
DELIBERATIVE AGENDA
LOCAL CONTROL COMMISSION
MONDAY, MARCH 10, 2014
CONTOIS AUDITORIUM, CITY HALL
7:00 P.M.

1. AGENDA
2. CONSENT AGENDA
 - 2.01. FIRST CLASS CLUB LIQUOR LICENSE RENEWAL (2014-2015): St. John's Club

*waive the reading, accept the communication, place it on file and approve the 2014-2015 First Class Club Liquor License Renewals with all standard conditions
 - 2.02. FIRST CLASS HOTEL LIQUOR LICENSE RENEWAL (2014-2015): Hilton Burlington

*waive the reading, accept the communication, place it on file and approve the 2014-2015 First Class Hotel Liquor License Renewal with all standard conditions
 - 2.03. FIRST CLASS RESTAURANT/BAR LIQUOR LICENSE RENEWALS (2014-2015):

Akes' Place, Junior's, Mr. Mike's Pizza, One-Half Lounge, Scuffer Steak and Ale House, South End Kitchen and What Ales You
*waive the reading, accept the communication, place it on file and approve the 2014-2015 First Class Restaurant/Bar Liquor License Renewals with all standard conditions
 - 2.04. SECOND CLASS STORE LIQUOR LICENSE RENEWALS (2014-2015):

Logan's of Vermont and Neighborhood Market
*waive the reading, accept the communication, place it on file and approve the 2014-2015 Second Class Store Liquor License Renewals with all standard conditions
 - 2.05. OUTSIDE CONSUMPTION PERMIT RENEWALS (2014-2015):

Akes' Place, East Shore Vineyards, Hilton Burlington, Junior's, One-Half Lounge, Scuffer Steak and Ale House and St. John's Club
*waive the reading, accept the communication, place it on file and approve the 2014-2015 Outside Consumption Permit Renewals
3. FIRST CLASS RESTAURANT/BAR LIQUOR LICENSE APPLICATION (2014-2015):

La Boca's Wood Fired Pizzeria, 1127 North Avenue
4. FIRST CLASS RESTAURANT/BAR LIQUOR LICENSE APPLICATION (2014-2015):

83 Church Street LLC, d/b/a Pascolo Ristorante, 83 Church Street
 - 4.01. OUTSIDE CONSUMPTION PERMIT APPLICATION (2014-2015):

83 Church Street LLC, d/b/a Pascolo Ristorante, 83 Church Street
5. ADJOURNMENT

REGULAR MEETING, CITY COUNCIL
MONDAY, MARCH 10, 2014

1. AGENDA
2. PRESENTATION: Pat Burns, General Manager, Onion River Co-op, re: City Market Update (10 mins.)
 - 2.01. COMMUNICATION: City Market: City Council Presentation
3. PUBLIC FORUM **(Time Certain: 7:30 p.m. – 8:00 p.m. unless extended by the Council President per Council Rules)**
4. RESOLUTION: MDP-14-01 – Climate Action Plan; Open Space Protection Plan; Amendment and Re-adoption of The Burlington Municipal Development Plan (Councilor Tracy)
5. CONSENT AGENDA
6. RESOLUTION: Neighborhood Development Area (Councilors Aubin, Knodell, Worden: Community Development & Neighborhood Revitalization Committee)
 - 6.01. COMMUNICATION: Brian Pine, Assistant Director for Housing & Neighborhood Revitalization, re: Proposed Burlington Neighborhood Development Area Designation
 - 6.02. COMMUNICATION: Vermont, Agency of Commerce & Community Development, Department of Housing & Community Development, re: Neighborhood Development Areas: Application and Design Guidelines
 - 6.03. COMMUNICATION: City of Burlington, Proposed Designated Neighborhood Development Area MAP
7. RESOLUTION: Authorizing Appointment of Two City Councilors to Serve on Cost Control Committee To Review and Discuss Burlington School District Budget (Councilor Hartnett)
8. COMMUNICATION: Eileen Blackwood, City Attorney, re: Update on Burlington Telecom Settlement
9. COMMITTEE REPORTS (5 mins.)
10. COMMUNICATION: City Councilors, re: General City Affairs (oral)(10 mins.)
11. COMMUNICATION: Mayor Weinberger, re: General City Affairs (oral)(5 mins.)
12. COMMUNICATION: Peter Owens, CEDO Director and Richard Haesler, Assistant City Attorney, re: Update on downtown real estate project transaction (oral)

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

13. ADJOURNMENT

BOARD OF CIVIL AUTHORITY
MONDAY, MARCH 10, 2014

1. AGENDA
2. CONSENT AGENDA
 - 2.01. RESOLUTION: Appointment of Assistant Election Officials (Councilor Shannon)
3. ADJOURNMENT

