B Services Breakdown				
	TASK DESCRIPTION	Cost Summary			
VHB Labor:	Phase A	Phase B			
<u>Total Hours</u>	<u>Conceptual Plans (25%)</u>	<u>Preliminary Plans (60%)</u>	<u>Final Plans (85%)</u>	<u>Contract Plans/Advertise</u>	<u>Total</u>
Project Management	\$7,411.41	\$7,411.41	\$1,852.85	\$1,852.85	\$18,528.52
Graphics, Visualization, and Public Meetings	\$12,828.74	\$4,276.25	\$0.00	\$0.00	\$17,104.99
Survey (Topographical and Utility Location)	\$54,432.40	\$0.00	\$0.00	\$0.00	\$54,432.40
Underground Utility Survey	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00
Pavement Design	\$61,036.80	\$0.00	\$0.00	\$0.00	\$61,036.80
NEPA Permitting	\$46,380.62	\$0.00	\$0.00	\$0.00	\$46,380.62
Bike/Ped Engineering	\$54,758.78	\$29,209.05	\$18,263.85	\$7,001.87	\$109,233.55
General Environmental Analysis and Permits	\$15,511.29	\$31,022.57	\$15,511.29	\$0.00	\$62,045.15
Right-of-Way Process	\$0.00	\$9,326.40	\$9,326.40	\$0.00	\$18,652.80
Project Advertisement	\$0.00	\$0.00	\$0.00	\$7,648.66	\$7,648.66
VHB Direct Expenses	\$4,767.00	\$4,767.00	\$3,178.00	\$3,178.00	\$15,890.00
GeoDesign	\$41,078.00	\$0.00	\$0.00	\$0.00	\$41,078.00
Direct Expenses	\$31,085.00	\$0.00	\$0.00	\$0.00	\$31,085.00
SE Group	\$20,135.00	\$20,135.00	\$0.00	\$0.00	\$40,270.00
Direct Expenses	\$600.00	\$600.00	\$0.00	\$0.00	\$1,200.00
Sub-Totals Per Design Stage:	\$355,025.04	\$106,747.68	\$48,132.39	\$19,681.38	\$529,586.49
Sub-Totals Per Phase:	\$355,025.04		\$174,561.45		\$529,586.49

AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN
CITY OF BURLINGTON, VT
DEPARTMENT OF PARKS AND RECREATION
645 PINE STREET
BURLINGTON, VT 05401

AND

VANASSE HANGEN BRUSTLIN, INC. (VHB)
7056 US ROUTE 7
P.O. BOX 120
N. FERRISBURGH, VT 05473

BURLINGTON BIKE PATH REHABILITATION
May 3, 2013

This Agreement is comprised of Part I, Attachment A, Attachment B, and Part II. Part I and Attachment A and B includes the details of the services to be performed and compensation. Part II contains the general terms and conditions of the Agreement between the City of Burlington Department of Parks and Recreation and Vanasse Hangen Brustlin, Inc. (VHB).

PART I

PROJECT DESCRIPTION:

The City of Burlington has selected VHB to perform consultant engineering services for the rehabilitation of the Burlington Bike Path.

The project limits are as generally described in Attachment A.

SCOPE OF WORK:

VHB will complete the work for the City of Burlington per Attachment A which describes the scope of work unless otherwise noted.

COMPENSATION:

VHB will perform the services on a cost plus fixed fee basis not to exceed five hundred and twenty-nine thousand, five hundred and eighty-six dollars and forty-eight cents (\$529,586.48) and as described in Attachment B.

VANASSE HANGEN BRUSTLIN, INC.

CITY OF BURLINGTON, VT

By: _____
Francis S. O'Callaghan, PE
Senior Vice President

By: _____
Title: _____

Date: _____

Date: _____

Together, Part I which consists of Attachment A, Attachment B, Attachment C, and Attachment D, and Part II constitute the entire Agreement.

**Part 1
Attachment A**

**PROPOSED SCOPE OF SERVICES
FOR
VANASSE HANGEN BRUSTLIN, INC.
(VHB)**

**TO PERFORM
ENGINEERING SERVICES
FOR THE
BURLINGTON BIKE PATH
REHABILITATION PROJECT**

**FOR
THE CITY OF BURLINGTON
DEPARTMENT OF PARKS AND RECREATIONS
645 PINE STREET
BURLINGTON, VT**

Agreement for Consultant Engineering Services

This Agreement is composed of Part I and Part II.

- Part I is outlined on the following pages and includes details of the services to be performed, schedule of the services, and compensation.
- Part II (attached) contains the Terms and Conditions of the Agreement, which are the general terms of the engagement between the City of Burlington, hereinafter called the "Client", and Vanasse Hangen Brustlin Inc. (VHB).

Services under this proposal are outlined in general conformance with the Vermont Agency of Transportation's (VTrans) Local Transportations Facilities (LTF) project development process for "Phase A – Project Definition" and "Phase B – Project Design". It is assumed that the City does not require any services for "Phase C – Construction", however if subsequent services are requested, VHB will develop an additional scope and fee to be provided under a contract amendment at the completion of Phase B.

Sub-Consultant Team

The services of this Agreement will be performed by VHB and the following sub-consultants:

- A. GeoDesign – Subsurface Investigations, and Geotechnical Engineering
- B. SE Group – Landscape Architecture and Placemaking

Each of these team members will enter into a sub-agreement with VHB for their professional services and their subsequent scope of services and costs are included under this Agreement.

VHB and all of our sub-consultants have current AF-38 forms on file with the VTrans Audit Section and are registered with Vermont Secretary of State's office.

Background

The City of Burlington Bike Path Rehabilitation project proposes the rehabilitation of the seven and one half mile shared-use path that runs through downtown Burlington from Austin Drive near Oakledge Park to the Winooski River (Sections 1 to 16). The Client would like this project to be completed on an accelerated schedule with construction of the 1.7-mile component from Perkins Pier to North Beach scheduled in 2014 (Sections 6 to 10). Wherever possible, the VHB Team will look to complete tasks in parallel and/or expedite processes in keeping with this schedule. Following is a Scope of Services for Phase A and Phase B.

Project Approach

Following is a discussion of the project development steps required for the three phases of the LTF Process, as well as the specific approach VHB will take for this project:

- Phase A – Project Definition
- Phase B – Project Design
- Phase C – Construction

The following task can be modified in terms of sequence to best suit this project after a thorough discussion during the Pre-Design Workshop.

Project Definition (Phase A)

While this project already has a defined need, has incorporated extensive public outreach, and has completed a majority of effort related to Phase A during previous studies, it must still be developed in a process that ensures that the proposed course of action meets appropriate design and funding criteria. This process includes identifying environmental and cultural resources in the area while developing the alternative solutions. All projects are expected to be technically sound, well-designed, cost-effective, and compatible with their surroundings with solicited input from local citizens. Following is an outline of the remainder of the LTF project development process necessary for the definition phase of the project that takes design through Phase A and the completion of 25% Conceptual Design Plans.

Predesign Workshop

At the outset of the project, VHB will schedule a Predesign Workshop with members of the City of Burlington Department of Parks and Recreation (DPR), Department of Public Works (DPW), the Chittenden County Regional Planning Commission (CCRPC), and other required stakeholders as deemed appropriate by the City. This workshop is intended to kick off the project and develop a mutual understanding of project goals, schedule milestones, regulatory requirements, and technical challenges to address as a priority. The roles and expectations for all attendees as well as the specifics of the project development process will be discussed at this meeting and protocols will be agreed upon for any variations in the LTF process. VHB will plan to chair the meeting, organize and present information, and distribute meeting notes with the City's oversight.

Local Concerns Meeting (LCM)

This is the first of three public meetings to give local citizens a chance to comment on the project. This meeting is considered to have been completed already for this project through previous work by the City and has been documented through the 2012 Feasibility Study. No services are needed under this agreement.

Purpose and Need Statement

VHB will review the project's Purpose and Need (P&N) Statement as presented in the 2012 Feasibility Study. Some of the key points discussed in the 2012 P&N statement include upgrading the path to current design standards, improving the path's ability to attract and host visitors, improve safety on the path, enhance connectivity, addressing residential concerns, and preserving the path as a local treasure. The P&N is the backbone of the project development process that will not describe a solution or the preferred alternative, but will be written so that the needs and goals of the project are clearly defined. Without a well-defined P&N Statement, it can be difficult to establish reasonable, prudent, and practicable alternatives as required by the federal funding process. VHB will adjust the P&N statement as needed, and with City concurrence, to ensure that it clearly justifies that the corrective efforts are worthy of the expenditure of public funds.

Data Collection: Topographic and Right-of-Way Survey, Base Plan Preparation, and Utility Location

The VHB Team will acquire all survey, prepare base plans, and identify any possible utility conflicts for the proposed work in accordance with VTrans standards. This will include ROW information

collected in the field, referring to the 2012 Feasibility Study, and data research at the City offices for facilitating potential temporary and/or permanent property easements and acquisitions. The survey work will be completed by VHB surveyors for compliance with standard VTrans protocols. The project area has been surveyed in the past for the 2002 Feasibility Study and if this information is available it will be reviewed and evaluated to determine whether a predominately new survey is needed.

The survey work will be completed in MicroStation format. The limits of survey include a corridor of approximately 7.5 miles and a width of 25 feet centered on the existing bike path. All survey work shall be performed under the supervision of a Vermont Licensed Land Surveyor.

Prior to survey, individual property owners will be notified by letter written on VHB letterhead which introduces the surveyors and informs the property owners of the survey schedule. VHB will notify the City prior to performing survey. All work within the railroad ROW requires advance notification to the railroad and must be in conformance with all State and Federal regulations (including the use of railroad flaggers). These survey efforts will require coordination with VTR to provide railroad flagger assistance and worker protection on the railroad right-of-way between train schedules. VHB will coordinate with any necessary officials including a representative from VTR, the Burlington Police Department, or anyone else who may be appropriate to coordinate rail or roadway traffic control during survey of intersections of the path, railroad, and roadway.

Permanent vertical and horizontal ground control will be established in the field and documentation will be done in accordance with VTrans standards. The survey will be referenced horizontally to the North American Datum of 1983 [NAD 83 (1996)] and vertically to the North American Vertical Datum of 1988 (NAVD 1988).

The survey data will be imported into MicroStation using current VTrans Standards and will create a 3-dimensional digital terrain model (DTM) as well as an annotated base plan showing all the existing detail. VHB will collect necessary data utilizing the City's GIS system to graphically depict the Right-of-Way boundary and abutting parcel lines. Approximate existing property lines and owners names will be added to the base plan. Three copies of the survey plots will be provided to the City at a 1" = 50' scale. After the initial plot, an engineering field review will be completed to verify the survey plot and to identify additional engineering related survey needs.

VHB proposes a phased effort for survey services to include Phase 1: Topographic Survey and Base Map, Phase 2: Utility Survey for Section 6-10, and Phase 3: Right-of-Way (ROW) Survey for Sections 6-10. Phase 1 will consist of topographic survey and base plan preparation for the entire project limits, from Section 1 to Section 16. A topographic base plan with one foot intervals will be generated. Phase 2 will locate and/or verify the location of subsurface utilities within the project limits for Sections 6 to 10 of the bike path to the maximum extent practicable and will depict these utilities on the plans in relation to survey control points. VHB will locate and/or verify the location of subsurface utilities within the project limits to the maximum extent practicable and will depict these utilities on the plans in relation to survey control points. Underground utility information shall include horizontal and vertical location, facility size and type, and ownership. Local electric power, natural gas, cable television, and telephone companies will be contacted to provide preliminary information such as size, type, configuration and general location of any existing or



planned underground pipes, ducts, underground vaults, transformers, pedestals, switch boxes, etc.

Underground utilities will be identified based on information available from property owners, City records and visible field evidence. Phase 3 will include ROW survey for the final design Sections 6 to 10.

Natural Resources Field and Desktop Investigations

To complement the base information for project permitting and design, VHB will perform field investigations for natural resources for bike path Sections 1 to 16. The delineation of jurisdictional wetlands and the ordinary high water (OHW) for streams bisecting the bike path will be carried out in accordance with US Army Corps of Engineers (USACE) guidance and the delineation of top of bank (TOB) in accordance with Vermont Agency of Natural Resources (ANR) Stream Buffer Guidance. The width of the study area for wetland and stream delineation will be 75 feet from the edge of the bike path pavement or the outer edge of any associated ditch or embankment. These investigations will help identify any potential constraints or considerations for widening the bike path and installing any associated infrastructure such as stormwater treatment practices, lighting, signage, and so on. VHB assumes that this effort would result in the first comprehensive wetland delineation of the bike path. However, VHB will assess any pre-existing wetland delineation information for accuracy and will incorporate pertinent information into the project database. During delineation fieldwork, VHB will GPS-locate delineation flagging and collect the data required per federal and state delineation and classification protocols. VHB will coordinate a joint field visit as necessary with the USACE and staff from the Vermont Department of Environmental Conservation (DEC) Wetlands Program and Rivers Program.

VHB will also conduct a survey for vernal pools within the investigation area described above during the 2013 wetland delineation but no later than mid-May. The survey will include sampling of inundated depressions for faunal species whose presence typically defines a vernal pool, using a 75-foot investigation area (as measure from the project limits) when forested conditions are present. The USACE, New England District definition of vernal pool fauna, in combination with the Vermont Wildlife Diversity Program (WDP) parameters, will be used to define or discount vernal pool habitat. If present, vernal pool limits will be flagged and GPS-located, and the pertinent data collected to describe biotic and abiotic features of the pool and surrounding envelope. This scope includes one additional day to field verify any questionable areas. If the date upon which notice to-proceed with this agreement is received does not allow sufficient time to complete the vernal pool survey in 2013, it will be completed in the spring of 2014. However, potential vernal pools would be earmarked for 2014 investigation during the 2013 field campaign. Because the highly developed conditions within Sections 6-10 likely preclude the presence of vernal pools, such a delay should not affect the development of final design plans.

VHB may require access to parcels beyond the project right-of-way in order to complete the wetland survey (e.g., apparent wetlands between Blodgett Oven Company and bike path on west side of fence). VHB will coordinate with the City to acquire permission to enter such areas in

advance of performing the delineation. If permission is denied, the limits of wetland areas will be approximated using available information and field observations from publically accessible areas.

VHB will perform a formal desktop query of the WDP database for known element occurrences (EOs) of rare, threatened or endangered (RTE) species or significant natural communities, and will include a natural community review during the aforementioned wetland and stream field survey. Based on the preliminary assessment, VHB will conduct a targeted search of the investigation areas focusing on potential suitable habitat areas that are proposed for permanent disturbance to identify specific threatened or endangered plant species, and significant or rare natural community types. The search will focus on those Vermont or Federal threatened and endangered species or significant community types that are known by the WDP within the project vicinity. These surveys, if necessary, will be conducted during the appropriate time for that species in 2013. We assume that targeted surveys for plants would require that surveys be completed in two separate timeframes, based on the appropriate survey window for the particular suite of target species. Habitat-level surveys for rare RTE animal species will be carried out at this time. No detailed population surveys are proposed.

The results from each field and desktop investigation described above will be reported in a summary technical report which will also provide a description of the individual survey methods. Included will be pertinent data forms, site mapping, resource summary spreadsheets, site photographs or other information pertinent to the studies. This technical report will be included as part of the Resource Investigation Report, which will subsequently be used to support the process of compliance with the National Environmental Policy Act (NEPA) as described below. This same report can act as an appendix for other state and federal permit applications.

Hazardous Waste Assessment

Based on the information provided in the 2012 Feasibility Report, it is understood that a number of hazardous waste sites and generators are present near the bike path in the southern portion of the project area. VHB will query online databases maintained by the DEC to ensure the most up-to-date publically available information is reviewed for each site. To document any potential Oil and Hazardous Materials (OHM) concerns identified in the database search, VHB will review available DEC files to provide more information about reported OHM on or adjacent to the project area. The DEC files may provide additional information regarding the degree and extent of contamination that may be present in soil or groundwater in the project vicinity; past ownership; historic land use in the project area; past usage, storage and disposal of OHM on and adjacent to the project area; and other evidence of potential environmental impacts. VHB will review documents including any prior Environmental Site Assessments, if applicable and/or available for review. VHB will also evaluate applicable reports on file at the DEC from active or closed hazardous sites, spills, or USTs that are identified in the project area, to obtain maps, plans, reports, and data describing the known location, degree, and extent of hazardous materials, and contaminated soil and groundwater. VHB will acquire from the City any applicable reports describing OHM concerns within the project corridor, Corrective Action Plans, and so on.



Based on the information obtained from the hazardous waste assessment, VHB will develop a Health and Safety Plan for implementation during project construction, as described below in Phase B.

Historic and Archeological Resources

The 2012 Feasibility Study assumes that the findings of the 2002 study remain valid; that there are no significant historic or archaeological resources within the project corridor. However, the 2002 study noted that there are 16 locations that are sensitive for prehistoric archeological sites and recommends a Phase I study in advance of construction to confirm.

VHB will consult with Scott Newman, VTrans Historic Preservation Officer (HPO), to confirm that project alternatives would have no effect on historic properties. VHB will prepare a brief Determination of No Effect letter for VTrans HPO concurrence. VHB will review the Archeological Resources Assessment (ARA) prepared for the 2002 Feasibility Study to determine the likelihood of project alternatives resulting in impacts to archeological resources. VHB will then consult with Jeannine Russell, VTrans Archeology Officer to discuss the project and the implications of the findings of previous studies of archaeological resources, the possible need for additional studies (e.g., Phase I Site Identification Survey), and the ramifications of potential impacts with respect to Section 106 of the National Historic Preservation Act (NHPA). Because the physical extent and number of potential Phase I study sites is unknown at this time, such work is not included in this scope of services. These services can be provided as required.

Outreach to the VTrans HPO and the Environmental Program Manager for the Federal Highway Administration (FHWA) will also confirm that the rehabilitation of the bike path will not result in the use of a Section 4(f) resource or require a Section 4(f) Evaluation. This assumption is based on the fact that there would be no proposed change in use and, because the bike path was originally constructed using federal dollars, it was subject to the FHWA's *Negative Declaration/Section 4(f) Statement and Determination for Independent Bikeway or Walkway Construction Projects*.

Alternatives Investigation

This first step in evaluating options will be undertaken with a consideration of all input received to-date from previous studies, the City, public, and other entities. Various alternatives will be investigated before a preferred alternative is recommended and selected for individual sections of the bike path. It may be possible that we will break the Bike Path into discrete components that may or may not conform with the 16 Sections of the Feasibility Study, or may agglomerate them as it is undefined at this point whether a different alternative will be proposed for each of the 16 sections as previously designated. Alternatives will be developed using appropriate design standards, guidelines, and specifications. The findings of the alternatives investigation will be submitted in a formal report.

Natural resources and potential environmental concerns in the project area that will be identified within the formal report will include the following major criteria applicable to this project:

- Wetlands and Waters of the U.S.
- Navigable Waters
- Special Flood Hazard Areas

- Rare, Threatened, or Endangered Plants and Animals (or suitable habitat)
- Significant Natural Communities and Necessary Wildlife Habitat
- Section 4(f) Properties
- Historic and Archaeological Resources
- Stormwater Management Options
- Hazardous Waste Sites

In addition to identifying the possible resource impacts, VHB will provide a summary of possible permit needs for each of the alternatives investigated.

VHB will develop concept sketch plans for each of the proposed alternatives.

Resource Identification Report

Prior to the Alternatives Presentation Meeting, VHB will prepare a draft Resource Identification Report (RIR) which will include a summary of all resources that may have an effect on the alternatives, a resource identification map that delineates resource locations and any relevant correspondence with state and federal agencies pertaining to resources. The City and other appropriate entities recommended by the City will have an opportunity to review and comment on the report prior to VHB providing a final version. The RIR will assist with the determination of the appropriate level of documentation required for compliance with NEPA requirements.

Alternatives Presentation Meeting

VHB will present the outcome of the alternatives investigation at an Alternatives Presentation Meeting with the City and other necessary stakeholders to solicit public input and comment. This meeting will be publicly advertised and minutes will be recorded. An evaluation matrix of alternatives and the concept plans with supporting documentation will be presented in the form of a slideshow at this time.

Preferred Alternative Selection

The desired outcome of the efforts up to this point is for the selection of a preferred alternative for each section of the bike path. A summary of the material presented at the alternatives presentation meeting and supporting documentation will be compiled into a document for the file which can be used for any potential funding pursuits. This information will be the basis for the completion of the conceptual plans (25%) as well. The preferred alternatives for each section will be identified with a clear explanation as to why it is preferred. These alternatives will coincide with the alternatives recommendations from the Burlington Bike Path Crossings Study which VHB is advancing in parallel with this project for the CCRPC.

MicroStation and CADD Requirements

Municipalities are generally required to use the most recent version of Bentley Systems MicroStation engineering design software when the proposed project will have impacts on state ROW. VTrans has developed this requirement to ensure that the electronic files are compatible with its electronic archival system. It is still unknown whether this project will have any significant effect on the state railroad ROW, but VHB has assumed that MicroStation is the preferred

software platform for this project. VHB is well-versed with MicroStation and will assist team members with maintaining state standards. VHB also is proficient in using AutoCAD software as our clients are split approximately 50/50 in the use of these two design tools for developing plans, and our team can convert files over to this platform for final City electronic file storage if requested.

Conceptual (25%) Plans

Once the preferred alternative has been approved, VHB will develop conceptual plans for sections 1-16 (Oakledge Park to the Winooski River) of the bike path. These plans will be based on the 3-dimensional topographic survey and include the following elements:

- Title Page
- Typical Bike Path Sections
- Base Plan showing Bike Path Centerlines
- Placemaking Concepts
- Construction Limits and Existing Right-of-Way Delineation
- Mapping and Identification of Environmental Resources
- Pavement Structure Thickness Design
- Traffic Control
- Crossing Improvements (from the CCRPC Crossing Study Project)
- Status of existing and proposed ROW limits and property bounds
- Conceptual Drainage Plan and Profile Sheets

VHB will submit the draft Conceptual Plans for review and approval and schedule a comment review meeting to discuss changes to the plans and facilitate revisions as needed to finalize the Conceptual Plans. Once approval is received from the City, VHB will request a public informational meeting to present the conceptual plans.

Phase I Archeological Site Identification Survey

Based on the limits of disturbance determined for the conceptual plans and earlier coordination with the VTrans Archeology Officer, VHB will coordinate with the latter to determine the Area of Potential Effect (APE) for project improvements and determine if a Phase I Site Identification Survey(s) is required for any location within the APE. Because VHB cannot predict this outcome at this point, this scope of services does not include any Phase I surveys. VHB or another entity qualified to perform this work as a subconsultant to VHB (e.g., University of Vermont Consulting Archaeology Program) can provide these services as required and with City approval.

Compliance with the National Environmental Policy Act (NEPA)

All projects that involve a federal action must meet the requirements of the National Environmental Policy Act of 1969 (NEPA). Should Federal Highway Administration (FHWA) allocated funds to this project, NEPA compliance and documentation will be required. There are three classes of actions that prescribe the level of documentation required in the NEPA process:

- Categorical Exclusion (CE)
- Environmental Assessment (EA)
- Environmental Impact Statement (EIS)

The rehabilitation of the Bike Path would likely meet the FHWA criteria for a CE per 23 CFR Part 771 (c)(3): *Construction of bicycle and pedestrian lanes, paths, and facilities*. The 2012 Feasibility Study contains information that would assist in the completion of the CE checklist for the project. Additional necessary details regarding potential impacts to natural resources and associated state regulatory processes and permits would be informed by VHB's geospatial database and field surveys performed under preceding tasks. VHB will complete the CE checklist and develop supporting mapping, memoranda, or reports to support the project's eligibility for a CE.

Circumstances that can render a project ineligible for a CE typically include the likelihood of impacts to endangered species, protected cultural sites, and wetlands. This project does not seem to fall outside the generally accepted limits of a CE, as any resources impacts should be capable of being mitigated to FHWA satisfaction. VHB has extensive experience with the full NEPA process to include CEs, EAs, and EISs if the project is required to proceed beyond a CE level of permitting.

VHB will perform outreach to state and federal agencies as necessary to gather any input required to complete the CE Evaluation Checklist currently used by the VTrans Environmental Section.

Agencies include, at a minimum:

- US Environmental Protection Agency
- US Army Corps of Engineers
- US Fish and Wildlife Service
- National Marine Fisheries Service
- Vermont Agency of Natural Resources
 - DEC Wetlands Program
 - DEC Rivers Program
 - DEC Stormwater Program
 - DEC Waste Management Division
- Vermont Division for Historic Preservation
- Vermont Fish and Wildlife Department
- Chittenden County Regional Planning Commission
- Others as identified by FHWA, VTrans or the Town

A variety of previously completed investigations and studies will provide much of the information necessary to complete this task, including:

- the RIR completed by VHB
- the 2002 and 2012 Feasibility Studies

These documents will be included as appendices to the CE Environmental Analysis Sheet. VHB will also determine the effects of any temporary detour(s) required during bike path rehabilitation and develop any necessary plans to be attached to the CE documentation. The CE Environmental Analysis Sheet will be populated with narrative support as necessary to describe the potential effects of the project on each resource.

A number of resource impact topics within the Environmental Analysis Sheet do not apply to the project or would experience minimal impacts during construction. Accordingly, no detailed evaluation of these resources is proposed. These include:

- Air Quality
- Noise
- Agricultural Land
- Social and Economic Concerns
- Aesthetic Concerns

Other Permit Requirements

VHB will also evaluate Act 250 permit requirements. It is anticipated that this project will fall under the 10-acre threshold for impacts and that a Jurisdictional Opinion can be obtained that confirms that no Act 250 permitting will be required. It is also assumed that no lands will be involved that have been acquired or have been improved in whole or in part using monies from the Land and Water Conservation Fund (LWCF). Therefore, no lands would be involved that are subject to Section 6(f) of the Land and Water Conservation Act and thus no mitigation for conversion of such lands would be required. VHB will secure mapping from the City or the Vermont Department of Forests, Parks & Recreation (the administrator of the LWCF) to confirm that this is the case.

Other permits that are currently anticipated and that will be confirmed at this time include:

- Section 404 of the Clean Water Act (USACE)
- Section 401 of the Clean Water Act (Water Quality Certification from DEC)
- Vermont Wetland Individual Permit from the DEC Wetland Program
- Construction Phase Stormwater Discharge Permit from the DEC Stormwater Program
- Operational Phase Stormwater Discharge Permit from the DEC Stormwater Program
- Authorization from the City and DEC Rivers Program for Special Flood Hazard Area (SFHA) encroachment.

Public Informational Meeting

VHB will present the final approved Conceptual Plans to the public at a meeting with the City to solicit input and comment. This meeting will be publicly warned and minutes will be recorded. Any comments needing plan revisions will be addressed in the 60% Plans during Phase B of the project.

Completion of Project Definition (Phase A)

Completion of all the above steps will signify the end of the project definition process (Phase A).

Project Design (Phase B)

Once VHB receives an authorization to proceed with Phase B work, the following steps will be completed:

Preliminary (60%) Plans

VHB will develop plans at this stage in order to initiate contact with any affected utility companies and obtain any additional project permits. This level of plan development is essentially equivalent to the VTrans Project Development "preliminary plan" stage. VHB will provide the following features on the plans: bike path width and depth transitions, path barriers, cut-fill limits, drives, intersection approaches, drainage and stormwater management approaches/facilities, rail details, erosion prevention and sediment control (EPSC), traffic signs, pavement markings, lighting, signalization and detours. All cross sections will be templated and construction limits and notes will be placed on the general plans sheets. In addition, an itemized quantity sheet will be developed and included in the plans.

VHB will prepare a construction cost estimate to accompany the 60% design plans for the design and construction of all sections 1-16.

Geotechnical Explorations

Geotechnical investigations will be made at this point by GeoDesign, Inc. to determine the design of structural foundations for retaining walls. A more detailed scope of work from GeoDesign, Inc. is attached here.

Pavement Rehabilitation and Design

A condition assessment for each segment will give input for the detailed consideration for existing pavement distresses and possible causes of these distresses. The pavement distresses will be evaluated based on severity and extent during the initial site visit. VHB will use the Road Manager 2000™ computer software as the tool for analyzing the distress conditions of the subject segments. The segments designated from VHB's pavement distress survey may not coincide with the 16 sections established on the path. The pavement condition index (PCI) will be assessed from individual numerical ratings for each deficiency found. The more pronounced and abundant pavement defects the lower the PCI. On a scale from 0 to 100, an index of "0" would typify the serviceability of a near gravel type roadway, whereas an index of "100" would typify a near perfect, newly paved or constructed pavement.



During the site visit, forty (40) test pits will be located for future subsurface sampling and testing. VHB will obtain Dig Safe permits and approval. No other permits or approvals are included. The need or expense to obtain a Bond is not included in the scope. VHB will perform a photo log of existing pavement and establish a Pavement Condition Index (PCI) rating for VHB assigned pavement areas.

Pavement Material Testing & Soil Analysis

Traffic control is anticipated to be established with traffic cones and warning signs. The cones and signs shall be set up to warn pedestrian traffic approaching from both directions and shall be set up to delineate the work zone. VHB cannot guarantee safe and adequate passage for pedestrians around the work zone. Pedestrians who pass the work zone do so at their own risk. Any additional flaggers, signs, equipment or details will require additional fees. Pavement test pit samples will be taken to obtain base, subbase, subgrade materials with a structural evaluation of the subgrade support using the dynamic cone penetrometer where possible. VHB's AASHTO Certified materials testing laboratory will evaluate the pavement and soils conditions by testing, to include forty (40) pavement test pits, 18" x 18" x 30"+/-, dispersed over the path or areas of widening in both distressed and non-distressed areas. Pavement test pits will be patched with existing gravel materials and industry standard cold patch.

VHB will remove each of the material layers in the pavement structure by layer sampling, based on American Society of Testing and Materials (ASTM) techniques, then bag and tag for shipment to VHB's AASHTO materials testing laboratory. In the laboratory, the materials will be evaluated for similar characteristics and a representative sample will be made on those materials prior to them being analyzed.

VHB will test the pavement materials for depth, classification, quality of base, subbase and subgrade. Provide American Association of State Highway and Transportation Officials (AASHTO) and Unified Soil Classification for the subgrade materials, including Atterberg Limits, all in accordance with ASTM or AASHTO criteria.

Evaluation of Findings/Recommendations

VHB will conduct an AASHTO Elastic Layer pavement design for the alternatives considered. Recommended alternatives will be evaluated based on considerations of life-cycle cost, maintenance, and rehabilitation or reconstruction options for each pavement area, for a proposed twenty year period. Traffic information, including the percentage of trucks will be the responsibility of VHB/Vermont. No automated traffic counts are anticipated or included.

A technical Pavement Engineering report will document the investigation, evaluation and recommendations for each section designated within project area. The development of technical specifications for the pavement materials is not anticipated and not included in this scope.

The information to be furnished by VHB is based upon selected sample areas, the number of samples based upon reasonable cost, from which these materials are utilized to form engineering judgments, assumptions, deductions, and to form conclusions for reports. No assurance is given that the materials have remained unchanged, nor will the samples necessarily be typical of other locations.

Utility Relocation

VHB does not anticipate significant private or public utility impacts as part of this project. VHB will consider present and future utility installations within the project corridor based upon input from the City representatives.

Existing ROW limits and appropriate clear zones will be clearly delineated on the plans for sections 6-10. The clear zone for a project delineates the area outside of which above-ground utility facilities must be located on a project. Preliminary plans will be provided to affected utilities with a request that existing utility facilities be plotted or their locations verified.

VHB will assist the City in preparing any utility agreements necessary for the project as requested using a VTrans shell Utility Relocation Agreement.

Environmental Analysis and Permit Applications

Permits or sign-offs will be obtained at this 60% stage in the project development process for the final design Sections 6-10. The following permits are anticipated to be required. All permit processing or administrative fees levied by the agencies are the responsibility of the City.

Department of the Army Section 404/Section 10

VHB assumes that the project will require the placement of fill materials into Lake Champlain below the ordinary high water (OHW) mark at select locations. For Sections 6-10 (slated for final design), some encroachment may be required to address shoreline erosion in close proximity to the bike path. For Section 4 (Barge Canal Beach to Treatment Plant), more extensive fill below OHW may be required if the bike path is widened lakeward. The discharge of fill materials into Lake Champlain over an area of up to 5,000 square feet can be authorized under the Vermont General Permit. Once that threshold is exceeded (for either temporary or permanent impacts), an Individual Permit would be required. Though the rehabilitation of the bike path will be phased over time, the USACE must review such projects for their anticipated overall impact (i.e., Sections 1 to 16).

Based on the likelihood that temporary and/or permanent impacts below OHW at Section 4 will exceed 5,000 square feet, VHB assumes that a Department of the Army Section 404 Individual Permit (IP) will be required. VHB will conduct one pre-application meeting with the USACE, with invitations extended to the Environmental Protection Agency (EPA), US Fish and Wildlife Service (USFWS), and the Department of Environmental Conservation (DEC) Wetlands Program and Lakes and Ponds Management and Protection Program, as well as various City of Burlington departments and the Conservation Board. VHB will prepare all necessary IP application materials, including the ENG 4345 form, natural resource information, data sheets, abutter notification forms, impact exhibits, and associated mapping. The preliminary (60%) plans will form the basis for the impact calculation.

IP applications typically require the preparation of an alternatives analysis, which summarizes the steps taken by the applicant to ensure the project has avoided impacts to wetlands and waters of the US to the extent practicable and has minimized those impacts that are unavoidable. The alternatives analysis presents justification for the project being the least environmentally damaging practicable alternative (LEDPA). For this project, VHB assumes that the USACE will not

require an evaluation of project-wide alternatives but will be concerned only with those areas where impacts are proposed. For example, should impacts be proposed at Section 4 due to lakeward expansion of the bike path footprint, what other alternatives were evaluated and why they were inappropriate would be discussed. The alternatives analysis will take the form of a standalone written report with map support.

Based on the precedent established in Permit No. NAE-2009-0587 for the proposed Moran Center at Waterfront Park, no mitigation will be required for impacts below OHW in Lake Champlain (i.e., unvegetated open-water wetlands). Due to the nature of the project as rehabilitation on existing alignment, direct (permanent) and temporary impacts to vegetated wetlands are considered unlikely. However, should any temporary or permanent impacts occur to vegetated wetlands as a result of the project, the USACE will require compensatory mitigation. This scope of work assumes that such mitigation would be addressed via a payment made or arranged by the City into the Ducks Unlimited In-Lieu Fee Program (DU-ILF). No other means of compensatory mitigation is proposed by this scope of services.

Section 401 Water Quality Certification

Coincident with the preparation of the 404 IP application, VHB will prepare and submit an application to the DEC Watershed Management Division requesting an Individual Section 401 Water Quality Certification. The required form and format for Individual 401 Water Quality Certification will be used, and that information developed/compiled as part of the 404 IP application can be substantially utilized. The application would consist of the DEC form and a brief supporting project narrative. Project design plans, details, EPSC plans, and impact information developed for the 404 IP application will be utilized.

Included with this task are one pre-application site visit, if necessary, with DEC Watershed Management Division. This task includes written response to one round of DEC comments assumed to be minor and text-based. It is assumed that DU-ILF mitigation (if required) and/or DEC-issued stormwater permits will be satisfactory for 401 WQC issuance and that no further mitigation will be required.

This task does not include any baseline (pre-construction) water quality monitoring or post-construction monitoring plan development, or technical hearing preparation or attendance.

DEC Wetland Permit

It is unlikely that rehabilitation of the bike path will result in direct impacts to wetlands regulated by the state. However, impacts to Class II wetland buffers may occur in the case of bike path widening. Wetland and/or wetland buffer impacts that are not considered an Allowed Use will require a Vermont Wetland Permit (VWP) pursuant to the Vermont Wetland Rules. Whether a general permit or individual permit will be required cannot be ascertained at this time. However, because of the relatively low impact thresholds established by DEC, it is likely that an IP will be required. In support of the Project's anticipated application for an individual VWP, VHB will:

- participate in one pre-application coordination meeting with the ANR, Wetlands Program project managers;

- complete and submit the required VWP application, along with all required supporting information to the DEC Wetlands Program office, pertinent municipalities, and regional planning commission(s);
- participate in one agency review site meeting;
- respond to one round of comments from the DEC and the City.

Encroachment in Special Flood Hazard Areas

The placement of fill within Lake Champlain for either shoreline stabilization or to widen the bike path (e.g., Section 4) will result in an encroachment within Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA) Zone AE (1% annual chance of flood, 102 feet NAVD88). Also, portions of the bike path near the Water Treatment Plant lie within this same zone. Therefore, rehabilitation of the surface may result in some change in topographic contours within the SFHA.

National Flood Insurance Program (NFIP) regulations (44 CFR §60.3) require that a permit from the City be obtained for any development in a FEMA-mapped floodplain. City ordinance places FEMA-mapped SFHA's within the Natural Resource Protection Overlay District (NR District), and District-Specific Regulations are in place that govern development. Vermont law (24 VSA §4424) requires that all municipal permit applications for floodplain development be sent to the DEC Rivers Program for a review and comment.

VHB will prepare a plan sheet(s) that satisfy the requirements of both the DEC Development Review Submission Checklist and the NR-District Specific Regulations, including (but not limited to):

- existing and proposed contours/elevations in the same datum as the most recent NFIP Flood Insurance Rate Map (or with a datum conversion);
- the location and extent of any proposed fill;
- NFIP floodway delineation; and
- NFIP Floodway Fringe delineation.

VHB will complete the DEC Development Review Submission Checklist and submit the materials to the DEC River Program and the City's Development Review Board (DRB). VHB will evaluate the possibility of securing a variance for SFHA encroachment and pursue such a variance if eligible. If a variance is not possible, VHB assumes that hydraulic modeling and a no-rise certification will not be required to obtain permission for encroachment in Zone AE. This task includes one meeting with / hearing before the Development Review Board.

Construction Stormwater Discharge Permit

VHB will prepare an EPSC plan set for Sections 6-10 in accordance with DEC Stormwater Program requirements. In addition, for the purposes of submitting a complete application to the DEC Stormwater Program, VHB will also be preparing the following supporting materials:

- Cover letter
- Notice of Intent (NOI) form



- EPSC Plan Narrative
- EPSC Plan Summary Form
- Site map with proposed limits of disturbance (LOD) and adjacent water resource areas
- Soils map

Operational Stormwater Discharge Permit

Based on the stormwater management approaches/facilities developed for the preliminary plans, VHB will develop an operational phase stormwater management plan set and complete and submit an operational stormwater discharge permit application to the DEC Stormwater Program. This application will include the following supporting materials:

- Cover letter
- Notice of Intent (NOI) form
- Pre- and post-development watershed maps
- Pre- and post-development hydrologic modeling (via HydroCAD) output data
- Vermont Stormwater Management Manual (VSMM) worksheets and calculations
- Site map
- Soils map

A permit that may be required but cannot be confirmed at this time is an Endangered and Threatened Species Takings Permit from the Vermont Fish and Wildlife Department (VTFWD). In addition, a Stream Alteration Permit from the DEC Rivers Program is not anticipated to be required unless culvert replacement is proposed (e.g., Blanchard Beach).

A Shoreland Encroachment Permit from the DEC Lakes and Ponds Management and Protection Section is not anticipated, as it is unlikely that the project would be found to have an adverse effect on the public good.

Property Owner Visits

Upon receipt of information from affected utility companies in sections 6-10, VHB will incorporate that any relocation routes are incorporated into the plans. Property owner visits for any impacted owners in sections 6-10 will be scheduled with the City to explain the project and its impact on their property. VHB and the affected utility company representatives generally participate in these property owner meetings.

Right-of-Way Acquisition

The project is ready to enter this phase of the project development process for sections 6-10 once the following is complete:

- Environmental Document (CE)
- ROW Authorization

It is anticipated that the project will require minimal ROW acquisition. In the event that there is necessary acquisition, the project must follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended 49 CFR – Part 24 (Uniform Act), as the responsibility for ensuring that the provisions of the Uniform Act are met rest with the City. VHB is well-versed with ROW procedures and property acquisition process and has experience assisting VTrans with this process and will assist the City as requested.

Right-of-Way Plans

ROW work will be completed in compliance with VTrans procedures. VHB will prepare detailed ROW plans including researching title abstract data and details relating to water and sewer systems, city easements, property line locations, railroad, right-of-way, driveways, etc. The plans will show the proposed centerline of the bike path, existing ROW limits, construction limits, temporary and permanent easements, and any proposed taking lines.

Appraisals and Appraisals Review

Appraisals and appraisal reviews will be handled directly by the City with the VHB Team's assistance.

Re-Evaluation of the Categorical Exclusion

Any changes to the project scope, construction limits, impacts, or to any proposed mitigation since issuance of the Categorical Exclusion will need to be documented and submitted to the City. It is worth noting that changes to the project or a time frame greater than three years since the Categorical Exclusion was approved, may necessitate re-evaluation of the Categorical Exclusion by VTrans and the Federal Highway Administration.

Final (85%) Plans

VHB will prepare Final Plans for only sections 6-10 of the bike path (Perkins Pier to North Beach) and incorporate any changes required by permitting agencies, the ROW acquisition process and final utility relocation. Right-of-Way plan sheets will be included, identifying the proposed acquisition lines. These plans will show final design details along with an updated listing of quantities and will be accompanied by an updated construction cost estimate, specifications and special provisions. The specifications will include material testing and sampling requirements in keeping with the latest VTrans Material Sampling Manual (MSM).

Contract (100%) Plans

VHB will prepare contract plans for sections 6-10 incorporating any final changes since the review and acceptance of the Final (85%) plans. All changes will be documented and formal Responses to Comments will be provided. Contract specifications, special provisions and a final construction cost estimate will be provided.

Upon completion of the Contract Plans, VHB will review all project documents and assemble the final submittal package for City and VTrans review. The Environmental Document will be current and all right-of-way will be cleared. Applicable permits will be obtained and accounted for. The Design and Utility Clearance Certificate will be signed and sent to the City.

Health and Safety Plan

VHB will develop a site-specific worker Health and Safety Plan (HASP) meeting OSHA and EPA requirements, to be included with the bid documents for contractors to follow in order to comply with worker protection requirements in the event that oil or hazardous material contamination is likely to be encountered during construction.

The HASP will address hazard identification and risk analysis, site controls, personal protective equipment, monitoring, decontamination, emergency procedures, communication, and other health and safety issues as applicable to the project.

Bidding Services

Following the acceptance of the Final Submission including Contract Documents, and following approval by the City to advertise the project for construction, VHB will assist with bidding the project. VHB will provide any necessary addenda to respond to questions that are received from prospective bidders during the bid period.

Construction (Phase C)

VHB does not anticipate providing any construction assistance through this scope of work.

DRAFT

Part I

Attachment B

Cost Estimate

Burlington Bike Path Rehabilitation

COST ESTIMATE SUMMARY SHEET

VHB	City of Burlington, VT Cost Summary Burlington Bike Path Rehabilitation Phase A and B Services				
	TASK DESCRIPTION	Cost Summary			
VHB Labor:					
<u>Total Hours</u>	<u>Total Hours</u>	<u>Direct Labor</u>	<u>Overhead (156.77%)</u>	<u>Fee (10%)</u>	<u>TOTAL</u>
Project Management	144	\$6,560.00	\$10,284.11	\$1,684.41	\$18,528.52
Graphics, Visualization, and Public Meetings	196	\$6,056.00	\$9,493.99	\$1,555.00	\$17,104.99
Survey (Topographical and Utility Location) Underground Utility Survey	736	\$19,271.72	\$30,212.28	\$4,948.40	\$54,432.40
		Lump sum cost from Underground Utility Locators:			\$5,000.00
Pavement Design	480	\$21,610.00	\$33,878.00	\$5,548.80	\$61,036.80
NEPA Permitting	545	\$16,421.00	\$25,743.20	\$4,216.42	\$46,380.62
Bike/Ped Engineering	1182	\$38,674.00	\$60,629.23	\$9,930.32	\$109,233.55
General Environmental Analysis and Permits	715	\$21,967.00	\$34,437.67	\$5,640.47	\$62,045.14
Right-of-Way Process	212	\$6,604.00	\$10,353.09	\$1,695.71	\$18,652.80
Project Advertisement	70	\$2,708.00	\$4,245.33	\$695.33	\$7,648.66
Sub-Total:	4,280	\$139,871.72	\$219,276.90	\$35,914.86	\$400,063.48
Subconsultants and VHB Direct Expenses:					
GeoDesign, Inc.					
Geotechnical Engineering					\$41,078.00
Direct Expenses (Incl. Borings):					\$31,085.00
				Sub-Total:	\$72,163.00
SE Group					
Landscape Architecture & Placemaking Design					\$40,270.00
Direct Expenses					\$1,200.00
				Sub-Total:	\$41,470.00
VHB Direct Expenses (see separate sheet breakdown)					\$15,890.00
Project Total:					\$529,586.48

PROJECT MANAGEMENT
 Estimated Direct Labor Hours and Costs

<p align="center">VHB</p>		<p align="center">City of Burlington, VT Project Management - Cost Summary Burlington Bike Path Rehabilitation</p>									
		TASK DESCRIPTION	Director / Project Manager	Task Manager	Senior Project Engineer	Project Engineer	Staff Engineer	CADD/ GIS Tech.	Admin.	Total Hours	Direct Labor Costs
PHASE A - Project Definition											
PROJECT MANAGEMENT											
Assume 8 months at a minimum of 4 hours per week		64				64			16	144	\$ 6,560.00
TOTAL HOURS:		64	0	0	0	64	0	16	22.00	144	
DIRECT HOURLY RATES:		70.00	55.00	43.00	35.00	27.00	25.00	22.00			
TOTAL LABOR COSTS:		\$ 4,480.00	\$ -	\$ -	\$ -	\$ 1,728.00	\$ -	\$ 352.00			\$ 6,560.00

Graphics, Visualization, and Public Meetings

Estimated Direct Labor Hours and Costs

<div style="font-size: 2em; font-weight: bold; margin-bottom: 10px;">VAB</div>		City of Burlington, VT Graphics, Visualization, and Public Meetings - Cost Summary Burlington Bike Path Rehabilitation						
TASK DESCRIPTION	Director/ Project Manager	Task Manager	Senior Project Engineer	Project Engineer	Staff Engineer	CADD/ GIS Tech.	Total Hours	Direct Labor Costs
PHASE A - Project Definition								
LOCAL CONCERNS MEETING Graphics, Visualization, and Preparation								
ALTERNATIVES PRESENTATION MEETING Graphics, Visualization, and Preparation	8			8	24	64	104	\$3,988.00
PUBLIC INFORMATIONAL MEETING Graphics, Visualization, and Preparation	12			8	24	48	92	\$2,968.00
TOTAL HOURS:	20	0	0	16	48	112	196	
DIRECT HOURLY RATES:	70.00	55.00	43.00	35.00	27.00	25.00		
TOTAL LABOR COSTS:	\$ 1,400.00	\$ -	\$ -	\$ 560.00	\$ 1,296.00	\$ 2,800.00		\$ 6,056.00

SURVEY

Estimated Direct Labor Hours and Costs

City of Burlington, VT Survey - Cost Summary Burlington Bike Path Rehabilitation



TASK DESCRIPTION		Director / Project Manager	Project Manager	Project Surveyor	Project Surveyor/CADD	Surveyor Field/Work/Research	Admin	Total Hours	Direct Labor Costs
PHASE A - Project Definition									
1.01	Topographic Survey (Sections 1-16)								
1.01.1	Coordination		8					8	\$373.92
1.01.2	Topographic Survey		4	16	8	16	4	48	\$1,271.92
1.01.3	Horizontal/Vertical Control		16	160	100	160		436	\$11,437.44
1.01.4	Existing Utility Survey		12	16	16	16	4	64	\$1,869.84
2.01	Detailed Utility Survey (Sections 6-10)								
2.01.1	Underground Utility Survey								\$5,000.00
Lump sum cost from Underground Utility Locators									
3.01	ROW Survey (Sections 6-10)								
3.01.1	Existing ROW Survey			60	24	80	16	180	\$4,318.60
TOTAL HOURS:		0	40	252	148	272	24	736	
DIRECT HOURLY RATES:		70.00	46.74	29.31	28.00	20.00	18.00		
TOTAL LABOR COSTS:		\$ -	\$ 1,869.60	\$ 7,386.12	\$ 4,144.00	\$ 5,440.00	\$ 432.00		\$ 19,271.72

PAVEMENT DESIGN ENGINEERING
Estimated Direct Labor Hours and Costs

City of Burlington, VT
Pavement Design - Cost Summary
Burlington Bike Path Rehabilitation



TASK DESCRIPTION	Project Manager	Operations Manager	Senior Project Engineer	Pavement Technician	Pavement Technician	Pavement Engineer	Pavement Technician OT	Total Hours	Direct Labor Costs
PHASE B - Project Design									
1.01 Project Meetings									
1.01.1 Attend and Document Pre-design Meeting with City and Planning Commission	16	1						17	\$800.00
1.01.2 Project Administration and Attendance at City/Task Force Meetings (Assume 2)	8	8	16					32	\$1,248.00
1.02 Existing Pavement Conditions & Pavement Segmenting									
1.02.1 Field Distress Survey	1		16			8		25	\$880.00
1.02.2 Locate and Mark Test pits			8					8	\$304.00
1.02.3 Obtain Dig Site Permits		8	8					16	\$560.00
1.03 Test Pit Sampling									
1.03.1 Test Pit Sampling		4		40	40		16	100	\$2,568.00
1.04 Laboratory Testing & Reporting									
1.04.1 Laboratory Testing		8		70	16			94	\$2,358.00
1.04.2 Laboratory Reporting		16	40					56	\$2,032.00
1.04.3 Soil Disposal				4	4			8	\$188.00
1.05 AASHTO Pavement Designs & Recommendations									
1.05.1 Design Alternatives	4		64			16		84	\$3,072.00
1.05.2 Pavement Recommendations			32					32	\$1,216.00
1.06 QA									
1.06.1 Design Review	8							8	\$384.00
TOTAL:	37	45	184	114	60	24	16	480	\$15,610.00
TOTAL HOURS:	37	45	184	114	60	24	16	480	
DIRECT HOURLY RATES:	48.00	32.00	38.00	25.00	22.00	28.00	35.00		
TOTAL LABOR COSTS:	\$ 1,776.00	\$ 1,440.00	\$ 6,992.00	\$ 2,850.00	\$ 1,320.00	\$ 672.00	\$ 560.00		\$15,610.00
DIRECT EXPENSES:									\$6,000.00
TOTAL LABOR & DIRECT EXPENSES:									\$21,610.00

NEPA PERMITTING
 Estimated Direct Labor Hours and Costs

VHB
 City of Burlington, VT
 NEPA Permitting - Cost Summary
 Burlington Bike Path Rehabilitation

TASK DESCRIPTION	Project Manager	Sr. Proj. Engineer/ Task Manager	Sr. Engineer/ Scientist	Engineer/ Scientist	Sci/Eng Technician	Technician/ Admin	Total Hours	Direct Labor Costs
PHASE A - Project Definition								
Natural Resources Field and Desktop Investigations								
1.01		6		20			26	\$750.00
1.01.1		14		48	40		102	\$2,582.00
1.01.2		20		14	12		46	\$1,476.00
1.01.3		12		52		8	73	\$1,978.00
1.01.4	1	10		4			14	\$546.00
1.01.5								
2.01 Hazardous Waste Assessment								
2.01.1		16		32			48	\$1,488.00
3.01 Historic and Archeological Resources								
3.01.1		18					18	\$810.00
3.01.2		12	8				20	\$796.00
3.01.3		4	2				6	\$244.00
4.01 Resource Identification Report								
4.01.1		6	6	36		4	52	\$1,386.00
4.01.2		4		8			12	\$372.00

NEPA PERMITTING
Estimated Direct Labor Hours and Costs

VHB
 City of Burlington, VT
NEPA Permitting - Cost Summary
 Burlington Bike Path Rehabilitation

TASK DESCRIPTION	Project Manager	Sr. Proj. Engineer/Task Manager	Sr. Engineer/Scientist	Engineer/Scientist	Sci/Eng Technician	Technician/Admin	Total Hours	Direct Labor Costs
5.01								
5.01.1 Phase I Archeological Site Identification Survey (no survey proposed) Coordination with VTrans Archeology Officer to Determine Need for Further Study		10	4				14	\$546.00
6.01								
6.01.1 Compliance with the National Environmental Policy Act (NEPA, if required) Agency Outreach and Coordination		8			6	2	16	\$510.00
6.01.2 Compile Available Data and Prepare CE Appendices		2	2		12	6	22	\$468.00
6.01.3 Develop Traffic Management Strategies		8	8				16	\$616.00
6.01.4 Complete CE Checklist		6	14				20	\$606.00
6.01.5 Respond to Comments from VTrans, FHWA, and the City		4	6				10	\$324.00
6.01.6 Submit Final RIR		2	4			6	12	\$276.00
7.01								
7.01.1 Other Permit Requirements Prepare Summary of Anticipated Permit Requirements Prepare Jurisdictional Opinion Request and Coordinate with Dist. Comm.	1	1	8	4			14	\$180.00 \$467.00
TOTAL HOURS:	2	167	32	248	70	26	545	
DIRECT HOURLY RATES:	70.00	45.00	32.00	24.00	20.00	15.00		
TOTAL LABOR COSTS:	\$ 140.00	\$ 7,515.00	\$ 1,024.00	\$ 5,952.00	\$ 1,400.00	\$ 390.00		\$ 16,421.00

BIKE/PEDESTRIAN ENGINEERING
 Estimated Direct Labor Hours and Costs

City of Burlington, VT
 Bike/Pedestrian Engineering - Cost Summary
 Burlington Bike Path Rehabilitation



TASK DESCRIPTION		Director / Project Manager	Task Manager	Senior Project Engineer	Staff Engineer	CADD/ GIS Techn.	Total Items	Direct Labor Costs	
PHASE A - Project Definition									
1.01	Pre-design Workshop						16	\$868.00	
1.01.1	Prepare for, Attend, and Document Pre-design Conference with City, CCRPC, VTTrans, and others	4	8		4				
1.02	Local Concerns Meeting								
1.02.1	Prepare for, Attend, and Document Local Concerns Meeting		Included in previous phase						
1.03	Purpose & Need Statement						2	\$122.00	
1.03.1	Revise P&N Statement		2						
1.04	Data Collection/Base Plan Preparation						12	\$404.00	
1.04.1	Field Review (see separate Survey sheet for Topographic and ROW Survey)			8	4				
1.04.2	Prepare Base Plans for Use in Design Phases			2	4	16	22	\$544.00	
1.05	Alternatives Investigations						128	\$4,148.00	
1.05.1	Develop Alternatives for Sections 1-16	4	12	32	40	40	30	\$842.00	
1.05.2	Develop Approximate Construction Footprint for Each Alternative		2	4	8	16	18	\$626.00	
1.05.3	Estimate Construction Costs and Impacts for Each Alternative		2	8	8		15	\$596.00	
1.05.4	Contribute to Evaluation Matrix and Written Description of Pros and Cons for Each Alternative	1	2	8	4				
1.06	Alternatives Presentation Meeting						20	\$628.00	
1.06.1	Prepare for, Attend, and Document Alternatives Presentation Meeting		4		8	8	22	\$710.00	
1.06.2	Modify Pre-Conceptual Plans Based on Meeting, and Document the Selection of Preferred Alternative		2	8	4				
1.07	Develop Conceptual Bike Path Plans						7	\$344.00	
1.07.1	Confirm Bike Path Design Criteria with City and VTTrans	1	2	4	4		16	\$482.00	
1.07.2	Develop Conceptual Typical Bike Path Sections		2	2	4	8	84	\$2,372.00	
1.07.3	Develop Plan Sheets Showing Bike Path Centerline		4	16	24	40	19	\$571.00	
1.07.4	Incorporate Conceptual Landscape Architecture Design (Design by SE Group)		1	2	8	8	10	\$344.00	
1.07.5	Conceptual Drainage & Stormwater Management Design		2	2	4	2	22	\$658.00	
1.07.6	Define Bike Path and Roadway Construction Limits		2	4	8	8	7	\$237.00	
1.07.7	Pavement Structure Design (see separate Pavement sheet)		1	2	4		42	\$1,178.00	
1.07.8	Develop Conceptual Construction Paving/Traffic Control Plans		2	8	8	24	22	\$674.00	
1.07.9	Prepare Conceptual Bike Path Construction Cost Estimate		2	4	16		26	\$882.00	
1.07.10	Conceptual Design Submission, including QAVQC		4	8	6	8	46	\$2,208.00	
1.07.11	Coordination Meetings (3)	18	4	8	16		586	\$19,388.00	
	PHASE A TOTAL:	23	60	130	182	186			

BIKE/PEDESTRIAN ENGINEERING
Estimated Direct Labor Hours and Costs



City of Burlington, VT
Bike/Pedestrian Engineering - Cost Summary
 Burlington Bike Path Rehabilitation