CITY COUNCIL WITH MAYOR PRESIDING
MONDAY, MARCH 10, 2014

1. AGENDA
2. CONSENT AGENDA
 - 2.01. COMMUNICATION: Clerk/Treasurer's Office, Openings, Boards and Commissions
*waive the reading, accept the communication and place it on file
3. APPOINTMENT: Parks and Recreation Commission (Term expires 6/30/15)
4. ADJOURNMENT

CONSENT AGENDA

REGULAR MEETING, CITY COUNCIL
MONDAY, MARCH 10, 2014

- 5.01. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re:
Accountability List
*waive the reading, accept the communication and place it on file
- 5.02. RESOLUTION: Approval of Traffic Borrowing and Promissory Note (Councilors
Shannon, Bushor, Knodell, Aubin: Board of Finance)
*waive the reading and adopt the resolution
 - 5.02.01. COMMUNICATION: Patrick Buteau, Assistant Director Public Works, re: Traffic
Borrowing for Parking Facilities Assessment
*waive the reading, accept the communication and place it on file
- 5.03. RESOLUTION: Acceptance of Bureau of Justice Assistance (BJA) 2013 Bulletproof
Vest Partnership Grant for the Purchase of 8 Bulletproof Vests as
Approved by BVP Purchasing Guidelines (Councilors Shannon, Bushor,
Aubin, Knodell: Board of Finance)
*waive the reading and adopt the resolution
 - 5.03.01. COMMUNICATION: Lise E. Veronneau, Business Administrator, Burlington Fire &
Police Departments, re: 2013 Bulletproof Vest Partnership
\$2,444.77 Grant
*waive the reading, accept the communication and place it on file

5.04. RESOLUTION: Authorization to Rebuild Electrostatic Precipitator at McNeil Plant
(Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

5.04.01. COMMUNICATION: John Irving, BED, re: McNeil Electrostatic Precipitator

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

5.05. RESOLUTION: Appointment of Acting Ward Clerk and Inspectors of Elections for
Ward Six (Councilor Shannon)

*waive the reading and adopt the resolution

5.06. RESOLUTION: License Agreements for Encumbrances Outside of The Church St.
Marketplaces – Proposal for Changes to Approval Process for
Renewal Application (Councilors Blais, Tracy, Ayres: License
Committee)

*waive the reading and adopt the resolution

5.07. RESOLUTION: Increase Hours for One Regular Part-Time Parking Attendant Position
From 24 Hours Per Week To 32 Hours Per Week At The Department of
Public Works (Councilors Bushor, Shannon, Aubin, Knodell: Board of
Finance) (**pending Board of Finance approval on 3/10/14**)

*waive the reading and adopt the resolution

5.07.01. COMMUNICATION: Stephanie Reid, Interim Human Resources Generalist and
Susan Leonard, Human Resources Director, re: Department
Of Public Works – Increase One Union, Non-Exempt Regular
Part-Time Parking Attendant from 24 hours per week to 32
Hours per week

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

5.08. RESOLUTION: Authorization for Electric Department to Construct Solar Array at
Burlington International Airport (Councilors Shannon, Bushor, Aubin,
Knodell: Board of Finance) (**pending Board of Finance approval on
3/10/14**)

*waive the reading and adopt the resolution

5.08.01. COMMUNICATION: Ken Nolan, Manager of Power Resources, Burlington Electric
Department, re: Burlington International Airport Solar
Installation

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

5.09. INDOOR ENTERTAINMENT PERMIT RENEWALS (2014-2015):

Akes' Place, Hilton Burlington, Mr. Mike's Pizza, One-Half Lounge, St. John's Club and What
Ales You

*waive the reading, accept the communication and approve the 2014-2015 Indoor Entertainment Permit
Renewals with all standard conditions

5.10. OUTDOOR ENTERTAINMENT PERMIT RENEWAL (2014-2015): Hilton Burlington

*waive the reading, accept the communication and approve the 2014-2015 Outdoor Entertainment Permit
Renewal with all standard conditions

5.11. SPECIAL EVENT INDOOR ENTERTAINMENT PERMIT APPLICATION (one day only):

El Gato Cantina, 169 Church Street, 3/15/14, 10 p.m. – 1 a.m., Dancing, DJ and Salsa
*waive the reading, accept the communication, place it on file and approve the one day only special event indoor entertainment permit application for El Gato Cantina

5.12. SPECIAL EVENT INDOOR ENTERTAINMENT PERMIT APPLICATION (one day only):

Manhattan Pizza Pub, 167 Main Street, 3/23/14, 9 p.m. – 1 a.m., 2 local bands and amplified music

*waive the reading, accept the communication, place it on file and approve the one day only special event indoor entertainment permit application for Manhattan Pizza Pub