TASK DESCRIPTION	Director / Project Manager	Task Manager	Senior Project Engineer	Staff Engineer	CADD/GIS Tech.	Total Hours	Direct Labor Costs
PHASE B - Project Design							
2.01 Develop Preliminary Bike Path Plans							
2.01.1 Develop Preliminary Typical, Plan, and Cross Section Sheets	2	8	40	48	48	146	\$4,452.00
2.01.2 Incorporate Preliminary Landscape Architecture Design (Design by SE Group)		2		4	8	14	\$406.00
2.01.3 Develop Preliminary Construction Phasing/Traffic Control Plans		4	4	4	16	28	\$864.00
2.01.4 Prepare Preliminary Bike Path Construction Cost Estimate		4	24	40	8	76	\$2,340.00
2.01.5 Preliminary Design Submission, including QA/QC	2	4	8	8	4	26	\$980.00
2.01.6 Develop Color Presentation Plans and Meeting Materials for Public Information Meeting	2	4		4	4	14	\$576.00
2.01.7 Present Preliminary Design Plans at Public Information Meeting and Document Proceedings	4	4		8		16	\$724.00
3.01 Develop Final Bike Path Plans							
3.01.1 Develop Final Typical, Plan, and Profile Sheets	2	4	16	20	32	74	\$2,228.00
3.01.2 Incorporate Final Landscape Architecture Design (Design by SE Group)		2		4	8	14	\$406.00
3.01.3 Develop Final Construction Phasing/Traffic Control Plans		4		8	8	20	\$628.00
3.01.4 Prepare Final Design Specifications	2	4	8	16	12	42	\$1,364.00
3.01.5 Prepare Final Bike Path Construction Cost Estimate		4		8		12	\$444.00
3.01.6 Final Design Submission, including QA/QC	4	4	8	8	16	40	\$1,396.00
4.01 Develop Contract Plans and Specifications							
4.01.1 Develop Contract Typical, Plan, and Profile Sheets		8		16	16	40	\$1,256.00
4.01.2 Prepare Contract Bike Path Construction Cost Estimate		2		4	4	10	\$314.00
4.01.3 Contract Design Submission, including QA/QC	4	4		8	8	24	\$908.00
PHASE B TOTAL :	22	66	108	208	192	596	\$19,286.00
TOTAL HOURS:	50	126	238	390	378	1182	\$38,674.00
DIRECT HOURLY RATES :	70.00	61.00	38.00	25.00	23.00		
TOTAL LABOR COSTS :	\$ 3,500.00	\$ 7,686.00	\$ 9,044.00	\$ 9,750.00	\$ 8,694.00		\$ 38,674.00

GENERAL ENVIRONMENTAL ANALYSIS AND PERMITS

Estimated Direct Labor Hours and Costs

City of Burlington, VT

General Environmental Analysis and Permits - Cost Summary

Burlington Bike Path Rehabilitation



TASK DESCRIPTION		PM/ Historic Preservation Planner	Senior Engineer/ Task Manager	Sr. Engineer/ Scientist	Engineer/ Scientist	Sci/Eng Technician	Technician/ Admin	Total Hours	Direct Labor Costs
Phase B - Project Design									
1.01	Section 404 / Section 10 Individual Permit Application								
1.01.1	Prepare for and Attend Pre-Application Meeting	1	8					9	\$430.00
1.01.2	Prepare Application Forms, Impact Exhibits, and Supporting Materials		8	52	8	2		70	\$1,798.00
1.01.3	Prepare Alternatives Analysis		12	6				22	\$812.00
1.01.4	Respond to City and Agencies Review	1	2					3	\$160.00
1.01.5	Prepare for and Attend City and Agency Site Visit		12	4		6		22	\$726.00
2.01	Section 401 Water Quality Certification								
2.01.1	Prepare for and Attend Pre-Application Meeting		4					8	\$276.00
2.01.2	Prepare Application Forms, Impact Exhibits, and Supporting Materials	1	8	40		6		55	\$1,480.00
2.01.3	Respond to City and DEC Review		2	16				18	\$474.00
2.01.4	Submit Revised Materials and Coordinate with DEC		4	4		2		10	\$306.00
3.01	DEC Vermont Individual Wetland Permit								
3.01.1	Prepare for Pre-Application Meeting (attendance assumed joint under Task 1.01.1)		2					2	\$90.00
3.01.2	Prepare Application Forms, Impact Exhibits, and Supporting Materials	1	16	40		4		61	\$1,810.00
3.01.3	Respond to City and Agencies Review		2	42		2		46	\$1,128.00
3.01.4	Submit Revised Materials and Coordinate with DEC		4	8		2		14	\$402.00
3.01.5	Prepare Distribution Materials						4	4	\$60.00
4.01	Encroachment in Special Flood Hazard Areas (SFHA)								
4.01.1	Prepare Site Plan(s) for Areas of SFHA Encroachment		4	16				20	\$692.00
4.01.2	Prepare Narrative Description of Encroachment		2	8	4			14	\$442.00
4.01.3	Complete DEC Development Review Submission Checklist		8	4				12	\$488.00
4.01.4	Prepare for an Attend DRB Meeting / Hearing		2	8	2	12		24	\$634.00
4.01.5	Respond to DRB and DEC Review		1	8				9	\$301.00
4.01.6	Submit Revised Materials and Coordinate with DRB / DEC	1	2	8		4		14	\$476.00

GENERAL ENVIRONMENTAL ANALYSIS AND PERMITS
 Estimated Direct Labor Hours and Costs

City of Burlington, VT

General Environmental Analysis and Permits - Cost Summary

Burlington Bike Path Rehabilitation

VHB

TASK DESCRIPTION		PM/ Historic Preservation Planner	Senior Project Engineer/ Task Manager	St. Engineer/ Scientist	Engineer/ Scientist	Sci/Eng Technician	Technician/ Admin	Total Hours	Direct Labor Costs
5.01	Construction Stormwater Discharge Permit								
5.01.1	Develop EPSC Plan Set		4	24				28	\$948.00
5.01.2	Prepare Cover Letter, NOI, EPSC Plan Narrative, EPSC Plan Summary Form		4	12	12		4	32	\$912.00
5.01.3	Prepare Supporting GIS-Based Maps (soils, water resources, etc.) and Risk Eval.			4	8			12	\$320.00
5.01.4	Respond to City and DEC Review		4	8	4			16	\$532.00
5.01.5	Submit Revised Materials and Coordinate with DEC	1	4	8			2	15	\$536.00
6.01	Operational Stormwater Discharge Permit								
6.01.1	Develop Stormwater Management Plan Set		4	40				44	\$1,460.00
6.01.2	Prepare Pre/Post-Development Watershed Mapping			4	4			8	\$224.00
6.01.3	Perform Pre/Post-Development Hydrologic Modeling (HydroCAD)			32	2			34	\$1,072.00
6.01.4	Complete VSMW Worksheets and Calculations			16				16	\$512.00
6.01.5	Prepare Supporting GIS-Based Maps			4	4			8	\$224.00
6.01.6	Prepare Cover Letter, NOI, Stormwater Management Plan Narrative		4	16	2			22	\$740.00
6.01.7	Respond to City and DEC Review		4	24	2			30	\$996.00
6.01.8	Submit Revised Materials and Coordinate with DEC	1	4	8				13	\$506.00
PHASE B TOTAL :		7	135	256	260	20	38	715	\$21,967.00
TOTAL HOURS:		7	135	256	260	20	38	715	
DIRECT HOURLY RATES :		70.00	45.00	32.00	24.00	20.00	15.00		
TOTAL LABOR COSTS :		\$ 490.00	\$ 6,075.00	\$ 8,192.00	\$ 6,240.00	\$ 400.00	\$ 570.00		\$21,967.00

RIGHT OF WAY PROCESS
Estimated Direct Labor Hours and Costs


City of Burlington, VT

Right of Way Process - Cost Summary
Burlington Bike Path Rehabilitation



TASK DESCRIPTION	Director / Project Manager	Task Manager	Senior Project Engineer	Project Engineer	Staff Engineer	Admin	Total Hours	Direct Labor Costs
Phase B - Project Design								
1.01 Property Owner Visits								
1.01.1 Project Administration and Correspondence	4	8			8		20	\$800.00
1.01.2 Contact Property Owners and Set Up Meetings		4			32		36	\$820.00
1.01.3 Preparation for Meetings	2	8			16		26	\$820.00
1.01.4 Travel and Meeting Time		40			40		80	\$2,600.00
2.01 Appraisals and Appraisals Review								
2.01.1 Assist the City as needed for Appraisals and Review	2	8		8	16		34	\$1,012.00
3.01 Right-of-Way Plans								
3.01.1 Incorporate ROW on Final Plans		8		8			16	\$532.00
PHASE B TOTAL:	8	76	0	16	112	0	212	\$6,604.00
TOTAL HOURS:	8	76	0	16	112	0	212	
DIRECT HOURLY RATES:	70.00	45.00	32.00	24.00	20.00	15.00		
TOTAL LABOR COSTS:	\$ 560.00	\$ 3,420.00	\$ -	\$ 384.00	\$ 2,740.00	\$ -		\$6,604.00

PROJECT ADVERTISEMENT SUPPORT
 Estimated Direct Labor Hours and Costs

		City of Burlington, VT Advertisement - Cost Summary Burlington Bike Path Rehabilitation									
		TASK DESCRIPTION	Director / Project Manager	Task Manager	Senior Project Engineer	Project Engineer	Staff Engineer	CADD/ GIS Tech.	Admin.	Total Hours	Direct Labor Costs
PROJECT ADVERTISEMENT SUPPORT											
1.01	Project Advertisement Support										
1.01.1	Develop Contract Documents	2	8			24			34	\$1,228.00	
1.01.2	Advertise Project	2	4			4			10	\$468.00	
1.01.3	Addenda and Response to Questions	2	8			16			26	\$1,012.00	
	TOTAL HOURS:	6	20	0	0	44	0	0	70		
	DIRECT HOURLY RATES:	70.00	55.00	43.00	35.00	27.00	25.00	22.00			
	TOTAL LABOR COSTS:	\$ 420.00	\$ 1,100.00	\$ -	\$ -	\$ 1,188.00	\$ -	\$ -		\$ 2,708.00	

Part I

Attachment C

Sub Consultant Scopes of Work and Fees

Burlington Bike Path Rehabilitation

CITY OF BURLINGTON

Rehabilitation of Burlington Bike Path

SE GROUP - Scope of Work

Phase 1.0 – Preliminary Design / Master Plan – Entire Bike Path Sections 1-16

The purpose for Phase 1 of the project is to develop a master plan for amenities and improvements along the entire length of the Burlington Bike Path (Sections 1-16), leveraging the original scoping analysis completed by the City. The Master Plan will develop, in graphical form, recommendations for these amenities and improvements and will serve as the basis for developing a more refined cost estimate. The Phase will also include several public meetings (3) and coordination with the City and the other consultants to assure the project workflow is maintained according to schedule.

Task A: Meetings and Project Kick-Off

This first phase includes SE Group attendance at the initial “kick-off” meeting where schedules, deliverables and specific strategic guidance on the development of the master plan will be discussed. SE Group will also work with VHB to develop a project base plan for all design work. SE Group staff will tour the entire bike path, photo-documenting existing conditions with particular emphasis on how the pathway intersects with neighborhoods, parks and the road network. The goal is to develop a solid understanding of the current setting in context with the surroundings.

Also during this phase SE Group will review the previously completed Bike Path scoping analysis and confirm its role in defining the design program for the master plan; identifying opportunities for design and character elements.

Task B: Design Themes and Amenities

Our next phase of work will explore general design themes and amenities that might be considered as part of the master plan. Even at this earliest point, these themes (expressed through the use of image boards and sketches) can be helpful to get input from the City on the general trajectory for the master plan. The types of themes that will be explored will respond to the existing conditions, identified opportunities and our insight on ways to provide cohesion within the bike path experience through design.

Task C: Concept Master Plan

The majority of the effort under Phase 1 will be expended on developing a conceptual master plan. Working with input from the City and the public engagement process, we will develop a system wide plan that addresses the identified design theme and amenities. Presented graphically with vignettes highlighting specific improvements/enhancements, the concept master plan will present a vision for the rehabilitation of the bike path. Our work will be closely coordinated with VHB to assure that any design element is responsive to structural or civil improvements needed.

Task D: Final Master Plan

Following review of the Concept Master Plan with the City and any additional input gleaned from the public (if appropriate), SE Group will then work to finalize the concept into the final master plan. Building from the concept plan, the final will include some additional details to help solidify design options and provide a sound basis on which discussions over costing and phasing can occur. The final plan will include the overall path along with specific vignettes which identify areas of key improvements. All work will be coordinated with VHB to assure integration with structural, civil and environmental considerations.

Task E: Cost Estimates

Using the final master plan as the basis of the cost estimate, we will prepare a preliminary cost estimate based on the design and character elements scoped out through our work.

Task G: Project Management and Coordination

We anticipate attending up to (8) project coordination meetings during this phase of work.

CITY OF BURLINGTON, VERMONT
Rehabilitation of Burlington Bike Path

131 Church Street

Burlington Vermont 05401

TASK DESCRIPTION	Principal	Senior Landscape Architect / Project Manager	Landscape Architect	CAD Technician	Total Hours	Direct Labor Costs
1.0 Preliminary Design / Master Plan - Entire Bike Path Sections 1-16						
1.01 Attend Kickoff Meeting with VHB and City	4	4			8	\$1,020.00
1.02 Site visit, tour bike path and photo document	8	12	12	8	40	\$4,520.00
1.03 Develop Image Boards and Graphics For Design Themes and Amenities		20		20	40	\$4,200.00
1.04 Develop Concept Master Plan with City and VHB	16	35	35	35	121	\$13,200.00
1.05 Present Concept Master Plan For Design Themes and Amenities	4	8		12	24	\$2,500.00
1.06 Prepare Final Master Plan as per City and Committee Comments	4	35		35	74	\$7,850.00
1.07 Preliminary Cost Estimate for Landscape Features and Amenities	4	12		12	24	\$2,520.00
1.08 Public Meetings (3)	4	12		4	20	\$2,380.00
1.09 Project Management and Coordination Meetings (8)		16			16	\$2,080.00
Sub Totals :	40	154	47	126	367	\$40,270.00
TOTAL HOURS:	40	154	47	126		
DIRECT HOURLY RATES :	125.00	130.00	110.00	80.00		
TOTAL DIRECT LABOR COSTS : \$	5,090.00	\$ 20,020.00	\$ 5,170.00	\$ 10,090.00		\$40,270.00
ESTIMATED DIRECT EXPENSES						\$1,200.00
TOTAL						\$41,470.00

May 3, 2013
File No. 0837-069

Mark Colgan, P.E.
Vanasse Hangen Brustlin, Inc.
7056 US Route 7
P.O. Box 120
North Ferrisburgh, VT 05473

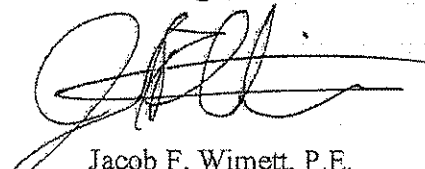
RE: Proposal for Geotechnical Engineering
Rehabilitation of the Burlington Bike Path – Burlington, VT

Dear Mark:

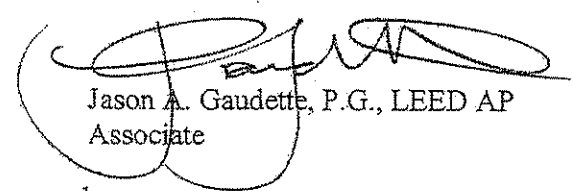
GeoDesign is pleased to submit this proposal to perform geotechnical engineering services for rehabilitation of the Burlington Bike Path in Burlington, Vermont. This proposal provides an engineering scope, associated fees, and anticipated schedule.

We appreciate the opportunity to be of service to you on this project and look forward to this collaboration. If you have any questions, please contact Jason A. Gaudette at 802-674-2033 (Ext. 205).

Sincerely,
GeoDesign, Inc.



Jacob F. Wimett, P.E.
Project Engineer



Jason A. Gaudette, P.G., LEED AP
Associate

Enclosures: Engineering Scope and Cost Proposal
Budget Breakdown Spreadsheet
VHB/GeoDesign Subconsultant Terms & Conditions

Submitted: One electronic copy via email.

PROPOSAL

REHABILITATION
OF THE
BURLINGTON
BIKE PATH

Burlington, VT

VANASSE HANGEN BRUSTLIN, INC.

Mr. Mark Colgan, P.E.

7056 U.S. Route 7

P.O. Box 120

North Ferrisburgh, VT 05473

May 3, 2013



G E O D E S I G N
I N C O R P O R A T E D

54 Main Street, P.O. Box 699, Windsor, Vermont 05089

(T) 802.674.2033, (F) 802.674.5943

GeoDesign Project Number: 837-69



Following VHB's email notice of award dated April 22, 2013, we have prepared this proposal for geotechnical engineering services for the captioned project.

The following information was available for download on the City of Burlington Department of Parks and Recreation website (<http://www.enjoyburlington.com>):

- Request for Engineering Qualifications issued by the City of Burlington Department of Parks and Recreation (dated March 8, 2013);
- 2012 Burlington Bike Path Fact Sheet;
- Public Forum Presentation presented March 24, 2012;
- Bike Path Improvement Feasibility Study Executive Summary, Report and Appendices prepared by RSG, Inc. (dated February 2012);
- Parts 1 through 4 of Island Line Sign and Amenities Plan prepared by Landworks (dated February 2005); and,
- Bike Path Improvement Feasibility Study prepared by Burlington Public Works (dated March 19, 2013).

For scoping anticipated geotechnical services for this project, we focused our review on RSG's February 2012 Feasibility Study and input from VHB based on our discussions following the notice of award.

Background

The City of Burlington (City) Bike Path has served an important role in the recreation, health, transportation, and tourism of the City and is known as the "crown jewel of the Queen City". As a result of several planning and feasibility studies conducted in the past decade, the City recognized that a comprehensive rehabilitation was past due.

To protect the bike path future, the City Council passed a resolution in September 2010 creating a 12-member Bike Path Task force to review the current status of the path and study the required improvements, and develop an action plan aimed at closing the funding gap while rehabilitating and upgrading the path to a world-class facility. The Burlington Bike Path Improvement Feasibility Study report prepared by RSG in February 2012 identified upgrades that satisfy current standards and improve safety, enhance user amenities, and raise its standing to a world-class regional trail.

Geotechnical Issues

We recognize that geotechnical issues vary widely for designing and constructing the proposed path improvements. Generally, the proposed new path width (11 feet paved with 2-foot limestone shoulders) raises geotechnical concerns in several areas. Based specifically on the



action items identified in the path improvement feasibility study and our understanding of VHB's scope of work, we expect our services will be based on the following geotechnical issues related to path improvements:

- geologic reconnaissance and development of treatment recommendations for stabilizing slopes subjected to localized erosion;
- consultation and input on hand-dug explorations, soil testing results, and pavement section recommendations performed and developed by VHB for rehabilitating the full-length of the path, including realignment areas;
- subsurface explorations, soil and groundwater characterization, soil contamination potential, and design parameter input for up to 5000 lineal feet of slope constraint areas with engineered improvement concepts (i.e., retaining walls) to be designed by VHB;
- subsurface explorations, soil contamination potential, design parameter input, and review of new boardwalk support options, and geotechnical recommendations for widening an approximately 1050-foot long section of the existing path at the barge canal seawall;
- subsurface explorations, soil contamination potential, and design parameter input for two approximately 500-foot long proposed retaining walls (one located north of the barge canal bridge and one west of the water treatment plant and north of Roundhouse Point) to be designed by VHB);
- input on drainage for improvement areas related to new path alignments, intersections, grades, slope treatment areas, and retaining walls (described above); and,
- review and input on geotechnical aspects of plans and specifications developed by VHB.

Scope of Services

We will perform the following scope of services:

1. ***Geologic Reconnaissance and Slope Treatment Review*** – We will perform a geologic site reconnaissance with emphasis on slope areas identified in RSG's February 2012 Feasibility Study as problematic. We anticipate this effort will consist of two days of review/evaluation by a Project Engineer, and one day of effort by our Project Manager. Specifically, we will review existing conditions at:
 - a. slope constraint areas where proposed path widening creates a conflict with the adjacent slope;
 - b. erosion areas behind Burlington College where footpaths connect with the woods; and,
 - c. near-shoreline areas approximately 0.5 miles north of the south overlook (between Starr Farm Beach and Northshore Drive) where slope stabilization improvements have already been completed.



We will document our findings with field notes and photographs, and provide a summary memorandum of recommendations for VHB's use in developing construction documents and slope treatment repair details. Recommendations may include addressing global slope stability with additional explorations and study, if deemed appropriate, that are currently excluded from our scope of work. We anticipate further study may be required at the near-shoreline areas given our familiarity with existing repairs and RSG's study notes.

We will also scope potential areas for subsurface explorations at the slope constraint areas during our geotechnical reconnaissance visits.

2. **Consultation/Input on Path Rehabilitation** – We understand VHB will explore along the existing path and new alignments with shallow, hand-dug test pits (anticipated to be 18" x 18" square to approximately three feet deep) and perform testing of collected soil samples. We will review subsurface exploration data, laboratory soil testing results, and pavement section recommendations developed by VHB on an as requested basis. We will provide input and recommendations in the form of brief memoranda and hand-marked up sketches. As requested, we will perform frost susceptibility analyses (up to six areas) using soil classifications and test results provided by VHB and performed by GeoDesign as part of our subsurface exploration and laboratory testing programs (described below).
3. **Subsurface Explorations** – We will coordinate and perform subsurface explorations at the new retaining wall areas, slope constraint areas, and for widening the existing path at the barge canal seawall. Prior to beginning explorations, we will make one site visit to layout proposed locations for Dig Safe and review drill rig access and potential utility conflicts. Explorations will consist of soil borings using either rubber tired or tracked equipment, and will supplement VHB's shallow test pits along the path. The purpose of the borings is to obtain soil and groundwater information deep enough for retaining wall design and for reviewing and selecting boardwalk support options at the seawall. We anticipate the subsurface exploration programs will consist of the following:
 - a. **Proposed Retaining Walls** – We will perform soil borings to supplement the existing subsurface data where appropriate to provide design criteria for two proposed ~500-foot long retaining walls, anticipated to be approximately +/- 5' high where the path grade will be raised to above flood zone levels. We understand these areas are located north of the barge canal bridge, and west of the water treatment plant and north of Roundhouse Point (as identified in RSG's study). We anticipate proposed retaining wall borings will be drilled to between approximately 10 and 20 feet deep and recommend an allowance for up to two days of drilling. Bedrock coring will not be performed.
 - b. **Constrained Slope Areas** – We will perform soil borings to supplement the existing subsurface data where appropriate to provide design criteria at areas of constrained slopes. We understand that there is up to 5000 lineal feet of constrained slopes located throughout the project at areas identified in Figure 22 of RSG's study. We anticipate these areas will require engineered solutions (i.e., retaining walls of varying heights) to address slope issues. We assume retaining walls will average approximately five feet tall, per RSG's study. We will identify slope constraint areas where borings will be



appropriate at the time of our geological reconnaissance visits. We anticipate proposed constrained slope area borings will be drilled to between approximately 10 and 20 feet deep and recommend an allowance for up to five days of drilling. Bedrock coring will not be performed.

- c. *Barge Canal Seawall* – We understand options for widening the path may include a pile supported boardwalk, metal decking cantilevered out from the existing wall, and widening/repaving over the existing seawall. Our exploration program will consist of up to three days of soil borings. Borings may extend up to 40 feet deep for evaluating soil bearing conditions depending on the support alternatives. Bedrock coring will not be performed.

For the proposed borings described in Tasks 3a., 3b., and 3c., a GeoDesign representative will be on-site full time to coordinate the exploration programs, observe the borings, log soil samples, and make adjustments to the exploration programs as the subsurface conditions become evident. As described above, we anticipate up to eight days may be required to complete our subsurface exploration programs at the retaining walls, slope constraint areas, and seawall area. We will subcontract a soil boring contractor to perform the work, call in Dig Safe, and coordinate drilling access and utility clearance with VHB and the City of Burlington.

4. *Geotechnical Laboratory Testing Allowance* – We have carried an allowance for soil laboratory testing. Testing will be performed as required by GeoDesign's soil testing laboratory, and/or by a soil testing laboratory subcontractor to characterize soil properties for frost susceptibility, retaining wall design, and excavation/disposal. Testing may include, but is not limited to:
 - a. Grain Size Analysis (washed sieve, hydrometer);
 - b. Moisture Contents;
 - c. Atterberg Limits Tests; and,
 - d. Environmental analytical testing for VOC, PAH, and RCRA8 Metal contaminants (up to 10 of each test).
5. *Geotechnical Reporting, Engineering, Input, & Consultation* – We recommend an allowance for geotechnical reporting, engineering, input, and consultation for the areas described above and possibly others described in RSG's February 2012 study. We will provide a geotechnical data report for the new retaining walls, slope constraint areas and barge canal sites to summarize our subsurface findings and laboratory test results. This data report will include our boring logs, laboratory test results, up to nine exploration location plans, and up to nine subsurface profiles. Engineering analysis for (i.e., bearing capacity, seismic site class, global stability, etc.) will not be included in our data report.

While not included in our data report, we anticipate providing geotechnical recommendations for foundation design criteria depending on the engineered solutions to be implemented at the



above identified areas. Our recommendations will be transmitted as needed in the form of memoranda and hand sketches.

In addition to the above, we anticipate providing our input in the form of memoranda, hand sketches, and mark-ups of drawings provided by VHB including, but not limited to, the following areas:

- a. new path alignments (assumes approximately 700 feet through Oakledge Park, bridge approaches south of Proctor Place;
 - b. new path intersections (assumes review of alternatives to improve the North Beach campground crossing and adjustments to vertical alignment at the North Ave. Ext. intersection); and,
 - c. drainage (assumes at new retaining wall and slope treatment areas and between the Moran Plant and dog park).
6. **Construction Document Review & Input** – We will provide input on geotechnical related aspects of the project plans and specifications developed by VHB for consistency with our subsurface findings and recommendations. Input will be focused on pavement section design, retaining wall design and seawall path widening, slope area treatments, and drainage. At this stage we recommend a general allowance for this task as final rehabilitation documents will depend heavily on findings and recommendations to be developed during the explorations and review of alternatives and options between VHB and GeoDesign.

Fees

We will perform these services on a cost plus fixed fee basis broken down, by task, as shown below and in the attached staff labor and direct expense estimates:

• Geologic Site Reconnaissance & Slope Area Review	\$6,000
• Consultation / Input for Path Rehabilitation Allowance	\$3,500
• Site Visit For Borehole Layout / Drill Access / Utility Scoping	\$1,400
• Subsurface Explorations for Proposed Retaining Walls:	
○ <i>Assumes 2 days Subcontractor Drilling</i>	<i>\$4,700</i>
○ <i>Full-Time Observation by GeoDesign</i>	<i>\$2,500</i>
• Subsurface Explorations for Slope Constraint Areas:	
○ <i>Assumes 5 days Subcontractor Drilling</i>	<i>\$11,300</i>
○ <i>Full-Time Observation by GeoDesign</i>	<i>\$6,200</i>
• Subsurface Explorations for Barge Canal Seawall:	
○ <i>Assumes 3 days Subcontractor Drilling</i>	<i>\$5,600</i>
○ <i>Full-Time Observation by GeoDesign</i>	<i>\$3,700</i>
• Laboratory Testing Allowance	\$7,000
• Geotechnical Reporting, Engineering, Input, & Consultation:	
○ <i>Compile Data Report for Retaining Walls/Slopes/Seawall</i>	<i>\$7,600</i>
○ <i>Engineering Analysis and Memo for Retaining Walls</i>	<i>\$2,100</i>



○ <i>Engineering Analysis and Memo for Slope Constraint Areas</i>	\$2,100
○ <i>Engineering Analysis and Memo for Seawall Widening</i>	\$2,100
○ <i>Engineering Analysis and Memo for New Path Alignments/ Intersections/Drainage</i>	\$2,900
● Construction Document Review Allowance	\$3,500

Assumptions

We have made the following assumptions for this proposal:

- All exploration locations are accessible by truck, ATV, or track mounted drilling equipment. Scope and fees for water based (barge) explorations are not included.
- All explorations can be performed consecutively (i.e., multiple mobilizations to the site are not required).
- VHB will coordinate access to borings with property owners adjacent to the project site to allow access for subsurface exploration equipment.
- Explorations for Barge Canal Seawall can be performed on the lake side of the bike path with an ATV mounted rig. If drilling on the bike path in this area where access is limited to eight feet in width is required, a specialized drill rig may be required that could result in additional fees.
- GeoDesign will perform one site visit to scope site access and possible utility conflicts and layout proposed borings. We will call in Dig Safe and coordinate utility clearance with the City of Burlington using existing utility plans provided by them. We assume that additional underground utility location (if needed) will be provided by others. Additional trips to clear locations or layout additional borings will result in additional fees.
- In accordance with IBC 2012, GeoDesign will provide staffing full time throughout soil boring operations.
- GeoDesign will provide field screening of samples with a PID, analytical environmental testing and reporting of soil contamination encountered in explorations. Any remedial design services, which may be required if contamination is encountered, are not included in this proposal.
- Proposed structure and retaining wall locations will be provided by VHB prior to commencing explorations.
- Boring locations will be surveyed in the field by VHB and GeoDesign will be provided a plan view with ground surface elevations at each location.
- All field surveying will be performed by others.
- Borings will be backfilled with auger cuttings (i.e., grout backfilling is not needed) and patched with asphalt patch on the bike path as required by City staff, (where appropriate).



- Up to five monitoring wells will be installed at locations agreed upon between GeoDesign and VHB. We have assumed up to 100 feet of well materials (e.g., well screen, solid riser, and backfill materials) may be required.
- Site reconnaissance and review of slope treatment areas will take two days to complete with one to two engineering staff.
- Exploration work will be completed in 2013 in non-winter conditions (i.e., above freezing temperatures and no ice).
- The time and extent of our subsurface exploration program depicted above is based on reaching suitable soils within proposed exploration days estimated. If unsuitable soils (i.e. non-engineered fill or loose natural soil) are present at anticipated borehole termination depths additional effort may be required resulting in an increase in fees from those proposed herein.
- Delay of explorations will result in additional time and expense beyond estimates listed in this proposal. Examples of uncontrolled delays include stoppages by VHB or the City of Burlington related to path usage or complaints. Exploration equipment breakdown will be the responsibility of the individual sub-contractors and will not increase exploration costs.
- Global slope stability analysis will not be required and is not included in our scope/fee.
- Settlement analysis in fine grained soils is not required and will not be a part of our scope/fee.

Schedule

We are prepared to begin our site reconnaissance within two weeks of receiving Notice to Proceed (NTP). We will prioritize field explorations with VHB and coordinate completion of soil borings on a mutually agreed upon schedule between GeoDesign, VHB, and the City of Burlington. We will provide draft boring logs within one week of completing field work and provide our geotechnical data report within four weeks of completing all explorations. Geotechnical memoranda will be provided on an agreed upon schedule as potential design concepts are advanced. Our input to plans and specifications will be provided on an as-requested basis and will be prioritized once path rehabilitation alternatives and designs are finalized.

Terms and Conditions

GeoDesign, Inc. will perform these services per the attached Subconsultant Terms and Conditions established between GeoDesign, Inc. and VHB.

Bike Path Rehabilitation
 Burlington, Vermont
 GeoDesign, Inc.
 Staff-Hour/Cost Estimate
 May 3, 2013

Scope Item	Principal	Associate	Sr. Project Engineer	Project Engineer	Engineer II	Word Processing/Clerical	Totals
Average Direct Hourly Rates by Category	\$74	\$46	\$35	\$31	\$28	\$25	
Geologic Reconnaissance / Slope Treatment Review		18		38		1	57
Consultation/Input on Path Rehabilitation	4	9		16			29
Digsite Layout / Rig Access / Utility Clearance		1		13			14
Slope Constraint Borings		5		50			55
Barge Canal Seawall Borings		3		30			33
Retaining Wall Borings		2		20			22
Slope Constraint / Seawall / Retaining Wall Data Compilation and Review		4.5		62			66.5
Slope Constraint / Seawall / Retaining Wall Data Report	1	2		8		4	15
Engineering Analysis and Memo for Slope Constraint Areas	1	3	4	12		1	21
Engineering Analysis and Memo for Retaining Walls	1	3	4	12		1	21
Engineering Analysis and Memo for Barge Canal Seawall	1	3	4	12		1	21
Engineering Analysis and Memo for Drainage and New Path Intersections/Alignments	1	5	6	15			27
Two Rounds of Plan and Spec Review	3	11		16			30
Total Labor Hours	12	70	18	304	0	8	412
Total Direct Labor Costs	\$888	\$3,197	\$630	\$9,424	\$0	\$200	\$14,339

Total Direct Labor Costs:	\$14,339
Overhead Costs (160.44%):	\$23,005
Direct & Overhead Subtotal:	\$37,344
10% Fixed Fee:	\$3,734
Direct Expenses :	\$31,085
Total:	\$72,163

Bike Path Rehabilitation – Burlington, Vermont
DIRECT EXPENSES COST ESTIMATE
GeoDesign, Inc.

May 3, 2013

Assumptions:

Field effort is calculated as follows (excluding oversight costs):

- Up to 3 staff-days (two days with one to two staff) for geologic site reconnaissance.
- Up to 1 staff-day of onsite utility clearance and accessibility review of exploration locations.
- Up to 3 staff-days of soil boring observation for the barge canal seawall.
- Up to 2 staff-days of soil boring observation for new retaining walls.
- Up to 5 staff-days of soil boring observation for slope constraint areas.
- Estimated 10 hours/day GeoDesign time and 8 hours/day driller time in the field for inspection.

Inspection / Field Testing Costs (Estimated)

- Mileage Windsor, VT to Burlington, VT round trip:
 - 204 miles x 2 trips x \$0.565/mile (Site Reconnaissance) = \$230
 - 204 miles x 1 trip x \$0.565/mile (Site Visit for Access and Utilities) = \$115
 - 204 miles x 2 trips x \$0.565/mile (Exploration Inspections) = \$230
 - Hotel - \$100/night x 8 nights (Exploration Inspections) = \$800
 - Per Diem - \$50/day x 8 days (Exploration Inspections)= \$400
- Subtotal (Including Contingency) \$1,775**

Private Utility Locator Costs (Estimated)

- Assumes Not Required
- Subtotal (Including Contingency) N/A**

Soil Boring Subcontractor Costs (Estimated)

- Drill Rig Mobilization/Demobilization (Assumes 1) = \$1,200
 - Barge Canal Seawall Drilling (8 hours/day) – \$1,500/day x 3 days = \$4,500
 - New Retaining Walls Drilling (8 hours/day) – \$1,500/day x 2 days = \$3,000
 - Slope Constraint Area Drilling (8 hours/day) - \$1,500/day x 5 days = \$7,500
 - Well Material (Assumes up to 8 wells for 160' total depth at \$13/foot) = \$2,080
 - Flush Mount Covers (Assumes 8 at \$150 each) = \$1,200
 - General Supplies Allowance (Asphalt Patch, Bentonite, etc.) = \$600
 - Per Diem - \$150/crew/day x 10 days = \$1,500
- Subtotal (Including Contingency) \$21,580**

Bike Path Rehabilitation – Burlington, Vermont
DIRECT EXPENSES COST ESTIMATE
GeoDesign, Inc.

May 3, 2013

Laboratory Testing Costs (Estimated)

• Sieve Hydrometer Grain Size Analysis (\$150/test x 15 tests) =	\$2,250
• Water Content Determination (Allowance for Multiple) =	\$500
• Atterberg Limits Testing (\$85/test x 10 tests) =	\$850
• Environmental Analytical Testing (Allowance)	
○ EPA 8260B VOC \$124/test x 10 tests =	\$1,240
○ EPA 8270 PAH \$124/test x 10 tests =	\$ 1,240
○ RCRA 8 Metals \$90/test x 10 tests =	\$900
Subtotal	\$6,980

Photoionization Detector (PID) Rental

• Assumes 10 days of Explorations (\$75/day x 10 days) =	\$750
Subtotal	\$750

Subtotal of Estimated Exploration & Laboratory Expenses **\$31,085**



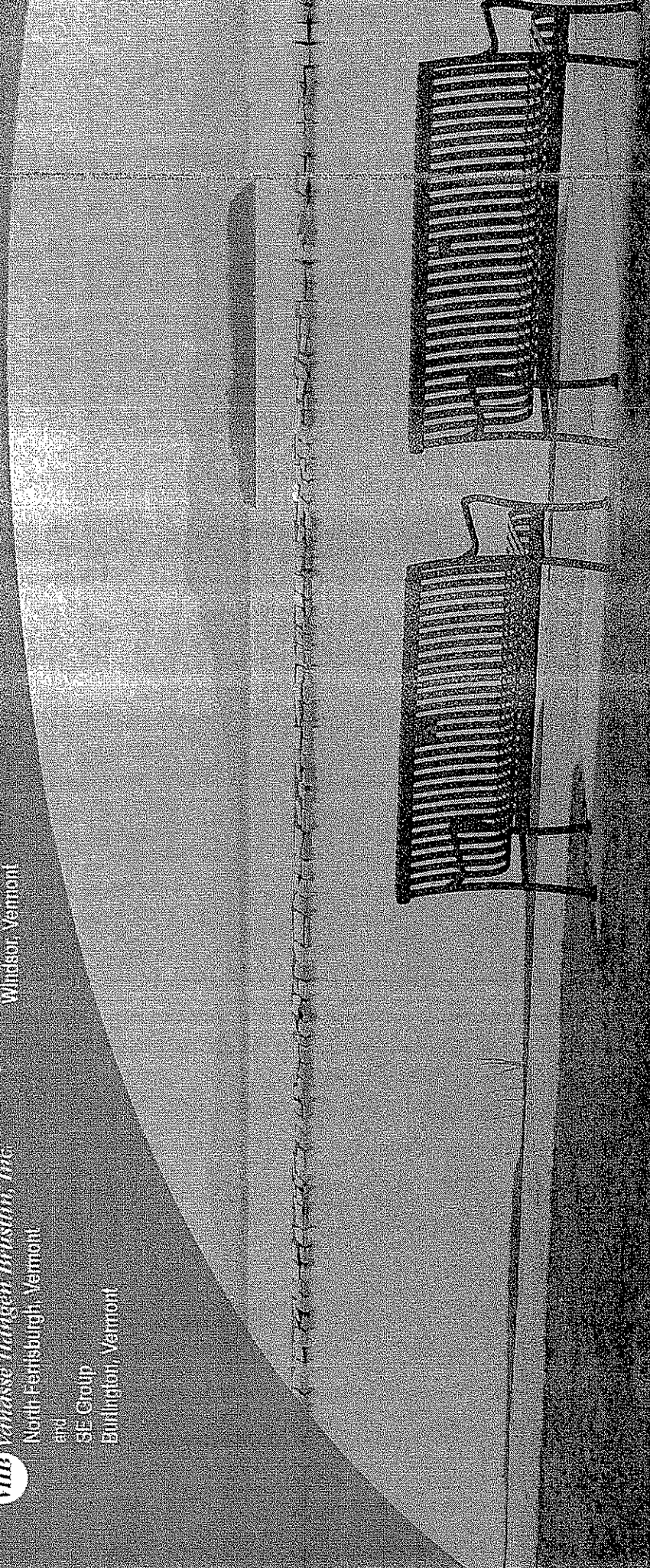
Presentation

Burlington Bike Path Rehabilitation

Presented to
Burlington Department of Parks and Recreation
Burlington, Vermont

Presented by
VIB *Vermont Hanger Brackets, Inc.*
North Ferrisburgh, Vermont
and
SE Group
Burlington, Vermont

In Association with
GeoDesign, Inc.
Windsor, Vermont



Project Team

- Mark Colgan – VHB Project Manager
- Greg Bakos – VHB Bike/Pedestrian Design Manager
- Erin Parizo – VHB Bike/Pedestrian Engineer
- Brad Ketterling – VHB Environmental Manager
- Michael Willard – SE Group Senior Landscape Architect

Burlington Bike Path Rehabilitation

VHB at a Glance:

- 900 Employees in 22 East Coast Offices
- 44 Professionals in North Ferrisburgh, VT
- Bike/Ped Design Since 1985

N. Ferrisburgh VT ★

S. Portland ME

Bedford NH

Wetfortown MA

Albany NY

Boston MA

Worcester MA

Springfield MA

Providence RI

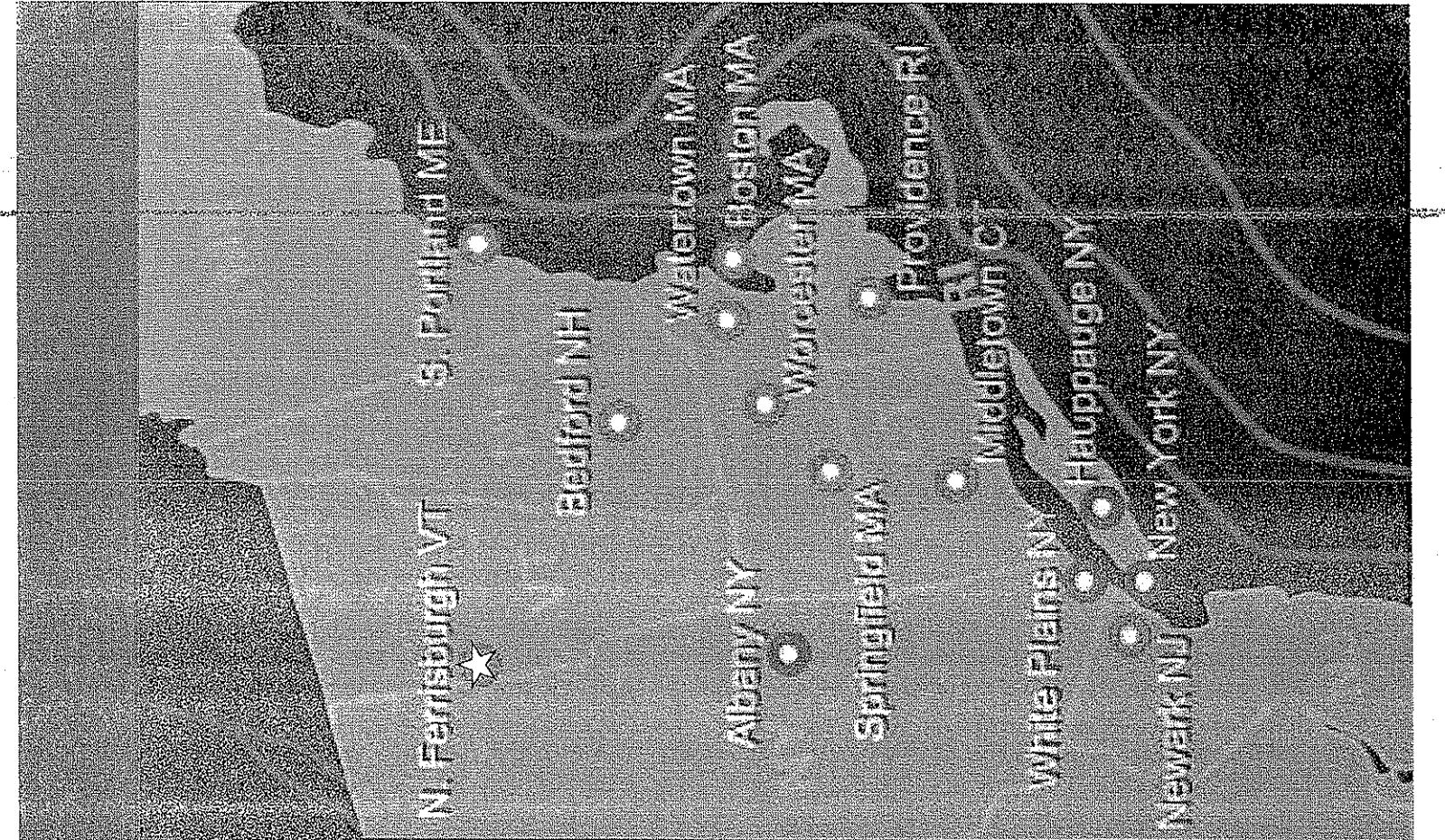
Middletown CT

White Plains NY

Hempstead NY

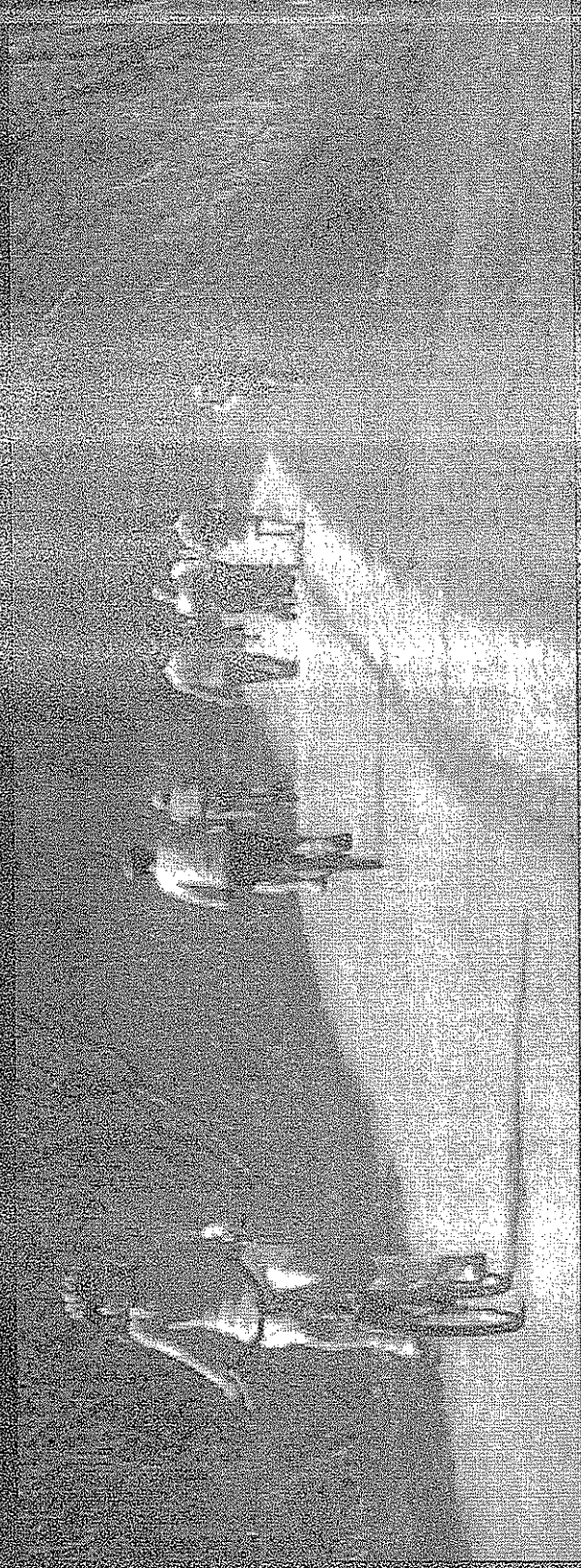
Newark NJ

New York NY



Burlington Bike Path Rehabilitation

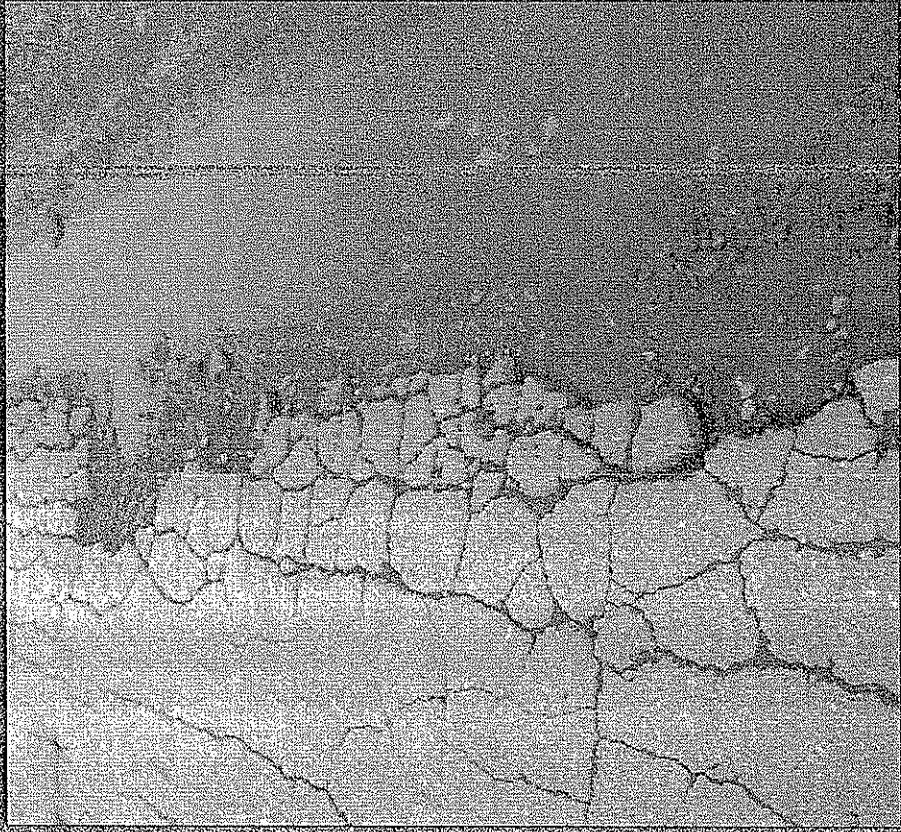
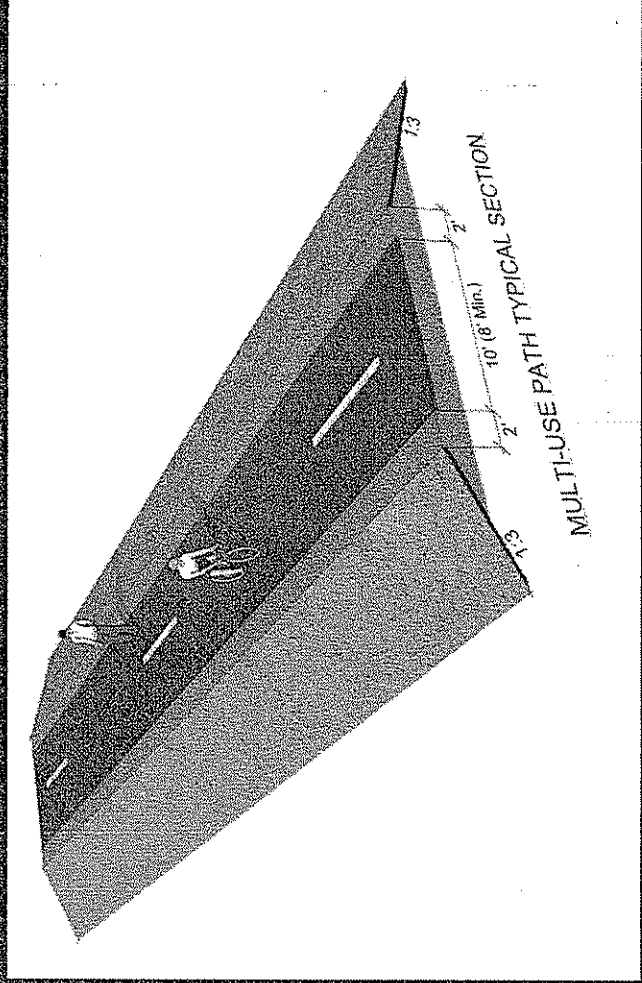
- ▣ Design Considerations
- ▣ Understanding the Process
- ▣ Relevant Experience
- ▣ Why the VHB Team?



Burlington Bike Path Rehabilitation

Design Considerations

Pavement Rehabilitation & Typical Section



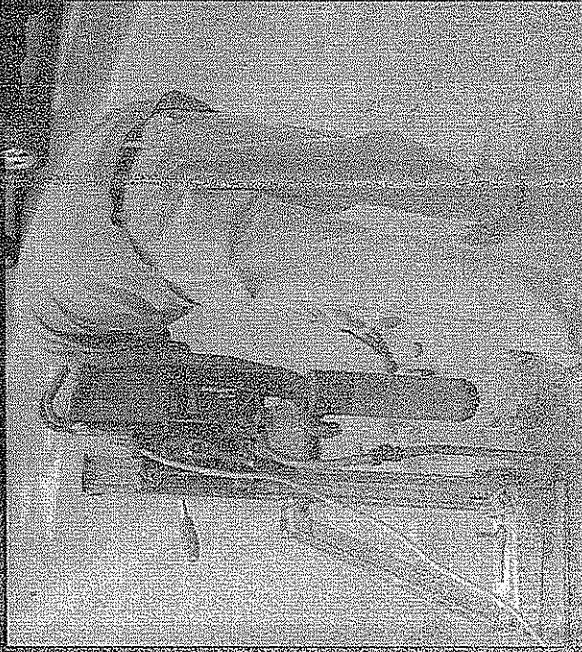
Burlington Bike Path Rehabilitation

Design Considerations

Pavement Rehabilitation

- Pavement testing
- Pavement Design
- Construction Logistics

**KEEP
RIGHT**

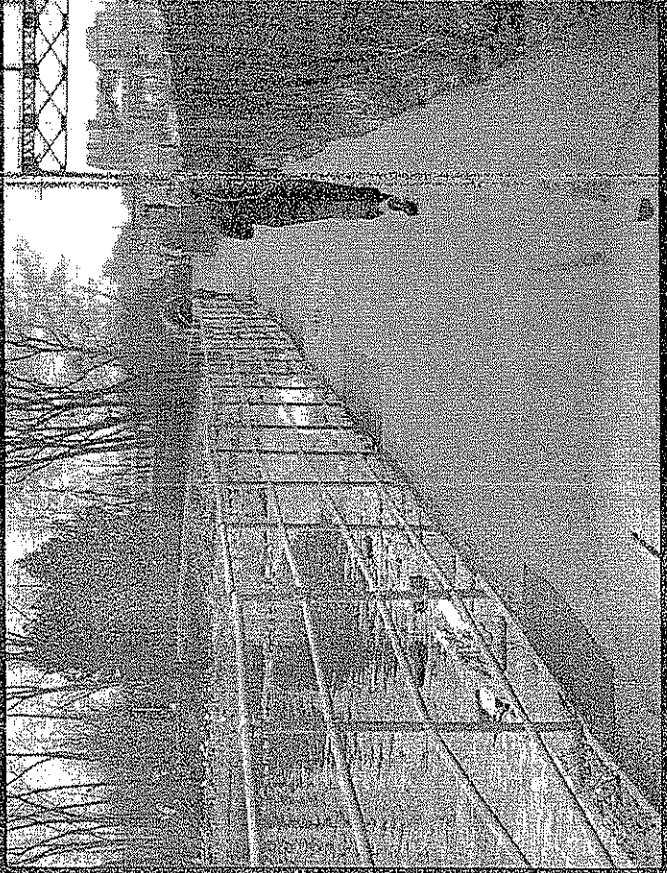


Burlington Bike Path Rehabilitation

Design Considerations

Typical Section

- Widen Path
- Define shoulders
- Address Constraints



Burlington Bike Path Rehabilitation

Design Considerations

Flood Impacts and Protection



Burlington Bike Path Rehabilitation

Design Considerations

Flood Restoration



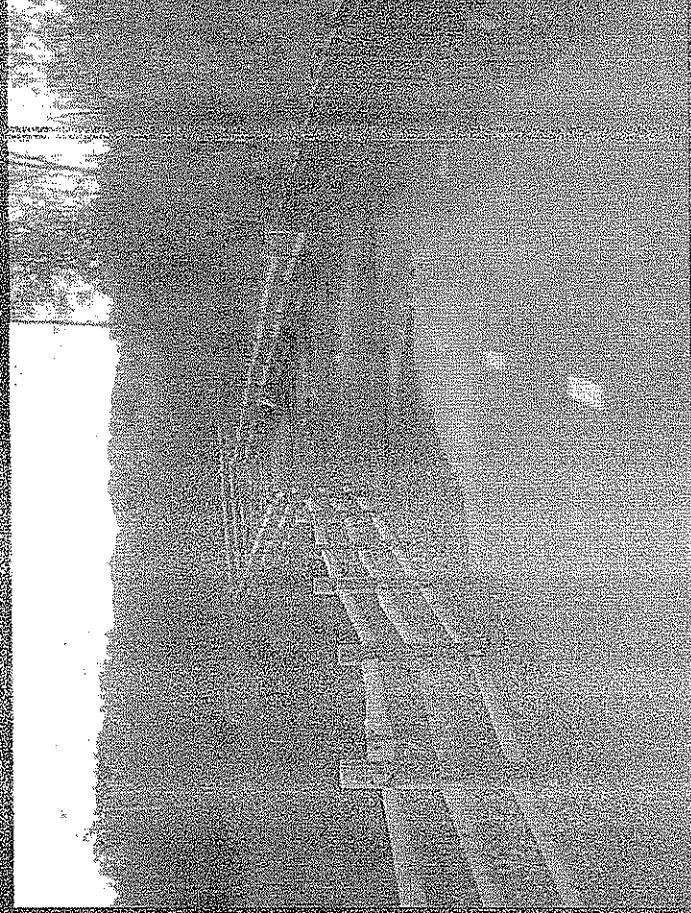
Spring Flood - 2011



Rehabilitated Path - 2012
10' path & 2' shoulder

Design Considerations

Flood Protection



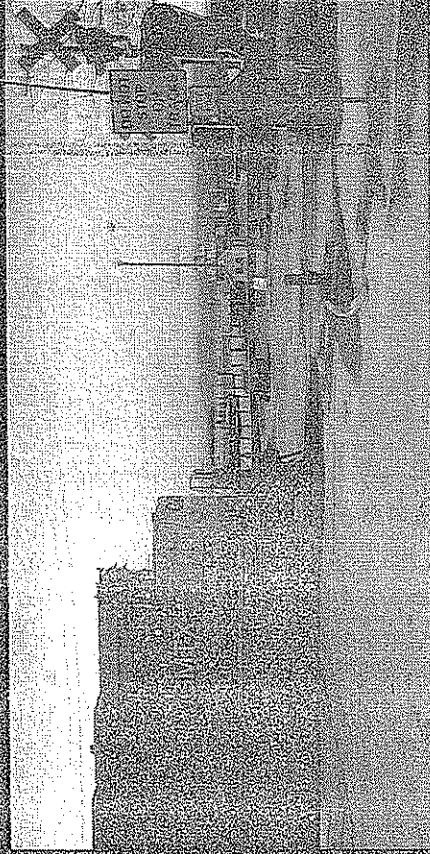
Burlington Bike Path Rehabilitation

Design Considerations

Road Crossings



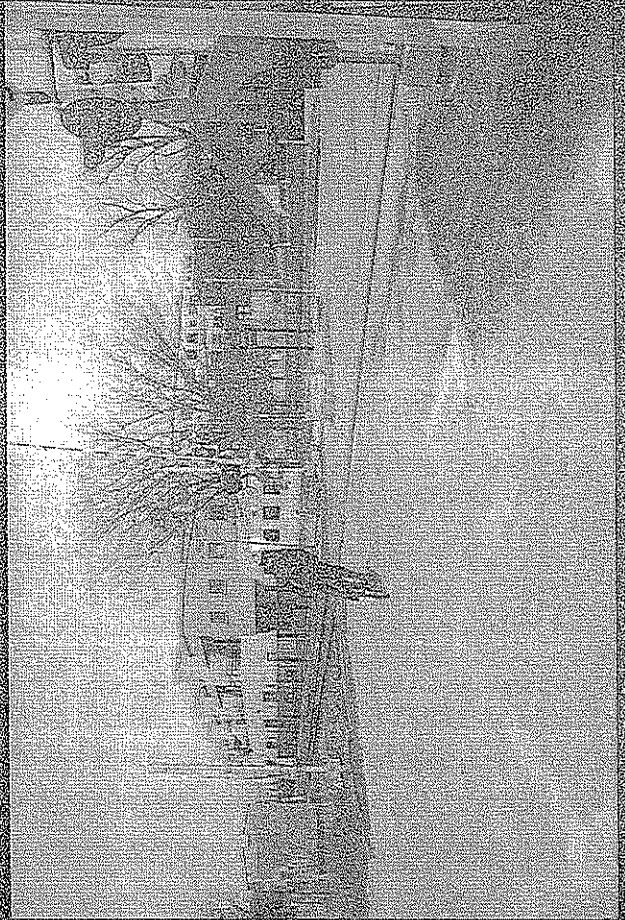
Burlington Bike Path Rehabilitation



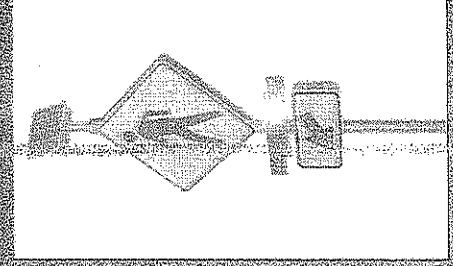
Design Considerations

Road Crossings

Complex Intersections



Engineered
Solutions



Burlington Bike Path Rehabilitation

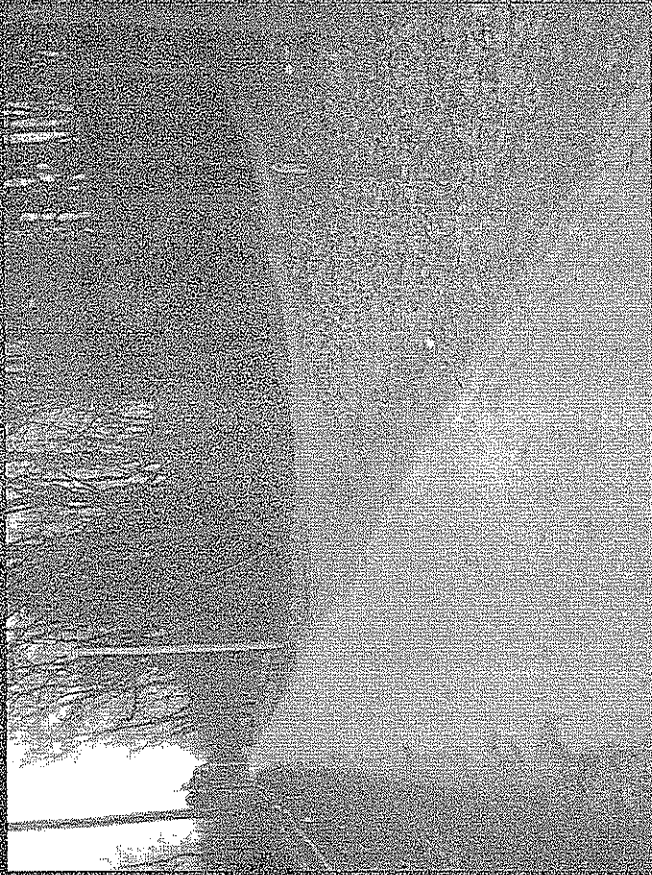
Design Considerations

Access / Connections



Design Considerations

Access / Connections

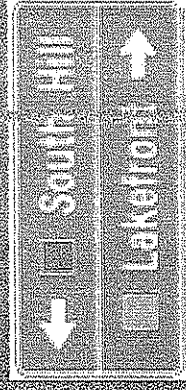


Informal Connection - South of Lakeview Cemetery



Access to North Beach/Campground

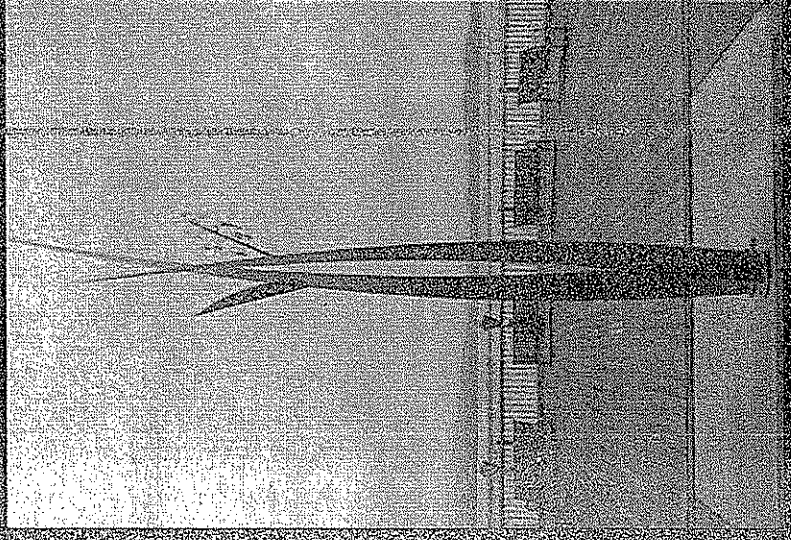
Consider Formal Connections, and Wayfinding Signs



Burlington Bike Path Rehabilitation

Design Considerations

Vision / Inspiration / Placemaking



WBB

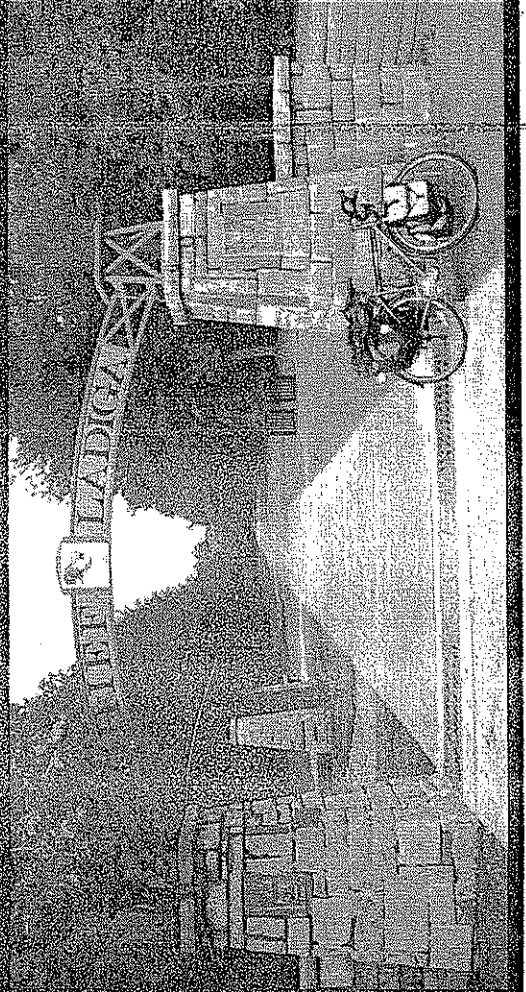
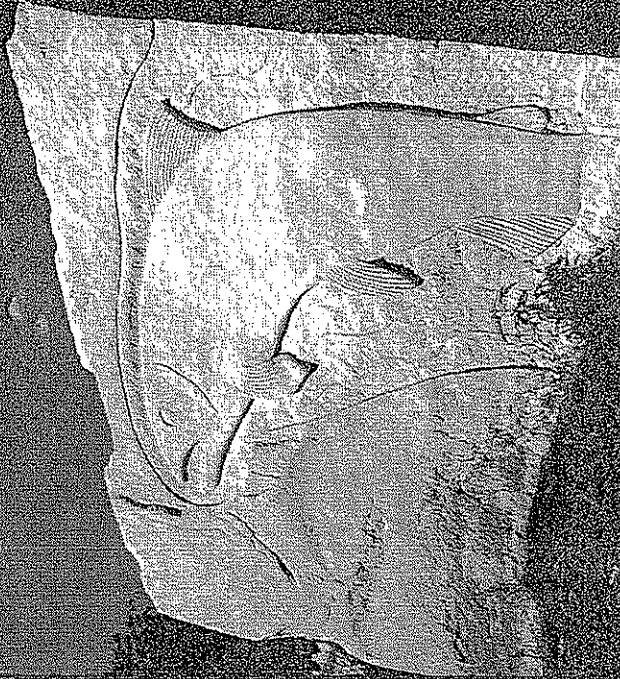
Design Considerations

Vision / Inspiration & Placemaking



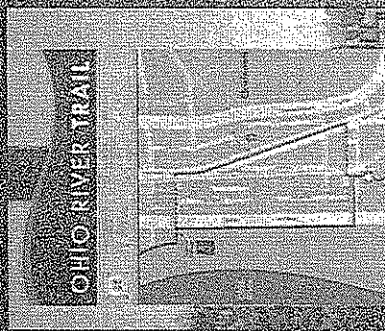
Burlington Bike Path Rehabilitation

Location / Placemaking

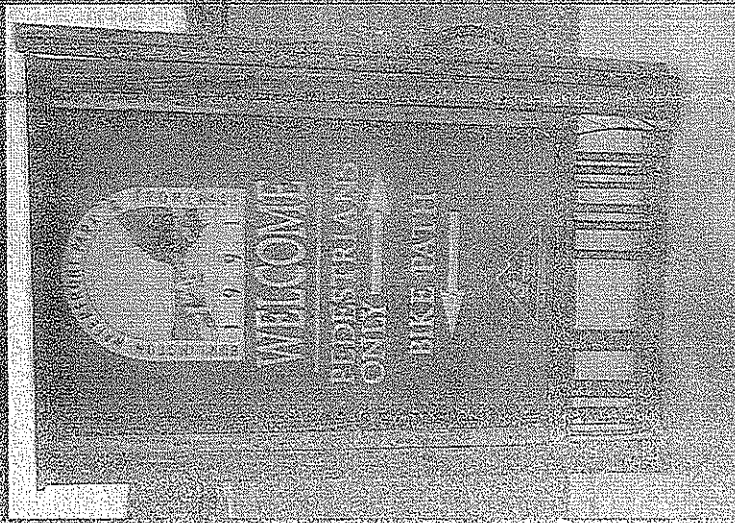


Burlington Bike Path Rehabilitation

Wayfinding / Placemaking



- ↑ Bike Route through Columbia Tuscolum Business District 1.2 Miles
- Wilmer-Tredhead Linken Airport Linken Loop 0.7 Miles



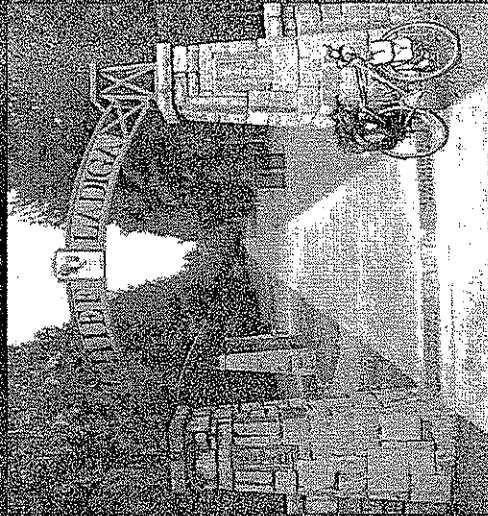
Wayfinding

Burlington Bike Path Rehabilitation

Function / Placemaking



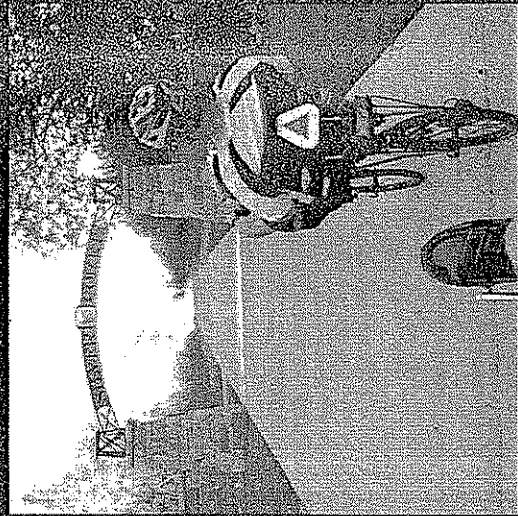
Workout Stations



Gateways



Seating & Lookouts



Understanding the Process

- NEPA
- Environmental Permitting
- State (LTF) Process
- Public Outreach
- Schedule
- Level of Effort Breakdown

Burlington Bike Path Rehabilitation

Understanding the Process

NEPA

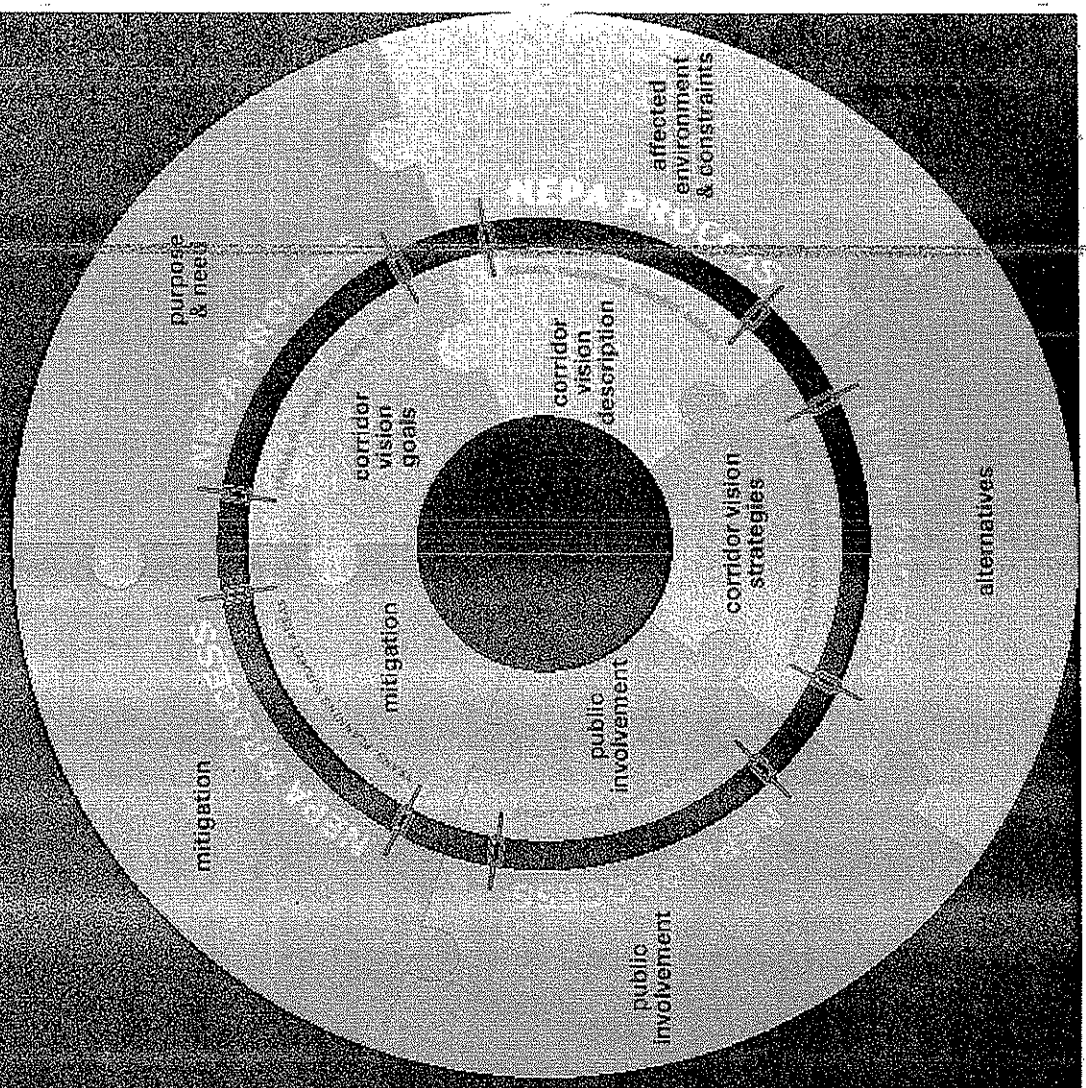
National Environmental Policy Act (1969)

Required with Federal Funding

Public Decision Making Process

Public Disclosure of Impacts

CE, EA, or EIS



Understanding the Process

- Environmental Permitting
 - Wetlands and Waters of the U.S.
 - RTE Species/Habitat
 - Stormwater
 - Floodplains
 - Hazardous Waste Sites/Generators

Burlington Bike Path Rehabilitation

Wetlands



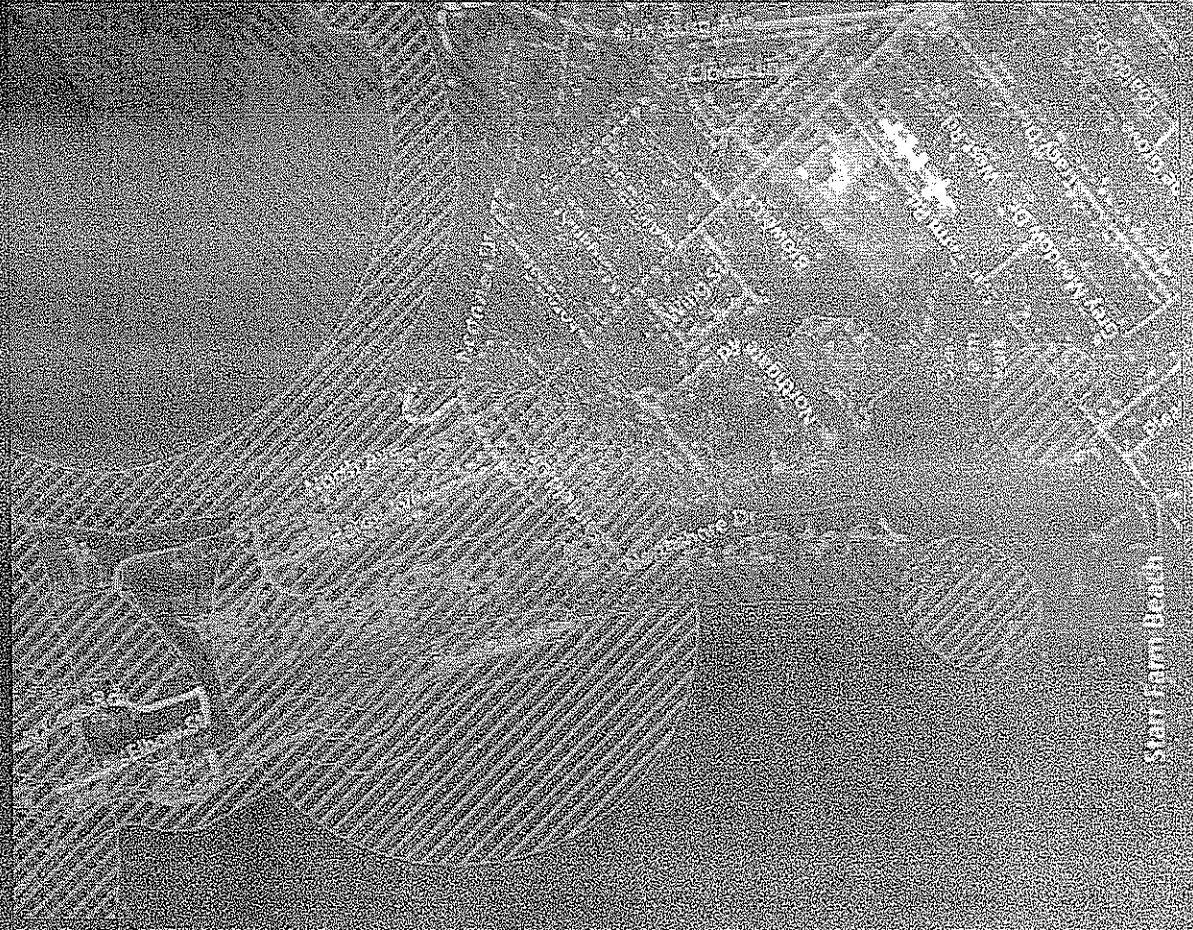
Leddy Park



Moran Plant / Urban Reserve

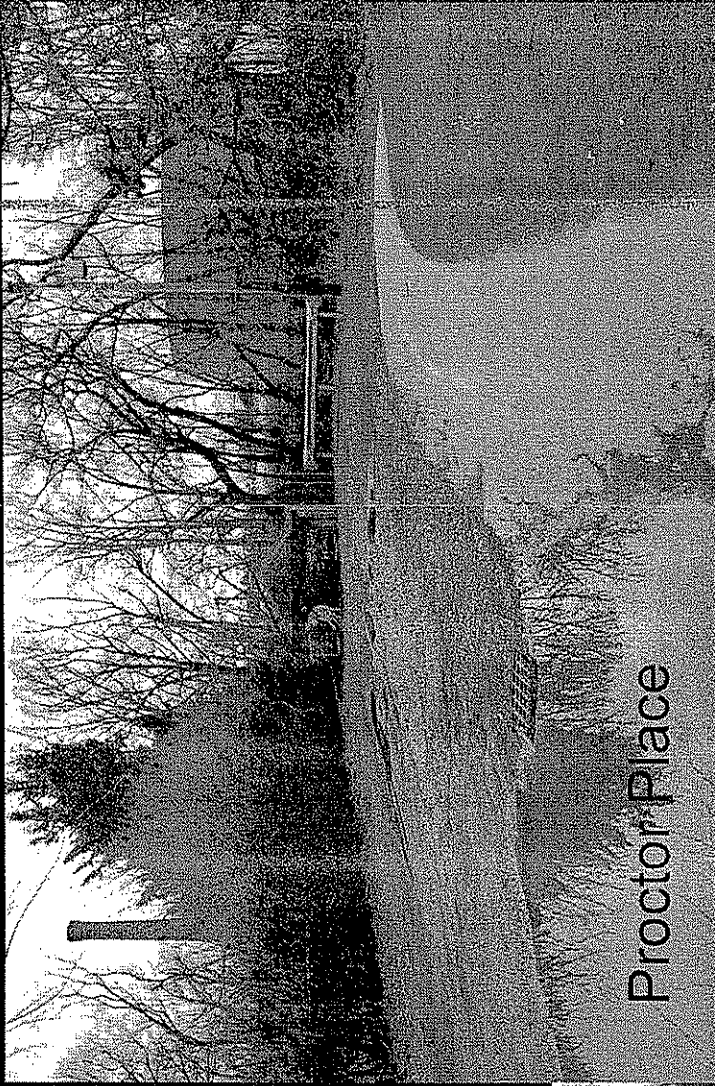
Burlington Bike Path Rehabilitation

Trail Species

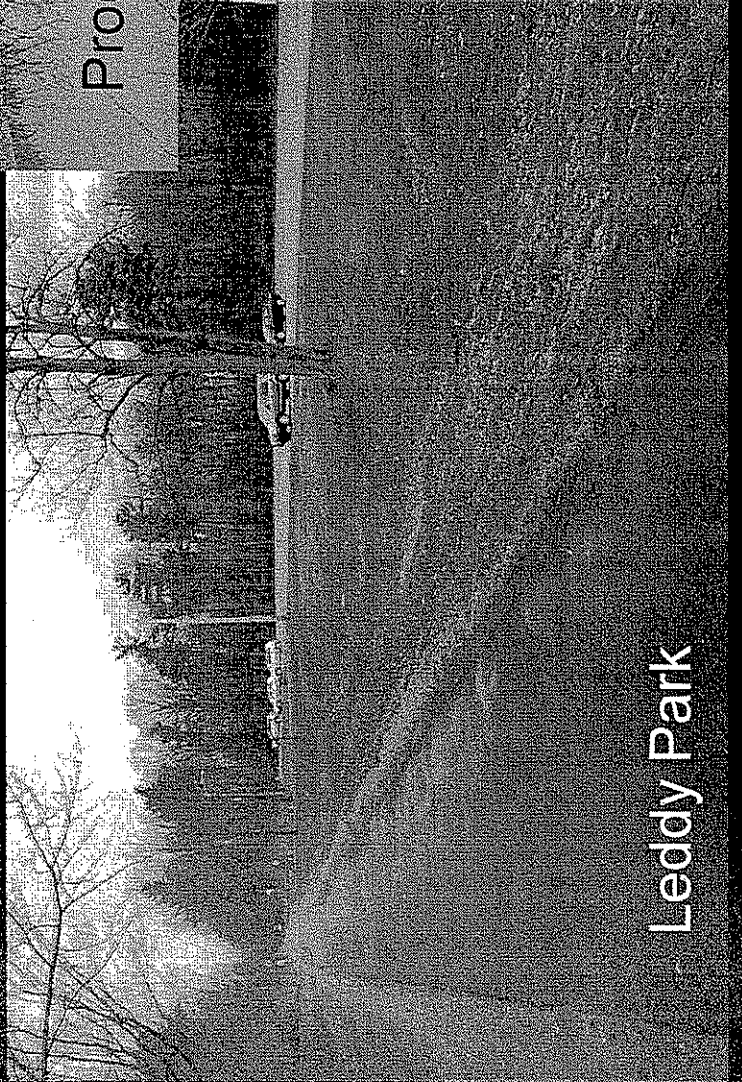


Burlington Bike Path Rehabilitation

Stormwater



Proctor Place



Leddy Park



Burlington Bike Path Rehabilitation

Floodplains



Burlington Bike Path Rehabilitation

Understanding the Process

Environmental Permitting

> Wetlands and Waters of the U.S.

> RTE Species/Habitat

> Stormwater

> Floodplains

Hazardous Waste Sites/Generators



Understanding the Process

- State (LTF) Process
 - Phase A - Project Definition
 - Phase B - Project Design
 - Phase C - Construction

Burlington Bike Path Rehabilitation

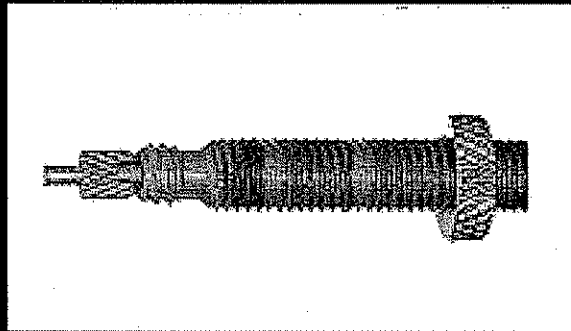
Public Outreach

- Turning Point Technology
- Interactive Audience Survey
- Instantaneous Results
- Anonymous Feedback
- Results are Documented



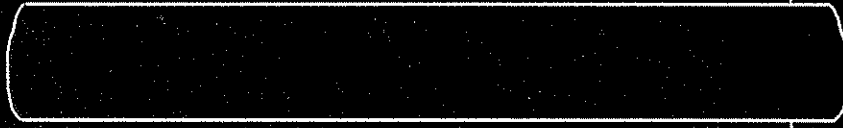
Y11B

What type of bike valve is this?



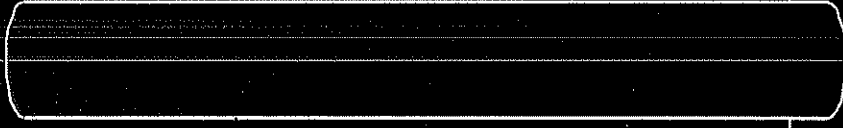
- 1. Presta
- 2. Schrader
- 3. Other

33%



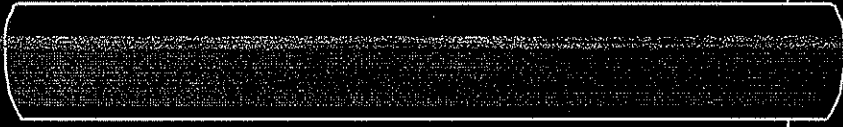
1

33%



2

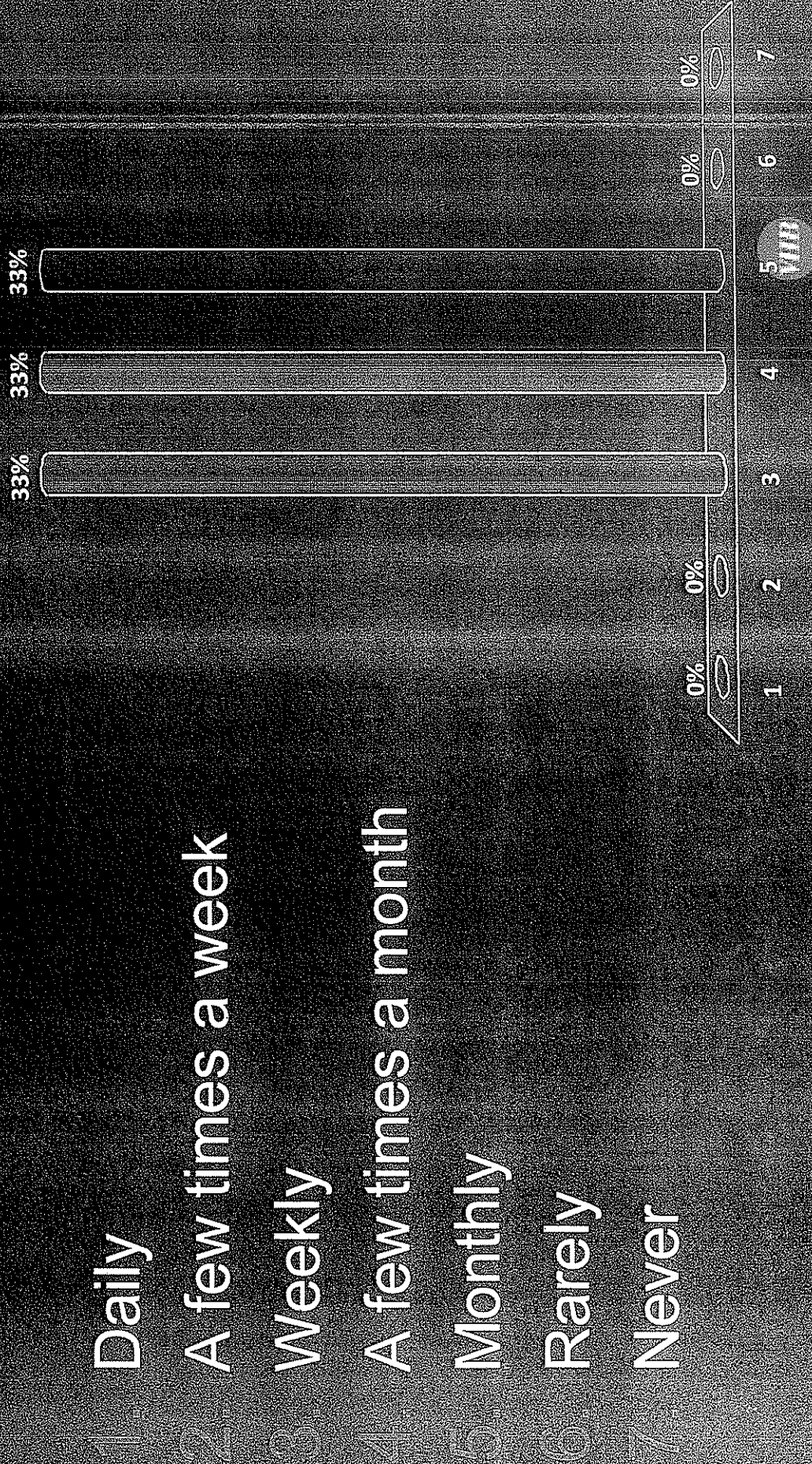
33%



3



How often do you use the Bike Path?



Burlington Bike Path Rehabilitation

The Burlington Bike Path is important to the local economy.

1 Strongly Agree

2 Agree

3 Neutral

4 Disagree

5 Strongly Disagree

67%

33%

0%

0%

0%

1

2

3

4

5



Burlington Bike Path Rehabilitation

Understanding the Process

Schedule

Construction to Begin Spring 2014



Burlington Bike Path Rehabilitation

Accelerated Schedule

Task	May	June	July	August	September	October	November	December	January
Data Gathering									
Conceptual Plans									
NEPA									
Public Informational Meeting			★						
Preliminary Design						Sections 1 - 16			
Public Hearing					★				
Final Design								Sections 5 - 10 (Perkins Pier - North Beach)	
Permitting									
Bidding									

Understanding the Process

Environmental Permitting

State (LTF) Process

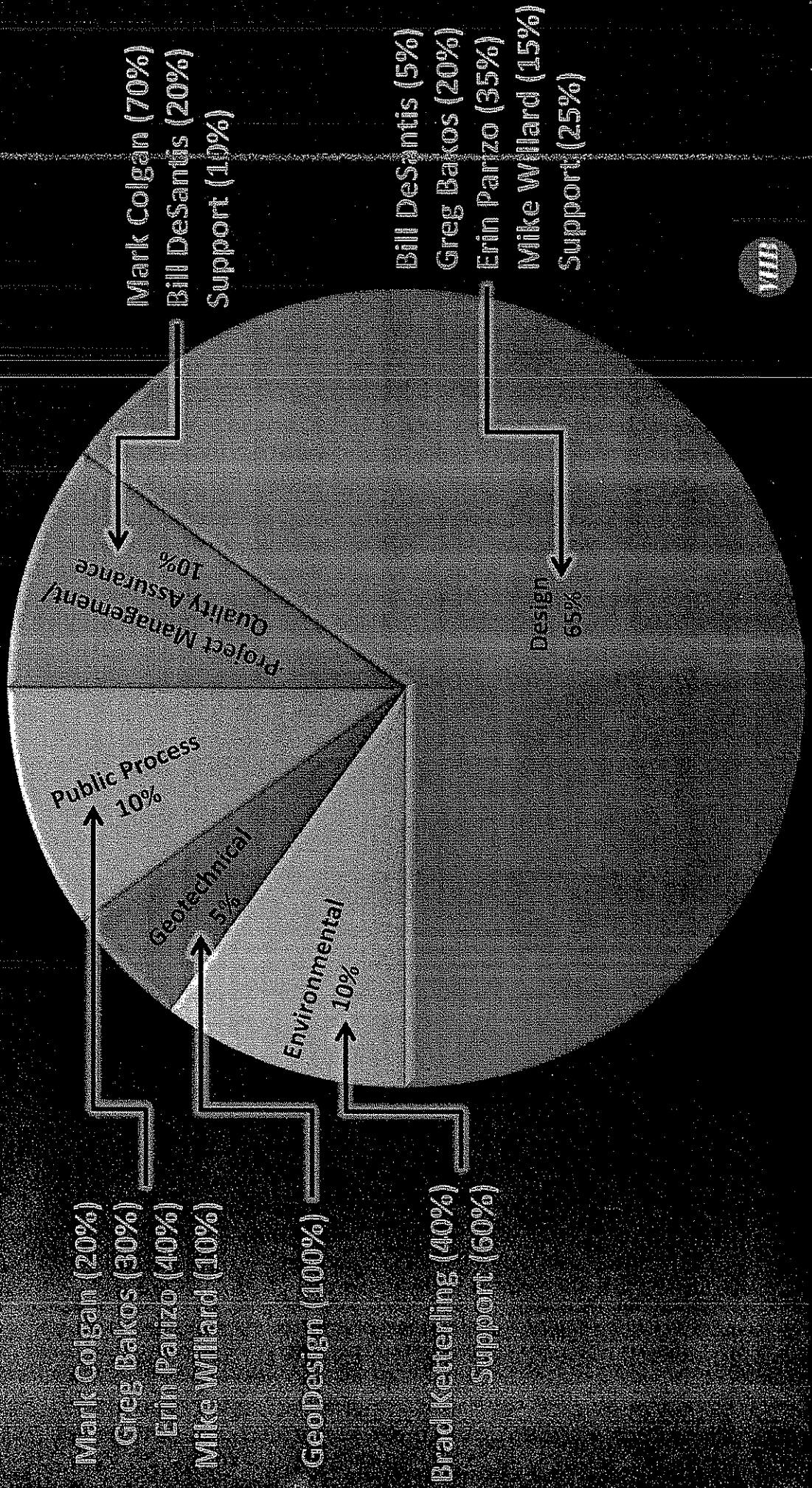
Public Outreach

Schedule

Level of Effort Breakdown

Burlington Bike Path Rehabilitation

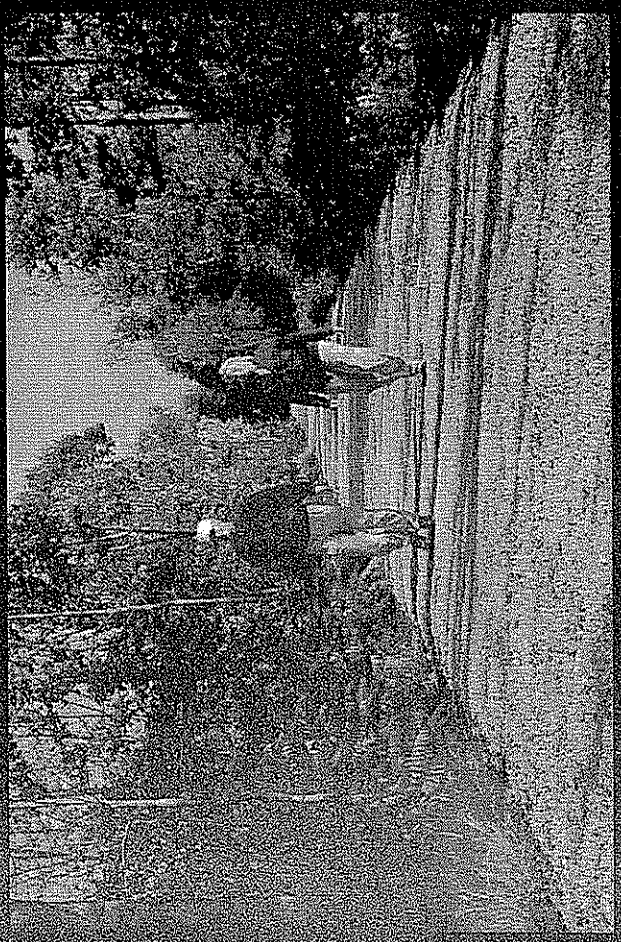
Burlington Bike Path Team - Level of Effort



Burlington Bike Path Rehabilitation

Relevant Trail Design Experience

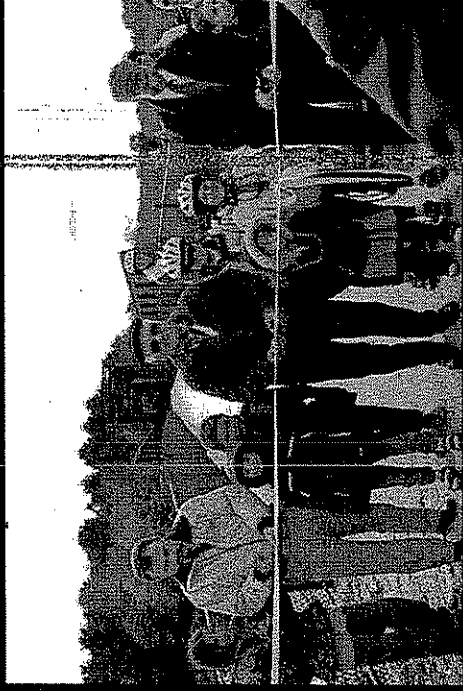
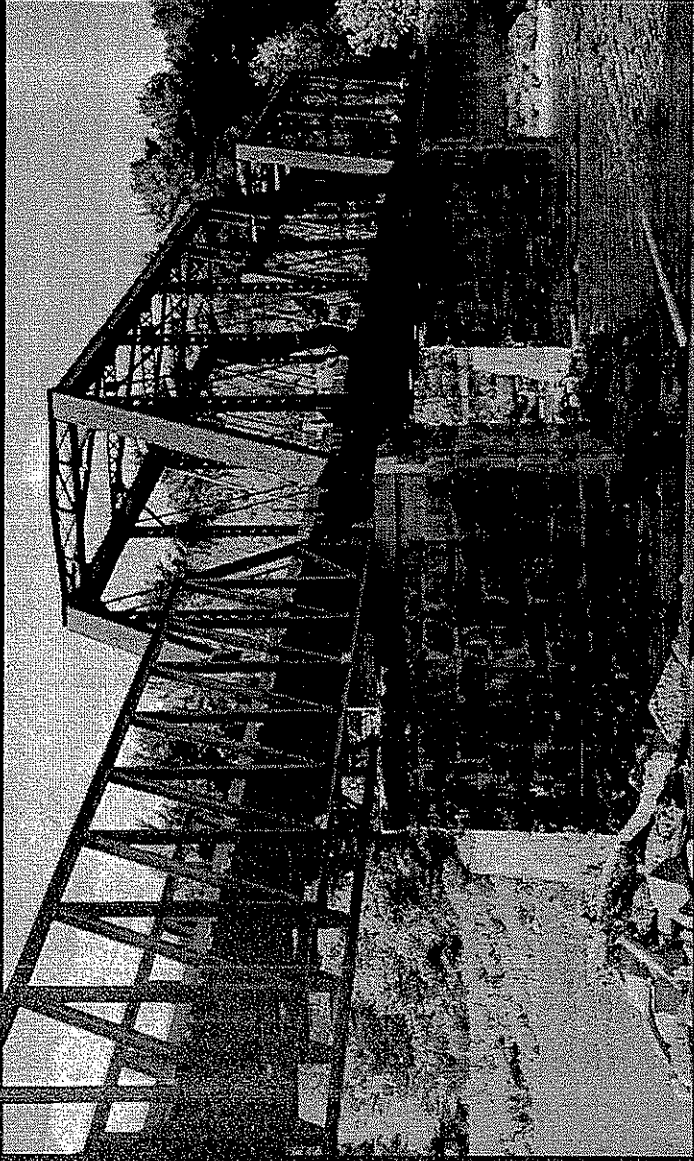
Lamoille Valley Rail Trail



Burlington Bike Path Rehabilitation

Relevant Trail Design Experience

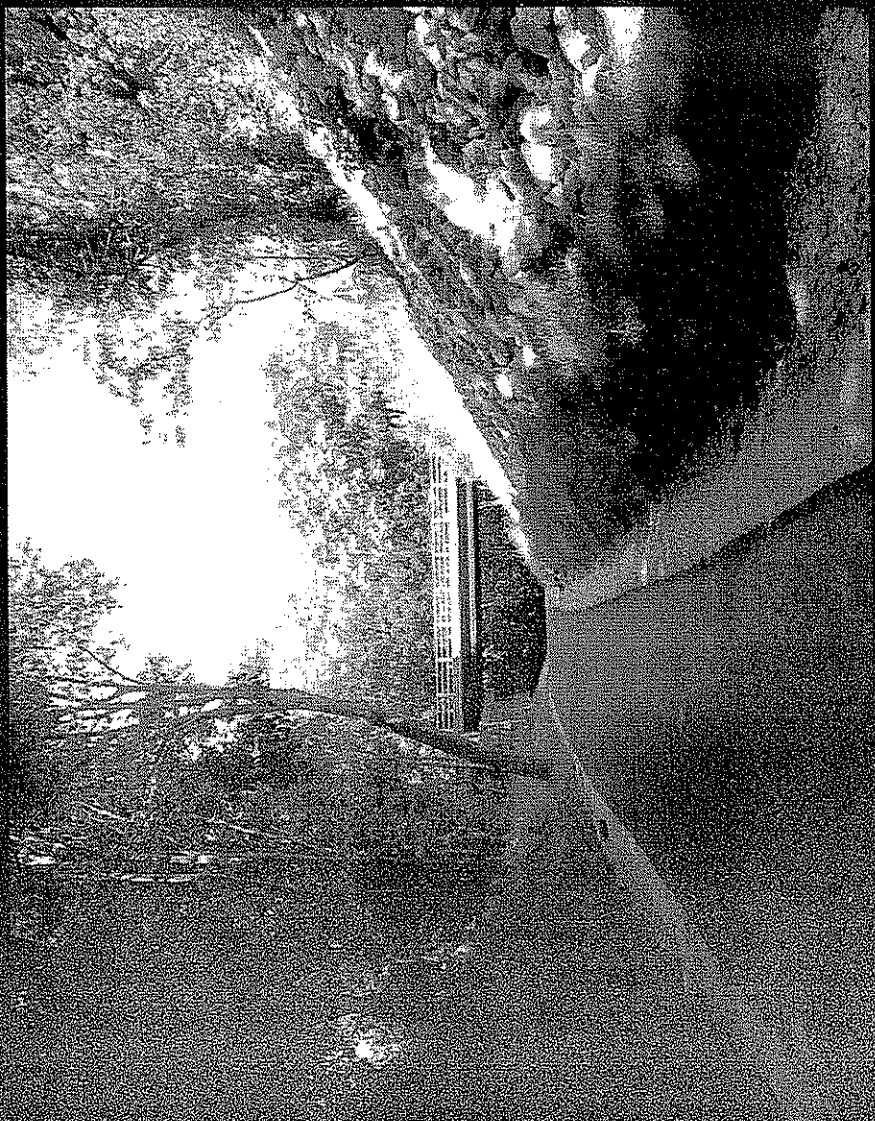
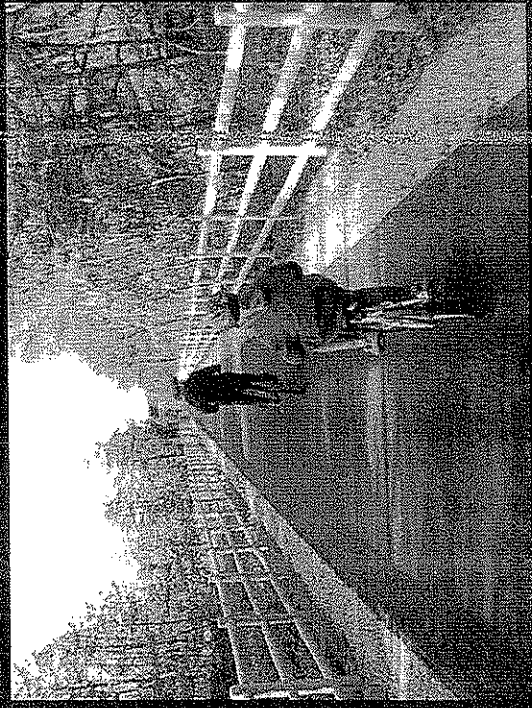
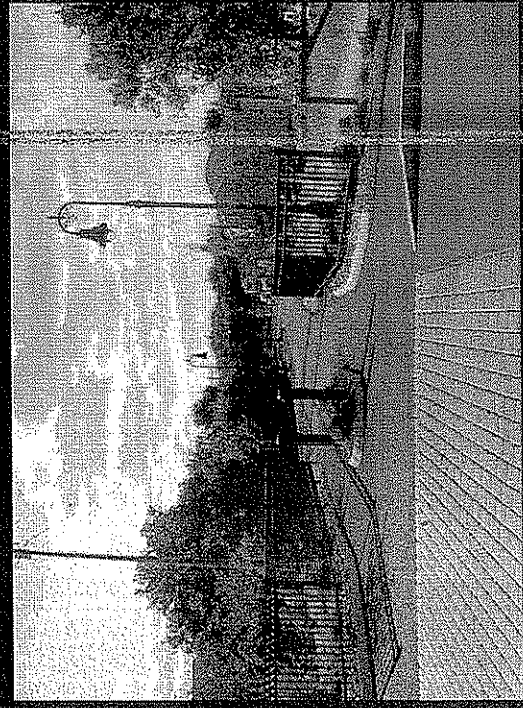
Missisquoi Valley Rail Trail



Burlington Bike Path Rehabilitation

Relevant Trail Design Experience

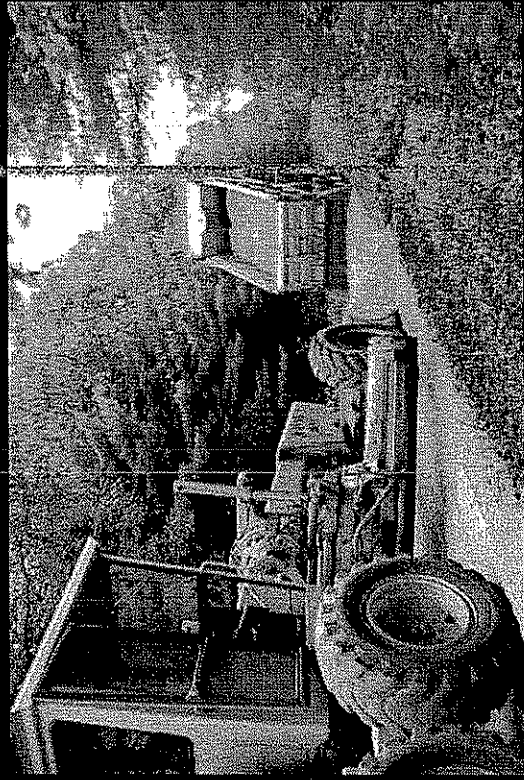
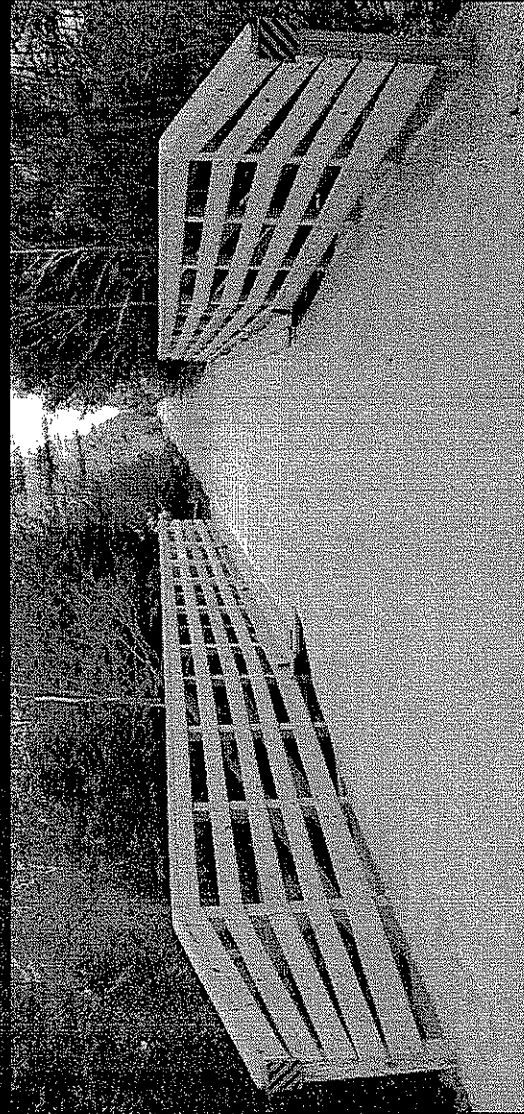
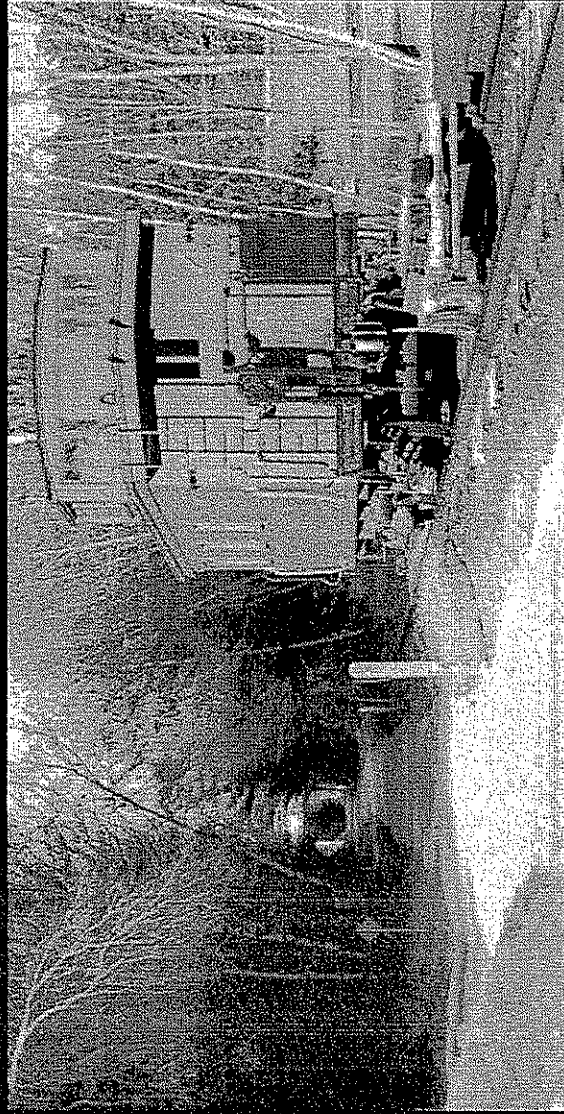
Piscataquog Trailway



Burlington Bike Path Rehabilitation

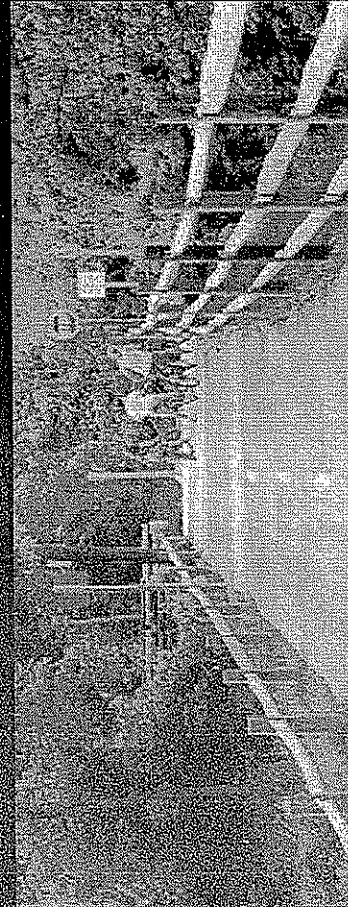
Relevant Trail Design Experience

Northern Rail Trail



Burlington Bike Path Rehabilitation

Relevant Trail Design Experience



Burlington Bike Path Rehabilitation

Relevant Trail Design Experience

Connecticut River Walk and Bikeway

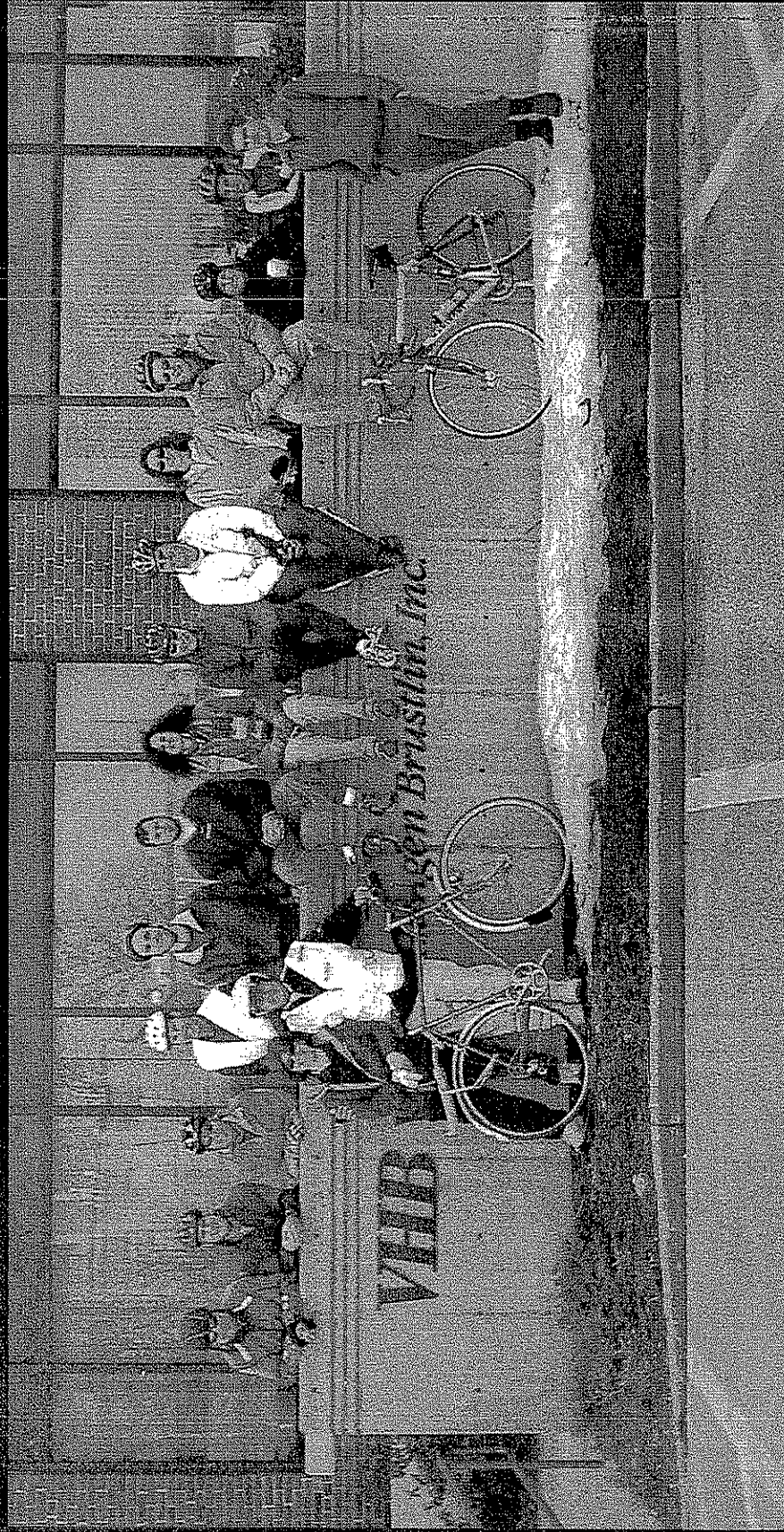


Keys to Success

- Engage the Public and Stakeholders Early
- Design to Fit the Available Funds
- Plan Construction Phasing and Bike and Pedestrian Detours
- Work Closely with City Staff
- Communicate!