5.13. SPECIAL EVENT INDOOR ENTERTAINMENT PERMIT APPLICATION (one day only):

Skinny Pancake, 60 Lake Street, March 14, 2014, 8 p.m. – 2 a.m., Dancing, amplified music

*waive the reading, accept the communication, place it on file and approve the one day only special event indoor entertainment permit application for Skinny Pancake

5.14. COMMUNICATION: Phil Lavigne, Member, Police Commission, re: Resignation

*waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation to Phil Lavigne thanking him for his years of service as a member of the Police Commission

5.15. COMMUNICATION: Mayor Miro Weinberger, re: Reappointment of Michael Knauer to BHA Board of Commissioners

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

5.16. COMMUNICATION: Mayor Miro Weinberger, re: Appointment of Dr. Pablo Bose to BHA Board of Commissioners

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

5.17. COMMUNICATION: Bob Rusten, Chief Administrative Officer, re: Quarterly Budget Amendment Reports – Updated

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

5.18. COMMUNICATION: Scott Schrader, Asst. Chief Administrative Officer, re: Agenda Preparation Software (BoardDocs) Training

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

5.19. COMMUNICATION: Clerk/Treasurer's Office, re: Sweep Accounts & Other Bank Accounts

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

5.20. COMMUNICATION: Clerk/Treasurer's Office, re: City of Burlington January 2014 Financial Statements

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

5.21. COMMUNICATION: Clerk/Treasurer's Office, re: General Fund Revenue for the Month of January 2014

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

5.22. COMMUNICATION: Rob Downey, Chair, Board of Directors and Travis Marcotte, Executive Director, Intervale Center, re: Thank you

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

5.23. COMMUNICATION: Martha R. Lang, Ph.D., re: St. Joseph's School: Problems with the Attempted Purchase

*waive the reading, accept the communication, place it on file and send a copy to the Board of Finance and the Superintendent of Schools

5.24. COMMUNICATION: Martha R. Lang, Ph.D., re: St. Joseph's School: \$8 M to Renovate The Building

*waive the reading, accept the communication, place it on file and send a copy to the Board of Finance and the Superintendent of Schools

5.25. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Amy Bovee, Executive Secretary, re: Draft Minutes, Regular City Council Meeting, November 4, 2013

*waive the reading, accept the communication, place it on file and adopt the minutes at the March 31, 2014 City Council Meeting

5.26. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator & Amy Bovee, Executive Secretary, re: Draft Minutes, Adjourned City Council Meeting, November 18, 2013

*waive the reading, accept the communication, place it on file and adopt the minutes at the March 31, 2014 City Council Meeting

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 March 12, 2014 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).

2014

FIRST/SECOND CLASS LIQUOR LICENSE AND TOBACCO APPLICATION

LICENSE YEAR IS MAY 1ST THROUGH APRIL 30TH OF THE FOLLOWING YEAR

LA BOCA'S WOOD FIRED PIZZERIA

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

Doing Business As - Trade Name

1127 NORTH AVENUE

Street and street number of premises covered by this application

BURLINGTON 05408

Town or City & Zip Code

802 777.3692

Telephone Number

108 RANDY LANE, BURLINGTON, VT

Mailing Address (if different from above)

Email address INFO @ GRIMARD DESIGNS.COM

* recommended for approval
C 3/5/14 lc intg lo

Conditional:

all City Permits must
be closed

Fire Marshal approval

Please circle appropriate categories

FIRST CLASS

SECOND CLASS

TOBACCO

Restaurant

Hotel

Club

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

FEES:

FIRST CLASS LICENSE - \$115.00 to DLC and \$115.00 to Town/City

SECOND CLASS LICENSE - \$70.00 to DLC and \$70.00 to Town/City

TOBACCO LICENSE - (there is no fee for tobacco if applying for second class)

If applying for Tobacco only license please use the Tobacco Only form.
Fee for this license is \$100.00 payable to DLC

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

PETER GRIMARD

STREET/CITY/STATE

108 RANDY LANE

BURLINGTON, VT

MARYLENE BOILEAU

108 RANDY LANE

BURLINGTON, VT

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
F-3-14
1/1

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

Date of incorporation _____ Is corporate charter now valid? _____

Corporate Federal Identification Number _____

Have you registered your corporation and/or trade name with the Town/City Clerk? _____ and/or Secretary of

State? _____ (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☐ NO

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

Name MARYLENE Court/Traffic Bureau TRAFFIC BUREAU Offense SPEEDING 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 PETER GRIMARD
TITLE OWNER
DATE JUNE 12, 2013

(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: WOOD FIRED KILN PIZZERIADoes applicant own the premises described? NO If not owned, does applicant lease the premises? DAVID HAAKE, YES

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

DAVID HAAKE
1127 NORTH AVENUE, BURLINGTON, VT 802.658.6688

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 _____ (if licensed as a Hotel)

VERMONT TAX DEPARTMENT: Meals & Rooms Certificate/Business Account # 430-464669664F-01

Business is devoted primarily to: (Circle one)

☒ FOOD (restaurant) ☐ HOTEL ☐ CLUB ☐ COMMERCIAL CATERING ☐ BAR

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 forms.