Burlington Bike Path Rehabilitation

Thank you for this Opportunity to Propose



We Welcome Your Questions

VHB



REQUEST FOR QUALIFICATIONS (RFQ)

Date: March 8, 2013 (revised March 18, 2013)
To: Open Invitation to Professional Design/Engineering Consultants
From: Department of Parks & Recreation, Planning Division
Re: Professional Design/Engineering Services for the Rehabilitation of the Burlington Bike Path

I. GENERAL INFORMATION & SCHEDULE

This Request for Qualifications invites responses from qualified, experienced professional design and engineering consultants to assist the City of Burlington Department of Parks & Recreation in the rehabilitation of the Burlington Bike Path, specifically in regards to design development and permitting. Questions concerning this RFQ must be made via email per the schedule outlined below. Responses to all submitted questions will be posted as they are received at:
<http://www.enjoyburlington.com/Projects/BikePathRehabilitation.cfm>.

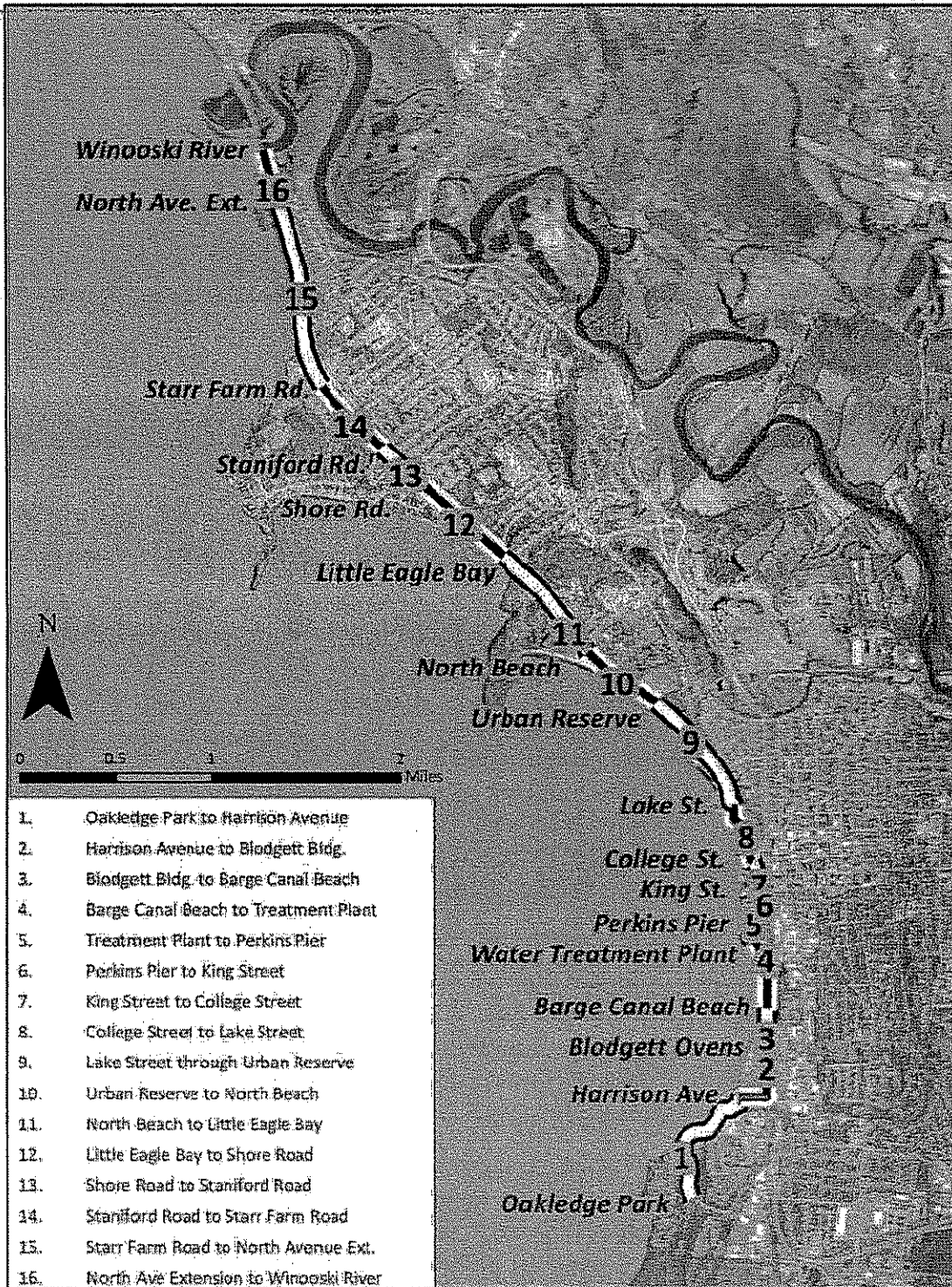
Issue date: Friday, March 8, 2013 at 8:00 AM
Questions due: Friday, March 22, 2013, by 12:00 PM
Proposals due: Friday, March 29, 2013 by 12:00 PM

Inquiries/submissions to: Jen Francis, Parks Planner
Department of Parks and Recreation
645 Pine Street, Suite B, Burlington, VT 05401
jsfrancis@burlingtonvt.gov
(802) 865-7248

II. PROJECT DESCRIPTION

Following the 2012 Burlington Bike Path Feasibility study, the purpose of this project is to develop a preliminary design for the entire Bike Path (16 sections), along with a detailed design development package for specific sections including all associated permitting. The complete feasibility study is comprised of an executive summary, final report and appendices that are available here:
<http://www.enjoyburlington.com/Parks/BikePath1.cfm>

The 7.5 mile Burlington Bike Path, part of the regional Island Line bike path, is valuable to the local community and the region as a recreation, health, transportation, tourism, and economic resource. Sections of the bike path were originally constructed in the mid-1980s and it is past due for a comprehensive rehabilitation. The City Council resolution refers to the Waterfront Bike Path as "a crown jewel of the Queen City." The feasibility study identified necessary upgrades to the Bike Path that satisfy current standards and improve safety, enhance user amenities, and raise its standing to that of a world class regional trail.



Map of the 16 Sections of the Bike Path

The Bike Path preliminary design may require approval from city boards, commissions and City Council. A keen focus on both positive public outreach and sound project development is required.

Existing supporting documents include:

- 2002 Harbor Management Plan
- 2004 Open Space Protection Plan
- 2005 Island Line Sign & Amenities Plan
- 2012 Burlington Bike Path Feasibility Study
- 2012 Plan BTW: Downtown & Waterfront Master Plan
- 2013 Open Space Protection Plan Update (in process)
- 2013 Parks Master Plan (in process)
- 2013 Burlington Partnership for a Healthy Community (in process)
- FY13 & FY14 Penny for Parks Implementation Plan
- FY14 Bike Path Improvements & Maintenance Plan

The rehabilitation of the Bike Path requires design strategies that incorporate urban and rural place-making and planning, civil and structural engineering, geotechnical expertise, environmental remediation, as well as innovative and intentional landscape architectural design. Our path needs to integrate conservation, sustainability, connectivity and accessibility along its entire seven and a half miles; through neighborhoods, parks, urban wilds, businesses and some of the best views in the world.

For information on the City of Burlington's Parks and Recreation Department, please visit: www.enjoyburlington.com.

III. PROJECT SCOPE & SCHEDULE

Project Scope

The selected consultant team will provide the City with professional services to realize the successful creation of a vibrant and innovative bike path design. It is anticipated that consultant teams will provide, at a minimum, appropriate engineering, landscape, geotechnical, general civil, storm water, and environmental/brownfield expertise to complete the following tasks:

- Task 1: Preliminary design, survey & construction cost development for the entire path (Sections 1-16)
- Task 2: Final design development including the preparation and completion of all associated environmental review and permitting documents, bid-ready documents and specifications (Sections 5-10: Perkins Pier to North Beach)

These tasks must be coordinated and integrated with the Waterfront Access North improvement project, currently underway and managed by the Department of Public Works.

Extensive outreach to community partners will include information developed in the preliminary design, and public engagement will occur between these two tasks. Detailed design development will be concentrated on the high-traffic areas within the Waterfront TIF district which can be found at [http://www.burlingtonvt.gov/uploadedFiles/BurlingtonVTgov/Departments/CEDO/Tax Increment Financing/Waterfront%20TIF%20Map.pdf](http://www.burlingtonvt.gov/uploadedFiles/BurlingtonVTgov/Departments/CEDO/Tax_Increment_Financing/Waterfront%20TIF%20Map.pdf). Permitting requirements may include, but are not limited to, National Environmental Policy Act (NEPA), Vermont Agency of Natural Resources and Department of Environmental Conservation, U.S. Army Corps of Engineers, and the City of Burlington. The project will be completed in coordination and cooperation with the Department of Parks & Recreation (DPR), Department of Public Works (DPW), Community Economic Development Office (CEDO), Planning & Zoning (P&Z), and the CCRPC.

The final deliverable will include, but not be limited to:

- Survey of entire path including deed research where appropriate
- ArcGIS-compatible geographic data collection
- AutoCAD design drawings
- Consultant to determine limits of each section with input from DPR
- Preliminary plan for the entire Bike Path
- Accurate identification of costs relative to tasks for each section
- January 2014 construction-ready bid documents for Sections 5-10
- Spring 2014 construction-ready permitting for Sections 5-10

Generating a holistic view, comprehensive plan and a detailed cost estimate is paramount to the future success of this project, which includes the acquisition of a variety of funding sources. As confirmed by the Chittenden County Regional Planning Commission (CCRPC), during this project development process it is critical to be mindful of actions that may be required by potential/future funding agencies to remain eligible for particular opportunities (e.g. required scoping study for federal funding). The City feels that the the 2012 Bike Path Feasibility Study, with its thorough public engagement process, environmental and right-of-way reviews, conceptual design alternatives, and City Council approval, fulfills the scoping study requirement.

Schedule

The City anticipates the selection of the consultant early in June of 2013 and the completion of all related work within eight months from the kick-off meeting date, in preparation for January 2014 bidding and spring construction of Sections 5-10. All work included in the scope of this RFP must be completed in anticipation of this spring 2014 construction start date.

IV. PROCESS OVERVIEW, SUBMITTAL CONTENTS & REQUIREMENTS

Process Overview

This process begins with the receipt of qualification submittals in response to the RFQ outlined herein. Applicants will receive a confirmation email after their submittal is received. Qualifications will be evaluated and invitations will be made to three of the top-ranked consultants to participate in finalist interviews. The final scope and contract will then be negotiated with the selected consultant. Consultants not selected will be notified via email of the selection outcome. A Selection Committee comprised of representation from both the City and the State will be engaged for the RFQ evaluation process. This change in process has been made to maintain Federal compliance specific to the Brooks Act.

Submittal Contents

Qualified consultants must demonstrate a history of successful bike path design, engineering, and permitting experience that incorporates innovative and sustainable strategies. Proposals will be evaluated based on both the expertise of the consultant team and the overall experience of the team.

Submittals should be limited to a total of 14 pages (including Attachment A) and contain:

- A. Cover Letter**
- B. Attachment A (provided in this RFQ):** Signed by a representative of the lead consultant team attesting that all terms, conditions and procedures outlined in this RFQ are understood and have been followed.

- C. **Project Understanding Statement:** A statement describing the applicant's understanding of the project and the special skills and innovative thinking that the team would bring to the table
- D. **Project Approach:** A narrative of the consultant's approach to completing the project within the proposed timeframe.
- E. **Proposed Project Team Members:** A description of the applicant's organizational composition, disciplines, and the primary role of each individual/firm on the team. Organizational charts may be included, if appropriate. Clearly indicate the applicant's designated team leader for the project and the specific individuals who will be assigned to perform the work and their respective expertise.
- F. **Specific Project Experience:** Descriptions detailing completed, similar or relevant project experience that the applicant has executed. Include graphic representation. Links to similar or relevant projects are encouraged.
- G. **List of References:** Provide a minimum of four client references with which the applicant has provided similar planning/design services within the last five years. Include the name and phone number of the contact person and a description of the role and services provided to that contact.
- H. **Additional Information:** Provide other information relevant to indicate the applicant's abilities to successfully complete a project of this nature.

Requirements

Additional requirements are as follows:

- Proposers are solely responsible for ensuring that proposals arrive on time.
- Each consultant MUST provide their submittal electronically as a PDF.
- Additional detail beyond the contents described above WILL NOT be considered.
- Faxed proposals WILL NOT be accepted.
- Late replies WILL NOT be considered.
- The 14 pages may be 7 double-sided or 14 single-sided pages, including cover page.

V. EVALUATION CRITERIA & ANTICIPATED SCHEDULE

Evaluation Criteria

Submittals will be evaluated by City staff using the following criteria as a measure of the applicant's ability to successfully complete the project scope of work. Consultants will be scored up to a maximum of 100 points based on the following:

- | | |
|--|----------|
| 1. Experience & Qualifications relevant to key personnel and/or sub-contractors | (15 pts) |
| 2. Project Understanding of the project, goals, issues, and local need | (15 pts) |
| 3. Technical Understanding Depth of relevant technical experience | (15 pts) |
| 4. Municipal Experience with agencies of similar size, structure and complexity | (15 pts) |
| 5. Depth of Related Skills required to successfully complete the project | (10 pts) |
| 6. Demonstration of Innovative Approaches Levels of utilization and solutions | (10 pts) |
| 7. Ability to Meet the Schedule required to complete the plan and deliverables | (10 pts) |
| 8. Quality & Clarity and completeness of Submittal Package | (10 pts) |

Anticipated Schedule

The City reserves the right to amend dates. While the timeline may be subject to change, all participating parties will be notified. The anticipated schedule is as follows:

- March 8, 2013 RFQ issue
- **March 18, 2013** RFQ clarification issued

- ~~March 22, 2013~~ RFQ questions due (via email)
- March 29, 2013 RFQ closing
- Week of April 1, 2013 RFQ review
- **Week of April 1, 2013 Notification of selection of qualified consultants and invitation to top three teams to participate in finalist interviews**
- **Week of April 8, 2013 In-person finalist interviews and consultant selection**
- **Week of April 15, 2013 Negotiation of final scope & contract**
- **Week of April 29, 2013 Project kick-off**

VI. TERMS & CONDITIONS

Communications

It is extremely important that all respondents are given clear and consistent information. Therefore, all respondents are required to submit any questions related to this project or RFQ process via email. Responses to all submitted questions will be posted on the Parks & Recreation website at: <http://www.enjoyburlington.com/Projects/BikePathRehabilitation.cfm>. Questions concerning this RFQ must be received via email per the schedule outlined on page 1. Inquiries received after this date will not be considered or answered. Respondents should not communicate with any City department or employee during the submission process except as described above. In addition, no communications should be initiated by a respondent to any City Official or persons involved in evaluating or considering the statement of qualifications. Communication with any parties for any purpose other than those expressly described herein may cause an individual firm, or team to be disqualified from participating.

General Compliance with Laws

The Consultant shall comply with all applicable Federal, State and local laws, including but not limited to the Burlington Livable Wage Ordinance.

Other terms

Costs for preparing the Statement of Qualifications in response to this request are solely the responsibility of the respondent. The City of Burlington reserves the right to accept or reject any or all proposals, with or without cause, and to waive immaterial defects and minor irregularities in responses. All decisions related to this solicitation by the City will be final. The City reserves the right to request clarification of information submitted and to request additional information of one or more respondents. All materials submitted in response to this RFQ will become the property of the City upon delivery. This solicitation in no way obligates the City of Burlington to award a contract.

General Compliance with Laws: the Consultant shall comply with all applicable Federal, State and local laws, including but not limited to the Burlington Livable Wage Ordinance.

Equal Opportunity: the selection of consultant shall be made without regard to race, color, sex, age, religion, national origin, or political affiliation. The City of Burlington is an Equal Opportunity Employer and encourages proposals from qualified minority and woman-owned businesses.

It will be necessary for responding parties to comply fully with the terms and conditions outlined in this document if they are to be considered. A letter attesting that the respondent has read, understands, and followed all procedures is a part of this RFQ must be included as part of the final submittal (see Attachment A).

ATTACHMENT A

Understanding of RFQ Procedure, Terms and Conditions

This page to be returned with qualifications submission

I acknowledge that I have read and understand all procedures and requirements of the above reference RFQ and have complied fully with the general terms and conditions outlined in the RFQ.

Consultant Team:

Representative's Printed Name:

Representative's Signature:

Date:



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RECLASSIFICATION OF ONE LIMITED SERVICE PART TIME
ART SALES AND LEASING COORDINATOR POSITION
TO ONE LIMITED SERVICE FULL TIME EXHIBITIONS AND
SALES COORDINATOR POSITION AT THE BURLINGTON CITY ARTS
DEPARTMENT AND BUDGET AMENDMENT

In the year Two Thousand Thirteen.....

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

That WHEREAS, the Director of Burlington City Arts has requested the reclassification of a part-time limited service Art Sales and Leasing Coordinator (grade 17) position to a full-time limited service Exhibitions and Sales Coordinator, (grade 17) position; and

WHEREAS, the position is responsible for the exhibition and sale of clients' work throughout the City Arts program; and

WHEREAS, the reclassification has been approved and supported by the Human Resources Director and by the Board of Finance on May 23, 2013; and

WHEREAS, the Burlington City Arts FY13 Budget will remain unchanged, as the additional salary will be absorbed by savings in current vacant positions;

NOW, THEREFORE, BE IT RESOLVED that one Burlington City Arts Department Art Sales and Leasing Coordinator limited service (grade 17) position is hereby reclassified to a full-time limited service Exhibitions and Sales Coordinator (grade 17) position, within the Willis pay scale. The changes shall be effective as of the date of City Council approval.

City of Burlington Job Description

Position Title: Art Sales and Exhibitions Coordinator ~~Art Sales and Leasing Program Coordinator~~

Department: Burlington City Arts

Reports to: Assistant Director

Pay Grade: 17-~~(Limited Service 75%)~~

Job Code: 1126

Exempt/Non-Exempt: Non-Exempt

Union: Non-Union

General Purpose:

This position is responsible for professional development and management of art sales, leasing clients and artwork for BCA.

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.)

- Develop client base and facilitate art sales and other art services to both corporate and private clients.
- Manage art purchases, rights and negotiate fair prices for both clients and artists.
- Acquire new clients through networking referrals, and relationship with development office.
- Maintain existing client relationships.
- Negotiate contracts with new and existing leasing clients.
- Co-ordinate transportation, handling and installation of new or existing artwork.
- Assess and document existing collections and inventories as needed.
- Oversee growth and management of ~~artistsødatabase~~ ~~artistsødatabase~~ from in and around Vermont.
- Curate and install artwork at different sites around the Burlington region.
- Evaluate use of space and design aesthetic of space in relationship to art placement.
- Manage the Art Sales and Leasing program budget; including annual and monthly projections; generate reports and monthly balance spreadsheets.
- Co-ordinate client invoicing and vendor negotiations and payments; artist commission payments.
- Manage yearly fundraising events.
- Support exhibitions for BCA as needed.

- Participate in BCA's strategic planning process and staff development

Non-Essential Job Functions:

- Performs other duties as required.

Qualifications/Basic Job Requirements:

- A Bachelors degree in studio art, art history, or related field and one year of experience handling art in a museum or gallery required
- Strong interpersonal and communication skills, both oral and written, required.
- An advanced degree in Museum Studies preferred.
- Demonstrated experience with exhibition and or/architectural design preferred
- Demonstrated understanding of aesthetic concepts required
- Demonstrated knowledge of budget preparation and accounting methods required.
- Ability to professionally represent the City of Burlington and the City Arts Department in all dealings with artists, members of the general public, local officials, City Arts Board members, etc.
- Ability to complete installation of exhibited artwork, including, but not limited to lifting, use of a ladder, and use of a drill, other power and manual tools, etc.
- Ability to work effectively with a wide variety of clients, public and vendors.
- Familiarity working in a Windows-type OS, including knowledge of spreadsheet and word processing software preferred.
- Knowledge of art world and contemporary artists with a regional emphasis
- Experience with fundraising preferred.
- Ability to work evenings, weekends and holidays as required.

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.

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| <input checked="" type="checkbox"/> seeing | <input checked="" type="checkbox"/> ability to move distances | <input checked="" type="checkbox"/> lifting (specify) |
| <input checked="" type="checkbox"/> color perception
(red, green, amber) | within and between
warehouses/offices | 50__ pounds |
| <input checked="" type="checkbox"/> hearing/listening | <input checked="" type="checkbox"/> climbing | <input checked="" type="checkbox"/> carrying (specify) |
| <input checked="" type="checkbox"/> clear speech | <input type="checkbox"/> ability to mount and
dismount forklift/truck | 50__ pounds |
| <input checked="" type="checkbox"/> touching | <input type="checkbox"/> pushing/pulling | <input checked="" type="checkbox"/> driving (local/over
the road) |
| <input checked="" type="checkbox"/> dexterity | | |
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| <input type="checkbox"/> _x_ face-to-face contact | <input checked="" type="checkbox"/> _x_ mechanical equipment | <input checked="" type="checkbox"/> _x_ hazardous materials |
| <input type="checkbox"/> _x_ inside | <input checked="" type="checkbox"/> _x_ electrical equipment | <input type="checkbox"/> _ dirt/dust |

Supervision:

Directly Supervises: _1(part-time)_ _ Indirectly Supervises: _

Disclaimer:

The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

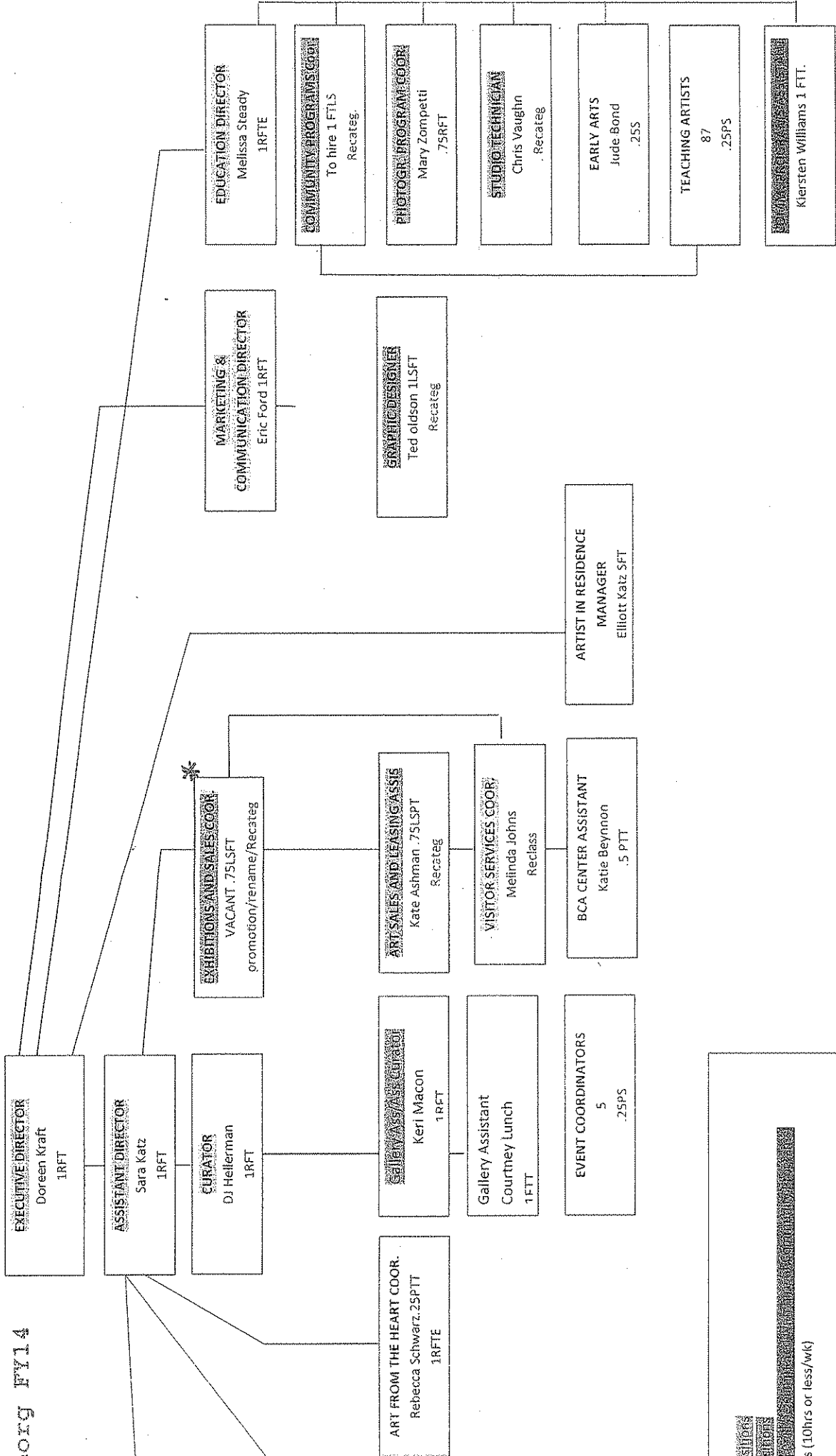
Approvals:

Department Head: _____ Date: _____

Human Resources: _____ Date: _____

Created Dec 2008, updated Dec 2011.

Updated May 14, 2013



is (10hrs or less/wk)

Classification needed between August 2013 and Dec 2015



**HUMAN RESOURCES
DEPARTMENT**
City of Burlington

179 South Winooski Avenue, Burlington, VT 05401

Voice (802) 865-7145
Fax (802) 864-1777
Vermont Relay: call 711
or 800-253-0191

To: Board of Finance

**From: Julie Hulburd, HR Generalist
Susan Leonard, Director of Human Resources**

Date: May 20, 2013

**Re: Reclassification and title change of the BCA Art Sales and Leasing Coordinator
Limited Service Part-Time to Limited Service Full Time Exhibitions and Sales Coordinator**

We respectfully bring forward and recommend the reclassification of the Art Sales and Leasing Coordinator, Limited Service Part-Time position within the Burlington City Arts Department (BCA) as requested by Director Doreen Kraft.

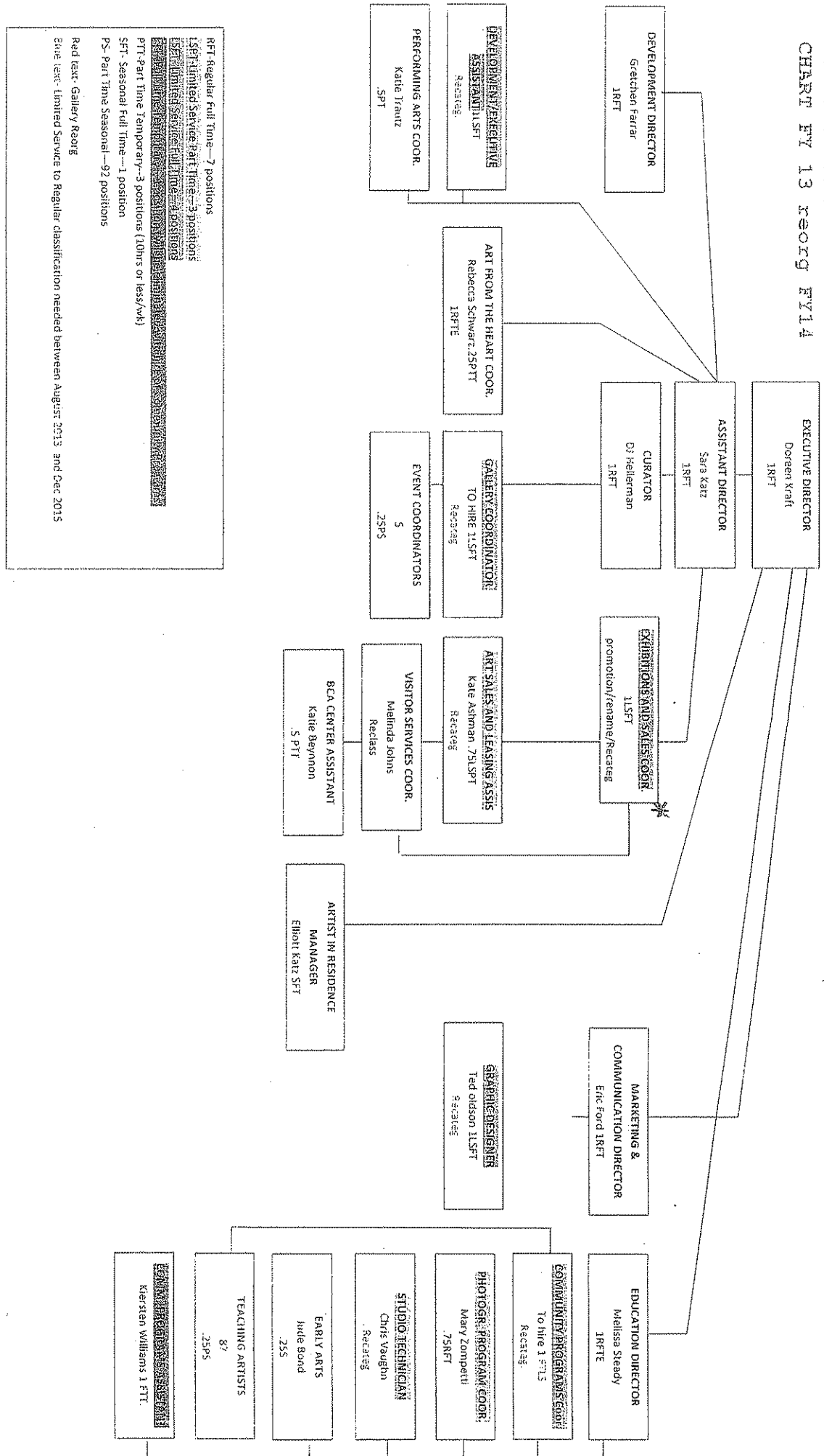
At the present time, the Art Sales and Leasing Coordinator is a Limited Service Part-Time 30 hour a week position. The position is currently graded in the Modified Willis Compensation System as a Grade 17 with a corresponding hourly wage of \$22.56. At 30 hours per week, the annual salary for this position is currently \$35,194.35. Ms. Kraft requests the position be reclassified from a Limited Service Part-Time position to a Limited Service Full-Time position. The additional ten hours would result in a new annual salary \$46,925.81. According to Ms. Kraft, this will represent a \$600 increase to the BCA FY13 budgeted salaries assuming that the position is filled by June 10th and an FY14 increase of \$7,900. This position is now vacant.

As Director Kraft states in her memo, the change in position title from Art Sales and Leasing Coordinator to Exhibitions and Sales Coordinator more accurately reflects the position duties and the industry nomenclature. There are no changes to the job description substantive enough to require a grade change within the Willis System.

Attached please find supporting documentation for the above requests including: current organizational chart, updated organizational chart, position job description, and Ms. Kraft's memo. If approved, the above reclassification will be effective following City Council approval and upon Mayoral signature of the resolution.

Thank you for your consideration.

BCA ORGANIZATIONAL
 CHART FY 13 reorg FY14



RFT- Regular Full Time—7 positions
 LSFT- Limited Service Part Time—3 positions
 SFT- Seasonal Full Time—1 position
 PTT- Part Time Temporary—3 positions (10hrs or less/wk)
 SFT- Seasonal Full Time—1 position
 PS- Part Time Seasonal—92 positions
 Red text: Gallery Raorg
 Blue text: Limited Service to Regular classification needed between August 2013 and Dec 2015

May 15, 2013

HR
Susan Leonard
City of Burlington, VT

Dear Susan,

Thank you and Julie for your support in BCA's continuing work to align staffing with our strategic plan. I am requesting approval for an increase in the hours for Arts Sales and Leasing Coordinator (PTR) 30 hours to 40 hours. This continues the reorganization of BCA Center division within BCA. The title of this position would change to Art Sales and Exhibitions Coordinator.

The budget impact in FY 13 would be \$600 and in FY14 \$7900 assuming approvals and a start date of June 10th. These increases would be covered by raising revenue through art sales and increased corporate sponsorship and major gifts.

Again, thank you for your support.

.

Sincerely,

Doreen Kraft
Executive Director

BOARD OF DIRECTORS

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Daniel J. Harvey

Vice President
Beth Montuori Rowles

Secretary
Lee Bouyea

Treasurer
Cathy Attig

Sandy Berbeco

Phillip Bosen

Billi Gosh

Rachel Kahn-Fogel

Michael Metz

Michael Monte

Sherrill Musty

Barbara Perry

Bill Post

Lori Rowe

Sanjay Sharma

Pascal Spengemann

Leslie Black Sullivan

Dana vanderHeyden

BOARD EMERITUS

Penrose Jackson

Judy Kelly

Pat Robins

Christine Stiller

EXECUTIVE DIRECTOR

Doreen Kraft

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AUTHORIZATION TO EXECUTE EXTENSION OF
LETTER OF AGREEMENT BETWEEN THE CITY
OF BURLINGTON AND UNIVERSITY OF VERMONT

In the year Two Thousand Thirteen.....

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

That WHEREAS, the 2007 Letter of Agreement between the City of Burlington (City) and the University of Vermont (UVM), providing for a voluntary payment for services (with annual cost of living adjustments tied to the US State and Local Government NIPA Chain Weighted Deflator) in order to address the impact of UVM on the City, its services and resources, which was due to expire on June 30, 2012, was extended to June 30, 2013; and

WHEREAS, the City desires that the relationship between the City and UVM continue to be collaborative, successful and mutually beneficial to Burlington citizens and the many members of the UVM community; and

WHEREAS, there are a variety of issues to be addressed between the City and UVM, including those issues previously identified by the City Council; and

WHEREAS, Mayor Weinberger and UVM President Sullivan have agreed to recommend that the Letter of Agreement be extended for a year; and

WHEREAS, Mayor Weinberger shall consult with the City Council Committee on Institutions/Human Resources prior to and during the negotiation process, with any new agreement to be brought to the full City Council for approval;

NOW, THEREFORE, BE IT RESOLVED that the Honorable Mayor Miro Weinberger is authorized to execute on behalf of the City of Burlington a one year extension until June 30, 2014, of the Letter of Agreement by and between the City of Burlington and the University of Vermont, subject to the prior review and approval of the City Attorney.



Office of Mayor Miro Weinberger

MEMORANDUM

To: City Council
From: Mayor Miro Weinberger
Re: UVM Payment for Services
Date: May 30, 2013

In consultation with Interim CAO Paul Sisson, I am recommending that the City Council votes to extend our Payment for Services agreement with the University of Vermont for one more year. Please note that last Thursday the Board of Finance voted 4-0 to approve this extension.

As is the case with the 2007 Letter of Agreement and the current extension we are operating under, this extension will focus on financial payment for services provided to UVM by the City.

While it is important that we not conflate financial matters with quality of life and housing issues, it is a good time to check in on the status of our other agreements with UVM, both formal and informal, and to go over progress we have made in the past year in cooperation with the University.

I have been in touch with Councilor Kevin Worden, the Chair of the Institutions and Human Resources Policy Committee (IHRPC) of the City Council, about making a report to the committee on these quality of life and housing issues and look forward to presenting with staff within the next month. I look forward to engaging on these issues with the Council over the course of the next year.

Thank you for your consideration.

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**AUTHORIZATION TO ENTER INTO LICENSE AGREEMENT
TO MAINTAIN TABLES AND CHAIRS ON A
PORTION OF THE CITY’S RIGHT-OF-WAY WITH
BIG DADDY’S RESTAURANT**

In the year Two Thousand Thirteen.....
Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, KEHOE, INC. d/b/a BIG DADDY’S RESTAURANT of Burlington, Vermont
(hereinafter BIG DADDY’S) is an establishment doing business in a commercial building located at 177
Church Street in the City of Burlington, Vermont; and

WHEREAS, BIG DADDY’S desires to place 11 tables and 44 chairs surrounded on 3 sides with a
cloth covered crowd control barrier and enclosing the 4th side with stanchions in the public right-of-way
in front of its establishment at 177 Church St.; and

WHEREAS, BIG DADDY’S wishes to enter into a License Agreement with the City for such
tables and chairs; and

WHEREAS, the placement of the respective tables and chairs has been reviewed and approved by
the Department of Public Works with conditions to address public safety concerns; and

WHEREAS, the Charter of the City of Burlington, Sec. 48XLIX and the Code of Ordinances Sec.
27-32 require authorization by the City Council for such use of a public thoroughfare for periods in excess
of thirty (30) days;

NOW, THEREFORE, BE IT RESOLVED that this City Council hereby authorizes BIG
DADDY’S to place 11 tables and 44 chairs covering a 336 sq. ft. area on a portion of the public right-of-
way adjacent to its establishment on Church Street as indicated in and pursuant to its License Agreement
for a period in excess of thirty (30) days upon entering into the License Agreement in substantially the
form attached hereto; and

BE IT FURTHER RESOLVED that Mayor Miro Weinberger be and hereby is authorized to
execute a License Agreement, in substantially the form attached, on behalf of the City of Burlington for a
term commencing on the date of execution of the License Agreement and terminating on April 30, 2014.

LICENSE AGREEMENT FOR TABLES AND CHAIRS
BIG DADDY'S RESTAURANT
2013-2014 SEASON

This LICENSE AGREEMENT is made by and between the City of Burlington, a municipal corporation organized and validly existing under the laws of the State of Vermont (hereinafter CITY) and KEHOE, INC. d/b/a BIG DADDY'S RESTAURANT, a commercial establishment located at 177 Church Street, Burlington, Vermont (hereinafter BIG DADDY'S or LICENSEE).

WHEREAS, the CITY owns property, including the street and sidewalk right-of-way adjacent to 177 Church Street; and

WHEREAS, BIG DADDY'S has requested that it be permitted to place 11 tables and 44 chairs on the sidewalk area in front of the building at 177 Church Street; and

WHEREAS, BIG DADDY'S has stated in its permit application that they will be surrounding the tables and chairs on 3 sides with a cloth covered crowd control barrier and enclosing the 4th side with stanchions and they will cover a 336 sq. ft. area; and

WHEREAS, this application was reviewed and approved by the Department of Public Works with modifications attached hereto as Exhibit B; and

WHEREAS, such use of a public thoroughfare for periods in excess of 30 days requires approval of the City Council under Charter Sec. 48XLIX and Burlington Code of Ordinances Chap. 27, Sec. 27-32;

WITNESSETH:

The CITY and BIG DADDY'S enter into the following License Agreement:

1. TERM

The CITY grants to BIG DADDY'S (hereinafter LICENSEE) a license to place 11 tables and 44 chairs surrounded on 3 sides with a cloth covered crowd control barrier and by

stanchions on the 4th side covering an area of 336 sq. ft. on the public right-of-way for a term commencing as of the date of execution of this Agreement and terminating on April 30, 2014 or sooner as provided herein.

2. LOCATION

LICENSEE may use and maintain tables and chairs on the public right-of-way (hereinafter referred to as the premises) for the consumption of food and beverage. Licensee must ensure that at all times there is a 7 ft. right-of-way for pedestrian traffic. The tables and chairs shall be placed as approved by the Department of Public Works. A copy of the approved plan is attached hereto as Exhibit C.

3. MAINTENANCE

- a. LICENSEE shall maintain the tables and chairs in proper condition.
- b. LICENSEE shall be responsible for the maintenance and upkeep of the tables and chairs and any damage to the tables and chairs is solely the responsibility of LICENSEE. Should LICENSEE fail to maintain the tables and chairs, this License Agreement is revocable on notice by the CITY to LICENSEE of a violation of this section; however LICENSEE shall have 14 days to cure any problem if it notifies the CITY in writing within three (3) days of its intent to cure the violation.
- c. The tables and chairs shall be placed in accordance with all conditions set by the Department of Public Works (attached hereto as Exhibit B) and shall not impede the CITY'S ability to maintain the road, sidewalk, parking meters or greenbelt, if any.
- d. The tables and chairs shall not cause an obstruction or inconvenience to members of the public using the sidewalk, parking meters or street.

- e. LICENSEE will clear all tables and chairs by 9:00 p.m.
- f. LICENSEE shall pick up and sweep debris created by its use of the public right-of-way.

4. LICENSE FEE

There shall be a fee for this license equal to the encumbrance application fee and the square foot use fee. This fee shall be payable immediately to the Burlington City Clerk's Office. **Failure to pay the annual fee shall result in the immediate revocation of the license.**

5. REVOCATION

This License Agreement is immediately revocable should LICENSEE discontinue use of the tables and chairs. In any event, this Agreement is revocable by the CITY within 30 days upon sending written notice to LICENSEE. Upon revocation, LICENSEE must remove at its own expense the tables and chairs and other materials or obstructions placed on the property. If LICENSEE refuses to promptly remove such obstructions, they may be removed by the CITY and LICENSEE shall be liable for all expenses of such removal.

6. INSURANCE

a. LICENSEE shall maintain in effect throughout the term of this Agreement comprehensive public liability insurance with an A rated insurance carrier, or better, qualified to transact business in the State of Vermont, insuring against all legal liability for injuries or damages suffered as a result of the exercise of rights granted pursuant to this Agreement in an amount not less than \$1,000,000 each occurrence and \$2,000,000 general aggregate. The CITY shall be named as an additional insured on such insurance policy.

b. Prior to execution of this Agreement, LICENSEE shall furnish the CITY with a certificate of insurance and endorsement which shall include the provision that the CITY is named as an additional insured and shall be given 15 days written notification prior to cancellation of such insurance for nonpayment of premium and 45 days' notice for any other reason. The certificate shall be attached to this Agreement as Exhibit D and the endorsement shall be attached as Exhibit E.

c. The certificate of insurance shall be provided annually on or before its stated expiration. It is the responsibility of LICENSEE to ensure that a current certificate of insurance is on file with the CITY at all times. **Failure to furnish a current certificate of insurance will result in immediate revocation of this license.**

7. INDEMNIFICATION

LICENSEE agrees to indemnify, defend and hold the CITY harmless and free from liability arising out of LICENSEE'S use of the CITY'S right-of-way, and LICENSEE agrees to make no claim against the CITY or any of its officers, employees, agents or representatives for any loss or damage caused by the CITY'S use or maintenance of its right-of-way.

8. PERMITS

LICENSEE shall be responsible for obtaining all necessary CITY and/or State permits including zoning permits, prior to placement of the tables and chairs.

9. NUISANCES PROHIBITED

LICENSEE shall not, during the term hereof, on or in the premises maintain, commit, or permit the maintenance or commission of any nuisance or violation of any applicable City

of Burlington ordinance, State or Federal statute, or controlling bylaw, regulation, or condition imposed whether existing at the time of commencement of this Agreement or enacted, amended, or otherwise put into effect during the term of this Agreement.

10. ASSIGNMENT OF RIGHTS

LICENSEE shall not sell or assign its rights pursuant to this Agreement or permit the use of the premises or any part thereof by any other entity without the express prior written consent of the CITY. Any unauthorized action in violation of this provision shall be void, and shall terminate LICENSEE'S rights pursuant to this Agreement.

11. LIMITATION OF RIGHTS

LICENSEE acknowledges that no property or other right is created other than that specifically defined and limited by this Agreement.

12. This License Agreement supersedes all other License Agreements executed for this location.

DATED at Burlington, Vermont this _____ day of _____,

2013.

CITY OF BURLINGTON

By: _____

Witness

Miro Weinberger, Mayor
Duly Authorized

KEHOE, INC. d/b/a
BIG DADDY'S RESTAURANT

Witness

By: _____
Duly Authorized

1b/c: GM 2013//License Agree for Encumbrance -- BIG DADDY'S, 177 Church St. (Tables & Chairs) 2013 , 5/21/13



OFFICE OF THE CLERK AND TREASURER
 149 CHURCH STREET
 BURLINGTON, VT 05401
 Voice: (802)865-7000
 FAX: (802)865-7014
 TTY: (802)865-7142
 Amy Bovee (802)865-7019
 Ron Gore (802)865-7562

Revised

Encumbrance Application / Renewal

Effective 04/30/2013 - 04/30/2014

FRANCES KEHOE, III
 BIG DADDY'S RESTAURANTS
 BURLINGTON, VT 05401

DATE: Tuesday, February 5, 2013
 PHONE: 802-863-0000
 FAX:
 EMAIL:

DBA NAME: BIG DADDY'S RESTAURANTS

COMPANY: BIG DADDY'S RESTAURANTS

LOCATION: 177 CHURCH STREET

Permission is requested to allow/continue the encumbrance in the following area and manner (please describe fully, including size and physical barriers around area i.e. trees, grates, parking meters, etc with photos, diagrams, blueprints; may reference prior application):

Placement of Encumbrance: Outdoor seating area surrounded on three sides with cloth covered crowd control barriers and stantions on the 4th side.

Conditions: Keeping public ways clear

Total Square Feet (\$1.00 per SF): ~~368~~ 336

PLEASE ATTACH:

1. Certificate of Liability Insurance with holder as the: "CITY OF BURLINGTON, CLERK/TREASURER'S OFFICE ENCUMBRANCE APPLICATION DEPT., 149 CHURCH ST., BURLINGTON, VT 05401"
2. Endorsement to Insurance Policy outlining the Cancellation Policy
3. Endorsement to Insurance Policy listing the City as Additional Insured
4. Sketch, Photo, or Blueprint of what you are proposing.
5. Check for the square feet fees (\$1 per square foot) + \$25 Application fee: 393⁰⁰/100

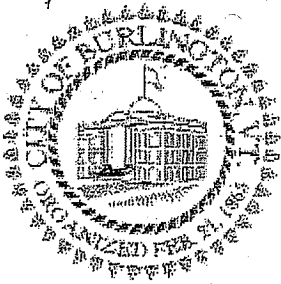
Signature Frances I Kehoe III
 FRANCES KEHOE, III

Date 5/9/13

For office use only: Amount received \$ 393.00 on 5/10 Check# 3762

Sent to Attorney: 5/17 Processing refund for \$57 on 5/30 OB

Exhibit A



OFFICE OF THE CLERK AND TREASURER
 149 CHURCH STREET
 BURLINGTON, VT 05401
 Voice: (802)865-7000
 FAX: (802)865-7014
 TTY: (802)865-7142
 Amy Bovee (802)865-7019
 Ron Gore (802)865-7562

Encumbrance DPW Approval Form

Effective 05/01/2013 - 04/30/2014

ATTENTION: RON GORE, BURLINGTON DEPARTMENT OF PUBLIC WORKS

DBA NAME: BIG DADDY'S RESTAURANTS DATE: Friday, May 10, 2013
 COMPANY: BIG DADDY'S RESTAURANTS PHONE: 802-863-0000
 LOCATION: 177 CHURCH STREET FAX:
 MAILING ADDRESS: FRANCES KEHOE, III
 BURLINGTON, VT 05401

RACKS / RAMPS / STAIRS / TABLES / CHAIRS ETC

1. Racks, ramps, sidewalks, encumbrances should be located on private property, if possible. In the opinion of the City Building Inspector, is there an available alternative location for the ramp on private property? Yes No

2. Will there be sufficient width for plows and pedestrian access if racks, ramp, sidewalk, tables & chairs encumbrances are added on the sidewalk? Yes No

3. Additional Comments: RENEWAL - SAME AS PREVIOUS YEARS

4. A 368 square foot placement of OUTDOOR SEATING AREA SURROUNDED ON THREE SIDES WITH CLOTH COVERED CROWD CONTROL BARRIERS AND STANTIONS ON THE FOURTH

DEPARTMENT OF PUBLIC WORKS

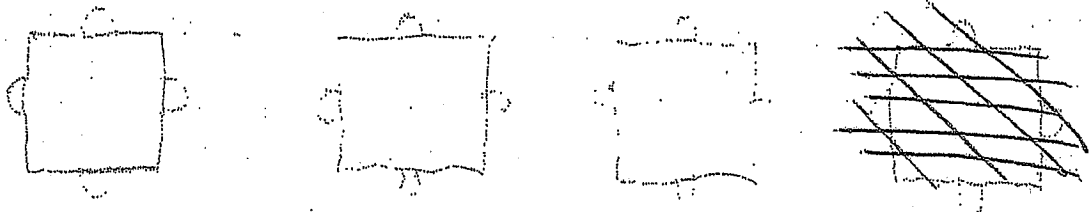
Approved? Yes
 No

TABLES / CHAIRS WITHIN DIVISION
 Explain: RENEWAL - SAME AS PREVIOUS

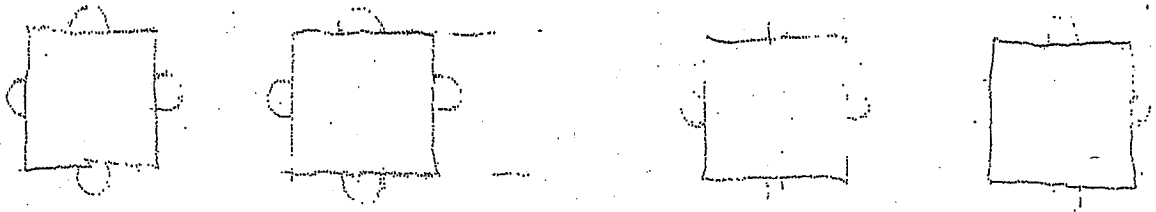
Signature Ron Gore

Date: 05/10/13

Exhibit B



19'



Not To Scale

10s
seer house

— Rig Daddy's —





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/21/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Noyle W Johnson Insurance Agency Inc. 119 River Street P.O. Box 279 Montpelier VT 05601-0279	CONTACT NAME: Holly McEnany	
	PHONE (A/C, No. Ext): (802) 223-9655	FAX (A/C, No.): (802) 223-7515
E-MAIL ADDRESS:		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Peerless Indemnity		18333
INSURER B: Peerless		24198
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

COVERAGES CERTIFICATE NUMBER: CL1262115767 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURER	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/>		B08707264	6/25/2012	6/25/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJ <input type="checkbox"/> LOC					
B	AUTOMOBILE LIABILITY ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		B11275748	7/21/2011	7/21/2012	COMBINED SINGLE LIMIT (Ea accident) \$ 500,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Medical payments \$ 5,000
	UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/>					
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A			WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L EACH ACCIDENT \$ E.L DISEASE - EA EMPLOYEE \$ E.L DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
City of Burlington is Additional Insured on General Liability in respects to insured's outdoor tables and chairs

CERTIFICATE HOLDER City of Burlington Att: Amy City Hall, Room 20 149 Church Street Burlington, VT 05401	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	---

Exhibit D

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

VERMONT CHANGES

This endorsement modifies insurance provided under the following:

BUSINESSOWNERS COVERAGE FORM

A. Section I – Property is amended as follows:

1. The following is added to Paragraph E.4. Legal Action Against Us Property Loss Condition:

However, your right to bring legal action against us is not conditioned upon your compliance with the provisions of the Appraisal Property Loss Condition, if any.

2. The following is added to Paragraph E.6. Loss Payment Property Loss Condition and replaces any provision to the contrary:

We will pay for covered loss or damage within 10 working days after we reach agreement with you on the amount of loss, provided all other terms of the Loss Payment Property Loss Condition are satisfied.

B. Section III – Common Policy Conditions is amended as follows:

1. Paragraph A. Cancellation is replaced by the following:

A. Cancellation

1. The first Named Insured shown in the Declarations may cancel this policy by mailing or delivering to us advance written notice of cancellation.
2. Cancellation of Policies in Effect for Less than 60 Days.

If this policy has been in effect for less than 60 days and this policy is not a renewal of a policy we issued, we may cancel this policy by:

- a. Giving the first Named Insured at least 15 days' notice prior to the cancellation date for nonpayment of premium or substantial increase in hazard; or
- b. Mailing or delivering the first Named Insured at least 45 days' notice prior to the cancellation date for any other reason.

If cancellation is for nonpayment of premium, written notice may be sent by certificate of mailing or certified mail. If cancellation is for any reason other than nonpayment of premium, written notice must be sent by certified mail.

3. Cancellation of Policies in Effect For 60 Days or More

If this policy has been in effect for 60 days or more, or if this is a renewal of a policy we issued, we may cancel this policy only for one or more of the following reasons:

- a. Nonpayment of premium;
- b. Fraud or material misrepresentation affecting this policy or in the presentation of claims under this policy;
- c. Violation of any provisions of this policy; or
- d. Substantial increase in hazard, provided we have secured approval for the cancellation from the commissioner of insurance.

If we cancel this policy for one of the reasons specified in paragraph 3., we will cancel only in the following manner:

- a. By giving at least 15 days' notice before the effective date of cancellation if we cancel for nonpayment of premium; or
- b. By mailing or delivering at least 45 days' notice before the effective date of cancellation if we cancel for any other reason.

Written notice of cancellation, including the reason for cancellation, will be mailed or delivered to the first Named Insured at the first Named Insured's last mailing address known to us.

If cancellation is for nonpayment of premium, written notice may be sent by certificate of mailing or certified mail. If cancellation is for any reason other than nonpayment of premium, written notice must be sent by certified mail.

4. Notice of cancellation will state the effective date of cancellation. The policy period will end on that date.
 5. If this policy is cancelled, we will send the first Named Insured any premium refund due. If we cancel, the refund will be pro rata. If the first Named Insured cancels, the refund may be less than pro rata. The cancellation will be effective even if we have not made or offered a refund.
 6. If notice is mailed, proof of mailing will be sufficient proof of notice.
2. Paragraph C. Concealment, Misrepresentation Or Fraud is replaced by the following:

C. Concealment, Misrepresentation Or Fraud

We will not pay for any loss or damage in any case of:

1. Concealment or misrepresentation of a material fact; or
 2. Fraud;
- committed by you at any time and relating to coverage under this policy.

3. The following paragraphs are added:

M. When We Do Not Renew

1. We may elect not to renew this policy by mailing, by certified mail, or delivering written notice of nonrenewal to the first Named Insured's last mailing address known to us. We will mail or deliver this notice at least 45 days before the:
 - a. Expiration of the policy; or
 - b. Anniversary date of this policy if this policy has been written for a term of more than one year.