NO**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).

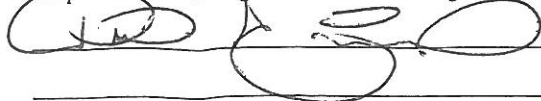
In accordance with 21 VSA, §1378 (b) I/We certify, under pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan to pay any and all contributions or payments in lieu of contributions due to the Department of Employment and Training.

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 _____ in the County of _____ and State of _____,
this _____ day of _____, 20____

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



OWNER
(Title)

OWNER

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) (513) 684-2979
DEPARTMENT OF THE TREASURY
550 MAIN STREET, CINCINNATI, OH 45202

NOTICE: All new applications are investigated by the Enforcement and Licensing Division prior to approval/disapproval of the license by the Liquor Control Board. Please note that this process can take anywhere from 2 weeks to 6 weeks to complete once Liquor Control receives the application.



LIQUOR LICENSE

NEW APPLICANT QUESTIONNAIRE

D/B/A (Business Name) LA BOCA'S WOOD FIRED PIZZERIA

Contact person PETER GRIMARD Contact Phone 802 777 3692

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

NO

2. Please describe your experience serving or selling alcohol?

I HAVE BARTENDED @ HALVOREN'S AT
16 CURET STREET SINCE 1996.
I HAVE WORKED THERE SINCE 1986

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 I AM FAMILIAR WITH THE LAWS RELATING
TO THE SALE OF ALCOHOL IN VERMONT. I HAVE
CONTINUALLY BEEN RECERTIFIED EVERY TWO
YEARS BY GOING TO DLC TRAININGS. MY
MOST RECENT RECERTIFIED TRAINING WAS
ONLINE IN JUNE OF 2015. ALL OF THE
EMPLOYEES HANDLING ALCOHOL WILL GO THROUGH
THE DLC PROGRAM BEFORE THEY WILL BE ALLOW
TO SERVE.

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

NO

5. How many employees will you have?

4-6 SERVERS

4-6 KITCHEN STAFF

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

~~200~~ TOTAL SQUARE FOOTAGE OF SPACE
IS 2000. ROUGHLY 2000 OF IT DEDICATED
TO DINING. WE ARE PLANNING ON
HAVING 48 TABLE SEATS, 8 BEER/WINE
BAR SEATS & 8 PIZZA BAR SEATS.

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

TRAINING, TRAINING, & TRAINING.

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

CERTIFICATE of ACHIEVEMENT

This is to certify that

Peter Grimard

has completed the course

Server Training - 1st class Seminar Certification

June 12, 2013



DEPARTMENT OF LIQUOR CONTROL

12dwrqAG79

Lori Olberg

From: info@grimarddesigns.com
Sent: Thursday, February 06, 2014 7:15 PM
To: Lori Olberg
Subject: RE: Liquor License
Attachments: Boca's Dinner Menu.pdf; DLC Cert.pdf; Peter Grimard Lease.doc; former Keybank-proposed pizza parlor.pdf

Lori,
Here is what you asked for. Attached you will find a rough draft of our menu, we are still working on filling it in (Bocas Dinner Menu.pdf).

We are also still in the process of making the drink menu, but what we are thinking of is 6-9 local micro drafts, some bottle beers that would fill that gaps that the local beers don't. I have worked in the restaurant long enough to know that not every one drinks or likes micro brews, but my wife and I really want to stress local when ever we can. Our wine selection will be some house pours, but also offer bottles. The hard part here is neither one of us really care for the local Vermont wines, so we may only one or two local Vermont wines, instead we will showcase Italian varietals' to compliment the pizza. We do not want to sell or carry hard liquors, we are not a bar nor do we want to give off the image that we are. Smitty's is the bar, we want to be a family restaurant were people can go and get great pizza and a great local beer in a family friends atmosphere.

Also attached you will find my Vermont DLC training certificate. I have always attend the in-person seminar when my renewal was due, however this time I chose to do the online class for my renewal (DLC Cert.pdf).

The lease in Word document form (Peter Grimard Lease.doc).