2. This provision does not apply:

- a. If we have indicated a willingness to renew;
- b. In case of nonpayment of premium;
- c. If you do not pay any advance premium required by us for renewal; or
- d. If any property covered in this policy is insured under any other insurance policy.

N. Renewal

1. If we:

- a. Elect to renew this policy; and
- b. Have the necessary information to issue a renewal policy;

we will confirm in writing at least 45 days before it expires our intention to renew this policy; and the premium at which this policy will be renewed.

2. If we do not comply with the provisions of Paragraph 1., you will have renewal coverage. The renewal coverage will be at the rates:

- a. In effect under the expiring or expired policy; or
- b. In effect on the expiration date, that have been approved by the Commissioner,

whichever are lower.

This renewal coverage will be on a pro rata basis and will continue for 45 days after we confirm renewal coverage and premium. If you accept this renewal policy, this Paragraph 2. does not apply.

- C. The following paragraph is added to the Businessowners Coverage Form:

1. Statutory Liability

- a. In addition to paying and satisfying judicial judgments rendered against the insured in consequence of claims to which this policy applies, we will protect the insured against the levy of executions issued on such judgments or claims against the insured.

- b. We may, without the insured's consent, continue litigation after a judgment has been rendered with respect to the insured's legal liability under this policy for damages in particular instance. In that event, no limitation of our liability will be valid where the matter of that litigation is concerned.
- c. Under Coverage Forms to which this endorsement applies any legal action against us to recover for loss under this policy must be brought within one year after amount of loss is finally established. The amount of loss can be established only by:
 - (1) Judicial judgment; or
 - (2) An agreement between the parties involved with our written consent.
- d. In the event of the insured's bankruptcy or insolvency, an injured person or claimant who has obtained a judgment against the insured may bring suit against us, provided:
 - (1) The judgment was for damages covered by this policy; and
 - (2) The suit is for damages in amounts no greater than the applicable Limits of Insurance of this policy.
- e. Payment by the insured of any judicial judgment or claim for any of our liability under this policy will not deprive the insured of the right to bring action against us.

POLICY NUMBER:

BUSINESSOWNERS
BP 04 07 07 02

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – STATE OR POLITICAL
SUBDIVISIONS – PERMITS RELATING TO PREMISES**

This endorsement modifies insurance provided under the following:

BUSINESSOWNERS COVERAGE FORM

SCHEDULE*

State Or Political Subdivision:
City Of Burlington
149 Church Street
Burlington, VT 05041

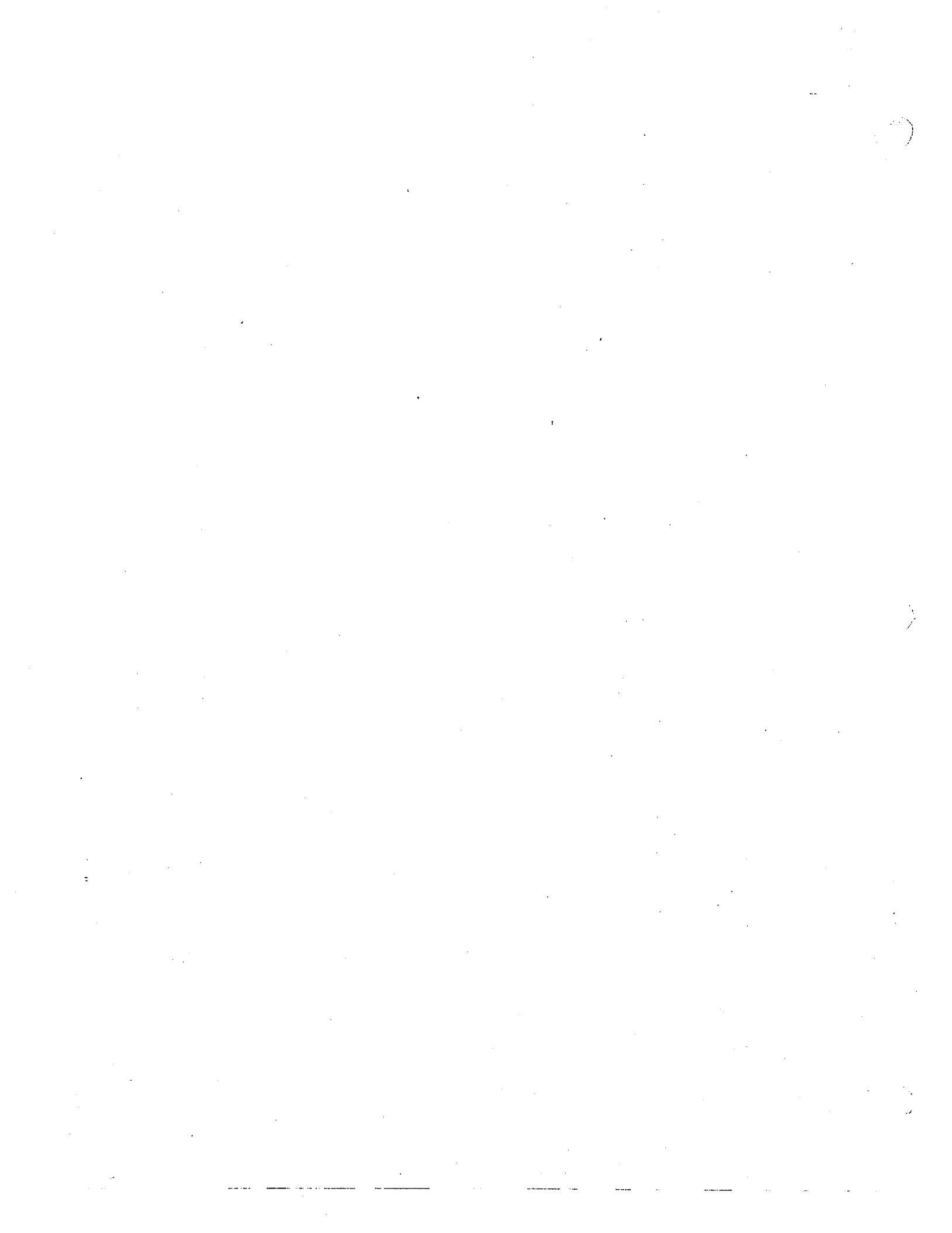
*Information required to complete this Schedule, if not shown on this endorsement, will be shown in the Declarations.

The following is added to Paragraph C. Who Is An Insured in Section II – Liability:

4. Any state or political subdivision shown in the Schedule is also an insured, subject to the following additional provision:

This insurance applies only with respect to the following hazards for which the state or political subdivision has issued a permit in connection with premises you own, rent, or control and to which this insurance applies:

- a. The existence, maintenance, repair, construction, erection, or removal of advertising signs, awnings, canopies, cellar entrances, coal holes, driveways, manholes, marquees, hoistaway openings, sidewalk vaults, street banners, or decoration and similar exposures;
- b. The construction, erection, or removal of elevators; or
- c. The ownership, maintenance, or use of any elevators covered by this insurance.



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**AUTHORIZATION TO ENTER INTO LICENSE AGREEMENT
TO MAINTAIN TABLES AND CHAIRS AND POTTED PLANTS
ON A PORTION OF THE CITY’S RIGHT-OF-WAY WITH
NEW MOON CAFE**

In the year Two Thousand Thirteen.....

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

That WHEREAS, 150 CHERRY STREET, INC. d/b/a NEW MOON CAFÉ, of Burlington, Vermont (hereinafter NEW MOON) is an establishment doing business in a commercial building located at 150 Cherry Street. in the City of Burlington, Vermont; and

WHEREAS, NEW MOON desires to place 3 tables and 6 chairs and 2 potted plants in the public right-of-way in front of its establishment at 150 Cherry Street; and

WHEREAS, NEW MOON wishes to enter into a License Agreement with the City for such tables and chairs and potted plants; and

WHEREAS, the placement of the respective tables and chairs and potted plants has been reviewed and approved by the Department of Public Works with conditions to address public safety concerns; and

WHEREAS, the Charter of the City of Burlington, Sec. 48XLIX and the Code of Ordinances Sec. 27-32 require authorization by the City Council for such use of a public thoroughfare for periods in excess of thirty (30) days;

NOW, THEREFORE, BE IT RESOLVED that this City Council hereby authorizes NEW MOON to place 3 tables and 6 chairs and 2 potted plants covering an area of 133 sq. ft. on a portion of the public right-of-way adjacent to its establishment at 150 Cherry Street. as indicated in and pursuant to its License Agreement upon entering into the License Agreement in substantially the form attached hereto; and

BE IT FURTHER RESOLVED that Mayor Miro Weinberger be and hereby is authorized to execute a License Agreement, in substantially the form attached, on behalf of the City of Burlington for a term commencing on the date of execution of the License Agreement and terminating on April 30, 2014.

**LICENSE AGREEMENT FOR TABLES AND CHAIRS
AND POTTED PLANTS WITH NEW MOON CAFÉ
2013-2014 SEASON**

This LICENSE AGREEMENT is made by and between the City of Burlington, a municipal corporation organized and validly existing under the laws of the State of Vermont (hereinafter CITY) and 150 CHERRY STREET, INC. d/b/a NEW MOON CAFÉ, a commercial establishment located at 150 Cherry Street, Burlington, Vermont (hereinafter NEW MOON CAFÉ or LICENSEE).

WHEREAS, the CITY owns property, including the street and sidewalk right-of-way adjacent to 150 Cherry Street; and

WHEREAS, NEW MOON CAFÉ stated on its application (attached hereto as Exhibit A) that it wishes to place 3 tables with 6 chairs on the sidewalk area in front of the building at 150 Cherry Street; and

WHEREAS, NEW MOON CAFÉ stated on its application that it wishes to place 2 potted plants alongside the stated tables and chairs within the stated area of operation; and

WHEREAS, NEW MOON CAFÉ has stated in its permit application that the tables and chairs and potted plants will be situated in front of the café and will cover a total area of 133 square feet; and

WHEREAS, this application was reviewed and approved by the Department of Public Works (attached hereto as Exhibit B); and

WHEREAS, such use of a public thoroughfare for periods in excess of 30 days requires approval of the City Council under Charter Sec. 48XLIX and Burlington Code of Ordinances Chap. 27, Sec. 27-32;

WITNESSETH:

The CITY and NEW MOON CAFÉ enter into the following License Agreement:

1. TERM

The CITY grants to NEW MOON CAFÉ (hereinafter LICENSEE) a license to place 3 tables with 6 chairs and 2 potted plants covering an area of 133 sq. ft. in front of 150 Cherry Street on the public right-of-way for a term commencing as of the date of execution of this Agreement and terminating on April 30, 2014 or sooner as provided herein.

2. LOCATION

LICENSEE may use and maintain the tables and chairs and potted plants on the public right-of-way (hereinafter referred to as the premises) for the consumption of food and beverage. Licensee must ensure that the sidewalk area is kept clear and at all times there is a 5 ft. right-of-way for pedestrian traffic. The tables and chairs and potted plants are to be placed as approved by the Department of Public Works. A copy of the approved plan is attached hereto as Exhibit C.

3. MAINTENANCE

a. LICENSEE shall maintain the tables and chairs and potted plants in proper condition.

b. LICENSEE shall be responsible for the maintenance and upkeep of the tables and chairs and potted plants and any damage to the tables and chairs and potted plants is solely the responsibility of LICENSEE. Should LICENSEE fail to maintain the tables and chairs and potted plants, this License Agreement is revocable on notice by the CITY to LICENSEE of a violation of this section; however LICENSEE shall have 14 days to cure any problem if it notifies the CITY in writing within three (3) days of its intent to cure the violation.

- c. The tables and chairs and potted plants shall be placed in accordance with all conditions set by the Department of Public Works (attached hereto as Exhibit B) and shall not impede the CITY'S ability to maintain the road, sidewalk, parking meters or greenbelt.
- d. The tables and chairs and potted plants shall not cause an obstruction or inconvenience to members of the public using the sidewalk, parking meters or street.
- e. LICENSEE shall pick up and sweep debris created by its use of the public right-of-way.

4. LICENSE FEE

There shall be a fee for this license equal to the encumbrance application fee and the square foot use fee. This fee shall be payable immediately to the Burlington City Clerk's Office. **Failure to pay the annual fee shall result in the immediate revocation of the license.**

5. REVOCATION

This License Agreement is immediately revocable should LICENSEE discontinue use of the tables and chairs and potted plants. In any event, this Agreement is revocable by the CITY within 30 days upon sending written notice to LICENSEE. Upon revocation, LICENSEE must remove at its own expense the tables and chairs and potted plants and other materials or obstructions placed on the property. If LICENSEE refuses to promptly remove such obstructions, they may be removed by the CITY and LICENSEE shall be liable for all expenses of such removal.

6. INSURANCE

a. LICENSEE shall maintain in effect throughout the term of this Agreement comprehensive public liability insurance with an A rated insurance carrier, or better, qualified to transact business in the State of Vermont, insuring against all legal liability for injuries or damages suffered as a result of the exercise of rights granted pursuant to this Agreement in an amount not less than \$1,000,000 each occurrence and \$2,000,000 general aggregate. The CITY shall be named as an additional insured on such insurance policy.

b. Prior to execution of this Agreement, LICENSEE shall furnish the CITY with a certificate of insurance and endorsement which shall include the provision that the CITY is named as an additional insured and shall be given 15 days written notification prior to cancellation of such insurance for nonpayment of premium and 45 days notice for any other reason. The certificate shall be attached to this Agreement as Exhibit D and the endorsement shall be attached as Exhibit E.

c. The certificate of insurance shall be provided annually on or before its stated expiration. It is the responsibility of LICENSEE to ensure that a current certificate of insurance is on file with the CITY at all times. **Failure to furnish a current certificate of insurance will result in immediate revocation of this license.**

7. INDEMNIFICATION

LICENSEE agrees to indemnify, defend and hold the CITY harmless and free from liability arising out of LICENSEE'S use of the CITY'S right-of-way, and LICENSEE agrees to make no claim against the CITY or any of its officers, employees, agents or representatives

for any loss or damage caused by the CITY'S use or maintenance of its right-of-way.

8. PERMITS

LICENSEE shall be responsible for obtaining all necessary CITY and/or State permits including zoning permits, prior to placement of the tables and chairs and potted plants.

9. NUISANCES PROHIBITED

LICENSEE shall not, during the term hereof, on or in the premises maintain, commit, or permit the maintenance or commission of any nuisance or violation of any applicable City of Burlington ordinance, State or Federal statute, or controlling bylaw, regulation, or condition imposed whether existing at the time of commencement of this Agreement or enacted, amended, or otherwise put into effect during the term of this Agreement.

10. ASSIGNMENT OF RIGHTS

LICENSEE shall not sell or assign its rights pursuant to this Agreement or permit the use of the premises or any part thereof by any other entity without the express prior written consent of the CITY. Any unauthorized action in violation of this provision shall be void, and shall terminate LICENSEE'S rights pursuant to this Agreement.

11. LIMITATION OF RIGHTS

LICENSEE acknowledges that no property or other right is created other than that specifically defined and limited by this Agreement.

12. This License Agreement supersedes all other License Agreements executed for this

location.

DATED at Burlington, Vermont this _____ day of _____,

2013.

CITY OF BURLINGTON

Witness

By: _____
Miro Weinberger, Mayor
Duly Authorized

150 CHERRY STREET, INC
d/b/a NEW MOON CAFÉ

Witness

By: _____
Duly Authorized

1b/c: GM 2013/License Agree for Encumbrance – NEW MOON CAFÉ, 150 Cherry St. (Tables, Chairs & Plants) 2013
5/13/13



CITY ATTORNEY'S OFFICE
APR 22 2013
RECEIVED

OFFICE OF THE CLERK AND TREASURER
149 CHURCH STREET
BURLINGTON, VT 05401
Voice (802)865-7000
FAX (802)865-7014
TTY (802)865-7142
Amy Bovee (802)865-7019
Ron Gore (802)865-7562

Encumbrance Application / Renewal

Effective 04/30/2013 - 04/30/2014

Eileen Beer
New Moon Cafe
150 Cherry St.

DATE: Tuesday, February 5, 2013
PHONE: 383-2676 (518) 726-0270
FAX: 383-2675
EMAIL:

CITY ATTORNEY'S OFFICE
APR 22 2013
RECEIVED

~~DBA NAME: New Moon Cafe~~

COMPANY: 150 Cherry Street Inc.

LOCATION: 150 Cherry St.

Permission is requested to allow/continue the encumbrance in the following area and manner (please describe fully, including size and physical barriers around area i.e. trees, grates, parking meters, etc with photos, diagrams, blueprints; may reference prior application):

Placement of Encumbrance: ³ tables and ~~2~~ potted plants in front of 150 Cherry Street. 25' x 5' area for tables; 2 2'x2' areas for plants

Conditions: Keeping public ways clear

Total Square Feet (\$1.00 per SF): ~~02~~ 133

PLEASE ATTACH:

1. Certificate of Liability Insurance with holder as the: "CITY OF BURLINGTON, CLERK/TREASURER'S OFFICE ENCUMBRANCE APPLICATION DEPT., 149 CHURCH ST., BURLINGTON, VT 05401"
2. Endorsement to Insurance Policy outlining the Cancellation Policy
3. Endorsement to Insurance Policy listing the City as Additional Insured
4. Sketch, Photo, or Blueprint of what you are proposing.
5. Check for the square feet fees (\$1 per square foot) + \$25 Application fee: _____

Signature _____

Eileen Beer

Date _____

Feb 14 / 13

For office use only: Amount received \$ 158.00 on 2/20 Check # 7038

Sent to Attorney: 4/22

Exhibit A



Amy Bovee
Executive Secretary
Office of the Clerk/Treasurer
149 Church Street
Burlington, VT 05401

Dear Amy,

Attached is all documentation for the encumbrance permit outside New Moon. Based on our experience of last summer we have altered our dimensions slightly to reflect a 25' long x 5' wide rectangle (new dimensions) at curbside (like last year). We are hoping we can have three tables rather than the two we've had in the past. We have also remeasured the squares for two small plants at our front door to cover 2' x 2' for one at each side of our alcove. That is sufficient for the size plants we have used!

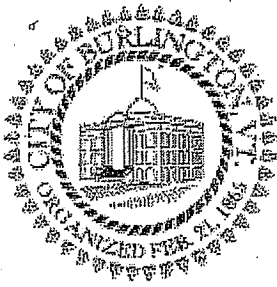
We have altered the enclosed fee to reflect the above "real estate". Please call me with any questions. 518-726-0270.

Thank you so much.

Best regards,

A handwritten signature in black ink, appearing to read "Eileen Beer". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Eileen Beer



OFFICE OF THE CLERK AND TREASURER
 149 CHURCH STREET
 BURLINGTON, VT 05401
 Voice (802)865-7000
 FAX (802)865-7014
 TTY (802)865-7142
 Amy Bovee (802)865-7019
 Ron Gore (802)865-7562

Encumbrance DPW Approval Form

Effective 05/01/2013 - 04/30/2014

ATTENTION: RON GORE, BURLINGTON DEPARTMENT OF PUBLIC WORKS

DBA NAME: New Moon Cafe

DATE: Wednesday, February 20, 2013

COMPANY: 150 Cherry Street Inc.

PHONE: 383-2676 (518) 726-0270

LOCATION: 150 Cherry St.

FAX: 383-2675

MAILING ADDRESS: Eileen Beer
 150 Cherry St.

RACKS / RAMPS / STAIRS / TABLES / CHAIRS ETC

1. Racks, ramps, sidewalks encumbrances should be located on private property, if possible. In the opinion of the City Building Inspector, is there an available alternative location for the ramp on private property? Yes No

2. Will there be sufficient width for plows and pedestrian access if racks, ramp, sidewalk, tables & chairs encumbrances are added on the sidewalk? Yes No

3. Additional Comments: TABLES / CHAIRS NEXT TO BUILDING

4. A 133 square foot placement of 25' x 5' area for 3 tables with chairs. 2 2'x2' areas for potted plants. at 150 Cherry St.

DEPARTMENT OF PUBLIC WORKS

Approved? Yes

No

Explain: PEDESTRIAN ROW TO BE 5' WIDE

Signature

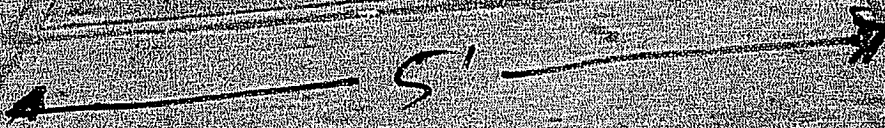
Ron Gore

Date:

02/25/13

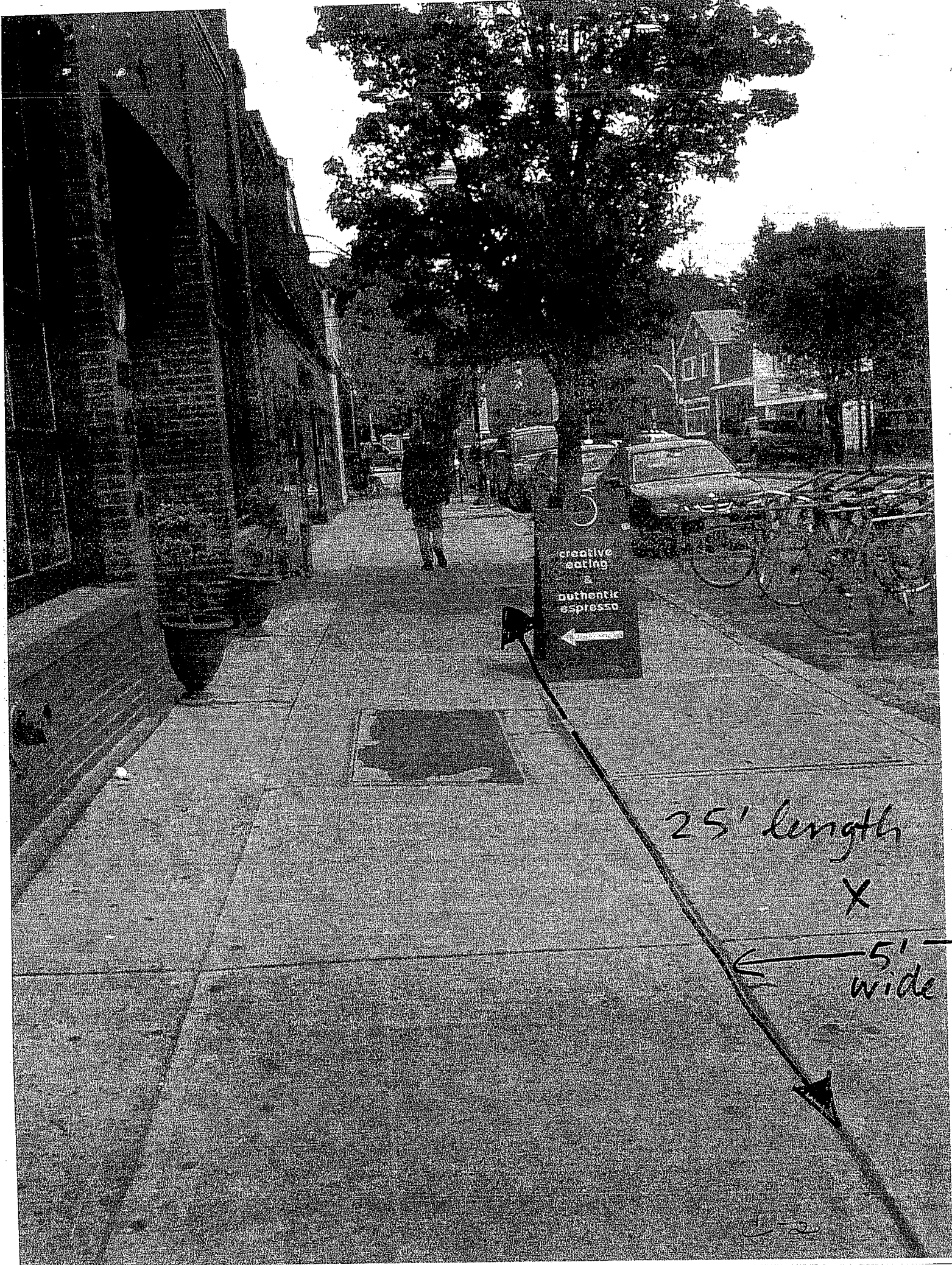
Exhibit B

creative
eating
&
authentic
espresso



Expenditure





creative
eating
&
authentic
espresso

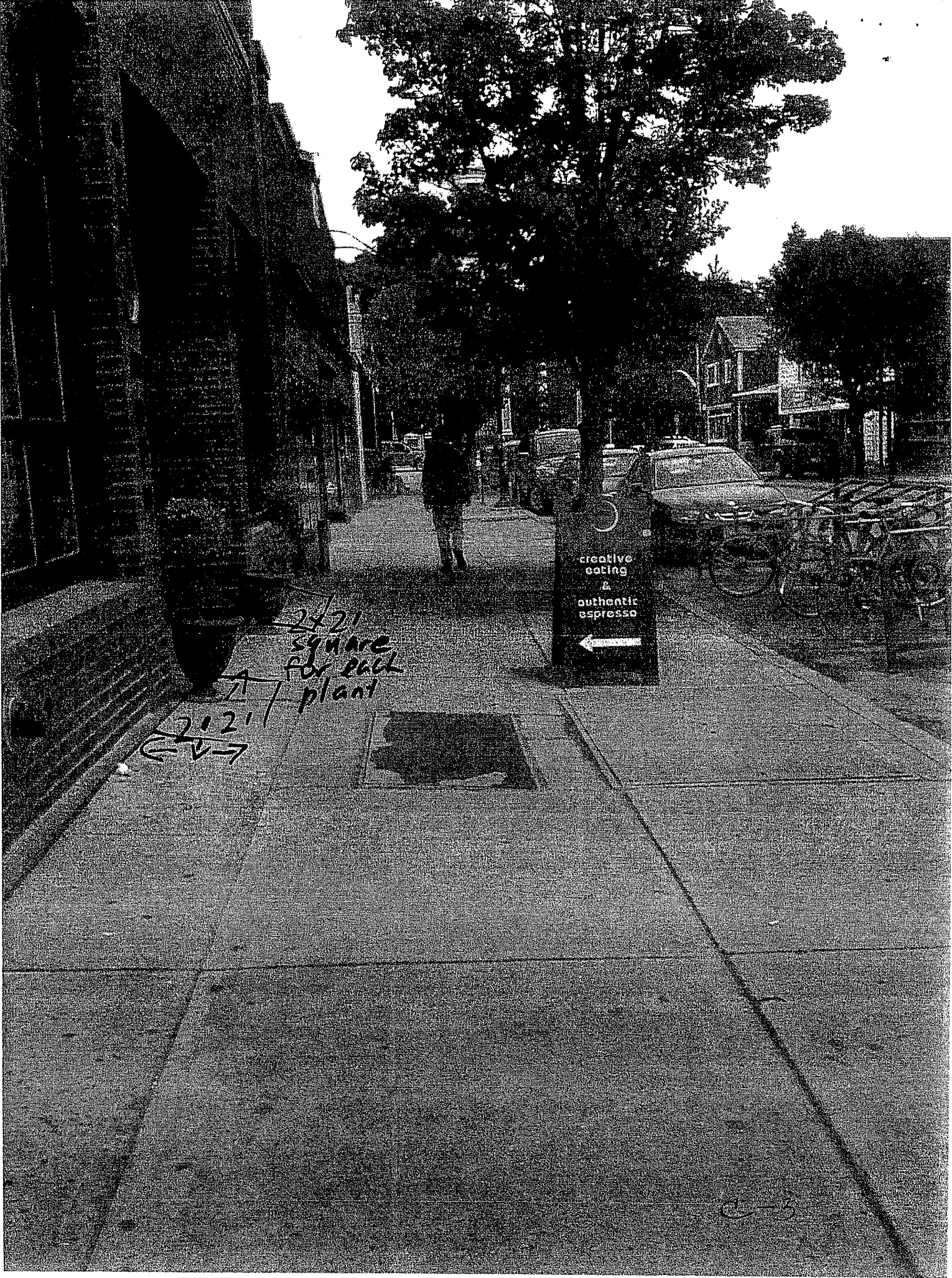


25' length

X

5'
wide

C-2



2x2'
square
for each
plant

2x2'
← →

creative
eating
&
authentic
espresso



THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

VERMONT CHANGES - CANCELLATION AND NONRENEWAL

This endorsement modifies insurance provided under the following:

BUSINESSOWNERS COVERAGE PART
CLAIMS-MADE CONTRACTORS ERRORS AND OMISSIONS COVERAGE PART
CLAIMS-MADE EXCESS LIABILITY COVERAGE PART
COMMERCIAL AUTOMOBILE COVERAGE PART
COMMERCIAL CRIME AND FIDELITY COVERAGE PART
COMMERCIAL GENERAL LIABILITY COVERAGE PART
COMMERCIAL INLAND MARINE COVERAGE PART
COMMERCIAL PROPERTY COVERAGE PART
COMMERCIAL UMBRELLA LIABILITY COVERAGE PART
EMPLOYEE BENEFIT LIABILITY COVERAGE PART
EMPLOYMENT PRACTICES LIABILITY COVERAGE PART
EXCESS LIABILITY COVERAGE PART
EXCESS WORKERS COMPENSATION AND EMPLOYERS LIABILITY COVERAGE PART
HOLE-IN-ONE COVERAGE PART
LIQUOR LIABILITY COVERAGE PART
MACHINERY AND EQUIPMENT COVERAGE PART
POLLUTION LIABILITY COVERAGE PART
PRODUCTS / COMPLETED OPERATIONS LIABILITY COVERAGE PART
PROFESSIONAL LIABILITY COVERAGE PART
PROFESSIONAL UMBRELLA LIABILITY COVERAGE PART
PROFESSIONAL UMBRELLA LIABILITY COVERAGE PART - CLAIMS-MADE

- A. The Cancellation Common Policy Condition is replaced by the following:

CANCELLATION

1. The first Named Insured shown in the Declarations may cancel this policy by mailing or delivering to us advance written notice of cancellation.
2. **Cancellation of Policies in Effect for Less than 60 Days**

If this policy has been in effect for less than 60 days and this policy is not a renewal of a policy we issued, we may cancel this policy by:

- a. Giving the first Named Insured at least 15 days' notice prior to the cancellation date for nonpayment of premium or substantial increase in hazard; or
- b. Mailing or delivering the first Named Insured at least 45 days' notice prior to the cancellation date for any other reason.

If cancellation is for nonpayment of premium, written notice may be sent by certificate of mailing or certified mail. If cancellation is for any reason other than

nonpayment of premium, written notice must be sent by certified mail.

3. **Cancellation of Policies in Effect for 60 Days or More**

If this policy has been in effect for 60 days or more, or if this is a renewal of a policy we issued, we may cancel this policy only for one or more of the following reasons:

- a. Nonpayment of premium;
- b. Fraud or material misrepresentation affecting this policy or in the presentation of claims under this policy;
- c. Violation of any provisions of this policy; or
- d. Substantial increase in hazard, provided we have secured approval for the cancellation from the commissioner of insurance.

If we cancel this policy for one of the reasons specified in Paragraph 3., we will cancel only in the following manner:

- a. By giving at least 15 days' notice before the effective date of cancella-

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Includes copyrighted material of ISO Commercial Risk Services, Inc., with its permission.

tion if we cancel for nonpayment of premium; or

- b. By mailing or delivering at least 45 days' notice before the effective date of cancellation if we cancel for any other reason.

Written notice of cancellation, including the reason for cancellation, will be mailed or delivered to the first Named Insured at the first Named Insured's last mailing address known to us.

If cancellation is for nonpayment of premium, written notice may be sent by certificate of mailing or certified mail. If cancellation is for any reason other than nonpayment of premium, written notice must be sent by certified mail.

- 4. Notice of cancellation will state the effective date of cancellation. The policy period will end on that date.
- 5. If this policy is cancelled, we will send the first Named Insured any premium refund due. If we cancel, the refund will be pro rata. If the first Named Insured cancels, the refund may be less than pro rata. The cancellation will be effective even if we have not made or offered a refund.
- 6. If notice is mailed, proof of mailing will be sufficient proof of notice.

- B. Any **When We Do Not Renew** Condition is deleted.

The following Conditions are added:

1. **When We Do Not Renew**

- a. We may elect not to renew this policy by mailing, by certified mail, or delivering written notice of nonrenewal to the first Named Insured's last mailing address known to us. We will mail or deliver this notice at least 45 days before the:

- (1) Expiration of the policy; or

- (2) Anniversary date of this policy if this policy has been written for a term of more than one year.

- b. This provision does not apply:

- (1) If we have indicated a willingness to renew;
- (2) In case of nonpayment of premium;
- (3) If you do not pay any advance premium required by us for renewal; or
- (4) If any property covered in this policy is insured under any other insurance policy.

2. **Renewal**

- a. If we:

- (1) Elect to renew this policy; and
- (2) Have the necessary information to issue a renewal policy,

we will confirm in writing at least 45 days before it expires our intention to renew this policy; and the premium at which this policy will be renewed.

- b. If we do not comply with the provisions of Paragraph a., you will have renewal coverage. The renewal coverage will be at the rates:

- (1) In effect under the expiring or expired policy; or
- (2) In effect on the expiration date, that have been approved by the Commissioner,

whichever are lower.

This renewal coverage will be on a pro rata basis and will continue for 45 days after we confirm renewal coverage and premium. If you accept this renewal policy, this Paragraph b. does not apply.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Person or Organization:

CITY OF BURLINGTON
CLERK TREASURER OFFICE
ENCUMBRANCE APPLICATION DEPARTMENT
149 CHURCH STREET
BURLINGTON VT 05401

- A. SECTION II - WHO IS AN INSURED is amended to include as an insured the person or organization shown in the Schedule but only with respect to liability arising out of your operations or premises owned by or rented to you.
- B. The following exclusion is added to SECTION I - COVERAGES, COVERAGE A. BODILY INJURY AND PROPERTY DAMAGE LIABILITY, 2. Exclusions and SECTION I - COVERAGES, COVERAGE B. PERSONAL AND ADVERTISING INJURY LIABILITY, 2. Exclusions:
- The insurance provided to the additional insured does not apply to "bodily injury", "property damage" or "personal and advertising injury" arising out of the sole negligence or willful misconduct of, or for defects in design furnished by, the additional insured or its "employees".
- C. SECTION IV - COMMERCIAL GENERAL LIABILITY CONDITIONS, 5. Other Insurance is amended to include:
- Any insurance provided by this endorsement shall be primary to other insurance available to the additional insured except:
- a. As otherwise provided in SECTION IV - COMMERCIAL GENERAL LIABILITY CONDITIONS, 5. Other Insurance; or
 - b. For any other valid and collectible insurance available to the additional insured as an additional insured by attachment of an endorsement to another insurance policy that is written on an excess basis. In such case, the coverage provided under this endorsement shall also be excess.

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**AUTHORIZATION TO ENTER INTO LICENSE AGREEMENT
TO MAINTAIN TABLES AND CHAIRS ON A
PORTION OF THE CITY’S RIGHT-OF-WAY WITH
PACIFIC RIM CAFE**

In the year Two Thousand Thirteen.....

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

That WHEREAS, PACIFIC RIM CAFÉ, LLC d/b/a PACIFIC RIM ASIAN CAFÉ of Burlington, Vermont (hereinafter PACIFIC RIM) is an establishment doing business in a commercial building located at 161 Church Street. in the City of Burlington, Vermont; and

WHEREAS, PACIFIC RIM desires to place 13 tables and 42 chairs and two stations in the public right-of-way in front of its establishment at 161 Church Street; and

WHEREAS, PACIFIC RIM wishes to enter into a License Agreement with the City for such tables and chairs and stanchions; and

WHEREAS, the placement of the respective tables and chairs and stanchions has been reviewed and approved by the Department of Public Works with conditions to address public safety concerns; and

WHEREAS, the Charter of the City of Burlington, Sec. 48XLIX and the Code of Ordinances Sec. 27-32 require authorization by the City Council for such use of a public thoroughfare for periods in excess of thirty (30) days;

NOW, THEREFORE, BE IT RESOLVED that this City Council hereby authorizes PACIFIC RIM to place 13 tables and 42 chairs and two stanchions covering an area of 439 sq. ft. on a portion of the public right-of-way adjacent to its establishment at 161 Church Street. as indicated in and pursuant to its License Agreement upon entering into the License Agreement in substantially the form attached hereto; and

BE IT FURTHER RESOLVED that Mayor Miro Weinberger be and hereby is authorized to execute a License Agreement, in substantially the form attached, on behalf of the City of Burlington for a term commencing on the date of execution of the License Agreement and terminating on April 30, 2014.

LICENSE AGREEMENT FOR TABLES AND CHAIRS AND STANCHIONS
PACIFIC RIM
2013-2014 SEASON

This LICENSE AGREEMENT is made by and between the City of Burlington, a municipal corporation organized and validly existing under the laws of the State of Vermont (hereinafter CITY) and PACIFIC RIM CAFÉ, LLC d/b/a PACIFIC RIM ASIAN CAFE, a commercial establishment located at 161 Church Street, Burlington, Vermont (hereinafter PACIFIC RIM or LICENSEE).

WHEREAS, the CITY owns property, including the street and sidewalk right-of-way adjacent to 161 Church Street; and

WHEREAS, PACIFIC RIM stated on its application, attached hereto as Exhibit A, that it wishes to place 13 tables and 42 chairs and two stations on the sidewalk area in front of the building at 161 Church Street; and

WHEREAS, PACIFIC RIM has stated in its permit application that there are no physical barriers around the tables and chairs and stanchions and they will cover a 439 sq. ft. area; and

WHEREAS, this application was reviewed and approved by the Department of Public Works, attached hereto as Exhibit B; and

WHEREAS, such use of a public thoroughfare for periods in excess of 30 days requires approval of the City Council under Charter Sec. 48XLIX and Burlington Code of Ordinances Chap. 27, Sec. 27-32;

W I T N E S S E T H :

The CITY and PACIFIC RIM enter into the following License Agreement:

1. TERM

The CITY grants to PACIFIC RIM (hereinafter LICENSEE) a license to place 13 tables and 42 chairs and two stanchions covering an area of 439 sq. ft. on the public right-of-

way at 161 Church St. for a term commencing as of the date of execution of this Agreement and terminating on April 30, 2014 or sooner as provided herein.

2. LOCATION

LICENSEE may use and maintain tables and chairs and stanchions on the public right-of-way not to exceed 439 sq. ft. (hereinafter referred to as the premises) as an outdoor dining area. Licensee must ensure that the sidewalk area is kept clear and at all times there is a 7 ft. right-of-way for pedestrian traffic. The tables and chairs and stanchions must be placed as approved by the Department of Public Works. A copy of the approved plan is attached hereto as Exhibit C.

3. MAINTENANCE

a. LICENSEE shall maintain the tables and chairs and stanchions in proper condition.

b. LICENSEE shall be responsible for the maintenance and upkeep of the tables and chairs and stanchions and any damage to the tables and chairs and stanchions is solely the responsibility of LICENSEE. Should LICENSEE fail to maintain the tables and chairs and stanchions, this License Agreement is revocable on notice by the CITY to LICENSEE of a violation of this section; however LICENSEE shall have 14 days to cure any problem if it notifies the CITY in writing within three (3) days of its intent to cure the violation.

c. The tables and chairs and stanchions shall be placed in an area totaling 378 square feet, with a proper barrier on all sides, as per the approved plan. The tables and chairs and stanchions shall be placed in accordance with all conditions set by the Department of Public Works, attached hereto as Exhibit B, and shall not impede the CITY'S ability to maintain the road, sidewalk, parking meters or greenbelt, if any.

d. The tables and chairs and stanchions shall not cause an obstruction or inconvenience to members of the public using the sidewalk, parking meters or street.

e. LICENSEE shall pick up and sweep debris created by its use of the public right-of-way.

4. LICENSE FEE

There shall be a fee for this license equal to the encumbrance application fee and the square foot use fee. This fee shall be payable immediately to the Burlington City Clerk's Office. **Failure to pay the annual fee shall result in the immediate revocation of the license.**

5. REVOCATION

This License Agreement is immediately revocable should LICENSEE discontinue use of the tables and chairs and stanchions. In any event, this Agreement is revocable by the CITY within 30 days upon sending written notice to LICENSEE. Upon revocation, LICENSEE must remove at its own expense the tables and chairs and stanchions and other materials or obstructions placed on the property. If LICENSEE refuses to promptly remove such obstructions, they may be removed by the CITY and LICENSEE shall be liable for all expenses of such removal.

6. INSURANCE

a. LICENSEE shall maintain in effect throughout the term of this Agreement comprehensive public liability insurance with an A rated insurance carrier, or better, qualified to transact business in the State of Vermont, insuring against all legal liability for injuries or damages suffered as a result of the exercise of rights granted pursuant to this Agreement in an amount not less than \$1,000,000 each occurrence and \$2,000,000 general aggregate. The CITY shall be named as an additional insured on such insurance policy.

b. Prior to execution of this Agreement, LICENSEE shall furnish the CITY with a certificate of insurance and endorsement which shall include the provision that the CITY is named as an additional insured and shall be given 15 days written notification prior to cancellation of such insurance for nonpayment of premium and 45 days notice for any other reason. The certificate shall be attached to this Agreement as Exhibit D and the endorsement shall be attached as Exhibit E.

c. The certificate of insurance shall be provided annually on or before its stated expiration. It is the responsibility of LICENSEE to ensure that a current certificate of insurance is on file with the CITY at all times. **Failure to furnish a current certificate of insurance will result in immediate revocation of this license.**

7. INDEMNIFICATION

LICENSEE agrees to indemnify, defend and hold the CITY harmless and free from liability arising out of LICENSEE'S use of the CITY'S right-of-way, and LICENSEE agrees to make no claim against the CITY or any of its officers, employees, agents or representatives for any loss or damage caused by the CITY'S use or maintenance of its right-of-way.

8. PERMITS

LICENSEE shall be responsible for obtaining all necessary CITY and/or State permits including zoning permits, prior to placement of the tables and chairs and stanchions.

9. NUISANCES PROHIBITED

LICENSEE shall not, during the term hereof, on or in the premises maintain, commit, or permit the maintenance or commission of any nuisance or violation of any applicable City of Burlington ordinance, State or Federal statute, or controlling bylaw, regulation, or condition imposed whether existing at the time of commencement of this Agreement or

enacted, amended, or otherwise put into effect during the term of this Agreement.

10. ASSIGNMENT OF RIGHTS

LICENSEE shall not sell or assign its rights pursuant to this Agreement or permit the use of the premises or any part thereof by any other entity without the express prior written consent of the CITY. Any unauthorized action in violation of this provision shall be void, and shall terminate LICENSEE'S rights pursuant to this Agreement.

11. LIMITATION OF RIGHTS

LICENSEE acknowledges that no property or other right is created other than that specifically defined and limited by this Agreement.

12. This License Agreement supersedes all other License Agreements executed for this location.

DATED at Burlington, Vermont this _____ day of _____,

2013.

CITY OF BURLINGTON

By: _____
Miro Weinberger, Mayor
Duly Authorized

Witness

PACIFIC RIM CAFÉ, LLC
d/b/a PACIFIC RIM ASIAN CAFE

By: _____
Duly Authorized

Witness



OFFICE OF THE CLERK AND TREASURER
 149 CHURCH STREET
 BURLINGTON, VT 05401
 Voice (802)865-7000
 FAX (802)865-7014
 TTY (802)865-7142
 Amy Bovee (802)865-7019
 Ron Gore (802)865-7562

Revised

Encumbrance Application / Renewal

DBA NAME: Pacific Rim Asian Cafe DATE: 4/4/13
 CONTACT NAME: Rich Brandt PHONE: 802 329-1444
 MAILING ADDRESS: 49 Central Ave FAX: —
Burlington, VT 05401 EMAIL: rbrandt6@hotmail.com

DBA NAME: Pacific Rim Asian Cafe
 COMPANY: Pacific Rim Cafe LLC
 LOCATION OF ENCUMBRANCE: 161 Church St. Burlington

Permission is requested to allow/continue the encumbrance in the following area and manner (please describe fully, including size and physical barriers around area i.e. trees, grates, parking meters, etc with photos, diagrams, blueprints; may reference prior application):

Description: 8 tables that can seat 4 and ^{five} ~~two~~ tables that seat 2 totaling seating for 42 people on the sidewalk in front of the old SKY BURGER. Exact same plan as SKYBURGERS. Totaling 435 SQFT

Total Square Feet (\$1.00 per SF): 435 + 4 = 439

PLEASE ATTACH:

Tables Station

1. Certificate of Liability Insurance with holder as the: "CITY OF BURLINGTON, CLERK/TREASURER'S OFFICE ENCUMBRANCE APPLICATION DEPT., 149 CHURCH ST., BURLINGTON, VT. 05401"
2. Endorsement to Insurance Policy outlining the Cancellation Policy
3. Endorsement to Insurance Policy listing the City as Additional Insured
4. Sketch, Photo, or Blueprint of what you are proposing.
5. Check for the square feet fees (\$1 per square foot) + \$25 Application fee: _____

pending

Signature: [Signature] Date: 4/4/13

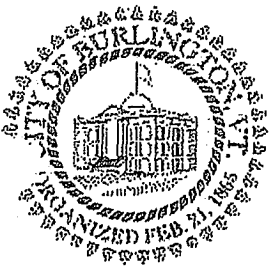
CITY ATTORNEY'S OFFICE

For office use only: Amount received \$ _____ on _____ Check # _____
 Sent to DPW: _____ Sent to Attorney: _____

MAY 28 2013

Exhibit A-1

RECEIVED



addition to previous application

OFFICE OF THE CLERK AND TREASURER
149 CHURCH STREET
BURLINGTON, VT 05401
Voice (802)865-7000
FAX (802)865-7014
TTY (802)865-7142
Amy Bovee (802)865-7019
Ron Gore (802)865-7562

Encumbrance Application / Renewal

DBA NAME: Pacific Rim Asian Cafe
CONTACT NAME: Rick Brandt
MAILING ADDRESS: 49 Central Ave
Burlington, VT 05401

DATE: 4/5/13
PHONE: 399-1444
FAX: _____
EMAIL: rbrandt6@hotmail.com

DBA NAME: Pacific Rim Asian Cafe
COMPANY: Pacific Rim Cafe LLC

LOCATION OF ENCUMBRANCE: 161 Church St. sidewalk

Permission is requested to allow/continue the encumbrance in the following area and manner (please describe fully, including size and physical barriers around area i.e. trees, grates, parking meters, etc with photos, diagrams, blueprints; may reference prior application):

Description: We also are wondering if it is possible to have a small barrier (such as two stanchions about 4 feet apart to prevent the lines waiting to get into Rasputins Bar from blocking the entrance to Pacific Rim (formally SKYBURGER) usually after 11:00 pm on weekends. The stanchions with belt or rope attached would stick out at right angles to the side of the building.

Total Square Feet (\$1.00 per SF): 4

PLEASE ATTACH:

1. Certificate of Liability Insurance with holder as the: "CITY OF BURLINGTON, CLERK/TREASURER'S OFFICE ENCUMBRANCE APPLICATION DEPT., 149 CHURCH ST., BURLINGTON, VT 05401"
2. Endorsement to Insurance Policy outlining the Cancellation Policy
3. Endorsement to Insurance Policy listing the City as Additional Insured
4. Sketch, Photo, or Blueprint of what you are proposing.
5. Check for the square feet fees (\$1 per square foot) + \$25 Application fee: _____

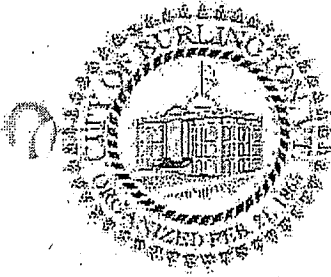
Signature: [Handwritten Signature]

Date: 4/5/13

CITY ATTORNEY'S OFFICE
MAY 28 2013
RECEIVED

For office use only: Amount received \$ 460.00 on 4/8/13 Check # 1160
Sent to DPW: 5/2/13 Sent to Attorney: _____

Exhibit A-2



OFFICE OF THE CLERK AND TREASURER
 149 CHURCH STREET
 BURLINGTON, VT 05401
 Voice (802)865-7000
 FAX (802)865-7014
 TTY (802)865-7142
 Amy Bovee (802)865-7019
 Ron Gore (802)865-7562

Encumbrance DPW Approval Form

Effective 05/01/2013-- 04/30/2014

ATTENTION: RON GORE, BURLINGTON DEPARTMENT OF PUBLIC WORKS

DBA NAME: PACIFIC RIM DATE: Friday, May 24, 2013
 COMPANY: PACIFIC RIM INCORPORATED PHONE: 802-651-3000 802-310-9353 or
 LOCATION: 111 ST PAUL STREET FAX:
 MAILING ADDRESS: RICH BRANDT
 111 ST. PAUL STREET
 BURLINGTON, VT 05401

RACKS / RAMPS / STAIRS / TABLES / CHAIRS ETC

1. Racks, ramps, sidewalks encumbrances should be located on private property, if possible. In the opinion of the City Building Inspector, is there an available alternative location for the ramp on private property? Yes No

2. Will there be sufficient width for plows and pedestrian access if racks, ramp, sidewalk, tables & chairs encumbrances are added on the sidewalk? Yes No

3. Additional Comments: TABLES/CHAIRS - 14' x 19' / 3' x 19'

4. A 435 square foot placement of 8 TABLES THAT SEAT 4 AND 5 TABLES THAT SEAT 2
 TOTALLING SEATING FOR 42 PEOPLE ON THE SIDEWALK IN FRONT OF 161 CHURCH ST. 2

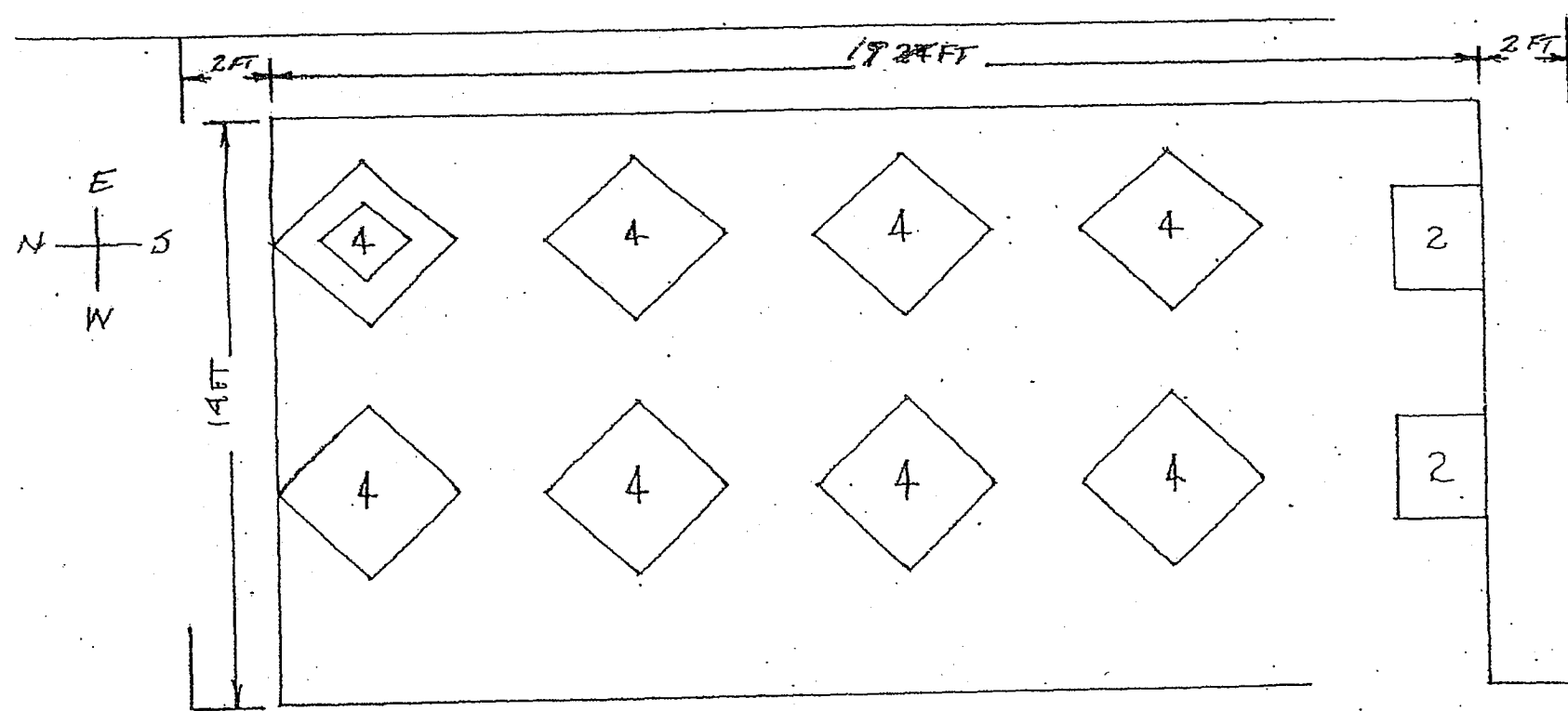
DEPARTMENT OF PUBLIC WORKS

Approved? Yes No
 Explain: TABLES/CHAIRS - 14' x 19' / 3' x 19'
w/ BARRICADE
MIN OF 7' - ROW FOR PEDESTRIAN

Signature Ron Gore

Date: 05/29/13

Exhibit B

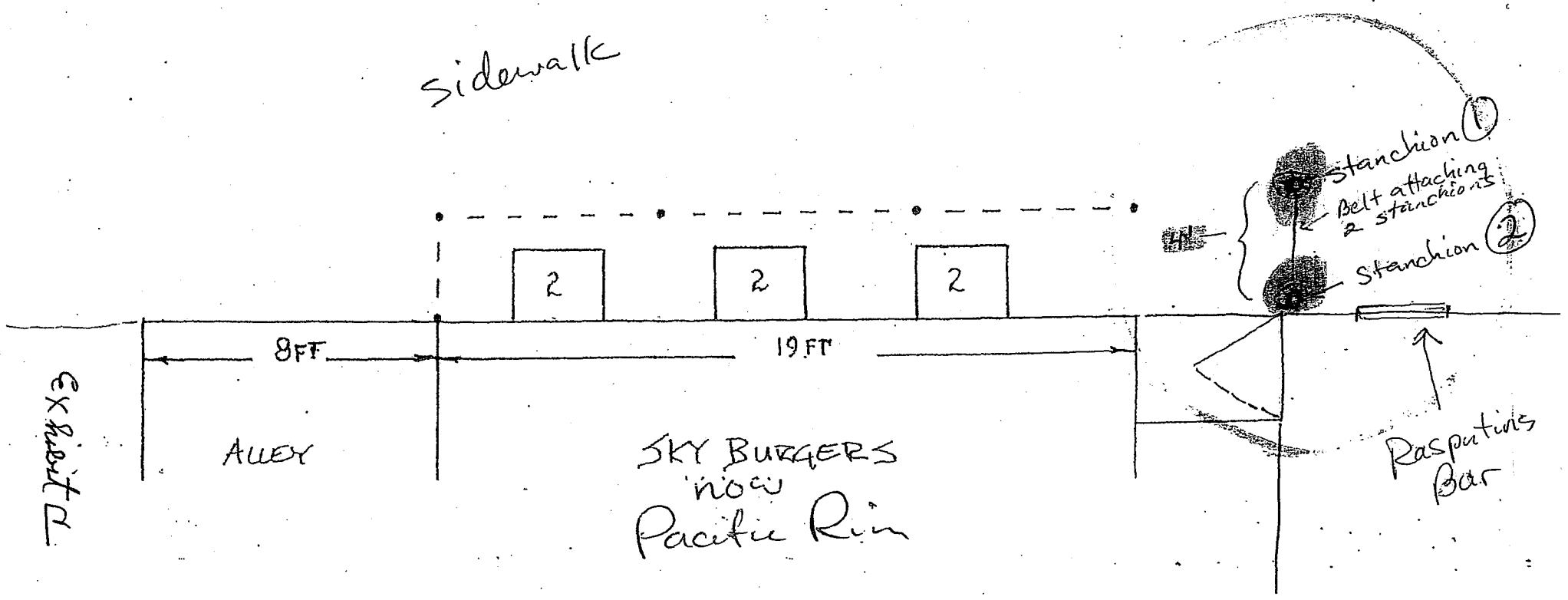


$14 \times 27 = 378 \text{ sq ft}$
 $3 \times 19 = 57 \text{ sq ft}$
 TOTAL 435 sq ft

8 EA 4 TBS = 32
 5 EA 2 TBS = 10
 13 TOTAL TBL

SEATING FOR
~~50~~ PEOPLE
 42

Sidewalk



EXIT

ALLEY

SKY BURGERS
 now
 Pacific Rim

stanchion 1
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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/21/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Cheeseman Insurance Inc. DBA Cheeseman Insurance Group 84 Pine St, Suite 602 Burlington VT 05401		CONTACT NAME: MICHAEL CHEESEMAN PHONE (A/C No, Ext): (802) 861-4800 FAX (A/C No): (802) 861-4801 E-MAIL ADDRESS: mikecheeseman@cheesemaninsurance.net	
INSURED Pacific Rim Cafe, LLC 161 Church St Burlington VT 05401		INSURER(S) AFFORDING COVERAGE INSURER A: LIBERTY MUTUAL INSURANCE INSURER B: AMTRUST NORTH AMERICA INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL SUBROGATION RIGHTS	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X	BKA55546621	05/01/2013	05/01/2014	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$15,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS COMP/OP/AGG \$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					
	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTIONS	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE				EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y	N/A PENDING	05/01/2013	05/01/2014	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$100,000 E.L. DISEASE - EA EMPLOYEE \$100,000 E.L. DISEASE - POLICY LIMIT \$500,000
A	LIQUOR LIABILITY		BKA55546621	05/01/2013	05/01/2014	Each Common Cause \$1,000,000 Aggregate \$2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Tables and Chairs in front of 161 Church Street, Stachions Next to Doorway.
City of Burlington is listed as Additional Insured.

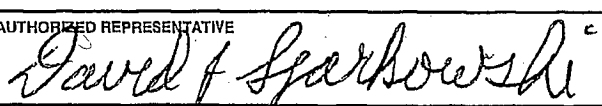
CERTIFICATE HOLDER City of Burlington Encumbrance Department 149 Church Street Burlington, VT 05401	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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Exhibit D

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED - MANAGERS OR
LESSORS OF PREMISES**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART.

SCHEDULE

1. Designation of Premises (Part Leased to You):
161 CHURCH STREET BURLINGTON, VT 05401

2. Name of Person or Organization (Additional Insured):
CITY OF BURLINGTON

149 CHURCH STREET

BURLINGTON, VT 05401

3. Additional Premium: **Included**

(If no entry appears above, the information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO AN IS INSURED (Section II) is amended to include as an insured the person or organization shown in the Schedule but only with respect to liability arising out of the ownership, maintenance or use of that part of the premises leased to you and shown in the Schedule and subject to the following additional exclusions:

This insurance does not apply to:

1. Any "occurrence" which takes place after you cease to be a tenant in that premises.
2. Structural alterations, new construction or demolition operations performed by or on behalf of the person or organization shown in the Schedule.



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of 16

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

VERMONT CHANGES - CANCELLATION AND NONRENEWAL

This endorsement modifies insurance provided under the following:

CAPITAL ASSETS PROGRAM (OUTPUT POLICY) COVERAGE PART
 COMMERCIAL AUTOMOBILE COVERAGE PART
 COMMERCIAL GENERAL LIABILITY COVERAGE PART
 COMMERCIAL INLAND MARINE COVERAGE PART
 COMMERCIAL LIABILITY UMBRELLA COVERAGE PART
 COMMERCIAL PROPERTY COVERAGE PART
 CRIME AND FIDELITY COVERAGE PART
 EMPLOYMENT-RELATED PRACTICES LIABILITY COVERAGE PART
 EQUIPMENT BREAKDOWN COVERAGE PART
 FARM UMBRELLA LIABILITY POLICY
 LIQUOR LIABILITY COVERAGE PART
 MEDICAL PROFESSIONAL LIABILITY COVERAGE PART
 POLLUTION LIABILITY COVERAGE PART
 PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

- A. The **Cancellation** Common Policy Condition is replaced by the following:

CANCELLATION

1. The first Named Insured shown in the Declarations may cancel this policy by mailing or delivering to us advance written notice of cancellation.
2. Cancellation Of Policies In Effect For Less Than 60 Days.

If this policy has been in effect for less than 60 days and this policy is not a renewal of a policy we issued, we may cancel this policy by:

- a. Giving the first Named Insured at least 15 days' notice prior to the cancellation date for nonpayment of premium or substantial increase in hazard; or
- b. Mailing or delivering the first Named Insured at least 45 days' notice prior to the cancellation date for any other reason.

If cancellation is for nonpayment of premium, written notice may be sent by certificate of mailing or certified mail. If cancellation is for any reason other than nonpayment of premium, written notice must be sent by certified mail.

3. Cancellation Of Policies In Effect For 60 Days Or More.

If this policy has been in effect for 60 days or more, or if this is a renewal of a policy we issued, we may cancel this policy only for one or more of the following reasons:

- a. Nonpayment of premium;
- b. Fraud or material misrepresentation affecting this policy or in the presentation of claims under this policy;
- c. Violation of any provisions of this policy; or
- d. Substantial increase in hazard, provided we have secured approval for the cancellation from the commissioner of insurance.

If we cancel this policy for one of the reasons specified in Paragraph 3., we will cancel only in the following manner:

- a. By giving at least 15 days' notice before the effective date of cancellation if we cancel for nonpayment of premium; or
- b. By mailing or delivering at least 45 days' notice before the effective date of cancellation if we cancel for any other reason.

Exhibit E

Written notice of cancellation, including the reason for cancellation, will be mailed or delivered to the first Named Insured at the first Named Insured's last mailing address known to us.

If cancellation is for nonpayment of premium, written notice may be sent by certificate of mailing or certified mail. If cancellation is for any reason other than nonpayment of premium, written notice must be sent by certified mail.

4. Notice of cancellation will state the effective date of cancellation. The policy period will end on that date.
 5. If this policy is cancelled, we will send the first Named Insured any premium refund due. If we cancel, the refund will be pro rata. If the first Named Insured cancels, the refund may be less than pro rata. The cancellation will be effective even if we have not made or offered a refund.
 6. If notice is mailed, proof of mailing will be sufficient proof of notice.
- B. Any **When We Do Not Renew** Condition is deleted.

The following Conditions are added:

1. WHEN WE DO NOT RENEW

- a. We may elect not to renew this policy by mailing, by certified mail, or delivering written notice of nonrenewal to the first Named Insured's last mailing address known to us. We will mail or deliver this notice at least 45 days before the:
 - (1) Expiration of the policy; or
 - (2) Anniversary date of this policy if this policy has been written for a term of more than one year.

b. This provision does not apply:

- (1) If we have indicated a willingness to renew;
- (2) In case of nonpayment of premium;
- (3) If you do not pay any advance premium required by us for renewal; or
- (4) If any property covered in this policy is insured under any other insurance policy.

2. RENEWAL

a. If we:

- (1) Elect to renew this policy; and
- (2) Have the necessary information to issue a renewal policy,

we will confirm in writing at least 45 days before it expires our intention to renew this policy; and the premium at which this policy will be renewed.

b. If we do not comply with the provisions of Paragraph a., you will have renewal coverage. The renewal coverage will be at the rates:

- (1) In effect under the expiring or expired policy; or
- (2) In effect on the expiration date, that have been approved by the Commissioner,

whichever are lower.

This renewal coverage will be on a pro rata basis and will continue for 45 days after we confirm renewal coverage and premium. If you accept this renewal policy, this Paragraph b. does not apply.

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**AUTHORIZATION TO EXECUTE AMENDED LEASE
FOR VERIZON WIRELESS CELLULAR TOWER
AT BURLINGTON INTERNATIONAL AIRPORT**

In the year Two Thousand Thirteen.....
Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, the City of Burlington (“City”) owns and operates the Burlington International Airport in South Burlington, Vermont (“Airport”), which includes a parking garage; and

WHEREAS, on April 29, 2013, this body authorized a lease to NYNEX Mobile Limited Partnership (d/b/a Verizon Wireless) (“Verizon Wireless”), for property on the top level of the Airport parking garage, at the total rental rate of \$24,000.00 per year to be adjusted by 3% annually as described in a proposed lease, which was intended to be effective June 1, 2013 and have a term of five years and one month, with two renewal terms of five years each (“Lease”); and

WHEREAS, subsequent to April 29, 2013 and prior to the full execution of the Lease, Verizon Wireless and Airport administration have tentatively agreed to amend several of the Lease’s provisions, most significantly the effective term of lease, to wit: from a five year and one month term with two five year renewals (total fifteen years and one month), to a ten year term with two five year renewals (total twenty years) (“Amended Lease”); and

WHEREAS, the Interim Director of Aviation Gene Richards deems the Amended Lease to be in the best interest of the City, Airport and public airport purposes; and

WHEREAS, the Board of Airport Commissioners approved of the effective term of twenty years in the Amended Lease on March 18, 2013; and

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**AUTHORIZATION TO EXECUTE AMENDED LEASE
FOR VERIZON WIRELESS CELLULAR TOWER
AT BURLINGTON INTERNATIONAL AIRPORT**

WHEREAS, the Board of Finance approved of the Amended Lease on May 23, 2013,

NOW THEREFORE BE IT RESOLVED, that the Mayor of the City of Burlington, Miro Weinberger is authorized to execute the Amended Lease between Verizon Wireless and the City of Burlington, and such other documents as will be required for the lawful culmination of said lease, all subject to the prior approval of the Chief Administrative Officer and the City Attorney as necessary.

NAME/PURPOSE OF CONTRACTS:	NYNEX Mobile Limited Partnership
ADMINISTRATING DEPARTMENT:	Airport
CONTRACT AMOUNTS:	Per Agreement
CONTRACT TERM:	Ten years effective June 1, 2013
RENEWAL TERM:	Two, five years each
DESIGNATION OF FUNDS:	
FISCAL YEAR:	2013
ACCOUNT NAME:	Terminal Operations
ACCOUNT NUMBER:	400-35-430.4505

200020-185 ; Resolution – “Verizon Wireless” Lease Agreement

MEMO

TO: Board of Finance
FROM: Ryan Betcher, Burlington International Airport
DATE: May 23, 2013
SUBJECT: Finance Board Term Amendment – NYNEX, d/b/a Verizon Wireless Lease Agreement

The Burlington International Airport seeks Finance Board and City Council approval to revise the proposed term of the contract that was approved at the April 15, 2013 meeting. The proposed term of the agreement will increase from an initial term of five years to an initial term of ten years, from July 1, 2013 to June 30, 2023, which is consistent with the terms approved by the Airport Commission on March 18, 2013. In addition, NYNEX seeks the same two additional five-year terms that was previously approved, with start dates of July 1, 2023 and July 1, 2028. The relocation clause included in the draft lease that was also previously approved will remain in effect. The annual rental for year one is \$24,000, and will be adjusted annually by a 3% escalator.

It is our intention to use the same contract that was approved by both the Board of Finance and City Council, a copy of which has been included. The Airport will seek final approval of any minor language edits to the agreement from the City Attorneys Office prior to review by the City Council. We apologize for the confusion and thank you for your consideration.

A draft resolution is included with this Request.

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2 **Resolution Relating to**
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RESOLUTION

Sponsor(s): Councilors Shannon, Knodell, Bushor, Aubin; pending
BOF approval
Introduced: 6/3/13
Referred to: _____
Action: _____
Date: _____
Signed by Mayor: _____

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6 **ENDORSEMENT OF IATSE COLLECTIVE**
7 **BARGAINING AGREEMENT 2012-2015**
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12 **CITY OF BURLINGTON**
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14 In the year Two Thousand Thirteen.....

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

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17 That WHEREAS, the Board of Finance and the City's Collective Bargaining Committee
18 recommend that the City Council ratify the Collective Bargaining Agreement between IATSE
19 Local #919 and the City of Burlington relating to staging and rigging at Memorial Auditorium
20 and Contois Auditorium in connection with public, ticketed events, for the period of July 1, 2012
21 through June 30, 2015 on the basis of the following:

22 1. The Collective Bargaining Agreement represents a complete rollover of the
23 contract that was in effect from 2009 through 2012 without any provision being changed except
24 for the duration of the Agreement; and

25 2. The fact that the implementation of this Agreement does not involve the
26 expenditure of any City funds from any source other than the revenues of such public, ticketed
27 events and merely represents a pass through of the designated portion of such revenues to
28 compensate for staging, rigging, lighting, etc. work by IATSE members in connection with such
29 productions.

30 NOW THEREFORE, BE IT FURTHER RESOLVED, that the City Council hereby
31 ratifies the CBA between IATSE and the City for the period of July 1, 2012 through June 30,
32 2015, and authorizes the Mayor to execute the Agreement subject to the prior review by the
33 City's legal counsel.

ACCEPTANCE OF EPA AREA-WIDE PLANNING GRANT
FOR FISCAL YEAR 2014 AND FISCAL YEAR 2015

In the year Two Thousand Thirteen.....

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

That WHEREAS, since 1997, the City of Burlington has been engaged in a multi-year effort to redevelop contaminated sites in the city (known as “brownfields”) into productive use; and

WHEREAS, the City’s Brownfields Program has targeted the “Railyard Enterprise District” as a high priority for redevelopment work; and

WHEREAS, there is a coordinated effort underway involving the Vermont Agency of Transportation, Vermont Department of Environmental Conservation, Chittenden County Regional Planning Commission, CCMPO, and the City of Burlington to identify specific alternatives for the improvement of the Railyard Enterprise District; and

WHEREAS, the Brownfields Program has successfully applied for grant assistance from the Environmental Protection Agency’s “Brownfields Area Wide Planning” program in the amount of \$200,000; and

WHEREAS, this EPA grant will fund staffing and consulting services allowing for the gathering of technical data, public involvement, thus creating specific parameters for redevelopment in the Railyard Enterprise District; and

WHEREAS, this work will take place in direct coordination with existing local, state, and regional efforts to maximize the effectiveness and efficiency of the overall goal to improve infrastructure, transportation, environmental, and quality of life improvements; and

WHEREAS, this grant will be administered and carried out by the Community and Economic Development Office in cooperation with other City Departments, and will be two years in duration (Fiscal Year 2014 and Fiscal Year 2015);

NOW, THEREFORE, BE IT RESOLVED that the City Council formally accepts a \$200,000 “Area-Wide Planning” grant from the U.S. Environmental Protection Agency and authorizes Peter Owens, Community & Economic Development Director, to execute all necessary documents thereto subject to the review and approval of the City Attorney.



COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

ROOM 32 ▪ CITY HALL ▪ BURLINGTON, VERMONT 05401
(802) 865-7144 ▪ (802) 865-7142 (TTY) ▪ (802) 865-7024 (FAX)

www.cedoburlington.org

Date: 5/17/13
To: Burlington Board of Finance
From: Peter Owens, CEDO Director
cc: Jennifer Green, Project Manager
Nick Warner, Special Projects Manager
Re: Acceptance of EPA Grant

The City of Burlington has been awarded the attached grant from the U.S. Environmental Protection Agency's Brownfields Program. This "Area-Wide Planning" grant provides \$200,000 in direct funding to support the city's efforts to make substantial improvements in the south end of the City.

Specifically, this grant will support a two-year process of technical study and community engagement to support the planning and redevelopment within the study area (image attached). It will allow the City to study and document specific parameters for redevelopment (e.g., environmental conditions, utilities, stormwater, geotechnical, transportation and design) and integrate this information into a community dialogue about the re-use and build-out of the area.

Grant funds will support city staffing, project consulting fees, and administrative support to process and report on the grant.

We ask for the support from the Board of Finance to recommend to City council that this grant be accepted by the City of Burlington.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

MEMORANDUM

Date: April 29, 2013

Subject: City of Burlington, Vermont - Approval of Pre-Award Costs

From: AmyJean McKeown, Project Officer *Amy Jean McKeown*

Thru: Carol Tucker, Section Chief
Brownfields Section *CT*

To: Michael Kenyon, Director
Office of Administration and Resource Management (MIO)

On April 25, 2013, the City of Burlington, Vermont was advised by EPA that their proposal for Brownfields funding will be awarded. This particular cooperative agreement will provide \$200,000 for Brownfields Areawide Planning (AWP) activities related to the Railroad Enterprise area in downtown Burlington.

Due to the fact that there will be pre-award costs incurred more than 90 days prior to the actual awarding of the cooperative agreement, approval must be given by the Regional Award Official. The Brownfields section has had the opportunity to review the pre-award activities and has determined that the specified pre-award costs are appropriate, reasonable, and eligible for reimbursement. This grantee has requested the approval of pre-award costs up to the amount of \$10,000 to be incurred through June 30, 2013. These pre-award costs are necessary in order to conduct project management/oversight activities (including contracting) and travel to a national meeting of all new AWP awardees to be held in conjunction with the Brownfields Training Conference in May 2013. Additional pre-award costs to be incurred within 90 days prior to the actual awarding of the cooperative agreement will be detailed in the grantee's workplan.

We therefore request your approval, as the designated Regional Award Official, of these pre-award costs by concurring below. Should you have any questions with respect to this specific project, please contact Carol Tucker at 8-1221. Please return this signed document to us for our files.

Michael Kenyon

Michael Kenyon, Director
Office of Administration and Resource Management

4/29/13

Date

**Office of
the Mayor
Burlington,
Vermont**



Miro Weinberger
Mayor
Room 34, City Hall
Burlington, VT 05401
Tel: (802) 865-7272

IV. C. 1. Transmittal Letter

November 30, 2012

Ms. Diane Kelley
EPA Region 1
5 Post Office Square
Suite 100
Boston, MA 02109-3912

Dear Ms. Kelley:

Please accept the following proposal from the City of Burlington, Vermont for the Brownfields Area-Wide Planning Grant. The City is proposing the creation of an area-wide plan for the railyard area to help ensure that Burlington's clean-up decisions are informed by the planned re-use of the catalyst site. This effort will include the identification and integration of community priorities for the area's near- and long-term clean up, reuse and development, as well as an implementation strategy.

The City of Burlington has historically worked closely with non-profit and private partners, community leaders, and state and federal agencies, including the Vermont Department of Environmental Conservation, to expedite the complex brownfield transactions, and return historically underutilized properties to common assets. This brownfield area-wide plan will provide the opportunity to continue this good work in the railyard area, a catalyst brownfield site.

Thank you for the opportunity to submit this application. We look forward to the prospect of working with you on this effort.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Weinberger", is written over a large, stylized flourish that extends to the right and loops back under the signature.

Miro Weinberger
Mayor

**2013 BROWNFIELDS AREA-WIDE PLANNING GRANT:
APPLICATION FOR FUNDING FROM THE CITY OF BURLINGTON,
VERMONT**

1. Applicant Identification

City of Burlington, Vermont
Burlington Community and Economic Development Office (CEDO)
149 Church St., Room 32 City Hall
Burlington, VT 05401

2. Applicant DUNS number: 830418245

3. EPA Cooperative Agreement Funding Amount Requested: \$200,000

4. Project Area Location and Description:

a. Railyard Enterprise Project, Burlington, Chittenden County, Vermont

b. Population of Area: 3,000 (Consolidated Plan --

<http://www.burlingtonvt.gov/CEDO/CDBG/Consolidated-Plan-for-Housing---Community-Development/>)

Population of City: 42,645 (2010: U.S. Census Bureau)

5. Project Contacts

a. Project Director:

Nick Warner, Projects Manager
Burlington CEDO
149 Church St., Room 32, City Hall
Burlington VT 05401
phone: (802) 865-7173 fax: (802) 865-7024
email: nwarner@ci.burlington.vt.us

b. Highest Ranking Official:

Mayor Miro Weinberger
149 Church St., Mayor's Office, City Hall
Burlington, VT 05401
phone: (802) 865-7272 fax: (802) 865-7024
email: miro@burlingtonvt.gov

6. Date Submitted: November 30, 2012

7. Project Period: two years from award date

8. Project Summary: The creation of a shared vision for Railyard Enterprise area brownfield, including existing conditions analysis and strategic steps for clean-up, re-use and development

IV. C. 2. Narrative Proposal

Ranking criterion 1. Community Need

On September 20, 2012, Mayor Miro Weinberger and Secretary of Transportation Brian Searles announced the commencement of work on the Burlington's Railyard Enterprise Project (<http://www.burlingtonfreepress.com/article/20120920/NEWS02/309200013/South-End-looks-up-New-access-through-railyard-announced>). Encompassing several brownfields properties, including the 14 acre Vermont Railway site and the catalyst site for this effort, the REP is an urban street grid project with the potential to bridge alternative transportation, create affordable housing, and increase economic development, while preserving the cultural richness and historic heritage of this traditionally low-income neighborhood.

Burlington's Community and Economic Development Office (CEDO) is applying for EPA AWP assistance to help create a shared vision for the brownfield within the Railyard Enterprise (RE) area, and to ensure that Burlington's clean-up decisions are informed by the planned reuse of the area. Part of this effort will include technical assistance to help evaluate existing conditions in the RE area, including the potential to expanded small business, the need for improved infrastructure, and existing environmental data and health risks.

Burlington's EPA AWP effort will also include the identification and integration of community priorities for the project area's near and long-term clean up, reuse and development, and help Burlington develop strategies for brownfield assessment, clean-up and reuse. Through this effort, Burlington will also build the capacity of local stakeholders (including the non-for-profit, public, and private sectors) to be effectively involved in brownfield area-wide plan development. Special attention will be paid to empowering local residents (particularly the traditionally poor and disadvantaged) with the information and data they need to be able to fully and actively engage in development and re-use decision making.

Through EPA assistance, Burlington's brownfield area-wide plan will also include an implementation strategy. To do this, CEDO will engage with community stakeholders (including the neighborhood's residents and non-profit bodies), conduct research and analysis of existing conditions in the railyard zone, and coordinate closely with other planning efforts, such as the HUD Sustainable Communities Challenge Grant funded effort, locally known as "Plan BTV". This area-wide plan will be the result of several key elements, including:

1. an extensive community engagement exercise to identify community priorities, and opportunities to meet those priorities through brownfield clean up and development;
2. research on the existing conditions in the RE zone's brownfields, including environmental conditions, infrastructure and economic development studies, and local health and environmental justice issues;
3. the development of the plan, including implementation strategies, and near- and long-term actions to move the plan towards fruition.

The REP area, a mix of industrial and commercial space in the regional rail yard and historic canal, is primarily brownfield. This will serve as the catalyst site for the AW plan. The total REP area runs north-south along Lake Champlain and parallel to "Pine Street", home to

Burlington's art and creative-culture hub. The REP area also includes commercial freight yard on Lake Champlain's eastern edge and to the west and north, a dense neighborhood of low and middle-income housing dating from the late 19th century to the mid-20th century.

This new urban street grid project also provides a north-south means to alleviate traffic congestion, while providing the opportunity for increased walking, biking, and public transit access. This is important for the neighborhood's low and middle-income residents living in the Bobbin Mill and Warf Lane complexes, and commuters and others that access Burlington from the south.

i. Economic and Other Concerns within the Project Area

The REP area has a highest concentration of affordable housing units in the City and is home to Vermont's highest concentration of low-income residents. Although historically a disadvantaged demographic, the area changed dramatically when Burlington became a Federal Refugee Resettlement Community in the late 1990's. Today, the neighborhood boasts dozens of languages and ethnic groups. (The Burlington School District has 56 languages spoken in the city's public schools). The REP is served by Champlain Elementary School, where 29.1% receive free or reduced lunch. (See Equity and Inclusion Report, BSD: <http://www.bsdt.org/>)

Anecdotal evidence suggests that residents of Burlington's railyard area experience environmental impacts that are disproportionately high relative to higher income and less diverse sections of the City. Endemic PAH's and arsenic in the soils, lead paint issues, and air quality from traffic are all major community concerns (*Data from Phase II ESA's*). The alleviation of poverty through the development of polluted sites in an increasingly diverse neighborhood is the core strategy of this proposal. With non-white Vermonters 30% more likely to live in poverty, and with the cost of living on average \$10,000 higher than the national average, it is clear that affordable housing is a major health issue in the area.

While localized data is not available, the Vermont Department of Health (VTDOH) tracks community health indicators based on poverty, gender, and ethnicity, showing that income is "... a strong predictor of the health of the individual or community", stating that "wealth equals health" (*2010 Data from Vermont DOH Web Page*).

ii. How AWP Grant Funding Will Serve Residents

The AWP Planning grant funding will serve area residents by offering stakeholders the opportunity to create a shared vision that addresses the neighborhood's most pressing housing, transportation and environmental needs. The EPA BF AWP will ultimately serve low and moderate income residents in Burlington's Railyard Enterprise Project zone, a neighborhood with the highest concentration of affordable housing, including the Bobbin Mill and Warf Lane Apartments and home to a housing stock composed mostly of late 19th century and early 20th century housing. Not only is this area of low and moderate residents, one of the highest lead levels neighborhoods in the City, it also has the most to gain from clean-up and re-use of the Railyard brownfield catalyst site, located less than a quarter mile away.

Creating this area wide planning process will empower residents to articulate their cares, concerns and vision for their neighborhood, with an eye towards more affordable housing and transportation options, and business development and growth opportunities. This planning process will pay particular attention to engaging the traditionally disenfranchised and/or those who speak English as a second language. This work will have the fortune of tapping into the skills and expertise of local partners, including those working on affordable housing, environmental health, business development, and local transportation.

The BF AW plan will also allow the neighborhood's residents to consider better and more streamlined traffic flows, including how and where to integrate new bike lanes and pedestrian-friendly features. The plan development process will offer stakeholders the chance for low and moderate residents to consider new transportation scenarios, including access to the downtown core and beyond, while simultaneously addressing one of the city's most congested corridors, Pine and Maple Streets. Addressing these important transportation elements will reduce traffic and air pollution in the neighborhood while offering safer, healthier and more low-cost travel options. This funding will also serve the area's residents by empowering them with information and an increased capacity to participate in, take ownership of, and benefit from brownfield remediation, while addressing other environmental challenges.

Indeed, the area's environmental challenges are several fold: First, the REP area is composed mostly of homes dating from the late 19th and early 20th century, which according to the Burlington Lead Program, are especially susceptible to issues associated with lead-based paint. A recent soil testing campaign resulted in samples ranging from 0 parts per million (ppm) to over 5000ppm. A random sampling of forty properties found an average lead level of 860 ppm. (This is over twice the recommended EPA level for play areas and high-contact areas for children and is also listed by the EPA as a 'moderately high' level of concern for gardening with recommendations that clean soil be sought and used for this purpose).

And yet, despite high lead levels, this area has a burgeoning number of backyard gardens, grown to supplement traditional food sources for low income residents while providing an important cultural link for the area's newest arrivals. Unfortunately, backyard and greenbelt gardening can also mean a greater chance of lead exposure for the families with children who depend on it most (<http://soiltest.uconn.edu/factsheets/LeadGardenSoils.pdf>).

Despite this, the Burlington LEAD program is excluded from working on HUD Section 8 project-based properties, which encompass the majority of low-income housing in the REP area. (That said, the Lead Program has committed to providing valuable in-kind technical assistance during the EPA AWP process -- 150 hours with an average rate of \$24 per hour for a total of \$3,600).

The REP area also includes the City's most congested corridors, Pine and Maple Streets, making it one of the City's most susceptible air pollution points. Once a full environmental analysis is complete, residents and other stakeholders will be able to consider how to integrate and expand new transportation elements that can reduce traffic and air pollution, and ultimately improve the health and well-being of area residents.

The REP area, running north and south along Lake Champlain also remains under possible threat of Lake Flooding, as seen over the last several years. In 2011 alone, there were two federally declared floods: Lake Champlain flooding that peaked in late May, creating the highest recorded lake level reading in history, and Tropical Storm Irene which hit Vermont on August 28th, 2011. Both were Presidentially-Declared Disasters under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. 5121 et seq.). Not only did these floods damage the project area's bike bath and several key businesses near the railyard, they compromised resident's health with the uncontrolled release of pollutants and contaminants into the Lake.

In addition the existence of brownfields, the prevalence of lead and other possible contaminants, and the continued risk of flooding, the REP zone lies far from fresh food sources, other than what can be grown in backyard gardens. Unlike the northern and central portions of the City, both of which have various grocery options, the REP sits equidistant between Burlington's downtown supermarket and the larger grocery store chains in South Burlington. As a result, access to food beyond backyard gardens is especially challenging for the neighborhood's low income, elderly or infirm where public transport links are poor and fewer consumers own cars.

iii. How Economic, Social and Health Concerns Relate to the Railyard Brownfield

The Railyard Enterprise brownfield is a 14 acre brownfield parcel. There is ample documentation of this from VT's Department of Environmental Conservation, maps of the area, and old fire insurance records -- although the full scope of the contamination has never been established.

A community vision for how to clean-up and reuse this area is an integral part of developing this new urban street grid. This new grid network has the potential to include much needed affordable housing, increase business opportunities and access to livable wage jobs for area residents, expand viable and alternative transportation options, and offer additional public access to Lake Champlain, while reducing air pollution, lead in area soils, and ensuring the long term health of the Lake. This clean-up and reuse is especially important for the area's low income residents.

The alleviation of poverty through the development of polluted sites in an increasingly diverse neighborhood is the core strategy of this proposal. With non-white Vermonters 30% more likely to live in poverty, and with the cost of living on average \$10,000 higher than the national average, it is clear that affordable housing is a major health issue in the area. Spending too much on housing relative to one's income causes a cascade of issues, including lack of healthy foods, and access to health care. Also, the *Vermont Asthma Plan* (2008) specifies "develop affordable housing for low-income Vermonters" as a specific recommendation, based on the fact that persons living in substandard housing have an increased risk of asthma and other health issues.

While localized data is not available, the Vermont Department of Health (VTDOH) tracks community health indicators based on poverty, gender, and ethnicity, showing that income is "...

a strong predictor of the health of the individual or community”, stating that “wealth equals health” (2010 Data from Vermont DOH Web Page). Additional information is available here:

Demographic information:

	BF AWP Area	Burlington	Vermont	National
Population	~3,000*	42,645 (2010: U.S. Census Bureau)	621,254	308,745,538 (2010: US Census Bureau)
Unemployment	8.2%**	4.1% (Bureau of Labor Statistics)	5.5% (VT Dept of Labor)	8.2% (Bureau of Labor Statistics)
Poverty Rate	25-30%*	20%*	11.1% (2010: US Census Bureau)	15.1% (2010: US Census Bureau)
Percent Minority	10%-20%*	9.1%*	4% (2010: US Census Bureau)	27.6% (2010: US Census Bureau)
Median Household Income	\$28,328*	\$46,012*	\$48,625 (2010: American Community Survey)	\$49,445 (2010: American Community Survey)

*Consolidated Plan, Burlington, VT:

http://www.burlingtonvt.gov/uploadedFiles/BurlingtonVTgov/Departments/CEDO/CDBG/Consolidated_Plan/Chapter%20Two,%20Section%20I.pdf

** Historical data indicates that this area has twice the unemployment rate

Ranking criterion 2. Brownfields Area-Wide Planning Project Description

i. The Catalyst Brownfield Site – The Burlington Railyard

Work for this effort will focus on the railyard, a 14 acre area built largely on fill. Bounded by Lake Champlain (a likely receptor for contaminant) to the west, and Pine Street to the east, the railyard has been in continuous use since 1898, starting with the Rutland Railroad until it was sold to the State of Vermont in 1964. Since that time, the property has been leased by the State Agency of Transportation to the Vermont Railway. This site has been selected because it has been identified as a new urban street grid area with the capacity to increase affordable housing, address challenging transportation problems, support economic growth and development and respond to the needs of the community, as articulated in the Legacy Action Plan, the downtown and waterfront plan (locally known at “PlanBTV”), and the more recent Chittenden County Regional Planning Commission ECOs plan. The REP was presented to and approved by the City Council in October 2012.

In addition to rail operations and maintenance, the site has been used as a scrap yard, coal storage yard, auto junkyard, landfill, petroleum terminal, repair shop, coke storage facility, power plant site, lumber yard, and truck storage facility. Leaking storage tanks were pulled from

the area in 1992. Contamination has entered the soils and possibly the ground water over the years. It is clear that significant abatement of hazards will be necessary.

EPA AWP effort will be a critical component in helping to support and further the City’s desire to make this a catalyst project that impacts not only the project area but the City overall. With the integration of additional affordable, energy efficient housing, transit system upgrades (including the Burlington bike path along Lake Champlain), and more fluid connections between the City’s southern end and downtown, the RE project will undoubtedly be one of Burlington’s more ambitious and exciting efforts and serve as a catalyst by helping to reduce and alleviate traffic congestion, expanding biking and walking, expand the availability of liveable wage jobs, and impact the City’s low vacancy rate by adding additional affordable housing.

ii. Project Tasks, Narrative Description and Budget

Funds through EPA BR AWP grant will result in a community-generated plan for the area. First, it will fund an existing conditions report, including a look at the infrastructure challenges and needed improvements, economic development potential, and a housing analysis. This information, including a look at the environmental issues, will be used to spur community engagement and dialogue about the area and a vision for development and growth. This public engagement effort will be built on Burlington’s long history and success with participatory visioning, including the creation of the Legacy Plan (Burlington’s sustainability plan and guide for 2030), the Moran Plan outreach effort, and most recently Plan BTV, a downtown and waterfront visioning effort funded through the Partnership for Sustainable Communities program. Our work here will result in an area wide plan for the project area, including next steps and resources available for plan implementation.

	Task 1: Cooperative Agreement Oversight	Task 2: Existing Conditions Research	Task 3: Community Engagement and Outreach	Task 4: Project Management incl. Analysis & Assessment	Task 5: Brownfield Site Reuse Plan incl. Implementation Strategy
Personnel incl. Fringe Benefits	\$5,000		\$60,000	\$22,000	\$15,000
Travel			\$2,000	\$1,000	
Contractual		\$50,000	\$20,000		\$11,000
Supplies	\$1,000	\$1,500	\$10,000		\$1,500
Total Funds	\$6,000	\$51,500	\$92,000	\$23,000	\$200,000

Task 1: Financial management and oversight including office supplies

Task 2: Contractual work to evaluate existing conditions in the railyard area, including business development potential, infrastructure improvements including necessary repairs to the bike path, and existing environmental and health risks.

Task 3: Community and Engagement Manager salary plus fringe benefits (\$36.09 x 10 hours week x 2 years = \$40,000) and equity and diversity community engagement specialist salary plus fringe (\$33.43 x 6 hours week x 2 years). Task 4 also includes meeting room space, fees for speaker series, the creation of a public input webtool, multi-lingual brochures and survey). This budget is based on the successful public engagement campaign development and launched by the

Department of Planning and Zoning for the downtown and waterfront plan, funded with a HUD Sustainable Communities Challenge Grant and locally known as “PlanBTV.”

Task 4: Includes salary and fringe benefits for Project Manager and Brownfields specialist, including time to work with consultancy team on current environmental and health considerations in the area (\$42.35 x 5 hours week x 2 years).

Task 5: Includes staff time and fringe to compile notes, survey results, public comments, maps and other products from the public engagement campaign. Includes contractual time to assist with layout and creation of final product and is based on PlanBTV’s experience and budget.

iii. Consistency and Integration with Community Planning Efforts

The BF AWP project is very much consistent with other planning efforts in the City, including Burlington’s Legacy Action Plan, our community-wide sustainable vision. Originally written with input from hundreds of community members and stakeholders, and later ratified by the City Council, this plan is built on the integration of sustainability’s 4 E’s – **economic** growth and development, quality **education** for all, a clean and healthy **environment**, and a commitment to social **equity**. Specific goals include an increase in affordable housing, stimulated economic vitality and small and medium business development, the advancement of multi-modal means of transportation, and reuse of the City’s brownfields. For details of the Plan (including the current update) please visit: <http://www.burlingtonvt.gov/legacy/>.

The BF AWP project would also dovetail with the Department of Planning and Zoning’s downtown and waterfront plan or “Plan BTV” (<http://www.burlingtonvt.gov/PlanBTV/>). Funded with a HUD Sustainable Communities Challenge Grant, this plan took a broader view of the area, including the railyard. Plan BTV calls for additional affordable housing, enhanced multi-modal transportation (included improved bike and pedestrian access), and support for local businesses (and the creative economy in particular). Plan BTV also calls for increased access to local foods for children and their families in the project area, and suggests means by which environmental impacts on Lake Champlain can be minimized.

Furthermore, the BF AWP, while supporting local planning efforts such as the Legacy Action Plan and Plan BTV, also compliments and is consistent with our county’s sustainability planning work: the ECOS Plan. Funded through HUD’s Sustainable Communities Regional Planning Grant Program, and managed by the Chittenden County Regional Planning Commission, the ECOS Project represents a unique opportunity to engage citizens, organizations and municipalities in a conversation about the future of the region. The BF AWP work dovetails and supports what has been articulated in the draft plan, most notably the importance of additional affordable housing and public transportation, access to open space, and the necessity to meaningfully engage with and empower our area’s economically disadvantaged into planning and visioning exercises(<http://www.ecosproject.com/>). Burlington is an active member on the Project Steering Committee and a major player in this effort.

The results of Burlington’s BF AWP will be a key component of the Railyard Enterprise Project. Not only will it provide important data for further investigation and other pre-construction planning if deemed necessary, it will result in a community vision about the area which will allow the administration to solicit funds and garner state and federal support for plan realization. Indeed, the results of this work will allow local government to further advance the Railyard

Enterprise project, a key administration priority and one presented to and approved by the City Council in October 2012.

iv. Performance Measurement

Work undertaken as part of Burlington’s EPA funded BF AWP can be delineated into outcomes and outputs. Outcomes from Burlington's BF AWP refer to the result, effect, and consequences that occur and are environmental, behavioral, and health-related. The principle outcome from this effort is the creation of an area-wide plan that will allow Burlington to eventually launch a clean-up of the area site, ultimately impacting public health and wellness, while also increasing economic growth and development in the region, improved transportation options, and build additional affordable housing. Thanks to the plan, Burlington will be better positioned to increase the capacity of local residents and stakeholders impacted by the brownfields to benefit from their reuse and development, and further possible networking and partnerships that can ultimately assist in clean-up and redevelopment. The project team will *track, measure and document progress in achieving the project outcomes by closely following our detailed timeline and cross-referencing this timeline with the progress on the specific tasks detailed there-in.*

Outputs, or the project's environment activities, and associated work products, will be produced over the two year period of the grant. Outputs will include: 1. increased community involvement opportunities which can help lead to informed decision making about catalyst site brownfield use and development; 2. an analysis of existing conditions within the RE area, and recommendations for key reuse of the brownfield sites; 3. recommendations for brownfield site assessment and clean-up, and finally; 4. the development of an area-wide plan which includes next steps, and specific resources available to help implement the plan. Outputs will be tracked, measured and documented through meeting notes, website comment forms, and attendance sheets. A detailed project time-line, modeled after Burlington's HUD-funded Plan BTV process, will be designed and followed.

Specific community engagement outputs can be illustrated this way:

Output	Number	# Individuals Reached
Community Meeting	9	360
On-line Neighborhood Announcements (Front Porch Forum)	10	20,000
Newsletter Updates and Event Postings (The City’s “BUZZ”)	6	12,000
Webpage	1	750
Speaker Series events	6	350
Public input tool	1	
Public Television Program	2	8,000
Multi-Lingual Fliers	2	1,200

Ranking criterion 3. Community Engagement and Partnerships

i. What's Currently Underway in Area Planning and Revitalization

Development of the REP project is in the conceptualization phase, although engagement with and support of this dynamic project has been garnered from city, state, and federal stakeholders. This same group (a variety of public, private and non-profit stakeholders) will be working to support the elements of the EPA BF AWP project, including the provision of knowledge, data, and expertise for the existing conditions evaluation and later during the planning and implementation of the public outreach and engagement process. This network of area partners includes affordable housing advocates (including the King Street Neighborhood Development Corporation and the Champlain Housing Trust), to the small business and arts community (represented by the South End Arts @ Business Association and others), to Local Motion (a Burlington-based non-profit working to promote multi-modes of transportation), to a variety of Departments, including the Department of Planning and Zoning and the Burlington Electric Department and their energy efficiency team.

The grant funding requested for Burlington's proposed BF AWP project will be the next logical step in the area's ongoing project revitalization effort. Work will begin with a full evaluation of existing conditions. This will provide area residents and other stakeholders with an understanding of the constraints around and opportunities in housing development, job growth, transportation and environmental health. This evaluation of existing conditions will be conducted with the help an outside expert and actively involve the Community and Economic Development Office's Brownfields Coordinator with in-kind support from the Burlington Lead Program and CEDO's Housing Director. Once this compressive analysis is complete, a full-scale engagement process, especially targeted to traditionally disadvantaged community members, will be conducted. The results of this community engagement exercise will lead to an area wide plan, including next steps regarding implementation.

This area-wide plan for and implementation strategy will serve as a logical springboard to the recently conducted Plan BTV, funded through the Partnership for Sustainable Communities Program. While PlanBTV takes a broader and more 100,000 foot view approach, Burlington's BF AWP process will hone in on a the catalyst brownfield site and redevelopment of the area.

The BF AWP project will be managed by the City's Community and Economic Development Office. Not only does CEDO have a long-standing track-record in managing complex projects involving a multitude of government and community partners, CEDO (and the City of Burlington) was one of the first recipients of the EPA Brownfield Pilot Initiative funds. Since 1997, the Brownfield Program has been highly effective in the redevelopment of sites, with well over \$24 million in public and private assessment, clean-up, and construction funds leveraged. Brownfield specialist Nick Warner will serve as the Project Manager for this effort.

The City also has extensive public engagement expertise and demonstrated leadership in outreach and environmental planning. This includes the Community and Economic Development Office's work on the Legacy Action Plan and Climate Action Plan. The Legacy Action Plan included extensive public engagement and the ultimate creation of a shared vision for the City. The recent Climate Action Plan involved the development and implementation of a

community engagement strategy with hundreds of community stakeholders (including members of the community and public and private sectors). This engagement work, which included coordinating 8 working groups that generated over 250 greenhouse gas reduction strategies, entailed dozens of small group meetings, surveys, television appearances, and presentations. This work was overseen by community engagement specialist Jennifer Green in conjunction with staff from the Department of Planning and Zoning. Jennifer will manage the community engagement and visioning portion of this project with assistance from CEDO's community outreach specialist and diversity and equity coordinator.

ii. Local Community-Based Organizations

The following table lists local community-based organizations, government entities, and other stakeholders that are already involved or will be involved in Burlington's proposed BF AWP project:

NAME/TITLE	AFFILIATION	ORG INFO	ADDRESS AND CONTACT INFO
Miro Weinberger/ Mayor*	City of Burlington	http://www.burlingtonvt.gov/	149 Church Street 802-865-7272
Chapin Spencer/ Executive Director*	Local Motion	http://www.localmotion.org/	1 Steele Street 802-861-2700
Brian Pine/ Vice President*	King Street Neighborhood Revitalization Corps	802-862-7232	87 Kings Street, Box 1615
Adam Brooks/ Executive Director*	South End Arts @ Business Association	http://seaba.com/	404 Pine Street 802-859-9222
David White/ Director*	Planning and Zoning Department, City of Burlington	http://www.burlingtonvt.gov/PZ/	149 Church Street 802-865-7188
Brenda Torpy/ Executive Director*	Champlain Housing Trust	http://www.champlainhousingtrust.org/	88 King Street 802-862-6244
Charlie Baker/ Executive Director	Chittenden County Regional Planning Commission	http://www.ccrpcvt.org/	110 West Canal Street Winooski, VT, 54041
Vicky Smith/Executive Director	King Street Youth Center	www.kingstreetcenter.org/	87 King Street (802) 862-6736

*organizations and stakeholders that have been involved in the proposed project area revitalization effort already and will be involved in the proposed BF AWP project going forward

iii. Working Together to Create the Brownfields Area-Wide Plan

CEDO will manage all phases of this project, including consultant identification and coordination, budget oversight, community partner outreach and networking, all elements of the community engagement process, and reporting. Burlington has a proud history of participatory

governance and a myriad of engagement tools and activities it will incorporate into the EPA AWP effort to ensure meaningful involvement and community ownership throughout the project. These tools and activities are based on experience and expertise developed for and employed by several other large scale project efforts, including development of the Moran Plant, the Legacy Action Plan, the Climate Action Plan, and more recently the downtown and waterfront plan (Plan BTV). All of these large scale planning and development efforts were conducted with full engagement of the City's community partners. This will be the case for the AWP effort, starting with a comprehensive site tour of the area.

Furthermore, every effort will be made to ensure meaningful involvement and community ownership of the process throughout the proposed BF AWP project. This public engagement process will include the integration of eight key public engagement activities, and modeled after the public process developed for the creation of PlanBTV and in Climate Action Plan development. To begin, **nine public meetings** will be held throughout the City. This includes staff visiting each of the City's five Ward meetings to gather input and feedback on the environmental constraints and opportunities outlined in the assessment, a larger public workshop held during the business day, and 3 separate night-time meetings. The City's diversity and equity specialist will ensure that this process involves as wide a range of Burlington stakeholders as possible. Public meetings will also include interpreters, food, and childcare.

Public engagement will also include the use of **social media** and the development of a website to provide the public with information on the existing conditions report and to capture community input. Other tools include the Front Porch Forum and the BUZZ newsletter to reach a broader audience. Together, these reach over one-third of the Burlington population.

Outreach will also include a **speaker series**. Six events will be held on the following topics: brownfields and environmental health, transportation, housing, public health, energy efficient design, the vitality of Lake Champlain. Each of these topics will integrate the role of equity and diversity in our sustainable future. Further public involvement includes a **public input webtool**, similar to what was developed by PlanBTV as a means to enhance the public engagement process. This tool will be used to share comments and ideas generated at the public meeting, and allow stakeholders to ultimately review and comment on the draft AWP.

Local media channels will also be used to outreach and gather ideas and support for the planning process. This includes regular appearances by City staff and partners on local access station Channel 17. Integrating the vision and voice of Burlington's youth will also be a vital part of the process. To help, this planning process will include an **art contest** to offer children an opportunity to express their hopes and desires for this area of the city. Special attention will be made to include children from the neighborhood school, Champlain Elementary.

Direct communication through email will be sent directly to stakeholders who sign up with Constant Contact. A **survey** (administered electronically and through hard copy) will offer an important way to get the community's pulse on development and growth in the REP area. Perhaps most important will be the direct **door-to-door contact**, lead by the community outreach professional with the help of University of Vermont interns and volunteers. Flyers about the project and public meetings will be available in English as well as French, Somali, Vietnamese and Nepali.

Ranking criterion 4. Community Benefits

i. How the Project Will Lead to Community Improvements

Burlington is poised to create a new urban street grid in a former industrial corridor. Known as the Burlington Railyard Enterprise Project (REP), this unique opportunity will ultimately integrate multi-use development, include affordable, energy efficient housing, and host a myriad of transportation alternatives, and additional public access to Lake Champlain. However, advancement of this REP depends on evaluating the existing conditions of the area with a special focus on the catalyst brownfield. The fruition of this project also depends on an extensive public engagement process based on the environmental realities and constraints of the area, the economic development potential, affordable housing opportunities, and infrastructure improvement recommendations.

Not only will this planning process empower area residents and other stakeholders with knowledge and information on the constraints and opportunities of the area, bringing the Plan to fruition will most directly impact Burlington's most disempowered and marginalized residents. For example, this new urban street grid project can provide a north-south means to alleviate traffic congestion, while providing the opportunity for increased walking, biking, and public transit access --- impacting public health. This project can also serve as a springboard for additional job growth, improving the economic livelihoods of the neighborhood's stakeholders. And, while providing guidance and a vision for a restored bikepath (extensively damaged by the 2011 floods) this project can ultimately lead to infrastructure improvements and access to new green space and Lake Champlain.

Development of the REP area is in the conceptualization phase; advancement will depend on a thorough and shared vision for the area including a “next steps” strategy. Support of this dynamic REP has already been garnered from city, state, and federal stakeholders. Furthermore, a variety of public, private and non-profit stakeholders will be working in tandem from design to implementation.

ii. How the Project Advances the HUD-DOT-EPA Partnership for Sustainable Communities Livability Principle

The Railyard Enterprise Project – which will ultimately come to fruition with the help of the EPA AWP effort -- is very much built around the **Partnership for Sustainable Communities Livability Principles** and dedicated to furthering Burlington’s sustainability principles and vision.

For example, with the creation of a shared visions document for the area, this Railyard Enterprise project area will be better positioned to support additional **affordable housing** for not only the traditionally disadvantaged but for Burlington’s new and changing demographic. Tapping into Burlington’s long history of climate planning, and the expertise of the Burlington Electric Department, this housing will be energy efficient, and benefit from the area’s new and expanded public transportation network.

The Railyard Enterprise area – again, building on the work of the BF AWP including the public engagement process – will also be well positioned to **support and enhance the small and medium sized business sector** by providing additional spaces for growth and development and for building on the advice and lessons learned from such community partners as the South End Arts @ Business Association. This area will also support existing communities -- through strategies like transit oriented, mixed-use development, and land recycling— and increase community revitalization and the efficiency of public works investments.

Equally important, this work will **coordinate and leverage key resources** while stimulating and advancing collaboration and the effectiveness of all levels of government to plan for future growth and development in the area, including making smart energy choices with the help of the City’s municipal energy department and Burlington’s locally generated renewable energy plans. Lastly, the Railyard Enterprise area **will value the exiting communities and neighborhoods** by enhancing the unique characteristics of the Pine Street Corridor, including the new and emerging cultural changes that make the neighborhood unique and celebrated.

Ranking criterion 5. Programmatic Capability and Past Performance

i. Federally and/or Non-Federally Funded Assistance Agreements

Burlington has successfully completed and managed a myriad of agreements. The following are an example. All completed the required financial and programmatic reporting requirements, including requests for reimbursements.

GRANT TITLE	GRANT NUMBER	AMOUNT	FY 2012 EXPENDITURES
CDBG - Entitlement Grant	M-11-MC-50-0200	812,155	604,260
CDBG – Brownfield Economic Development Initiative (BEDI)	B-09-BD-50-8013	1,040,000	151,051
Home Investment Partnership Program	M-11-MC-50-0200	479,889	307,036
Lead-Based Paint Hazardous Control Program	VTLHB0511-11	2,475,000	242,841
Neighborhood Stabilization Program	07110-NSP-Burlington	1,330,600	145,161

ii. Staff And Organization’s Knowledge, Experience, Qualifications, And Resources

The BF AWP project will be managed by the City’s Community and Economic Development Office. Not only does CEDO have a long-standing track-record in managing complex projects

involving a multitude of government and community partners, CEDO (and the City of Burlington) was one of the first recipients of the EPA Brownfield Pilot Initiative funds. Since 1997, the Brownfield Program has been highly effective in the redevelopment of sites, with well over \$6 million in public and private assessment, clean-up, and construction funds leveraged.

Nick Warner, Project Manager and Brownfield Specialist, has directed the City's EPA-sponsored Brownfields Redevelopment Program since the City's first EPA Assessment Pilot grant in 1997. His accomplishments include acquisition of over \$3 million in federal funding, two designations as an "EPA Brownfields Showcase Community" finalist, and work as a Mentor for the U.S. Conference of Mayors Brownfields exchange to Wheeling, West Virginia.

Jennifer Green, an environmental specialist with over 25 years of community engagement experience, will serve as Community Engagement Coordinator for this work. Jennifer's community participation expertise include the development and implementation of the Climate Action Plan, and the Legacy Plan update. As a Peace Corps volunteer, she conducted public engagement and outreach with local women's groups, helping in the design of small scale micro-enterprise projects. In addition to work with the City, Jennifer teaches community development and environmental planning at the University of Vermont.

Kesha Ram will serve as a community development and outreach professional on the project. Kesha is CEDO's Public Engagement Specialist, where her job is to find or create pathways for citizen participation in city planning, decision-making, and civic life. One of her major areas of focus is on immigrant and refugee communities in Burlington. She also serves as a citizen legislator in the Vermont House of Representatives, and in that capacity, she has used every method of communication to reach out to all citizens in the community from door-to-door engagement to extensive social media use.

Additional CEDO staff will offer in-kind support and guidance through the length of the project. For example: Jeff Tanguay is CEDO's Lead Program Coordinator. Jeff is responsible for the daily operations of Burlington Lead Program, a HUD-funded grantee that remediates lead-based paint hazards in low income housing in Burlington and nearby Winooski. Brian Pine is responsible for all housing policies and programs for the City of Burlington. He oversees the City of Burlington's Inclusionary Zoning Ordinance, HOME, CDBG Housing Initiatives and Lead-Based Paint Reduction programs, and the Burlington Housing Trust Fund. Brian manages CEDO's Housing Division with a focus on HOME, Housing Trust Fund, CDBG and Lead Hazard Reduction programs, and housing policies.

David E. White, AICP is the Director of Planning and Zoning for the City of Burlington where his 8-member staff facilitate comprehensive land use and development planning across the city, and administers the city's land development regulations and permitting process. Prior to becoming Director in 2007, David served for 12 years as Burlington's Comprehensive Planner and Certified Local Government Coordinator for historic preservation planning under agreement with the National Park Service.

Ranking criterion 6. Leveraging

Throughout the entire project timeframe, Burlington’s AWP effort will leverage additional funds and resources. For example:

Source	Amount	Uses
Local Motion	\$50/hour x 10 hours = \$500	Public Engagement and Plan Development, including outreach to transportation advocates and specialists
South End Arts @ Business Association	\$300	Public Engagement assistance: outreach to area businesses and room space
Champlain Housing Trust	See attached letter of support	Input on affordable housing component of AWP
Chittenden County Regional Planning Commission	Investing Federal Transportation Dollars \$75,000-\$90,000	Plan Development Transportation and Land Use for area
King Street Center	See attached letter of support	Public Engagement and Plan Development, including outreach to local residents, particularly neighborhood’s economically disadvantaged
King Street Neighborhood Revitalization Corporation	\$40/hour x 20 hours = \$800	Public Engagement and Plan Development, including input on affordable housing component of AWP

Additional City-staff support includes:

Staff Member/Department	Amount	Uses
David White/DPZ	50 hours x 36.44 = \$1,822	Provide as-needs guidance and feedback on planning process building on lessons learned from PlanBTV
Jeff Tanguay/CEDO	150 hours x \$24 = \$3,600	Technical assistance and certified lead in soil sampling
Brian Pine	50 hours x \$36 = \$1,800	Provide assistance on existing conditions work/outreach to area affordable housing advocates

Attachment: Project Milestone Schedule

Start Date (Month)	End Date (Month)	Tasks	Supports Outputs #	Responsible Party
1	6	Existing Conditions and Start Up		
		Draft Existing Conditions RFP: Share w/ Community Partners incl. DPW, CCRPC, KSNRC	2	Project Staff w/ Community Partners incl. DPW, CCRPC, KSNRC
		Release RFP	2	Project Staff
		Review Applications and Select Consultant Team	2	Project Staff w/ Community Partners incl. DPW, CCRPC, KSNRC
		Create Detailed Workplan for Public Engagement Strategy	1	Project Staff
		Review and Finalize Public Engagement with key Partners	2	Project Staff w/Key Partners
		Consulting Team Writes Existing Conditions Report	2, 3	Consultants with Input from Project Staff
		Review Draft Existing Conditions Report	2, 3	Project Staff w/Key Partners
		Finalize Report	2	Consultant
6	20	Public Engagement and Outreach		
		Community Meeting	1	Project Staff
		On-line Neighborhood Announcements (Front Porch Forum)	1	Project Staff
		Newsletter Updates and Event Postings (The City's "BUZZ")	1	Project Staff
		Webpage development and launch	1	Project Staff
		Speaker Series events	1	Project Staff with Community Partner Specialists
		Public input tool	1	Project Staff
		Public Television Program	1	Project Staff with Community Partner Specialists
		Multi-Lingual Fliers	1	Project Staff with University volunteers/interns
20	24	Final Area-Wide Plan Phase		
		Final Area-Wide Plan Preparation including Implementation Strategy	3, 4	Project Staff with Consultant
		Public Input on Plan Draft including Implementation Strategy	3, 4	Project Staff with Consultant
		Final AWP Completed including Implementation Strategy	3, 4	Project Staff with Consultant

Application for Federal Assistance SF-424

* 1. Type of Submission:

- Preapplication
 Application
 Changed/Corrected Application

* 2. Type of Application:

- New
 Continuation
 Revision

* If Revision, select appropriate letter(s):

* Other (Specify)

* 3. Date Received:

postmarked November 30, 2012

4. Applicant Identifier:

5a. Federal Entity Identifier:

03-6000410

* 5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:

City of Burlington, VT

* b. Employer/Taxpayer Identification Number (EIN/TIN):

03-6000410

* c. Organizational DUNS:

830418245

d. Address:

* Street1:

149 Church Street

Street2:

* City:

Burlington

County:

* State:

VT: Vermont

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

05401

e. Organizational Unit:

Department Name:

Community and Economic Development Office (CEDO)

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Dr.

* First Name:

Jennifer

Middle Name:

* Last Name:

Green

Suffix:

Title:

Coordinator, Legacy Project

Organizational Affiliation:

CEDO

* Telephone Number:

802-865-7173

Fax Number:

802-865-7177

* Email:

jgreen@ci.burlington.vt.us

Application for Federal Assistance SF-424

9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

EPA

11. Catalog of Federal Domestic Assistance Number:

66.814

CFDA Title:

Brownfields Area-Wide Planning Grant

*** 12. Funding Opportunity Number:**

EPA-OSWER-OBLR-12-06

* Title:

Brownfields Area-Wide Planning Grant

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

City of Burlington, VT

*** 15. Descriptive Title of Applicant's Project:**

Brownfield area-wide plan for Railyard Enterprise area

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant VT

* b. Program/Project VT-all

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date: May 2013

* b. End Date: May 2015

18. Estimated Funding (\$):

* a. Federal \$200,000

* b. Applicant

* c. State

* d. Local

* e. Other

* f. Program Income

* g. TOTAL \$200,000

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on .