And finally attached is the floor plan of the restaurant (former KeyBank- proposed pizza parlor.pdf). The landlord is in the process of making changes to the building by adding two ADA compliant restrooms on the western wall. The glass faciad on both the north and west sides are being replaced by the landlord with newer and a more modern look. The 'chef's table/bar' will seat 8 people at it allowing the guests to interact with the chef and pizza cook, sort of like a sushi bar. The bar on the southern side of the room will seat 8 guest, this will be a beer/wine bar. Strategically placed through out d the dinning room will be 4 eight top tables and 4 four top tables. If larger parties come in, we can more tables around to accommodate.

Thank you Lori for all your help and if you have anymore questions for me, please feel free to reply to this email, or you can call me at 802.777.3692

Sincerely,
Peter Grimard

----- Original Message -----Subject: RE: Liquor License
From: "Lori Olberg" <lolberg@burlingtonvt.gov>
Date: 2/5/14 2:01 pm
To: "Peter Grimard" <info@grimarddesigns.com>

Actually if you can provide the following information beforehand that would be greatly appreciated:

A copy of the food menu, draft is fine

A copy of the enforcement seminar training certificate (DLC)

A copy of the lease

An inside diagram of where tables and chairs will be located

ALL of this can be emailed to me.

~~thank you~~

From: Peter Grimard [<mailto:info@grimarddesigns.com>]
Sent: Wednesday, February 05, 2014 3:55 PM
To: Lori Olberg
Subject: Re: Liquor License

Lori,

Yes both Marylene and I can make it. Is there anything special we need to bring?

Thanks,

Peter Grimard

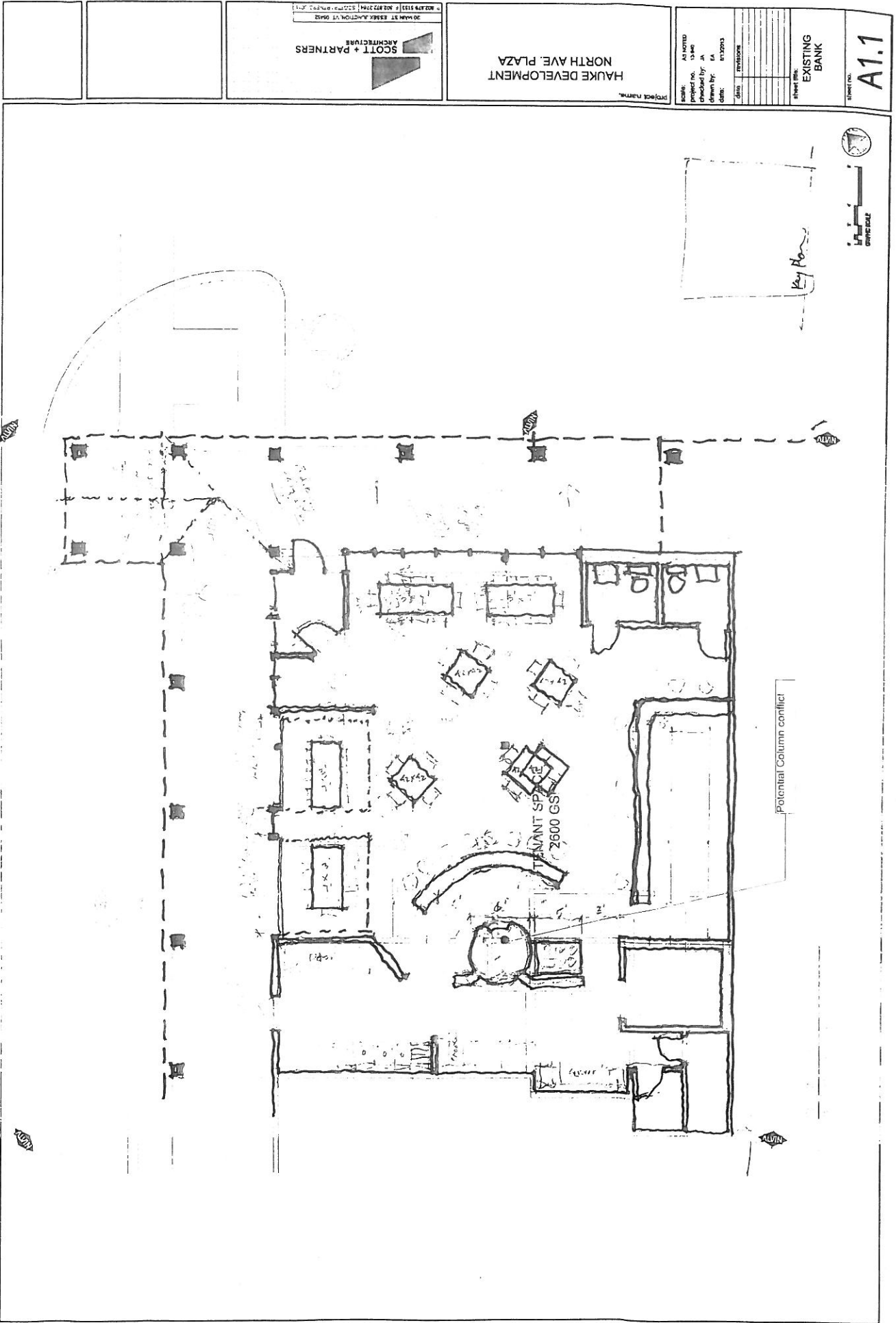
Grimard Designs, LLC

On Feb 5, 2014, at 3:43 PM, Lori Olberg <lolberg@burlingtonvt.gov> wrote:

Hi Pete, are you and Marylene able to make the License Committee meeting scheduled for Tuesday, February 11th at 4:45 p.m.??

Let me know soon.

~~thank you~~



Boca's Brick Oven Pizzeria

Salads

Mixed Greens with a Raspberry vinaigrette	10
Fresh Fire Roasted vegetables served over mixed greens	12
Vermont Artisan Cheese Board Sampler	14
Prosciutto wrapped mozzarella cheese	14

Wood Grilled Pizza

Roasted Garlic Olive Oil w/ Fresh Mozzarella	12
A white crust with roasted garlic infused Olive Oil Pizza	
Pesto Chicken with fresh Roma Tomatoes	12
Grilled Chicken with balsamic saute red onions and Roma Tomatoes	
BBQ Chicken	13
Fire roasted red peppers, BBQ Chicken & Red Onions	
Wood Grilled Pizza #4	14
Description	
Wood Grilled Pizza #5	15
Description	
Wood Grilled Pizza #5	15
Description	

Hot Saute Pasta

Artichoke & Sundried Tomato Penne	12
Description	
Basil & Lemon Chicken Penne	12
Description	
Horseradish and Chicken Cream Penne	14
Description	

Dessert

Mitella Pizza	9
Description	
Chocolate Mousse	6
Description	
Ice Cream	6
Description	



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 - Restaurant

05/01/2013 - 04/30/2014

TO: Jeff Herwood, Clerk/Treasurer's Office
FROM: Lori Olberg, Clerk/Treasurer's Office
DATE: Tuesday, February 4, 2014
COMPANY: La Boca's Wood Fired Pizzeria
DBA NAME:
FORMERLY:
LOCATION: 1127 North Avenue
PHONE: 777-3692

*Resubmitted
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

Thank You,

Lori Olberg
Clerk/Treasurer's Office
City Hall

Date: Tuesday, February 4, 2014



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 - Restaurant

05/01/2013 - 04/30/2014

TO: Ken Lerner, Planning & Zoning Office
FROM: Lori Olberg, Clerk/Treasurer's Office
DATE: Tuesday, February 4, 2014
COMPANY: La Boca's Wood Fired Pizzeria
DBA NAME:
FORMERLY:
LOCATION: 1127 North Avenue
PHONE: 777-3692

*Please review
in Lerner*

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

Please indicate:

Approved?

Yes



No



Initials

KJL

Date

5 Feb 2014

Notes:

*Obtained zoning permit for restaurant use -
However do need sign permit from zoning.*

Thank You,

Lori Olberg
Clerk/Treasurer's Office
City Hall

Date: Tuesday, February 4, 2014

Lori Olberg

From: Lori Olberg
Sent: Tuesday, March 04, 2014 7:17 AM
To: 'info@grimarddesigns.com'
Subject: RE: update

Perfect, will get an agenda out to you today, see you both tomorrow.

From: info@grimarddesigns.com [<mailto:info@grimarddesigns.com>]
Sent: Monday, March 03, 2014 6:56 PM
To: Lori Olberg
Subject: RE: update

Lori,
Thank you again, Marylene and I have talked it over and we want to come. We want the board to know who we are, to continually put a face to our business. We'll see you Wednesday.
Peter

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

Subject: RE: update
From: "Lori Olberg" <lolberg@burlingtonvt.gov>
Date: 3/3/14 9:24 am
To: "info@grimarddesigns.com" <info@grimarddesigns.com>

Excellent update. I will give this to the Committee so it is ready up to you and your wife if you want to physically come in and update the Committee verbally on Wednesday, let me know Peter.

From: info@grimarddesigns.com [<mailto:info@grimarddesigns.com>]
Sent: Monday, March 03, 2014 11:18 AM
To: Lori Olberg
Subject: RE: update

Lori,

Thanks for the follow up. As for progress, the we have finalized all the construction plan, obtained permits for electrical and plumbing, roughed in all plumbing under the cement, and on Wednesday or Thursday the flooring concrete will get re-poured. The electrician will be roughing in all the electrical 3/10-3/14. Away from the site I have made all our table and bar tops. Today I am making the wine locker out of the old bank vault. The plumbing has been the big hold up, keeping me out of the space. Once the floor gets re-poured, I can start building the oven and then installing the beer and wine bar. Do you feel this is enough progress for the committee to vote? Or we should just plan on updating the board on our progress? The big hold up on the space was the plumbing and getting it installed on what was to go under the concrete slab.

Thanks again, let me know.

Peter

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

Subject: update

From: "Lori Olberg" <lolberg@burlingtonvt.gov>

Date: 3/3/14 8:40 am

To: "info@grimarddesigns.com" <info@grimarddesigns.com>

Hi Peter, are you able to update the Committee on any progress OR are you ready for them to discuss and vote on your license application at Wednesday's meeting??

Let me know before today's end.

~~thank you~~

20 14

FIRST/SECOND CLASS LIQUOR LICENSE AND TOBACCO APPLICATION

LICENSE YEAR IS MAY 1ST THROUGH APRIL 30TH OF THE FOLLOWING YEAR

83 Church Street LLC

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

Pascile Ristorante

Doing Business As - Trade Name

83 Church Street

Street and street number of premises covered by this application

Burlington VT 05401

Town or City & Zip Code

802

Telephone Number

139 Bank Street Burlington VT 05401

Mailing Address (if different from above)

Email address jed@farmhousegroup.com

* recommended for approval @
3/5/14 la mtg lo
Conditional: all City permits
must be closed
Fire Marshal approval

Please circle appropriate categories

FIRST CLASS

SECOND CLASS

TOBACCO

Restaurant

Hotel

Club

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

FEES:

FIRST CLASS LICENSE - \$115.00 to DLC and \$115.00 to Town/CitySECOND CLASS LICENSE - \$70.00 to DLC and \$70.00 to Town/City

TOBACCO LICENSE - (there is no fee for tobacco if applying for second class)

If applying for Tobacco only license please use the Tobacco Only form.
Fee for this license is \$100.00 payable to DLCTO 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 Nika

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

Jed Davis19 Brigham Hill Rd. Essex VT 05452Third Place Inc / Robert Downey101 Henry St. 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

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

Date of incorporation _____ Is corporate charter now valid? _____

Corporate Federal Identification Number _____

Have you registered your corporation and/or trade name with the Town/City Clerk? _____ and/or Secretary of State? _____ (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

☒ 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) complete the following information:

YES ☒ NO If yes, please

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:

Josh Palmer

TITLE:

Manager

DATE:

Feb. 2014

(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: basement restaurant space, approx 5000 sq ftDoes applicant own the premises described? NO If not owned, does applicant lease the premises? yes

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

Howard Opera House Associates 76 Pearl St. Essex Jct. VT 05452Are 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 #:

(pending) Food

Lodging

(if licensed as a Hotel)

VERMONT TAX DEPARTMENT: Meals & Rooms Certificate/Business Account #

(pending)

Business is devoted primarily to: (Circle one)

☒ FOOD (restaurant)

HOTEL

CLUB

COMMERCIAL CATERING BAR

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 forms

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 VT,
this 15 day of February, 2014

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

Sed Davis
Robert Downey

(Title)

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.

Town/City _____, Vermont, _____ 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

NOTICE: All new applications are investigated by the Enforcement and Licensing Division prior to approval/disapproval of the license by the Liquor Control Board. Please note that this process can take anywhere from 2 weeks to 6 weeks to complete once Liquor Control receives the application.



LIQUOR LICENSE

NEW APPLICANT QUESTIONNAIRE

D/B/A (Business Name) Pascolo Ristorante

Contact person Sed Davis Contact Phone 802 999 1440

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

yes Farmhouse Tap + Grill
El Cortijo
Guild Tavern
Guild Fine Meats

2. Please describe your experience serving or selling alcohol?

many years of restaurant ownership
and management experience.

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. Key manager has attended
Seminar. All service staff employees
will be DLC certified prior to
opening.

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

no (pending)