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.) Applicant Federal Debt Delinquency Explanation**

Yes

No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:

Dr.

* First Name:

Peter

Middle Name:

* Last Name:

Owens

Suffix:

* Title:

Director, CEDO

* Telephone Number:

802-865-7174

Fax Number:

802-865-7117

* Email:

powens@ci.burlington.vt.us

* Signature of Authorized Representative:

* Date Signed:

November 30, 2012

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

MEMORANDUM

Date: April 29, 2013

Subject: City of Burlington, Vermont - Approval of Pre-Award Costs

From: AmyJean McKeown, Project Officer *Amy Jean McKeown*

Thru: Carol Tucker, Section Chief
Brownfields Section *Carol Tucker*

To: Michael Kenyon, Director
Office of Administration and Resource Management (MIO)

On April 25, 2013, the City of Burlington, Vermont was advised by EPA that their proposal for Brownfields funding will be awarded. This particular cooperative agreement will provide \$200,000 for Brownfields Areawide Planning (AWP) activities related to the Railroad Enterprise area in downtown Burlington.

Due to the fact that there will be pre-award costs incurred more than 90 days prior to the actual awarding of the cooperative agreement, approval must be given by the Regional Award Official. The Brownfields section has had the opportunity to review the pre-award activities and has determined that the specified pre-award costs are appropriate, reasonable, and eligible for reimbursement. This grantee has requested the approval of pre-award costs up to the amount of \$10,000 to be incurred through June 30, 2013. These pre-award costs are necessary in order to conduct project management/oversight activities (including contracting) and travel to a national meeting of all new AWP awardees to be held in conjunction with the Brownfields Training Conference in May 2013. Additional pre-award costs to be incurred within 90 days prior to the actual awarding of the cooperative agreement will be detailed in the grantee's workplan.

We therefore request your approval, as the designated Regional Award Official, of these pre-award costs by concurring below. Should you have any questions with respect to this specific project, please contact Carol Tucker at 8-1221. Please return this signed document to us for our files.

Michael Kenyon

Michael Kenyon, Director
Office of Administration and Resource Management

4/29/13

Date



Fee \$25.00

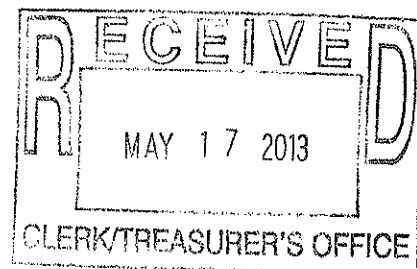
May 1, 2013 ---- April 30, 2014

CITY OF BURLINGTON
SPECIAL EVENT
ENTERTAINMENT PERMIT APPLICATION

Indoor Outdoor

PART I
ORGANIZATION

All information in this section is required



- 1. Corporation/Sole Proprietor name High Life Inc.
2. D/B/A (Business Name) Kems Pizza's Pub 3. Bus. Phone 862-3335
4. Business Address 71 Church Street Marketplace
5. Mailing Address 71 church St. Burlington
6. Contact person Deb Miller 7. Contact Phone 238 4157
8. Email contact address DamDmiller@msn.com

PART II
OPERATION

- 1. Do you currently have a Liquor License? Yes or No
2. Do you currently have an Entertainment Permit/Special Event Permit? Yes or No
3. Proposed Date(s) for this Special Event June 9, 2013
4. Proposed Hours for this Special Event 11-4 PM
5. Proposed Location for this Special Event Specify if event will be on City street or right-of-way
In our front cafe located on the Church Street Marketplace

For this Proposed location please answer the following questions:

- a) Occupancy Load outdoor? inside -> 116 b) # of Restrooms 3 c) # of Egresses outside
d) Date of last Fire/Safety Check 3/13/13 e) Dancing by Patrons? Yes or No
f) Amplified Music? Yes or No g) Will additional staff and/or security be required? Yes or No

(Continued on back)

**PART III
DESCRIPTION OF ENTERTAINMENT**

Please give DETAILED description of the type of entertainment for which you are applying:

Description Miller Pub Trio, piano, sax, drums, singing.
Piano is electric.

STATEMENT OF APPLICANT: Under the pains and penalties of perjury, I affirm that the preceding answers are true to the best of my knowledge and belief. I have read, understand and agree to comply with all City and State conditions, laws, ordinances, regulations and statutes.

DATE SIGNED: 5.15.13

SIGNATURE OF APPLICANT [Signature]

PRINT NAME: Deb Miller

RELATIONSHIP TO BUSINESS owner

OFFICE USE ONLY do 3976 chck # 5/17/13

Fee Paid \$ 25.00 Date: _____ Fee Returned \$ _____ Date: _____

At their meeting of 5/21/13, the Burlington City Council License Committee recommended
Approval Denial _____

At their meeting of _____, the Burlington City Council _____ this SPECIAL
entertainment permit application.



Fee \$25.00

May 1, 2013 --- April 30, 2014

CITY OF BURLINGTON
SPECIAL EVENT
ENTERTAINMENT PERMIT APPLICATION

Indoor Outdoor

PART I
ORGANIZATION

All information in this section is required

- 1. Corporation/Sole Proprietor name Monkey Hospitality, LLC
- 2. D/B/A (Business Name) Monkey House 3. Bus. Phone 802 633 5163 Cell 233 5928
- 4. Business Address 30 Main Winooski
- 5. Mailing Address same
- 6. Contact person Ryan Smith 7. Contact Phone 233 5928
- 8. Email contact address fluidbarservicevt@gmail.com

PART II
OPERATION

- 1. Do you currently have a Liquor License? Yes or No
- 2. Do you currently have an Entertainment Permit/Special Event Permit? Yes or No
- 3. Proposed Date(s) for this Special Event Friday's in June 7th, 14th, 21st, 28th
- 4. Proposed Hours for this Special Event 4pm - 9pm
- 5. Proposed Location for this Special Event Specify if event will be on City street or right-of-way
SABA Parking lot on Pine St. Burlington, VT

For this Proposed location please answer the following questions:

- a) Occupancy Load 300-400 b) # of Restrooms 3-4 c) # of Egresses 3 Alleys
- d) Date of last Fire/Safety Check Prior to last event e) Dancing by Patrons? Yes or No Maybe But very little
- f) Amplified Music? Yes or No g) Will additional staff and/or security be required? Yes or No
We have contracted a Security Company

Fee \$25.00

(Continued on back)

PART III
DESCRIPTION OF ENTERTAINMENT

Please give DETAILED description of the type of entertainment for which you are applying:

Description Food truck Rally Community event
held Friday evenings to encourage folks to enjoy
local food vendors, the Arts, local Beer responsibly.
Joint Venture with Arts Riot, Parrell distribution,
Siddlehead brewery, and all the local businesses on the
property.

STATEMENT OF APPLICANT: Under the pains and penalties of perjury, I affirm that the preceding answers are true to the best of my knowledge and belief. I have read, understand and agree to comply with all City and State conditions, laws, ordinances, regulations and statutes.

DATE SIGNED: 5/29/13
SIGNATURE OF APPLICANT [Signature]
PRINT NAME: Ryan Smith
RELATIONSHIP TO BUSINESS Owner

OFFICE USE ONLY
Fee Paid \$ _____ Date: _____ Fee Returned \$ _____ Date: _____
At their meeting of _____, the Burlington City Council License Committee recommended Recommended approval
Approval _____ Denial _____

At their meeting of _____, the Burlington City Council _____ this SPECIAL entertainment permit application.

Pd chk # 582 \$25.00
5/30/13 lo



**PARKS AND RECREATION COMMISSION
MEETING ATTENDANCE RECORD JULY – JUNE 2013**

<u>Date</u>	<u>Commissioners Present</u>
06/26/12	Pearson, Hanson and Bossange
07/12	NO MEETING
08/28/12	Ewing, Pearson, Hanson, Kaplan and Bossange
09/25/12	Ewing, Hanson, Kaplan and Bossange
10/23/12	Ewing, Pearson, Hanson, Kaplan and Bossange
11/27/12	Ewing, Pearson, Hanson, Kaplan and Bossange
12/19/12	Ewing, Pearson, Hanson and Bossange
01/22/13	Ewing, Pearson, Hanson, Kaplan and Bossange
02/26/13	Ewing, Pearson and Bossange
03/26/13	Ewing, Pearson, Hanson, Kaplan and Bossange
04/30/13	Hanson, Kaplan and Bossange
05/28/13	Ewing, Pearson, Hanson, Kaplan and Bossange
06/25/13	Ewing, Pearson, Hanson, Kaplan and Bossange (tentative)

BURLINGTON CLERK
TREASURER'S OFFICE

2013 MAY 29 A 10:05

RECEIVED

Burlington City Council



802/865-7136
TTY 802/865-7142

OPENINGS BURLINGTON CITY COMMISSIONS/BOARDS

On Monday, June 24, 2013, the Burlington City Council will fill vacancies on the following City Commissions/Boards:

Cemetery Commission	Term Expires 6/30/16	One Opening
CCRPC	Term Expires 6/30/15	One Opening
CCRPC Alternate	Term Expires 6/30/15	One Opening
Chittenden Solid Waste District, Alternate	Term Expires 5/31/14	One Opening
Conservation Board	Term Expires 6/30/16	One Opening
Design Advisory Board	Term Expires 6/30/16	One Opening
Development Review Board, Alternate	Term Expires 6/30/15	One Opening
Fence Viewers	Term Expires 6/30/14	Two Openings
Fire Commission	Term Expires 6/30/16	One Opening
Board of Tax Appeals	Term Expires 6/30/14	One Opening
Board of Tax Appeals	Term Expires 6/30/15	Two Openings

Applications may be submitted to the Clerk/Treasurer's Office, 149 Church Street, Burlington, VT 05401 Attn: Lori with the deadline date for submission being Wednesday, June 19, 2013, no later than 4:30 p.m..

If you have any questions please contact Lori at (802)865-7136 or via email lolberg@burlingtonvt.gov.

Search Mail

Search Web



Hi, ronald

SENT CONTACTS CALENDAR **Death of Dennis Savo**

Compose Delete Move Actions

Inbox

Conversations

Drafts (38)

Sent

Spam

Trash (98)

FOLDERS

MESSANGER

APPLICATIONS

Death of Dennis Savo

From ronald.ruloff

To kevinwblv@gmail.com janeknodeil@burlingtontelecom.net

maxwell.k.tracy@gmail.com vbrennan@ci.burlington.vt.us rsiegel@burlingtonvt.gov

baubin@burlingtonvt.gov jshannon@burlingtontelecom.net

chip.mason.blv@gmail.com NormBlaisVT@gmail.com pauffin@sover.net

Mayor and Council:

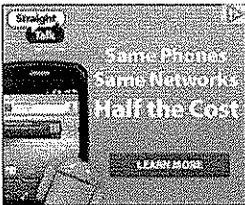

I am Ronald C. Ruloff, Chair of the Chittenden Emergency Food Shelf Client Advisory Group, a new iteration (since 2009) of the client/diner groups abolished by CVOEO, when they packed the CEFS corporate board and deliberately failed to file a financial statement with the Vermont Secretary of State, which caused the Office of the Secretary of State of the State of Vermont to abolish the corporate status of the Food Shelf.

My Channel 15 television show, Radio Free Brooklyn, has covered corruption and crime at the CEFS for the past 18 months, using the mugshots of Mr. Dennis Savo and Mr. Donald Stetson as the leadoff items in its reporting. Mr. Savo, a close associate of the dining room supervisor, Mr. Stuart Rasmussen, has for years, as is verified by Mr. Bob Maritano in the BPD reporting of a bat swinging incident in July of 2012, caused a great deal of turmoil at the CEFS, being constantly reinstated on the CEFS property by Mr. Rasmussen. I reported, accurately, that Mr. Savo was constantly intoxicated over the 12 years I have been aware of him, and a narcotics addict and peddler, using the CEFS as his clientele base.


On this past April 2nd Mr. Savo was declared dead at the Fletcher Allen emergency room. The autopsy revealed that he died from severe abuse of heroin and alcohol, in room 45 of the Ho Hum Motel on Shelburne Road, in South Burlington.

The past and present councilors from Wards 2 & 3 have paid little attention to the problems of this iconic feeding station in Burlington. Since Wanda Hines left the Food Shelf in a career move, the management of the Food Shelf has deteriorated drastically. Apparently, the current management and the dining room supervisor, have, since the death of Mr. Savo, set up a needle (syringe, sharps) receptacle in the Food Shelf restroom, by reliable report, on the Thursday or Friday following Mr. Savo's death. This is appalling. This installation is an open invitation to the practice of heroin injection on the CEFS property, which obviously involves the bringing of heroin into the facility. This, obviously, is both a state and federal crime.

Attached to the hard copy of this email is a copy of the certified copy of the death certificate I obtained from the city clerk's office, and also a montage copy of photographs of the syringe ("sharps") receptacle in the FS restroom. I ask the city councilors, especially those in Wards 2 & 3, to inquire of CVOEO and of Mr. Rob Meehan, current CVOEO director of the CEFS to explain why Mr. Savo was allowed back on the FS property last July (of 2012) (when he threatened a FS volunteer with a baseball bat, with a blood alcohol level of .249); and why a sharps receptacle has been installed in the restroom of the CEFS. I ask the Mayor and Council also to inquire as to who empties the sharps receptacle and to describe how the syringes are disposed of.

TRANSCATHETER
AORTIC VALVE
REPLACEMENT.
AVAILABLE AT



CLICK TO
DISCOVER MORE.

I note at this time that Mr. Stuart Rasmussen is the person indicated on the CEFS website as the person in charge of the grounds at the Food Shelf. Mr. Rasmussen has convictions for domestic abuse, for which he served prison time, as well as theft.

I ask the Mayor and Council to inquire of CEFS/CVOEO whether or not someone with a criminal conviction record like that of Mr. Rasmussen meets the CVOEO background check requirements for employment at the Chittenden Emergency Food Shelf. I would note that a former cook at the CEFS was dismissed after he was arrested on CEFS property on a VT charge of having failed to register as a sex offender.

Thank you for your time and consideration.

Sincerely yours,

Ronald C. Ruloff, Chair, Chittenden Emergency Food Shelf Client Advisory Group

DEFENDANT: Dennis Savo
DOB: 05/09/1958 AGE: 54
ADDRESS: 92 Cayuga Court
Burlington, VT 05401

ARRAIGNMENT DATE: 07/03/12
SA CASE NO.: 2012CN11601A
ASSIGNED PROSECUTOR: Emily Mccarthy
POLICE DEPT.: Burlington Police Department
INVESTIGATING OFFICER: Taylor
ADVOCATE: Nietra Panagoulis
INCIDENT NO.: 12BU016163

STATE OF VERMONT

SUPERIOR COURT
CHITTENDEN UNIT

CRIMINAL DIVISION
DOCKET NO: 2412-7-12 Cncr

STATE OF VERMONT

V

DENNIS SAVO, Defendant

JUL - 3 2012

INFORMATION BY STATE'S ATTORNEY

By the authority of the State of Vermont, the State's Attorney for Chittenden County, upon the oath of office charges:

COUNT 1 OF 1


CHARGE CODE: 13V1023A3, CHARGE NAME: Assault-Simple-Attempted By Menace, OFFENSE CLASS:
M

Dennis Savo, in this Territorial Unit, in the County of Chittenden, at Burlington, on or about July 2, 2012, attempted by physical menace to put another in fear of imminent serious bodily injury, to wit, by swinging a bat and threatening Daniel Keller, in violation of 13 V.S.A. § 1023(a)(3).

Penalty: imprisoned not more than 1 year or fined not more than \$1,000.00 or both.


Against the peace and dignity of the State.

DATED: July 3, 2012


State's Attorney (Deputy)

This information has been presented to me and I have found probable cause.

DATED: 7/3/12


Superior Court Judge

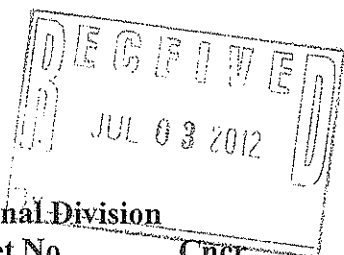
Finger Prints
Photos _____

12BU016163

BURLINGTON POLICE DEPARTMENT
AFFIDAVIT OF PROBABLE CAUSE

STATE OF VERMONT

SUPERIOR COURT
CHITTENDEN UNIT


Criminal Division
Docket No. Cncr

State of Vermont

v.

Dennis L. Savo (DOB 07/09/58), Defendant

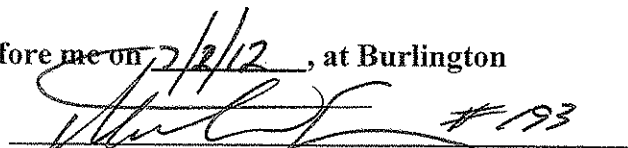
Now comes Corporal I. Taylor, affiant, being duly sworn and on oath deposes and says he has probable cause to believe that Dennis L. Savo, has committed the crime of Simple Assault, in violation of Title 13 V.S.A. 1023(3).

- A. On Monday July 2, 2012 at approximately 1602 hours, myself and multiple units responded to the Chittenden County Emergency Food Shelf, located 228 North Winooski Avenue; in regards to a male identified as Dennis L. Savo (DOB 07/09/58) hereinafter referred to as the Defendant, swing a baseball bat at staff in the parking lot. The call came in via 911 by Matthew Barron (DOB 01/17/80) employed as Warehouse Manager.
- B. Upon our arrival the Defendant had fled the scene, but was quickly located on Crombie Street by Corporal Petralia. I met with the victim and witnesses while Cpl. Petralia detained the Defendant. The victim was identified as Daniel J. Keller (DOB 5/27/74) a volunteer at the food shelf. According to Keller, he was asked by management to have the Defendant's grocery cart moved off the property, away from the warehouse door. Keller stated he asked the Defendant numerous times throughout the day, but the Defendant refused. At approximately 1600 hours, Keller again asked the Defendant to move his grocery cart. It was at this time the Defendant began to argue with Keller and eventually reached into his cart and pulled out an aluminum baseball bat and threatened to smash Keller's head in. Keller stated the Defendant was approximately 20 to 25 yards away when he had the baseball bat in hand. The Defendant was swinging wildly in the air and hitting a chain link fence cursing at Keller. The Defendant's rage increased as he began walking towards Keller threatening to smash his head in. Keller stated this is when he felt imminent fear of serious bodily injury. Once the Defendant observed Barron calling the police, he immediately fled the scene. Keller provided a sworn written statement describing the above incident.
- C. There were numerous witnesses on scene, but only two were willing to provide a statement to this officer. Matt Barron the original caller stated he witnessed the Defendant swinging the baseball bat in the air numerous times and hitting the fence. He also observed the Defendant walk towards Keller and feared for Keller's safety. Barron also heard the Defendant tell Keller he was going to smash his (Keller's) brains.

- D. The second witness was identified as Lael S. Ringer (DOB 05/03/73) who is a volunteer worker at the food shelf. Ringer provided a very similar statement of events that Barron provided. Ringer added that earlier, approximately 20 minutes before the incident; the intoxicated Defendant was swearing and had actually scared a women and her child away from the shelter.
- E. While on scene, the Chittenden Emergency Food Shelf - Food Drive Coordinator; Bob Maritano asked that we (Police) trespass the Defendant from the property. Maritano requested that I ask the courts to place conditions on the Defendant to remain 500 feet away from the food shelf. Maritano stated the Defendant has been trespassed from the food shelf in the past, but would remain on the sidewalk, which borders the food shelf. Maritano stated the Defendant shenanigans is an on going issue and has made it an unpleasant experience for donors and the public/clientele.
- F. According to Corporal Petralia the Defendant made the following statement when asked if he had raised the baseball bat towards Keller. "Yeah, I was just blowing of steam, hitting the fence."
- G. The baseball ball bat in question is described as a Louisville Slugger 28 in - 24 oz. The baseball bat and 911 tapes were tagged as evidence. At approximately 1655 hours, the Defendant had a BAC of .249%.


(Affiant)

Subscribed and sworn to before me on 7/2/12, at Burlington


#193
Notary Public (expires 2/10/2015)

DEFENDANT: Dennis Savo
DOB: 05/09/1958 AGE: 54
ADDRESS: 92 Cayuga Court
Burlington, VT 05401

ARRAIGNMENT DATE: 07/31/12
SA CASE NO.: 2012CN12002A
ASSIGNED PROSECUTOR: Emily Mccarthy
POLICE DEPT.: Burlington Police Department
INVESTIGATING OFFICER: Melillo, Carmelo
ADVOCATE:
INCIDENT NO.: 12BU016558

STATE OF VERMONT

SUPERIOR COURT
CHITTENDEN UNIT

CRIMINAL DIVISION
DOCKET NO: 2583-7-12

STATE OF VERMONT

V

JUL 17 2012

DENNIS SAVO, Defendant

INFORMATION BY STATE'S ATTORNEY

By the authority of the State of Vermont, the State's Attorney for Chittenden County, upon the oath of office charges:

COUNT 1 OF 1

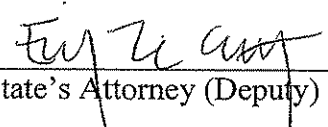
CHARGE CODE: 13V7559E, CHARGE NAME: Violation Of Conditions Of Release, OFFENSE CLASS: M

Dennis Savo, in this Territorial Unit, in the County of Chittenden, at Burlington, on or about July 6, 2012, being subject to release conditions issued under 13 V.S.A. §7554, violated condition 31. Defendant shall not be within 500 feet away from Chitt. Cty Food Shelf, in violation of 13 V.S.A. §7559(e).

Penalty: imprisoned not more than 6 months or fined not more than \$1,000.00 or both.

Against the peace and dignity of the State.

DATED: July 13, 2012

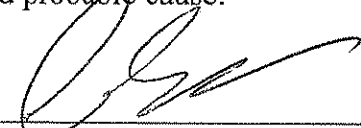


State's Attorney (Deputy)

This information has been presented to me and I have found probable cause.

DATED:

7-17-2012



Superior Court Judge

Finger Prints
Photos _____



Incident #: 12BU16558

BURLINGTON POLICE DEPARTMENT
AFFIDAVIT OF PROBABLE CAUSE

STATE OF VERMONT

SUPERIOR COURT
CHITTENDEN UNIT

Criminal Division
Docket No. Cncr

State of Vermont

v.

Dennis L. Savo (DOB 7/9/1985)

Now comes Officer Carmelo J. Melilli, Jr, affiant, being duly sworn and on oath deposes and says he has probable cause to believe that Dennis L. Savo, has committed the crime of Violation of Conditions of Release in violation of Title 13 V.S.A. 7559,:

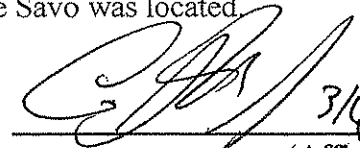
1. On July 6, 2012, at approximately 1829hrs, I responded to the intersection of Decatur St. and N. Winooski Ave. for a report of a male sleeping next to a house. Dispatch reported the caller believed the male to be intoxicated. Upon arrival I observed a male, whom I know from several past encounters as Dennis Savo, sleeping on the sidewalk at the intersection of Decatur St and N. Winooski Ave.

2. I asked dispatch to perform a conditions check on Dennis Savo. I was informed by dispatch that Savo had current conditions not to be within 500 feet of the Chittenden County Food Shelf located at the intersection of N. Union St and N. Winooski Ave.


3. Pursuant to condition of release imposed by the Honorable James R. Crucitti on July 3, 2012 (Docket# 2412-7-12) Savo has the following active condition:

a. Defendant shall not be within 500 feet away from Chitt. Cty Food Shelf

4. Based on the above I believe probable cause exists to charge Savo with the violation of the above condition of release. Savo was directly across the street from the Food Shelf, which is located at the intersection of N. Union and N. Winooski Ave. The Food Shelf is approximately 200 feet from the intersection of Decatur St. and N. Winooski Ave where Savo was located.


3/4
(Affiant)

Subscribed and sworn to before me on 7/6/12, at Burlington


#193
Notary Public (expires 2/10/2015)

DEFENDANT: Dennis Savo
DOB: 05/09/1958 AGE: 54
ADDRESS: 92 Cayuga Court
Burlington, VT 05401

ARRAIGNMENT DATE: 07/24/12
SA CASE NO.: 2012CN12949A
ASSIGNED PROSECUTOR: Emily Mccarthy
POLICE DEPT.: Burlington Police Department
INVESTIGATING OFFICER: Schaller, Erica
ADVOCATE:
INCIDENT NO.: 12BU18154

STATE OF VERMONT

SUPERIOR COURT
CHITTENDEN UNIT

CRIMINAL DIVISION
DOCKET NO: 2929-7-12 Cncr

STATE OF VERMONT

Vermont Superior Court

V

JUL 24 2012

DENNIS SAVO, Defendant

Chittenden Unit

INFORMATION BY STATE'S ATTORNEY

By the authority of the State of Vermont, the State's Attorney for Chittenden County, upon the oath of office charges:

COUNT 1 OF 1

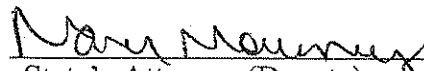
CHARGE CODE: 13V7559E, CHARGE NAME: Violation Of Conditions Of Release, OFFENSE CLASS: M

Dennis Savo, in this Territorial Unit, in the County of Chittenden, at Burlington, on or about July 22, 2012, being subject to release conditions issued under 13 V.S.A. §7554, violated condition #31, by being within 500 feet of the Chittenden County Food Shelf, in violation of 13 V.S.A. §7559(e).

Penalty: imprisoned not more than 6 months or fined not more than \$1,000.00 or both.

Against the peace and dignity of the State.

DATED: July 23, 2012




State's Attorney (Deputy)

This information has been presented to me and I have found probable cause.

DATED:

 7-24-2012

Finger Prints
Photos _____



Superior Court Judge
ARMB

BURLINGTON POLICE DEPARTMENT
AFFIDAVIT OF PROBABLE CAUSE
STATE OF VERMONT

SUPERIOR COURT
CHITTENDEN UNIT

Criminal Division
Docket No. Cncr

State of Vermont

v.

Dennis L. Savo, defendant

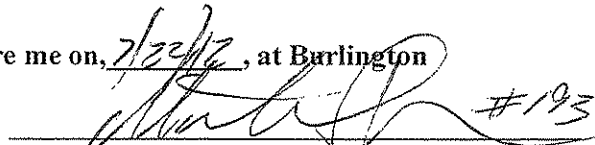
Now comes Officer Erica E. Schaller, affiant, being duly sworn and on oath deposes and says she has probable cause to believe that Dennis L. Savo (D.O.B. 07/09/1958) has committed the crime of Violation of Conditions of Release, in violation of Title 13 V.S.A. 7559(e).

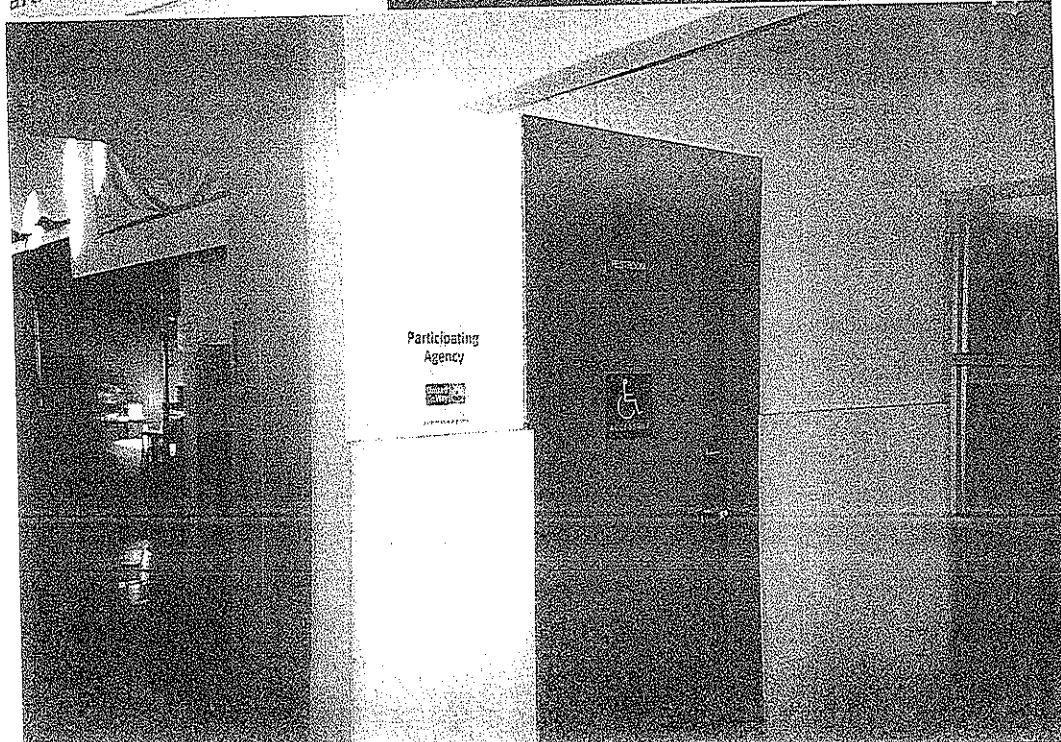
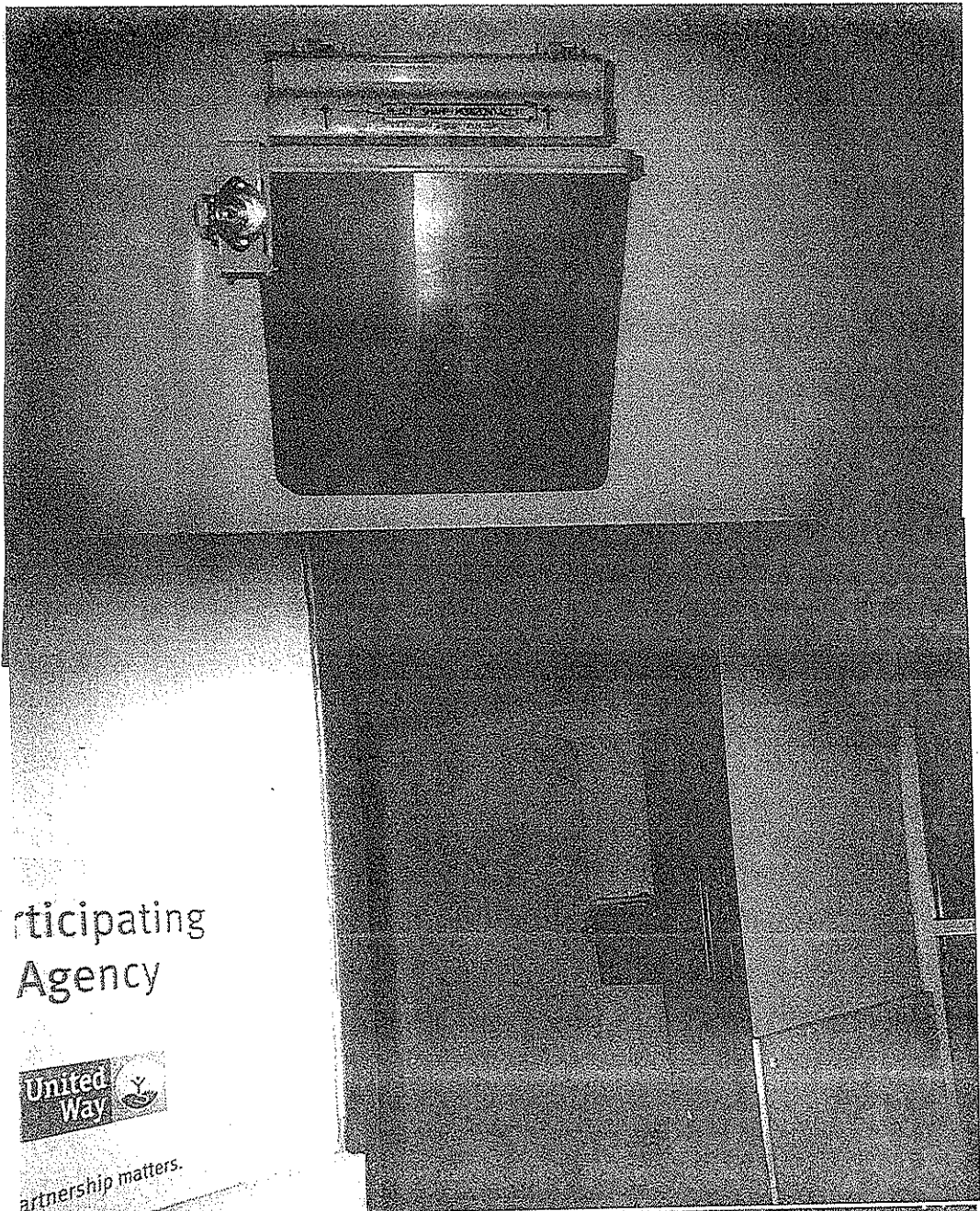
1. On July 22, 2012, Sergeant Warren, Officer Emilo, and I had responded to the Chittenden County Emergency Food Shelf, at 228 North Winooski Avenue, in the City of Burlington, for a welfare check. As Sergeant Warren and I were leaving the Food Shelf, at approximately 1230 hours, Sergeant Warren and I observed Dennis Savo (known from previous police contact, D.O.B. 07/09/1958) across the street on the southwest corner of Decatur Street and North Winooski Avenue. Sergeant Warren advised that Savo had Conditions of Release to not be within 500 feet of the Food Shelf. It should be noted that Savo was standing within 100-150 feet of the Food Shelf.
2. A Conditions of Release check on Savo verified that he had multiple active sets of Conditions of Release to include: Defendant shall stay 500 feet away from Chittenden County Food Shelf (Ordered on July, 3, 2012, Docket # 2412-7-12 Cncr, by the Honorable James R. Crucitti, and July 17, 2012, Docket # 2583-7-12 Cncr, Docket # 2848-7-12, Docket # 2851-7-12, by the Honorable Alison Arms). Copies of Savo's conditions of release are attached to the case.
3. Sergeant Warren and I took Savo into custody. I placed Savo into handcuffs, checked for tightness and double-locked and Sergeant Warren searched Savo incident to arrest. I transported Savo to the department where he was fingerprinted, photographed, and released on a Flash Citation to appear in Superior Court, Criminal Division, on July 24, 2012, for Violations of Conditions of Release.



(Affiant)

Subscribed and sworn to before me on, 7/22/12, at Burlington


Notary Public (expires 2/10/2015)



STATE OF VERMONT
CERTIFICATION OF VITAL RECORD

VERMONT CERTIFICATE OF DEATH

Dennis Lee Savo

Aliases: None

Date of Death: April 02, 2013

Time of Death: Unknown Age: 54 Years

1442013201495
State File Number

Date of Birth: July 09, 1958

Birthplace: Burlington, VT

Sex: Male

Mother's/Parent's Birth Name: Bernice Parker

Father's/Parent's Birth Name: John Savo, Sr.

Marital Status: Widowed

Spouse/Civil Union Partner:

Residence: P.O. Box 3145 (Homeless), Burlington, VT

Hispanic Origin: No

Race: White

Occupation: Carpenter

Business/Industry: Construction

Education: High school graduate or GED completed

Ever in U.S. Armed Forces: No

Veteran of Any War: No

Hospice Care (in past 30 days): No

Place of Death: Hotel; 1200 Shelburne Rd, #45, South Burlington, VT

Informant: Dennis Lee Russin; P.O. Box 147, North Troy, VT 05859

Relationship: Son

Disposition Date: April 08, 2013

Place of Temporary Storage:

Method: Cremation

Place of Final Disposition: Green Mountain Cremation Service, Middlebury, VT

Funeral Director/Authorized Person: James A. Meunier

Address: Elmwood Meunier Funeral Home, 97 Elmwood Avenue, Burlington, VT 05401

Cause of Death and Interval (Onset to Death): Manner of Death: Accident

A. Acute intoxication due to the combined effects of heroin and alcohol (unknown)

Other Contributing Conditions:

Did Tobacco Use Contribute to Death: Unknown

Pregnant at Time of Death: Not applicable

Date Pronounced Dead: April 02, 2013

Time Pronounced Dead: 10:42 AM

Medical Examiner Contacted: Yes

Autopsy Performed: Yes

Autopsy Available: Yes

Injury Date/Time: Unknown / Unknown

Injury at Work: No

Transportation Injury:

Injury Place: unknown

Injury Location:

How Injury Occurred: Abuse of illicit substance and alcohol

Medical Certifier: Elizabeth A. Bundock, MD; Office of the Chief Medical Examiner, 111 Colchester Avenue, Baird 1, Burlington, VT 05401

Title of Certifier: Medical Examiner Date Certified: April 02, 2013

Other Attending Physician:

Registration Cynthia M. Hooley Cynthia M. Hooley, State Registrar

Date Registered: April 04, 2013

Correction and Amendment History The following item(s) corrected/amended pursuant to 18 VSA 5202a, Attest: Cynthia M. Hooley

Date	Item	From
05/06/2013	Cause of Death and Interval	A. Pending (unknown)
05/06/2013	Manner of Death	Pending Investigation
05/06/2013	Injury Date/Time	
05/06/2013	Injury at Work	
05/06/2013	Injury Place	
05/06/2013	Injury Location	
05/06/2013	How Injury Occurred	

Upon Application By/Per Order Of
 Elizabeth A. Bundock, MD
 Elizabeth A. Bundock, MD
 Elizabeth A. Bundock, MD
 Elizabeth A. Bundock, MD
 Elizabeth A. Bundock, MD
 Elizabeth A. Bundock, MD
 Elizabeth A. Bundock, MD
 Elizabeth A. Bundock, MD

Clerk/Treasurer's office
 Burlington, Vt.
 A TRUE COPY ATTEST

THIS IS A TRUE AND EXACT REPRODUCTION OF THE DOCUMENT OFFICIALLY REGISTERED AND PLACED ON FILE IN THIS OFFICE. 2013 MAY 16 P 1:12

DATE ISSUED: _____

ATTEST:

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**AUTHORIZATION FOR PARKS AND
RECREATION MASTER PLAN**

In the year Two Thousand Thirteen.....

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

That WHEREAS, creating a Burlington Parks and Recreation Master Plan is an approved project on the FY13 PENNY FOR PARKS project list; and

WHEREAS, an RFQ for professional planning services was issued in February, 2013 and following a competitive bid, interview, and evaluation process, the Department of Parks & Recreation selected Heller and Heller Consulting, Inc., partnered with Sasaki Design, to create the Parks Master Plan, for a total fee of one hundred and nineteen thousand dollars (\$119,000); and

WHEREAS, the Department of Parks and Recreation has developed a budget for this project which will be funded as follows:

- Penny for Parks \$71,000 (from FY13 budget)
- Park Impact Fees \$49,000 (from the FY13 budget) and;

WHEREAS, the Department of Parks and Recreation has an additional twenty thousand dollars (\$20,000) available for additional scoping work, if necessary, from the Penny for Parks FY14 budget; and

WHEREAS, the Board of Finance on May 23, 2012 unanimously recommended that the City Council authorize the hiring of Heller and Heller Consulting, Inc. as outlined above;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the selection of Heller and Heller Consulting to create a Parks and Recreation Master Plan based on the budget outlined above; and

BE IT FURTHER RESOLVED that the City Council authorizes the Director of Parks and Recreation to negotiate and execute the agreement and any and all documents with Heller and Heller Consulting subject to prior review and approval by the City Attorney



MEMO

Date: May 17, 2013
To: Board of Finance
From: Jesse Bridges, Director, Department of Parks & Recreation
Re: Parks Master Plan Development

I. BACKGROUND

The purpose of this project is to develop the first, comprehensive Parks Master Plan for the City of Burlington's parks, recreation programming, waterfront, open space, trails, and facilities. The goal of the project is to develop a community-supported plan that provides holistic guidance for the future development and redevelopment of parks-managed amenities & programs.

The Parks Master Plan will guide policy development, prioritize demands and opportunities, and generate a strategic action plan to be updated every three years. It will aim to support expansion opportunities for ground-breaking amenities and be rooted in innovative strategies including all-inclusive public engagement, cross-boundary/collaborative approaches, and shared geo-referenced data collection. In addition, the project will seek to incorporate energy efficiency strategies, accessibility, environmental remediation opportunities and invasive species control measures.

For the purpose of identifying regional shared opportunities, the Parks Master Plan will also consider existing amenities, commitments, and needs of Burlington's neighboring communities, partners and stakeholders.

II. PROCESS

An RFQ for Professional Parks Planning Services for the Burlington Parks System Master Plan was issued in December of 2012. Qualifications were reviewed by a selection committee comprised of representation from City staff (DPR, P&Z, CEDO), Parks & Recreation Commission, City Council/PACC, Winooski Valley Park District and community.

Five consultant teams were invited to submit full proposals in February of 2013 and participate in finalist interview, conducted on March 27, 2013. Participating teams included: Heller + Heller/Sasaki Associates, Peter J. Smith, AECOM, Greenplay, LLC, and PROS Consulting, LLC.

In a unanimous decision, the selection committee identified the team of Heller + Heller/Sasaki Associates to serve as the Parks Master Plan consultant team.

III. SCOPE

The project scope is described in the accompanying RFQ/RFP and summarized as follows:

- Activity 1 – Kick-off, Existing Conditions
- Activity 2 – Existing Plans & Regional Review
- Activity 3 – Public Engagement
- Activity 4 – Supply/Demand + Demographics + Trends

- Activity 5 – Vision, Design Guidelines + Implementation
- Activity 6 – Final Report

IV. COSTS

The estimate for this scope of work is not to exceed **\$119,000**. Additional services related to operational assessment, signage and wayfinding, and integration with the concurrent Bike Path Rehabilitation project may be considered at a later date.

V. FUNDING STRATEGY

The proposed funding strategy is as follows:

Fiscal Year	Revenue	Fund
FY13	\$71,000	Penny for Parks
FY13	\$49,000	Park Impact Fees
FY14	\$20,000	Penny for Parks (additional scope)
Total	\$140,000	

VI. SCHEDULE

The anticipated schedule is outlined below:

- 5/23/13 Board of Finance presentation/approval
- June 2013 City Council Approval
- June 2013 Contract signing & public engagement kick-off
- Jan 2014 Draft Report
- Feb 2014 Final Report

DEPARTMENT RECOMMENDATION

The Departments of Parks & Recreation recommends BOF approval of the project, funding strategy, and expenditures as outlined in this Memo.



City of Burlington
Department of Parks & Recreation
645 Pine Street, Suite B Burlington, Vermont
(802) 864-0123
www.enjoyburlington.com

REQUEST FOR QUALIFICATIONS (RFQ)

Date: December 19, 2012
To: Open Invitation to Professional Planning Consultants
From: Department of Parks & Recreation, Planning Division
Re: Professional Parks Planning Services for the Burlington Parks System Master Plan

I. GENERAL INFORMATION & SCHEDULE

This Request for Qualifications is part one of a two-part process, and invites responses from qualified, experienced professional parks planning consultants to assist the City of Burlington Department of Parks & Recreation in the creation of a Parks Master Plan for the Burlington Parks System. Questions concerning this RFQ must be made via email per the schedule outlined below. Responses to all submitted questions will be posted at: <http://www.enjoyburlington.com/Projects/ParksMasterPlan.cfm>.

Issue date: Wednesday, December 19, 2012 at 12:00 PM
Questions due: Wednesday, January 16, 2012, by 12:00 PM
Proposals due: Wednesday, January 23, 2013 by 12:00 PM

Inquiries/submissions to: Jen Francis, Parks Planner
Department of Parks and Recreation
645 Pine Street, Suite B, Burlington, VT 05401
jsfrancis@burlingtonvt.gov
(802) 865-7248

II. PROJECT DESCRIPTION

The purpose of the project is to develop a comprehensive Parks Master Plan for the City of Burlington parks, recreation programming, waterfront, open space, trails, and facilities. Burlington's population is approximately 42,000 residents within a 15.48 square mile municipal boundary. City-owned parks properties total approximately 550 acres, with jointly-owned & managed properties increasing this total to 880 acres. The comprehensive master plan will consider all of the amenities managed by the Department, including but not limited to:

- 37 parks
- Approximately 20 miles of formal and informal trails
- 177 acres of conservation areas consisting of 4 urban wilds
- 3 public beaches
- 11 community garden sites/460 plots (5.98 acres)
- 3 cemeteries (58 acres/8,122 lots)
- 2 off-leash dog areas
- 1 skate park
- Care of 12,000 trees along city streets and in city parks
- Green belts, islands, right-of-way areas & landscapes around city facilities (216 miles/219 acres)

- Jointly-owned & managed open space properties (community gardens, tree nursery)
- City-owned parks facilities (sole manager of 198,196 SF): Community Boathouse, Paquette Ice Arena, Miller Community & Recreation Center, Memorial Auditorium, North Beach Cottage, various seasonal structures & rental facilities

Additional amenities managed by the Parks Department will require consideration within the Parks Master Plan, but will be formally developed through other initiatives include:

- The Burlington Waterfront: harbor, 75 seasonal & transient moorings, 184 slips, launch ramps, fishing pier, boardwalk, adjacent parkland
- Waterfront North Redevelopment
- Moran Revisioned
- The Urban Reserve (a 45-acre undeveloped parcel south of North Beach and north of the Waterfront Dog Park)
- 7.5 mile Burlington Bike Path
- City-owned public facilities (O&M support of an additional 171,960 SF): City Hall, Fletcher Free Library, BCA Firehouse Gallery, Police Station, Department of Public Works

The goal of the project is to develop a community-supported plan that provides guidance for future development and redevelopment of the City's parks, recreation programming, waterfront, open space, trails and facilities. The Parks Master Plan will guide policy development, prioritize demands and opportunities, and generate a strategic action plan to be updated every three years. It will support expansion opportunities for ground-breaking amenities including an accessible playground, the first in the state, and be rooted in innovative strategies including all-inclusive public engagement, cross-boundary/collaborative approaches, and shared geo-referenced data collection. In addition, the project will seek to incorporate energy efficiency strategies, environmental remediation opportunities and invasive species control measures.

For the purpose of identifying shared opportunities, the Parks Master Plan will also consider existing amenities, commitments, and needs of Burlington's neighboring communities, partners and stakeholders. These include, but are not limited to the Town of Colchester, Winooski, City of South Burlington, the Winooski Valley Park District, Burlington School District, Burlington Electric Department, and Local Motion, among the other user groups that enjoy Burlington's parks and recreation system.

The Parks Master Plan will become an element of the current City of Burlington comprehensive plan and will require approval from city boards, commissions and City Council. For information on the City of Burlington's Parks and Recreation Department, please visit: www.enjoyburlington.com.

Existing supporting documents include:

- 2002 Harbor Management Plan
- 2004 Open Space Protection Plan
- 2005 Island Line Sign & Amenities Plan
- 2012 Burlington Bike Path Feasibility Study
- 2012 Plan BTv: Downtown & Waterfront Master Plan
- 2012 Imagine City Hall Park Master Plan
- FY13 Penny for Parks Implementation Plan
- FY13 Capital Improvement Plan

Additional supporting initiatives/documents currently in process/draft:

- 2013 Open Space Protection Plan Update
- FY14 Penny for Parks Implementation Plan
- Burlington Partnership for a Healthy Community

III. PROJECT SCOPE, SCHEDULE & COST

Project Scope

The selected consultant will provide the City with professional services to realize the successful creation of a vibrant and innovative Parks Master Plan. This includes, but is not limited to, the following elements:

- Develop inventories and assessment of existing amenities*
- Prepare comprehensive maps
- Analyze forecasted needs & implementation strategies
- Manage public engagement processes
- Perform independent, statistically valid surveys
- Analyze demographic trends
- Define level of service analysis for existing & future facilities
- Analyze programs & services
- Prioritize demands & identify opportunities
- Coordinate all sub-contractors
- Guide policy development
- Develop strategic action plan
- Deliver final plans & supporting materials

**Any geographic data collected must be ArcGIS –compatible.*

The project will require significant public involvement to develop, articulate and visualize future scenarios for the parks master plan, and develop a consensus around priorities and objectives. A wide range of community/participation methods may be utilized in addition to traditional public meetings. These include use of the web, social media, television and radio, participatory workshops and charrettes and road show presentations to local groups.

Schedule

The City anticipates the selection of the consultant early in 2013 and the completion of all related parks master planning work within one year from the kick-off meeting date, once determined.

IV. PROCESS OVERVIEW, SUBMITTAL CONTENTS & REQUIREMENTS

Process Overview

This process begins with the receipt of qualification submittals in response to the RFQ outlined herein. Applicants will receive a confirmation email once their submittal is received. Qualifications will be evaluated and invitations will be made to 3-6 of the top-ranked consultants to prepare a full proposal in the form of a Request for Proposals (RFP) followed by participation in an interview process. Consultants not selected in the initial RFQ will be notified via email of the RFP selection outcome. An evaluation team comprised of representation from City staff, the Parks & Recreation Commission, City Council, and

community leaders will be engaged throughout the duration of the RFQ/RFP evaluation and interview process. Once the RFP/interview process is complete, the City will identify its top choice and enter into a contract agreement.

Submittal Contents

Qualified consultants must demonstrate a history of successful parks master planning experience that incorporates innovative and sustainable strategies. Proposals will be evaluated based on the expertise of the consultant team and the overall experience of the team with emphasis on parks, recreation, waterfront, open space, trail and facilities.

Submittals should be limited to 14 pages (including Attachment A) and contain:

- A. **Cover Letter**
- B. **Attachment A (provided in this RFQ):** Signed by a representative of the lead consultant team attesting that all terms, conditions and procedures outlined in this RFQ are understood and have been followed.
- C. **Project Understanding Statement:** A statement describing the applicant's understanding of the project and the special skills and innovative thinking that the team would bring to the table
- D. **Project Approach:** A narrative of the consultant's approach to completing the master plan
- E. **Proposed Project Team Members:** A description of the applicant's organizational composition, disciplines, and the primary role of each individual/firm on the team. Organizational charts may be included, if appropriate. Clearly indicate the applicant's designated team leader for the project as well as the specific individuals who will be assigned to the work and their respective expertise in such work.
- F. **Specific Project Experience:** Descriptions detailing completed, similar or relevant project experience that the applicant has executed. Include graphic representation. Links to similar or relevant projects are encouraged.
- G. **List of References:** Provide a minimum of four client references with which the applicant has provided similar planning/design services within the last five years. Include the name and telephone number of the contact person and a description of the role and services provided to that contact.
- H. **Preliminary Cost Proposal:** Consider the total cost of services to complete the scope of work as described.
- I. **Additional Information:** Provide other information relevant to indicate the applicant's abilities to successfully complete a parks master plan of this nature.

Requirements

Additional requirements are as follows:

- Proposers are solely responsible for ensuring that proposals arrive on time.
- Each consultant MUST provide their submittal electronically as a PDF.
- Additional detail beyond the contents described above WILL NOT be considered.
- Faxed proposals WILL NOT be accepted.
- Late replies WILL NOT be considered.

V. EVALUATION CRITERIA & ANTICIPATED SCHEDULE

Evaluation Criteria

Submittals will be evaluated by City staff using the following criteria as a measure of the applicant's

ability to successfully complete the project scope of work. Consultants will be scored up to a maximum of 100 points based on the following:

1. **Experience & Qualifications** relevant to key personnel and/or sub-contractors (10 pts)
2. **Project Understanding/Knowledge of Area** depth or relevant technical experience (10 pts)
3. **Demonstration of Innovative Approaches** levels of utilization and solutions (10 pts)
4. **Depth of Skills** related to parks master planning and public engagement (10 pts)
5. **Level of Understanding** of the project, goals, issues, and local need (10 pts)
6. **Level of Experience** with municipalities of similar size, structure and complexity (10 pts)
7. **Demonstration of Public Engagement Experience** effective, productive, innovative (10 pts)
8. **Ability to Meet the Schedule** required to complete the plan and deliverables (10 pts)
9. **Ability to Meet Budget/Value** (10 pts)
10. **Quality, Clarity & Completeness of Submittal Package** (10 pts)

Anticipated Schedule

The City reserves the right to amend dates. While the timeline may be subject to change, all participating parties will be notified. The anticipated schedule is as follows:

- December 19, 2012 RFQ issue
- January 16, 2012 RFQ questions due (via email)
- January 23, 2013 RFQ closing
- Week of January 28, 2013 RFQ review
- Week of January 28, 2013 Invitation to selected consultants to submit full RFP/RFP issue
- Week of February 28, 2013 RFP closing
- Week of February 25, 2013 RFP Review
- Week of February 25, 2013 Invitation to selected consultants to participate in interviews
- Weeks of March 4 & 11, 2013 In-person interviews with finalists
- Week of March 11, 2013 Announcement of project award
- Week of March 18, 2013 Project kick-off

VI. TERMS & CONDITIONS

Communications

It is extremely important that all respondents are given clear and consistent information. Therefore, all respondents are required to submit any questions related to this project or RFQ process via email. Responses to all submitted questions will be posted on the Parks & Recreation website at: <http://www.enjoyburlington.com/Projects/ParksMasterPlan.cfm>. Questions concerning this RFQ must be received via email per the schedule outlined on page 1. Inquiries received after this date will not be considered or answered.

Respondents should not communicate with any City department or employee during the submission process except as described above. In addition, no communications should be initiated by a respondent to any City Official or persons involved in evaluating or considering the statement of qualifications. Communication with any parties for any purpose other than those expressly described herein may cause an individual firm, or team to be disqualified from participating.

General Compliance with Laws

The Consultant shall comply with all applicable Federal, State and local laws, including but not limited to the Burlington Livable Wage Ordinance.

Other terms

Costs for preparing the Statement of Qualifications in response to this request are solely the responsibility of the respondent. The City of Burlington reserves the right to accept or reject any or all Statement(s) of Qualifications, with or without cause, and to waive immaterial defects and minor irregularities in responses. All decisions related to this solicitation by the City will be final. The City reserves the right to request clarification of information submitted and to request additional information of one or more respondents. All materials submitted in response to this RFQ will become the property of the City upon delivery. This solicitation in no way obligates the City of Burlington to award a contract.

Equal Opportunity: the selection of consultant shall be made without regard to race, color, sex, age, religion, national origin, or political affiliation. The City of Burlington is an Equal Opportunity Employer and encourages proposals from qualified minority and woman-owned businesses.

It will be necessary for responding parties to comply fully with the terms and conditions outlined in this document if they are to be considered. A letter attesting that the respondent has read, understands, and followed all procedures is a part of this RFQ must be included as part of the final submittal (see Attachment A).

ATTACHMENT A

Understanding of RFQ Procedure, Terms and Conditions

This page to be returned with qualifications submission

I acknowledge that I have read and understand all procedures and requirements of the above reference RFQ and have complied fully with the general terms and conditions outlined in the RFQ.

Consultant Team:

Representative's Printed Name:

Representative's Signature:

Date:



City of Burlington
Department of Parks & Recreation
645 Pine Street, Suite B Burlington, Vermont
(802) 864-0123
www.enjoyburlington.com

REQUEST FOR PROPOSALS (RFP)

Date: February 25, 2013
To: Invited Professional Planning Consultants
From: Department of Parks & Recreation, Planning Division
Re: Professional Parks Planning Services for the Burlington Parks System Master Plan

I. GENERAL INFORMATION

This Request for Proposals is part two of an RFQ/RFP process, and invites responses from our top short-listed firms to prepare a detailed Scope of Work and Budget to assist the City of Burlington Department of Parks & Recreation in the creation of a Parks Master Plan for the Burlington Parks System. Questions concerning this RFP must be made via email per the schedule outlined below. Responses to all submitted questions will be posted at: <http://www.enjoyburlington.com/Projects/ParksMasterPlan.cfm>.

Issue date: Monday, February 25, 2013 at 12:00 PM
Questions due: Monday, March 11, 2013 by 12:00 PM
Proposals due: Monday, March 18, 2013 by 12:00 PM

Inquiries/submissions to: Jen Francis, Parks Planner
Department of Parks and Recreation
645 Pine Street, Suite B, Burlington, VT 05401
jsfrancis@burlingtonvt.gov
(802) 865-7248

II. PROCESS OVERVIEW

This process began with the receipt of ten (10) statements of qualification in response to the December 19, 2012 RFQ. Following review of the submittals, a short-list of the top consulting teams has been identified by the Selection Review Team. With the issue of this RFP, these top teams are invited to submit formal proposals that further detail the scope of work and budget *AND* participate in the finalist interview process. After reviewing these RFP submittals and interviews with the consultant teams, the Selection Review Team will identify its top choice and enter into negotiations resulting in a final contract agreement.

III. PROJECT DESCRIPTION

The purpose of the project is to develop a comprehensive Parks Master Plan for the City of Burlington parks, recreation programming, waterfront, open space, trails, and facilities. The goal of the project is to develop a community-supported plan that provides guidance for future development and redevelopment of the City's parks, recreation programming, waterfront, open space, trails and facilities. The Parks Master Plan will guide policy development, prioritize demands and opportunities, and generate a strategic action plan to be updated every three years. It will support expansion opportunities for ground-breaking amenities and be rooted in innovative strategies including all-inclusive public

engagement, cross-boundary/collaborative approaches, and shared geo-referenced data collection. In addition, the project will seek to incorporate energy efficiency strategies, accessibility, environmental remediation opportunities and invasive species control measures. For the purpose of identifying regional shared opportunities, the Parks Master Plan will also consider existing amenities, commitments, and needs of Burlington's neighboring communities, partners and stakeholders.

The Parks Master Plan will become an element of the current City of Burlington comprehensive plan and will require approval from city boards, commissions and City Council. For additional information on the City of Burlington's Parks and Recreation Department, please visit: www.enjoyburlington.com.

IV. SCOPE OF WORK

Please carefully read the following information that details the City's expectations in relation to the Parks Master Plan scope of work. The selected consultant will provide the City with professional services to realize the successful creation of a vibrant and innovative Parks Master Plan. The consultant will be responsible for coordinating work with all sub-contractors. The list and order of activities outlined below may be amended and finalized with the consultant. The scope of work includes, but is not limited to, the following elements:

Activity 1 – Project Kick-off, Existing Conditions Inventory & Analysis

Information and analysis collected in Activity 1 will be used to inform participants about existing conditions, needs, limitations and opportunities. It is important that the individual results from Activity 1 are well integrated and communicated in the next phases. Please explain how your team will synthesize these results into a common format for presentation and sharing with the public.

Activity 2 – Existing Plan & Regional Context Review

Existing plans and regional initiatives will inform developing concepts and alternatives related to the improvement and sustainability of Burlington parks, recreation and operations. Existing supporting documents include:

- 2002 Harbor Management Plan
- 2004 Open Space Protection Plan
- 2005 Island Line Sign & Amenities Plan
- 2012 Burlington Bike Path Feasibility Study
- 2013 Plan BTV: Downtown & Waterfront Master Plan
- 2012 Imagine City Hall Park Master Plan
- 2012 ECOS Plan
- 2013 Plan BTV: Open Space Protection Plan Update
- FY13/FY14 Penny for Parks Implementation Plan
- FY13/FY14 Capital Improvement Plan
- Local Motion's Burlington Partnership for a Healthy Community

Activity 3 – Public Engagement

The kick-off to the public and participatory phase of this planning effort will re-evaluate, and re-affirm as appropriate, the community vision for the Burlington Parks System. Particular emphasis should be placed on utilizing a diverse array of outreach methods, expanding the overall number of participants and age range of participants, facilitating participation by under-represented populations (seniors, children, ethnic groups, New Americans, low to moderate income communities, etc.).

Please explain in detail how your team will organize and integrate the public outreach and engagement process. Note that the City would like to take advantage of the upcoming summer season and outdoor access to support public engagement (May – August). Specific public outreach and engagement guidelines include (adapted from the *Downtown and Waterfront Plan Public Outreach and Engagement Strategy*):

1. The public should engage and guide decisions about actions that affect their lives.
2. Public participation includes the promise that the public's contribution will be considered in the decision-making process.
3. The public participation process:
 - Communicates the interests and considers the needs of all participants;
 - Seeks out and facilitates involvement of those potentially affected by the planning effort;
 - Provides participants with the information they need to participate in a meaningful way;
 - Communicates to participants how their input influenced the decisions.

Activity 4 – Development of Supply/Demand & Demographics/Trend Analysis

Evaluate the nature in which Burlington's existing parks, facilities and recreation programming meet user demands and expectations.

- Analyze demographics & trends
- Analyze parks, programs, services & related finances
- Review the organizational structure for the management of parks & recreation amenities

Activity 5 – Development of Vision, Design Guidelines & Implementation Strategy

From acquired data collection, public engagement, and trend analysis define the community vision and implementation strategy for the future of Burlington Parks & Recreation.

- Prioritize demands and identify parks & recreation opportunities
- Establish level of service guidelines
- Develop policy recommendations
- Provide a strategic action plan

Activity 6 – Final Report, Completion of Parks Master Plan

The final deliverable will be a comprehensive graphic record of the process and a guiding document for the future. Please provide detail on your team's graphic capabilities and a description of how these tools will be integrated into the Parks Master Plan process and final deliverables. In addition, detail how the strategic action plan will provide a template that may be updated every three years.

- Present draft document to Department staff, Parks & Recreation Commission and key stakeholders
- Provide framework for draft review & incorporate revisions
- Deliver final plans & supporting materials
 - Inclusive of innovative GIS, modeling and/or illustration tools
- Guide the integration of the master plan with the Department mission & marketing strategy
- Present the final deliverable to Department staff, Parks & Recreation Commission & City Council

V. RFP SUBMITTAL

Responses to this RFP must be not more than 20 pages in length (10 double-sided or 20 single-sided pages) and include the following:

- 1.) Technical Proposal consisting of:
 - a. A description of the approach to be taken toward completion of the project, an explanation of any variances to the proposed scope of work as outlined in the RFP, and any insights into the project gained as a result of developing the proposal;
 - b. A scope of work that includes steps to be taken, including any products or deliverables resulting from each task;
 - c. A summary of estimated labor hours by task that clearly identifies the project team members and the number of hours performed by each team member by task;
 - d. A proposed schedule that indicated project milestones and overall time for completion;
 - e. Any other information deemed necessary to address the requests of this RFP.

- 2.) Cost Proposal consisting of:
 - a. A composite schedule by task of direct labor hours;
 - b. An itemized schedule of all expenses, including both labor and direct expenses. If the use of sub-consultants is proposed, a separate schedule of hours and expenses must be provided for each sub-consultant)
 - c. A maximum budget amount of \$120,000 inclusive of all fees and expenses.

Please note: Information regarding Project Understanding, Project Approach, Proposed Project Team Members, Specific Project Experience, and List of References has already been provided to the City as part of the Qualifications package. There is no need to include this information again, unless the team has changed or if you wish to provide additional information.

Responses to this RFP must be received per the schedule outlined on Page 1 to be considered. Proposals must be submitted in a digital format (PDF), either via email or mailed CD. Applicants will receive a confirmation email once their proposal is received. Please ensure that the document is easily printable in an 8.5x11 format.

Additional requirements are as follows:

- Proposers are solely responsible for ensuring that proposals arrive on time.
- Each consultant **MUST** provide their submittal electronically as a PDF.
- Faxed proposals **WILL NOT** be accepted.
- Late replies **WILL NOT** be considered.

VI. EVALUATION CRITERIA & SELECTION PROCESS

Evaluation Criteria

Submittals will be evaluated by a Consultant Review Team using the following criteria as a measure of the applicant's ability to successfully complete the project scope of work. Consultants will be scored up to a maximum of 100 points based on the following:

1. **Quality and Creativity** of the proposed scope of work (25 pts)
2. **Demonstration of Ability** to organize & lead effective, productive public meeting and in-house project meetings, while using innovative participation techniques/tool (25 pts)
3. **Depth of Interdisciplinary Skills** related to parks, recreation and operations analysis, economic feasibility and public engagement (20 pts)
4. **Level of Understanding** of the project goals, and sensitivity to Burlington's distinct character, issues and needs (20 pts)
5. **Value/"Best Bang for the Buck"** of the most experienced people doing the most work for the least cost resulting in the best product (10 pts)

VII. ANTICIPATED SCHEDULE

Please provide a detailed project schedule, including events, task/phases and completion date, keeping in mind that the City anticipates the completion of all related parks master planning work within one year from the kick-off meeting date.

The City anticipates the final selection of the consultant in April of 2013. The City reserves the right to amend dates. While this timeline may be subject to change, all participating parties will be notified.

- Week of March 18 – Review of RFP submittals
- Wednesday, March 27 – Finalist interviews
 - Interviews will be conducted in-person
 - Interview times will be scheduled on a first come, first serve basis. Email jsfrancis@burlingtonvt.gov to reserve interview time.
 - Available timeslots:
 - 8:30-9:30 a.m.
 - 9:45-10:45 a.m.
 - 11:00 a.m. - 12:00 p.m.
 - 1:00-2:00 p.m.
 - 2:15-3:15 p.m.
 - Location: Burlington, Vermont (exact location to be confirmed)
- Week of April 1 – Selection of project team/announcement of project award
- Week of April 8 – Contract negotiations
- Week of April 22 – Project kick-off

VIII. TERMS & CONDITIONS

Communications

It is extremely important that all respondents are given clear and consistent information. Therefore, all respondents are required to submit any questions related to this project or RFP process via email. Responses to all submitted questions will be posted on the Parks & Recreation website at: <http://www.enjoyburlington.com/Projects/ParksMasterPlan.cfm>. Questions concerning this RFP must be received via email per the schedule outlined on page 1. Inquiries received after this date will not be considered or answered.

Respondents should not communicate with any City department or employee during the submission process except as described above. In addition, no communications should be initiated by a respondent to any City Official or persons involved in evaluating or considering the statement of qualifications.

Communication with any parties for any purpose other than those expressly described herein may cause an individual firm, or team to be disqualified from participating.

Other terms

Costs for preparing the Statement of Qualifications in response to this request are solely the responsibility of the respondent. The City of Burlington reserves the right to accept or reject any or all proposals, with or without cause, and to waive immaterial defects and minor irregularities in responses. All decisions related to this solicitation by the City will be final.

The City reserves the right to request clarification of information submitted and to request additional information of one or more respondents. All materials submitted in response to this RFP will become the property of the City upon delivery. This solicitation in no way obligates the City of Burlington to award a contract.

General Compliance with Laws: the Consultant shall comply with all applicable Federal, State and local laws, including but not limited to the Burlington Livable Wage Ordinance.

Equal Opportunity: the selection of consultant shall be made without regard to race, color, sex, age, religion, national origin, or political affiliation. The City of Burlington is an Equal Opportunity Employer and encourages proposals from qualified minority and woman-owned businesses.

It will be necessary for responding parties to comply fully with the terms and conditions outlined in this document if they are to be considered. A letter attesting that the respondent has read, understands, and followed all procedures is a part of this RFP must be included as part of the final submittal (see Attachment A).

ATTACHMENT A

Understanding of RFP Procedure, Terms and Conditions

This page to be returned with qualifications submission

I acknowledge that I have read and understand all procedures and requirements of the above reference RFP and have complied fully with the general terms and conditions outlined in the RFP.

Consultant Team:

Representative's Printed Name:

Representative's Signature:

Date:

THE BURLINGTON VERMONT

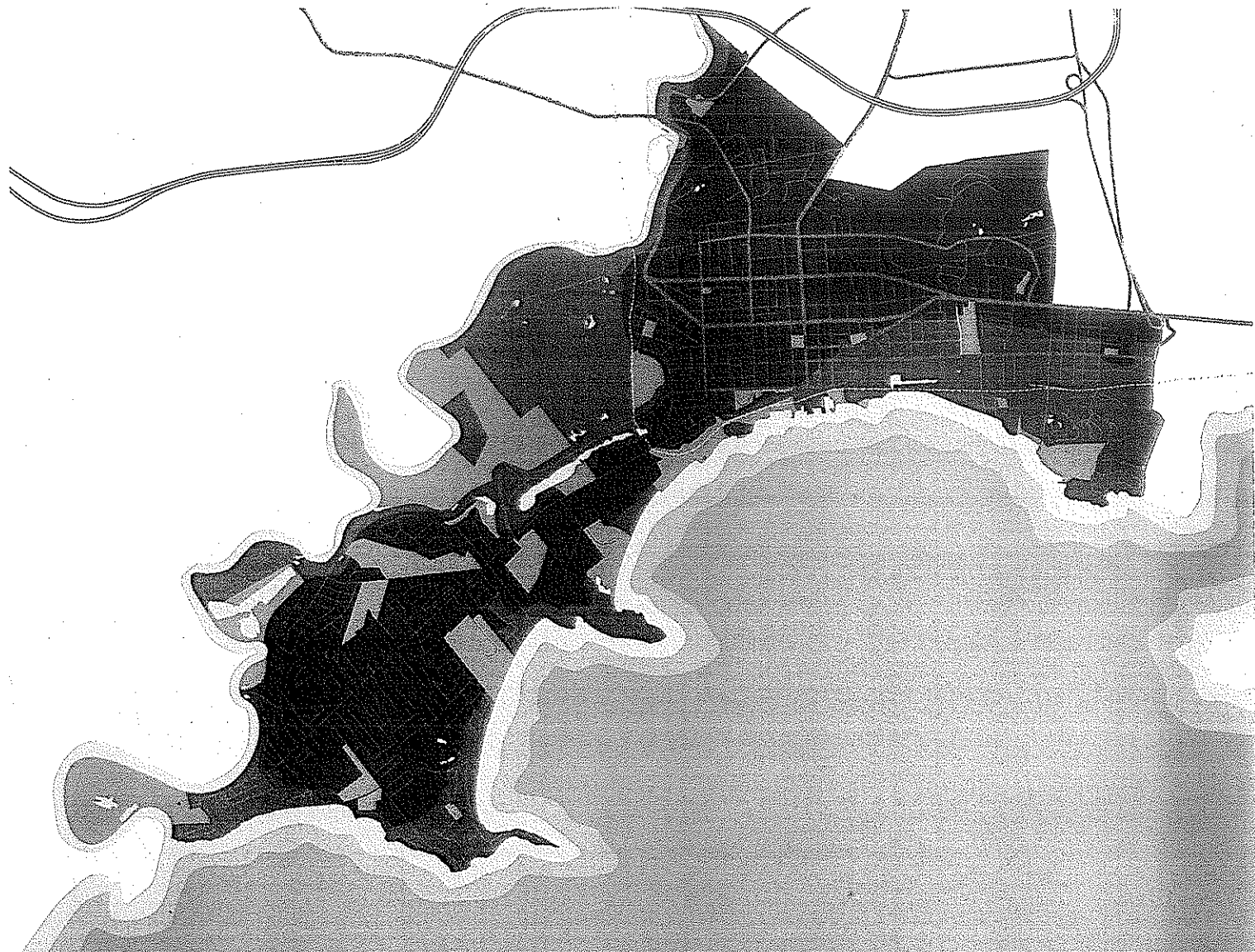
PARKS SYSTEM MASTER PLAN

The Team of Heller and Heller Consulting, Inc., Sasaki Associates, Inc. and Leisure Vision greatly appreciates the opportunity to provide you with our response to your RFP for the Burlington Parks System Master Plan. We thank you for including us in the second round of the process. The attached information includes our Technical Proposal and Cost Proposal according to the guidelines you outlined.

The Technical Proposal outlines the six Activities represented in the RFP. We have provided specificity to the tasks outlined in our original submission in response to the RFP. Our intent is to provide you with information that shows the quality and creativity of our approach, our abilities and interdisciplinary skills, our level of understanding of your system from our hours of research and on-site visit, and providing you with the best value. We feel as though we provide you with the most value-added approach to the process and remain very excited about the opportunity to work with you.

If you need any additional information, please contact Barbara Heller at Barbara@hellerheller.com or 224-456-6934.

• • • • • NEXT



THE BURLINGTON VERMONT PARKS SYSTEM MASTER PLAN

This interactive proposal contains an introductory approach that summarizes key issues for the master plan, a detailed scope of work, and technical information.

CONTENTS OF THE PROPOSAL

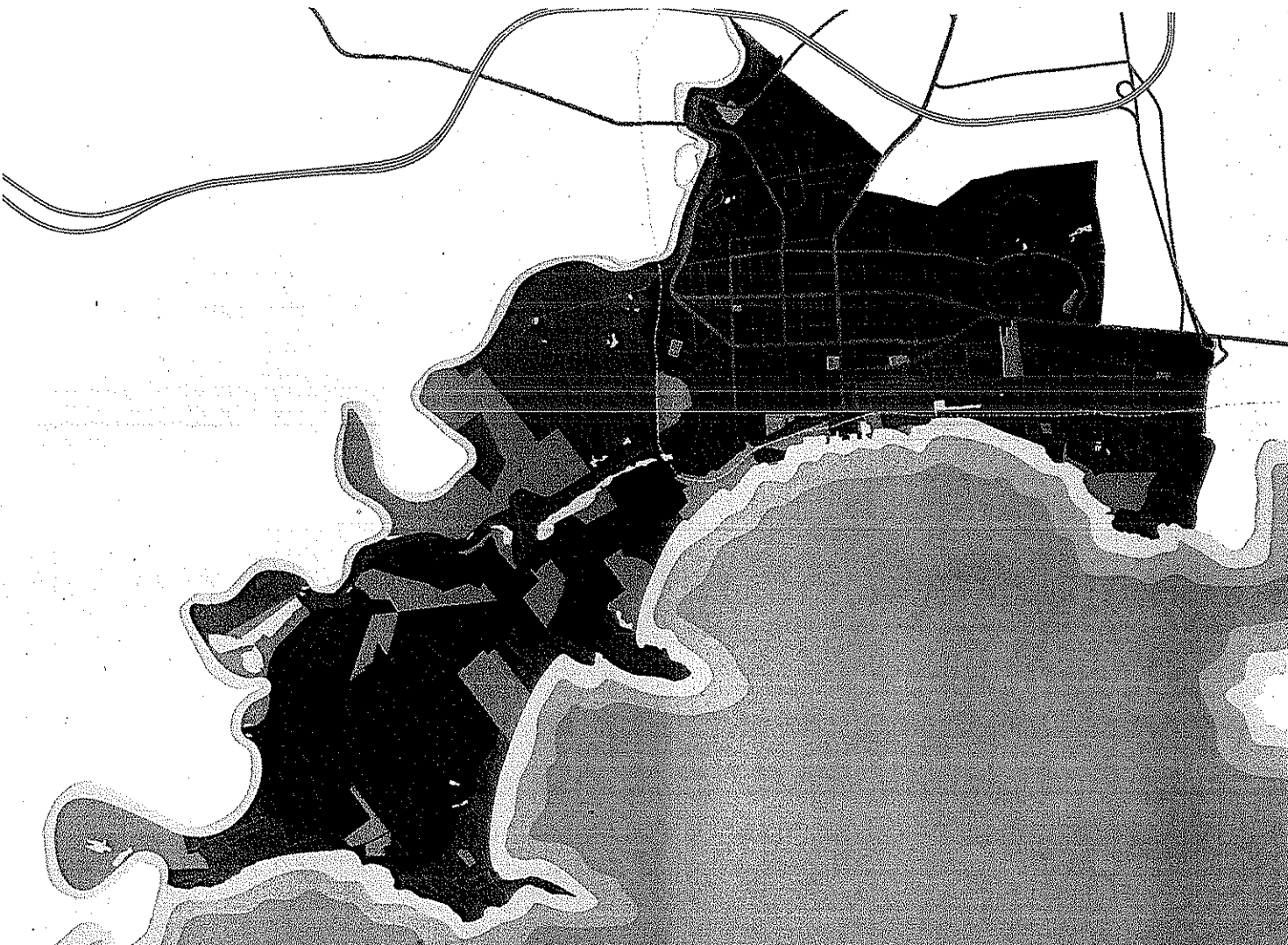
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HOW TO NAVIGATE THE PROPOSAL

← CLICK ON A TAB
to jump to the beginning of each section

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to advance or move back 1 page within a section

PREVIOUS NEXT



APPROACH ELEVATING AMENITIES

The quality, quantity, and diversity of a park system's amenities are central to its ability to successfully meet the needs of the community. Many master plans focus on building a sum of many parts; we look at the overall system to recommend improvements that will best position the Department for the future.

Burlington's diverse park amenities include features such as play equipment, sports facilities, public art and even an ADA accessible treehouse! These and other site furnishings influence the types of activities each park supports and, in turn, the number of people served by each park. A successful park system distributes amenities strategically to ensure that they are within a reasonable distance of their primary users.

The Plan will analyze the current quantity and distribution of park amenities. Recommendations for additional amenities will be based on national standards, but tailored to Burlington through incorporation of demographic analysis and community feedback. The Plan will also assess the quality and condition of existing park amenities. Recommendations will include upgrades to broken or outdated equipment.

How can recreation centers better meet the needs of the year-round users?

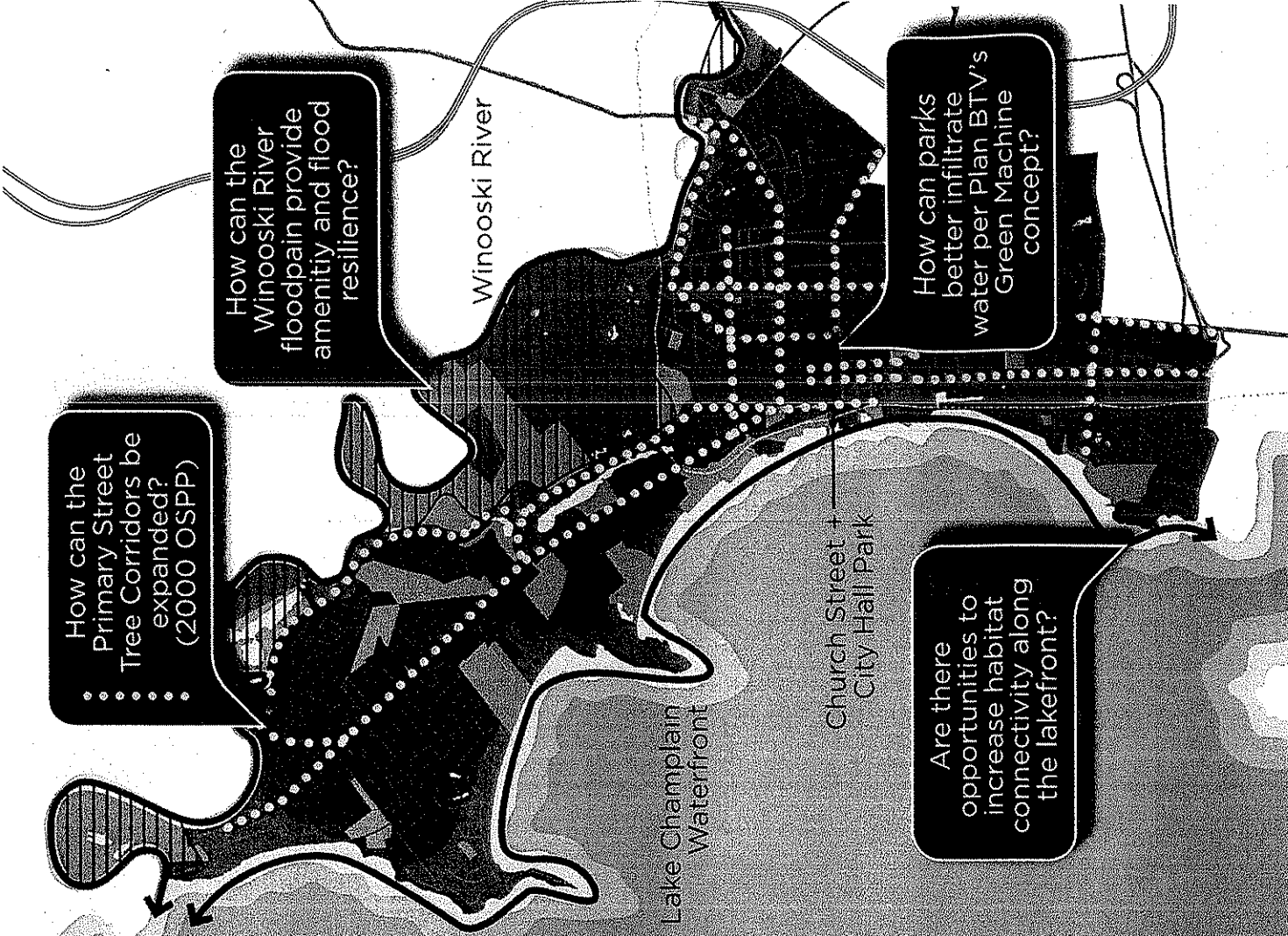
How do (& should) Burlington's Urban Wilds integrate into the park system?

Are play and sports amenities meeting the needs of today's users?

SUSTAINABILITY

Parks are a city's green infrastructure, playing a vital role in the environmental, social and economic sustainability of its community. The environmental benefits of a well-managed park system include storm-water infiltration, wildlife habitat, and stemming the urban heat island effect. The benefits for the community include opportunities for exercise and recreation, and public spaces for gathering, celebrating and voicing their opinions. Lastly, parks contribute to a city's economy by elevating property values and helping to attract and retain a young and active workforce.

Burlington is a city defined by hydrological systems, and parks play a key role in these systems. To the west, the shore of Lake Champlain is the backdrop of downtown and home to some of the busiest parks in the City. To the east, the Winooski River floodplain consists of several large urban wilds that provide wildlife habitat, recreation opportunities and flood protection. Even small parks in the interior of the city offer potential for collecting and infiltrating storm-water.



REGIONAL CONNECTIVITY

Burlington's parks are a regional amenity, contributing to the quality of life for residents in the surrounding communities. Our team appreciates that the RPO and RFP call for outreach and coordination with surrounding communities. As part of the broader area's natural resources, Burlington's parks play an important role in regional ecology and overall environmental health. It is wise for the plan to consider them within this regional system. Similarly, streets and other connections also have regional implications and must be understood not just within city limits, but also in relationship to regional trails and overall connectivity.

The planning process will reach out to regional agencies and other potential stakeholders to identify opportunities for connections and collaboration around shared needs. This will create the potential for operational efficiencies and to increase service to services.



VISIBILITY

Parks offer many benefits for city residents and visitors, but in order to maximize them, the community must have broad awareness of the services. Clear and consistent signage greatly increases the visibility of a park system, making it more user-friendly. In today's digital culture, easily accessible and legible online information is equally important. There is a great opportunity in this planning effort to assess and improve the visibility of Burlington's parks and facilities.

Much like the park systems they oversee, Parks Departments are most effective when they are accessible and transparent. Residents benefit when they have a clear understanding of the structure of the department and the services it provides. This transparency also encourages and streamlines volunteerism, which can greatly ease the burden felt by departments during recent years.

We are excited to bring our experience and fresh eyes to Burlington's Parks Department in this planning process. We will help the department identify strategies for increasing its transparency and customer satisfaction.



Is park signage and wayfinding clear and consistent throughout the city?



Are park maps easily accessible online?

Is Burlington's Parks department accessible and clearly defined?

SCOPE OF WORK

UNDERSTANDING BURLINGTON'S PARKS

Activity 1: Project Kick-Off, Existing Conditions Inventory and Analysis

Activity 2: Existing Plans and Regional Context Review

The Existing Conditions Inventory and Analysis and Existing Plans and Regional Context Review will be completed concurrently, so that they inform each other. The Existing Conditions Inventory and Analysis will include a review of the system's parks, facilities and programs. This is an iterative process and the first step includes development of an initial assessment of the system's inventory, followed by a more detailed analysis. Instead of one specific task, our experience suggests completing the Existing Conditions in two successive stages. The results of the initial assessment will be refined after completion of the first stage of public input and the household survey. This allows the public input perspective to be considered before any type of analysis is provided, and reflects how important it is to know how the existing system works for users. The results of the assessment will be provided in a listing of park sites and facilities with scores quantifying their relative condition that will include evaluation of:

- Park access, linkage, connectivity
- Comfort, conditions, accessibility and image
- Sociability
- Uses, activities, events



UNDERSTANDING BURLINGTON'S PARKS

The Team will want to ensure staff participation in this process as it is our experience that staff will have a good perspective of maintenance challenges, use of sustainable practices, accessibility issues, and work methods. The process will start with a staff interview session to identify specific areas of issues, concerns, and work methods. Staff will be asked to accompany the Team on the site and facility tour.

This Activity will also include a brief overview of recreation programs, and services detailing:

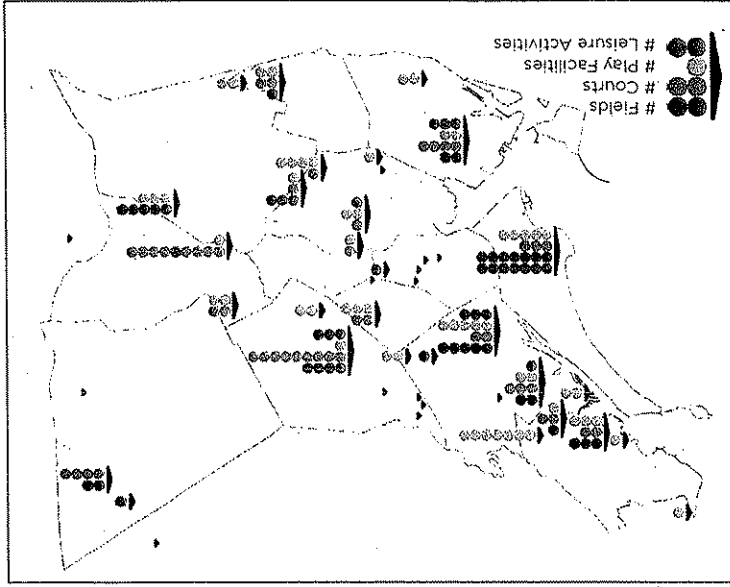
- Lifecycle program analysis
- Age segment distribution
- Program inventory
- Partner review
- Marketing approaches, including website
- Financial and program registration review
- Program locations
- Accessibility

A more robust program assessment can only be completed after the survey results and public input processes are completed. The survey will measure household need, unmet need, and what programs are most important. These results will be needed to position the Department's future recreation program

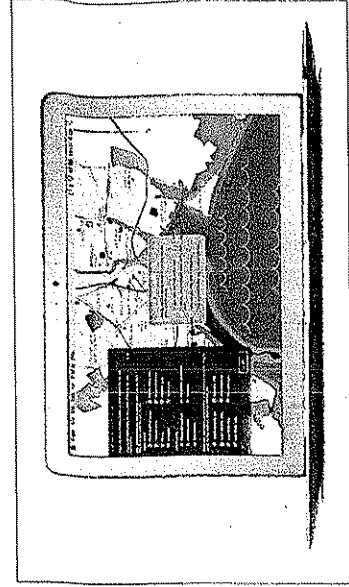
offerings. The steps for the Recreation Assessment include a staff workshop to review processes, review of Website, program guide, social media practices, and distribution of a program assessment for staff completion. Subsequently, an analysis of programs and services will be completed, incorporating the results of the public input process and survey results.

The RFP requested information about how these results will be provided into a common format for sharing with the public. This will include a summary of individual park and facility assessments and scores. This will also include a narrative outlining the elements of recreation programs.

Within Activity 2, the Team will review the existing plans outlined in the RFP, and any other relevant documents. The Team will synthesize findings –both graphically and in narrative form—from the various reports outlined in the RFP and will outline elements to connect to the Master Plan. Additionally, the Team will provide a data sheet to Burlington for additional information such as operating and capital budgets, existing policies, organizational structure, any results of organizational performance such as program evaluations, etc. The development of policies is important to the Department, so the Team will thoroughly review what currently exists and will recommend additional needed policies.



The Existing Conditions Analysis will include an inventory of Burlington's park amenities, activities, and connections. These will be delivered in ArcGIS-compatible datasets, and mapped in a visually compelling way, such as in the Bridgeport, CT, sample above.



Community feedback will be a critical element of the Existing Conditions Inventory and Analysis, and will be used to inform the survey development and needs assessment.

LEARNING FROM THE COMMUNITY

Activity 3: Public Engagement

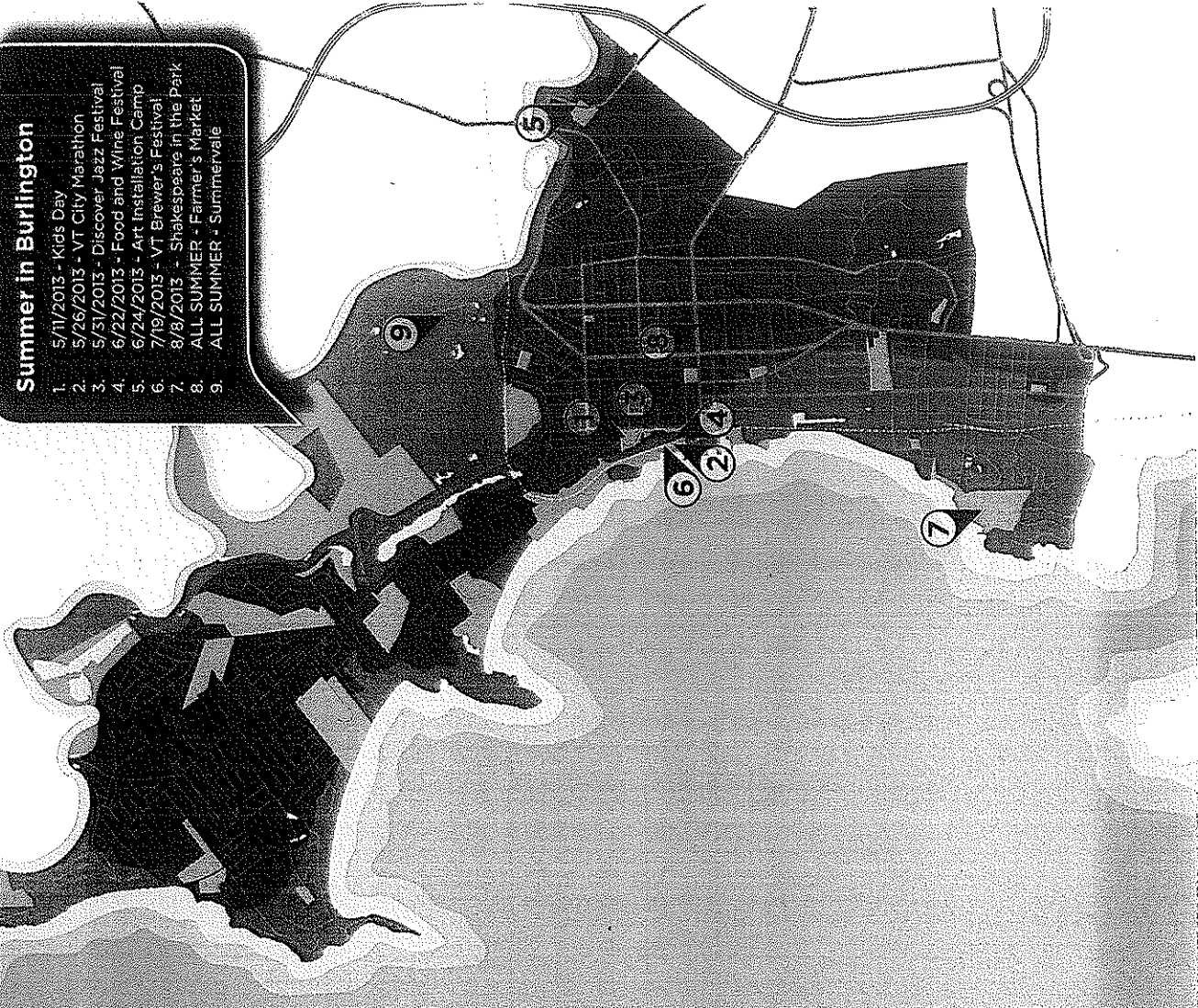
The Team recognizes the importance of community input. Within our proposal, the Team identified two public engagement components: a statistically valid household survey and a series of public engagement initiatives. Of all the elements of the Master Plan tasks, the survey process requires the longest time to complete. Therefore, the initial steps of the survey process will begin at the start of this task.

The process for survey design and distribution will begin with a discussion about the sequential steps involved and will include the provision of examples from other communities who have completed a Leisure Vision survey, general logistics, and timeline. The content of the survey will not be developed until the community input process is underway, as the design will be dependent upon general themes and comments generated from the qualitative input sessions.

In addition, it may be useful to have a steering committee of organizations representing diverse interests in the community to be involved in checkpoints throughout the process to ensure community representation in the Plan. This can include agencies that represent various ethnic groups, civic organizations, faith based agencies, the business community, and others. Some organizations have

Summer in Burlington

1. 5/11/2013 - Kids Day
2. 5/26/2013 - VT City Marathon
3. 5/31/2013 - Discover Jazz Festival
4. 6/22/2013 - Food and Wine Festival
5. 6/24/2013 - Art Installation Camp
6. 7/19/2013 - VT Brewer's Festival
7. 8/8/2013 - Shakespear in the Park
8. ALL SUMMER - Farmer's Market
9. ALL SUMMER - Summervale



LEARNING FROM THE COMMUNITY

found it very useful to keep this group in place after the completion of the Plan to work with the Department in successfully deploying the Plan and keeping it connected to the community.

We will create a robust, inclusive, and fun public engagement process that utilizes a variety of approaches to reach the broadest audience. Our RFQ submittal outlined a variety of approaches; more specifically, the Team proposes to:

- Create a graphic, customized online tool that allows residents to map their neighborhoods and favorite parks. Work with the city webmaster to provide Plan process updates on the city website.
- Work with the Neighborhood Planning Assemblies in developing Community Charettes, interactive public forums to solicit broad public input. The strategy will take advantage of the summer season by getting youth involved either through our visits to summer camps to interview the youth participants or attendance at Kids Day in May. We will also build on the existing summer calendar of events, and work with events organizers to integrate outreach for the plan into events, where possible. [Images to the right show a recent summer series of outreach events that we staged during a planning process in Pittsburgh.]
- Facilitate diverse group discussions including:
 - » Agencies involved in regional recreation services, such as Colchester, Winooski, and

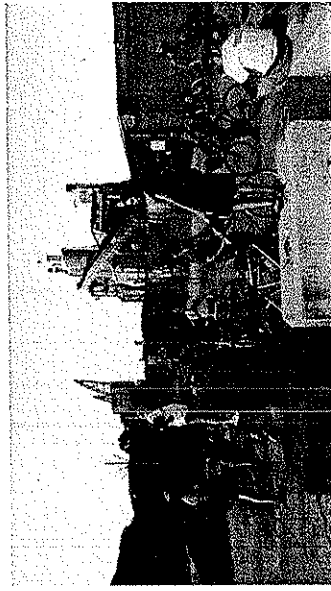
South Burlington. Reviewing recreation services on a regional basis creates better service and efficiencies in service delivery.

- » System users, including seniors and youth.
- » Social service agencies such as Family Connection Center of Chittenden County and the Vermont Refugee Resettlement Program to gain an understanding of needs for financially challenged and immigrant individuals and families.
- » Key leaders in agencies such as Burlington Fletcher Free Library, City Arts, Local Motion, Burlington Planning Department, School District, City of Burlington City Council and Parks and Recreation Commission members.
- » Staff focus group to ensure employee participation, mentioned in the Team's response to the RFQ.

An important additional attribute of successful community input is to develop methods to quantify the order of priorities for the public. As an example, the Team will use a process to track the number of people who are interested in developing more athletic fields as compared to those who want another skate park. While not statistically valid, it helps gain a sense of what's most important, as well as assist with the design of the survey.



In a recent waterfront planning process for Pittsburgh, PA, our summer engagement series ran from June to July, 2012. It kicked off with a Trivia Night about the project area, hosted by a local cafe.



Following a July public forum, in August the summer series continued with a Bike Tour of the riverfront so participants could experience and begin to re-imagine the 6.1 mile rail corridor that would soon become a multi-purpose path.



In September, the summer engagement series concluded with participation of the project in PARKING Day, a national event that transforms parking spaces into temporary parks. The installation raised awareness about the project's future plans for open space and connectivity improvements.

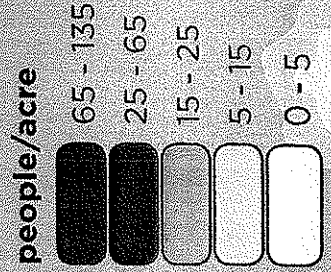
LOOKING TOWARD THE FUTURE

Activity 4: Development of Supply/Demand and Demographics and Trend Analysis

Demographics and Trends: This task requests an evaluation of how the existing inventory of parks, facilities, and programs meets user demands and expectations. This Activity will be accomplished by taking the previous work completed as part of the Existing Conditions Study, identifying how well needs are met, and projecting future needs of residents.

The analysis of demographics and trends was detailed within the RFP process. The Team will develop an analysis of the gaps in services as they relate to demographic and trend components. This will also provide information in positioning the agency for the future. This is a high level skill as it involves projecting customer requirements that do not currently exist. Survey information and public input will not fully generate future requirements as people have difficulty expressing future requirements of service. As a result the ability to provide robust information in this area requires the Consulting Team to be aware of industry trends. Our team has global and national reputations for innovative approaches to systems.

Financial: The financial evaluation will include a three year review of operating and capital budgets.



LOOKING TOWARD THE FUTURE

identifying trends in revenues and expenses, how resources are allocated, and cost recovery performance of major facilities and programs. This includes reviewing the performance of the Ice Arena, and Miller Community and Recreation Center. The capital budget will be reviewed in relationship to the development of capital needs through the Master Plan process.

The Department's \$5 million budget is supported by fees and charges in the amount of \$3.85 million, which is 77% of the budget. According to the National Recreation and Park Association's (NRPA) data, this is much healthier than the approximate 25-30% average percentage of non-tax revenue support of municipalities around the nation. The financial review will include building upon this existing strength.

This task will also include a review of the Fees and Charges Policy, developed during June 2012. This policy was an initial effort toward formulating pricing practices. Future goals are to establish cost recovery goals and classification of costs. The Team will review the Policy and Fee Schedule and will assist in recommendations for future policy changes. The team will use the Heller and Heller pricing template for the establishment of fees for new programs or changes in existing fees.

Parks and Facilities: The Existing Conditions and Inventory will form the basis of this task. Using this information, an overall system analysis will be performed, including park classifications and facility

standards. The Department manages 550 acres; with leased lands the acreage increases to 880 acres. This equates to almost 20 acres per thousand population, which is double what the national standard used to suggest. The system includes 177 acres of conservation areas, which is also significant.

Although the City's total park acreage is sufficient, the distribution of parks shows a deficit of neighborhood parks (using a general standard of 2 acres per thousand population, exclusive of pocket parks). Total neighborhood park acreage is 43 acres. According to the standard, the acreage should be 85 acres. Conversely, there is a surplus of community parks (acreage of about 25 acres), based on a standard of 7.5 acres per thousand population. The neighborhood park acreage is critical in the City's ability to provide walkable park experiences for under-served populations, including lower income families and individuals. As PlanBTV points out, a key metric of successful walkability in Burlington will be the proximate availability of desirable destinations - destinations such as neighborhood parks.

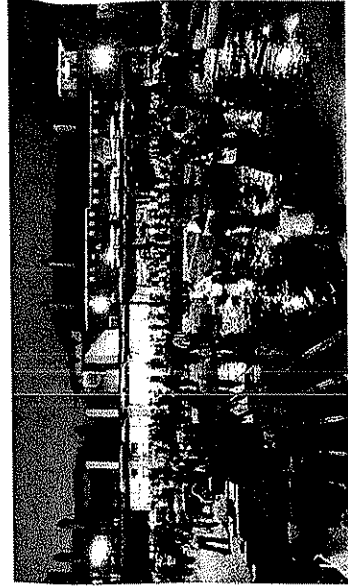
Community needs vary; therefore, there are limitations to using standards. The NRPA PRORAGIS data base will allow us to refine the process and better tailor projections to Burlington's attributes. But, another important element will be the public input task and a review of survey results. The survey can be designed to develop a list of priorities for park land, facilities, and amenities. Prioritization of resources then follows and translates into capital priorities.



Our team includes planners as well as designers with experience building successful parks that are loved and well-used by the communities, such as the Port of Los Angeles community park above.



Burlington is fortunate to have a strong identity around its waterfronts. Our team has a breadth of experience planning and designing waterfront landscapes, such as the Indianapolis riverfront above, and will bring an understanding of how to make them truly accessible to the community.



Ultimately, it is not just the amount of park acreage or amenities that matters, but the quality of experience and offerings that one finds in each park. Our assessment of future needs will consider ways to elevate the quality of existing park amenities.

LOOKING TOWARD THE FUTURE

Based on our previous tour of the system, the Team will be interested in identifying park locations and types of parks, equitable access to parks, infrastructure requirements, wayfinding, and branding of the system. In our visit to Burlington's parks and facilities we noticed infrastructure needs throughout the system, including playgrounds and indoor facility needs.

Indoor multi-purpose space exists primarily at the Miller Community and Recreation Center which is located in the northern part of the City. Again, we will want to look at accessibility for general recreation programs throughout the entire City. The outcome of this task area will result in a system view of the individual components of parks and facilities.

Mapping: This includes mapping parks by classification and major amenities by facility standards as well as a system wide map. Using the facility standards for each park and major facility type (amenity), a series of maps by each classification and major amenities will be prepared. This mapping spatially identifies gaps and overlaps in service area. It is assumed that the Department will provide base GIS information including inventory and general location of park sites and amenities. The Team will provide maps in digital format (ARCGIS compatible) and hard copy.

Recreation: This task will build upon the Recreation Programs and Services Inventory completed during Activity 1. Additionally, the public input sessions will significantly drive decisions for positioning recreation programs for the future and for anticipated indoor

space needs. Survey results will be used to develop an overall priority list of program needs and unmet needs. The Heller and Heller Consulting Program Assessment template will be used to determine the basis for program improvements.

Recreation staff will be involved in providing information for the template, including previous years' registration and financial information, marketing approaches, use of social media, how technology is used to improve services, and ensuring alignment of program offerings with community need. This task will also include discussion about existing recreation space, partnering with other organizations in the region, and future opportunities for programming. Issues relating to accessibility will be discussed as well. This task will result in actionable strategies for strengthening the recreation program delivery system.

Organization and Leadership Structure: The organizational structural review will begin with a meeting with Department leadership and input from key staff members for perspectives of what works well and what needs improvement in the way the organization is structured. This will also include discussion about the overall leadership system. This is important as the ability to effectively implement the Plan depends upon leadership's ability to align the organization with the recommended strategies of the Plan. This task includes reviewing:

- Current structure
- Communication systems

- Work flow
- Management of processes
- Leadership system and practices

The Consulting Team will use organizational structure guidelines developed by Heller and Heller and the Malcolm Baldrige National Quality Criteria in assessing the structure and leadership system and will result in recommendations to strengthen the Department's operations. The leadership system will review employee engagement and accountability, deployment of mission and vision, and a review of organizational performance.

Deliverables:

- Demographics and Trend Report
- Park Classifications and Facility Standards
- Comprehensive ARCGIS compatible maps, including system wide, parks and facility amenities
- Recreation Program and Services Assessment
- Financial Review Assessment
- Recreation Program and Services Assessment
- Organization Structure and Leadership System Review Narrative

A PLAN FOR VISION + IMPLEMENTATION

Activity 5: Development of Vision, Design Guidelines and Implementation Strategy

Activity 6: Final Report, Completion of Plan

The Consulting Team will brainstorm ideas with Burlington leaders about overall findings and recommendations of the technical reports developed in previous activities. The outcome of this process will be development of an aspirational vision comprised of overall system themes; the key areas needed for full development of park and recreation services.

This vision provides the "story" of the system and how its legacy can be preserved while adapting to changing customer preferences, requirements, trends, and demographics. This discussion begins with a conversation about mission and vision to ensure these statements "fit" the future direction of the Department.

The Team will identify capital needs for the system based on the results of the public input, the level of service standards, and all of the previous assessments. This will include reviewing existing capital plans, including the Penny for Parks program.

The most difficult task of the Master Plan is successfully deploying the Plan. It is our team's intent to provide the Department with robust implementation guidelines.



A PLAN FOR VISION + IMPLEMENTATION

We feel as though our team is uniquely qualified to provide a roadmap for successful execution. Through our experiences, we recognize implementation is a difficult task for many agencies. We want to provide staff with the cultural framework needed to execute the Plan.

The strategic recommendations within the Plan will be designated as short, mid or long term and will include a measurement system to track progress. Guidelines for implementation will be provided including a reporting system, a series of performance indicators, assignment of responsibilities for the Plan, engagement of staff, information sharing with stakeholders and residents, and discussion of creating a resident committee to assist with Plan deployment. Some elements of successful implementation include:

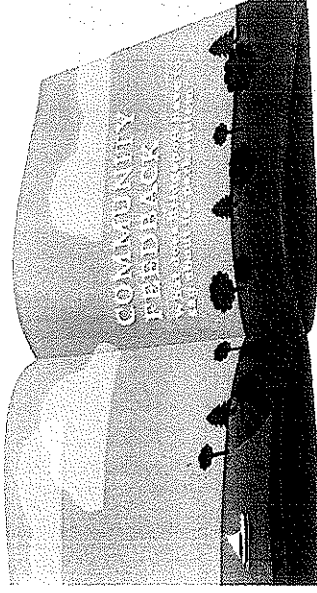
- Assigning implementation of the Plan to a Champion
- Connection of the Plan's deployment to a staff Executive Committee
- Development of structural configurations, or methods of creating organizational culture to support the Plan
- Visual management of the Plan's progress
- Institutionalizing the Plan using techniques from Office Kaizen/Lean/Toyota Production System

- Connecting the financial assessment with ideas for funding projects identified in the Plan
- Methods of successful communication of the Plan to the public

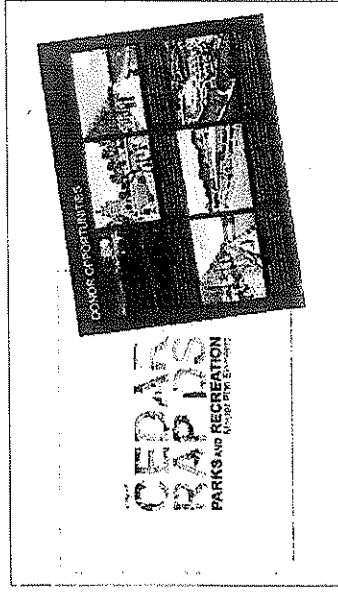
The RFP requested information about updating the Plan every three years. The Team encourages the staff to consider an annual review of the strategic recommendations to assess changes in priorities. The Team will discuss the elements of the Plan that should be studied on a three year basis, such as capital items, demographic changes, financial trends, etc. The statistically valid household survey can be repeated in about five years' time, which is a typical timeframe agencies repeat the process.

Activity 5 Deliverables: Session notes, finalized mission and vision, strategic recommendations, capital development priorities and cost estimates, implementation guidelines

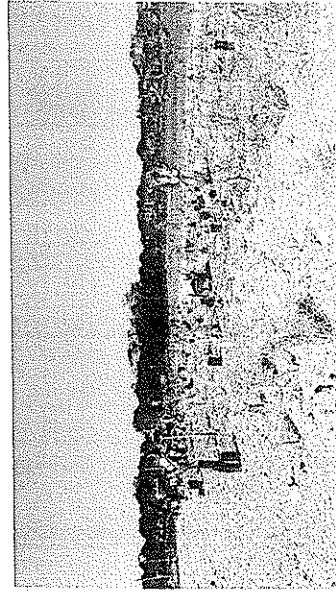
Activity 6 Deliverables: The Team will provide 15 hard copies and an electronic version of a graphically laid out executive summary style plan. The executive summary plan will be useful for the Department and user-friendly for the public. It is intended to help the public visualize the ideas in the plan in order to generate excitement and support for implementation. Additional technical information will be compiled in a technical appendix.



We believe that a clear graphic identity for the plan can help it build excitement in the community, support the vision and set the stage for implementation. We will create a graphically laid out document, such as the Bridgeport, CT Parks Master Plan above.



To us, implementation of the plan is the ultimate success. However, we understand that resources are limited. In the past, we have used the plan to frame donor opportunities for the parks, and assisted the community in understanding funding opportunities.



Plan implementation can be a lengthy process. To build on the momentum that this planning process will generate, we will look for "quick wins," small projects or changes that can be done quickly and demonstrate progress.

PROPOSED SCHEDULE

2014

2013

MO. DAY

BURLINGTON ACTIVITY LIST	START	FINISH	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	JAN.	FEB.
	1. Kick-off Meeting; Existing Conditions											
Park + Facility Inventory Summary Report	5.22	6.14	█	█								
Recreation Program Inventory	5.22	6.14	█	█								
2. Existing Plans + Regional Review												
Data Review of Existing Plans	5.22	6.01	█									
3. Public Engagement												
Survey Process _ Preliminary	5.20	6.02	█	█	█	█						
Survey Process _ Design, Distribution, Results	6.24	8.30		█	█	█	█					
Public Input Process	6.03	6.20	█	█								
4. Supply/Demand + Demographics + Trends												
Demographics + Trend Report	6.03	7.19		█	█	█	█					
Park Classification + Facility Standards	9.01	9.30					█	█				
Comprehensive Maps, including parks + amenities	10.01	10.31					█	█	█			
Recreation Program + Services Assessment	9.01	10.31					█	█	█			
Financial Review Assessment	8.02	9.27					█	█				
Organization Structure + Leadership System Review	8.02	9.27					█	█				
5. Vision; Guidelines + Implementation												
Mission + Vision	11.25	1.01								█	█	
Findings + Recommendations	11.25	1.01								█	█	
Capitol Plan + Priorities	12.16	1.01								█	█	
Implementation Guidelines	11.25	1.01								█	█	
6. Final Report												
Draft Report	1.10	1.10									█	
Presentations	1.28	2.01									█	
Final Report	2.28	2.28									█	

PREVIOUS

NEXT

COST PROPOSAL

LABOR HOURS BY TASK

PAGE 1 OF 2

LEISURE VISION

HELLER + HELLER SASAKI

- TASK -	HELLER + HELLER					SASAKI			LEISURE VISION	
	HELLER	KROGER	FORD	HENSOLD	HUTTON	VINE				
- ASSOCIATE -	\$195	\$100	\$250	\$150	\$100	\$185				
- RATE -	4	-	8	8	8	-				
A. Kick-Off Meeting	10	-	-	12	24	-				
B. Existing Conditions	8	-	-	11	4	-				
C. Existing Plan/Data Review	22	-	8	31	36	-				
DIRECT LABOR HOURS	\$4,290	-	\$2,000	\$4,650	\$3,600	-				
LABOR FEE	\$970	-	\$490	\$300	\$300	-				
TOTAL EXPENSES	-	-	-	-	-	-				
TOTAL / FIRM	-\$5,260	-	-	-\$11,340	-	-				
A. Input Sessions	26	16	8	20	16	-				
B. Household Survey	2	-	-	4	-	67				
DIRECT LABOR HOURS	28	16	8	24	16	67				
LABOR FEE	\$5,460	\$1,600	\$2,000	\$3,600	\$1,600	\$12,395				
TOTAL EXPENSES	\$970	\$750	\$490	\$800	\$250	-				
TOTAL / FIRM	-\$8,780	-	-	-\$8,740	-	\$12,395				

Activity 1 + 2 Kick-off, Conditions Inventory

Activity 3 Public Engagement

PREVIOUS

NEXT

LABOR HOURS BY TASK

PAGE 2 OF 2
 - TASK -
 - ASSOCIATE -
 - RATE -

HELLER + HELLER SASAKI ETC INSTITUTE

	HELLER	KROGER	FORD	HENSOLD	HUTTON	VINE
A. Demographic + Trends Report	2	24	—	4	—	—
B. Financial Review	14	—	—	—	—	—
C. Parks + Facilities Assessment	—	—	8	12	40	—
D. Mapping	—	—	8	12	60	—
E. Recreation Assessment	8	55	—	2	—	—
F. Organizational + Leadership Assessment	15	—	—	2	—	—
DIRECT LABOR HOURS	39	79	16	32	100	—
LABOR FEE	\$7,605	\$7,900	\$4,000	\$4,800	\$10,000	—
TOTAL EXPENSES	\$1,190	\$750	\$490	\$300	\$300	—
TOTAL / FIRM	— \$17,445	—	—	\$19,890	—	—
A. Vision Workshop	12	—	4	8	20	—
B. Capital Development	8	—	—	8	—	—
C. Implementation Guidelines	8	—	4	8	20	—
D. Draft Report	25	15	2	16	20	—
E. Final Report	8	—	2	8	20	—
DIRECT LABOR HOURS	61	15	12	48	80	—
LABOR FEE	\$11,895	\$1,500	\$3,000	\$7,200	\$8,000	—
TOTAL EXPENSES	\$3,105	—	\$150	\$150	\$150	—
TOTAL / FIRM	— \$16,500	—	—	\$18,650	—	—
> TOTAL LABOR	\$40,250			\$54,450		\$12,395
> TOTAL TRAVEL	\$6,970			\$3,420		—
> TOTAL OTHER	\$765			\$750		—
> TOTAL FEE						\$119,000

Activity 4 Supply/Demand + Demographics + Trends
 Activity 5 Vision, Guidelines + Implementation
 Activity 6 Draft + Final Report

ATTACHMENT A

ATTACHMENT A

Understanding of RFP Procedure, Terms and Conditions

This page to be returned with qualifications submission

I acknowledge that I have read and understand all procedures and requirements of the above reference RFP and have complied fully with the general terms and conditions outlined in the RFP.

Consultant Team:

Heller + Heller Consulting + Sasaki

Representative's Printed Name:

Barbara Heller

Representative's Signature:



Date:

3/16/13

THE BURLINGTON VERMONT PARKS SYSTEM MASTER PLAN

Thank you for giving us the opportunity to submit additional information in this proposal. We are truly excited by the opportunities that the plan holds for the City of Burlington and its parks and recreation system. Additional information about the firms on our team, Heller and Heller, Sasaki Associates, and Leisure Vision, as well as about specific team members' experience, and past project work can be found in our previous qualifications submittal.

We look forward to discussing our submission and the plan in more detail at the interview next week.

PRIME CONTACT INFORMATION

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