5. How many employees will you have?

40 +/- including kitchen staff

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

5000 sq/ft

OL 125

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

card all individuals of

questionable age

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

SOUP

MINESTRONE *vegetables, tomato, oregano* \$4 / \$8

ROBOLLITA *bread, kale, pancetta* \$4 / \$8

INSALATA

CAESAR *romaine, pecorino, anchovies* \$7 / \$10

GRILLED ADAM'S FARM CHICKEN ADD \$6

MIXED GREENS *beets, balsamic, croutons* \$7 / \$10

GRILLED ADAM'S FARM CHICKEN ADD \$6

PUNTARELLE *anchovy dressing, lemon, parsley* \$10

ARUGULA *pancetta, parsley, shaved red onion, pecorino* \$10

CAPRESE *tomato, fresh mozzarella, basil, evoo* \$9

APPETIZERS

FRIED CALAMARI *tomato sauce, anchovy aioli* \$11

STEAMED MAINE MUSSELS *tomato, garlic, white wine, grilled focaccia* \$12

TESTA *grilled bread, garlic-rosemary oil* \$15

FRIED FRESH MOZZARELLA *basil breadcrumb, tomato sauce* \$11

CARPACCIO *sirloin, caper aioli, lemon, pecorino, evoo* \$15

PASTA

SPAGHETTI POMODORO *house tomato sauce, basil* \$12

PENNE ALLA NORMA *eggplant, tomato, ricotta salata* \$13

PAPPARDELLE CON FUNGHI *mushrooms, truffle cream, rosemary* \$17

RIGATONI WITH WHITE BEANS *escarole, rosemary, garlic* \$14

SPAGHETTI CON POLPETTE *house meatballs, tomato sauce, basil* \$15

RIGATONI BOLOGNESE *beef & pork ragu* \$15

RIGATONI WITH SAUSAGE *fennel cream, cognac, sage* \$16

SPAGHETTI ALLE CARBONARA *guanciale, egg, pecorino, black pepper* \$14

PAPPARDELLE AL SUGO DI AGNELLO *lamb ragu, basil, mint* \$18

SPAGHETTI ALL' AMATRICIANA *guanciale, spicy tomato sauce, parsley* \$15

LINGUINE WITH MUSSELS *tomato, saffron, oregano, garlic* \$17

SPAGHETTI WITH CLAMS *whole clams, garlic, parsley, evoo* \$19

LINGUINE AL FRUTTI DI MARE *shrimp, mussels, calamari, tomato, garlic* \$26

SHRIMP FRA DIAVOLO *spaghetti, olives, spicy tomato sauce, parsley* \$22

RAVIOLI FORMAGGIO *tomato sauce, basil* \$14

BRAISED BEEF RAVIOLI *tomato sauce, basil* \$17

LASAGNA *tomato sauce, fresh mozzarella, ricotta, basil* \$15

LASAGNA SALSICCIA *sausage, tomato sauce, fresh mozzarella, ricotta, basil* \$17

ENTREES

SWEET ITALIAN SAUSAGE *pasta pomodoro* \$17 (-or-) *polenta & broccoli rabe* \$18

HOT ITALIAN SAUSAGE *pasta pomodoro* \$17 (-or-) *polenta & broccoli rabe* \$18

EGGPLANT PARMIGIANA *ricotta, tomato sauce, fresh mozzarella, basil* \$15

CHICKEN PARMIGIANA *tomato sauce, fresh mozzarella, basil* \$17

CHICKEN ALLA CACCIATORA *sweet peppers, tomato, oregano, polenta* \$19

GRILLED HANGER STEAK *roasted peppers & onions, spinach aglio e olio* \$29

SWORDFISH INVOLTINI *swiss chard, nine nuts, tomato, arugula-orange salad* \$24

PASCOLO RISTORANTE

ANTIPASTI DI VERDURE
\$7 each

ARTICHOKES IN OLIVE OIL

GIARDINIERA

EGGPLANT CAPONATA

MARINATED OLIVES

ANTIPASTI DI MARE
\$8 each

SHRIMP *chickpeas, red onion, mint*

CALAMARI *spicy chiles, mint, white beans*

MUSSELS *sweet peppers, tomato, oregano*

GRILLED OCTOPUS *arugula, capers*

HOUSE SALUMI
\$12 each

SALAMI COTTO

CALABRESE

FINOCCHIONA

CULATELLA

MORTADELLA

PROSCIUTTO DI PARMA

BRUSCHETTA
\$8 each

POMODORO *tomato, basil, evoo*

AGRODOLCE *fennel & sweet onion*

CANNELLINI *white beans, mint, evoo*

FOCACCIA
\$3 each

EVOO & CRUSHED GARLIC
GARLIC-ROSEMARY BUTTER

PIZZA

MARGHERITA \$11
tomato sauce, fresh mozzarella, basil

ETNA \$14
pepperoni, roasted peppers, tomato sauce, fresh mozzarella (with or without spicy chiles)

FUNGHI \$14
roasted mushrooms, tomato sauce, fresh mozzarella

ROMA \$14
sweet Italian sausage, broccoli rabe, fresh mozzarella, ricotta, olive oil, oregano

PANE FRATTAU \$14
tomato sauce, provolone, pecorino, fried egg

SICILIAN \$13
olives, capers, tomato sauce, fresh mozzarella, pecorino



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 - Restaurant

05/01/2014 - 04/30/2015

TO: Ken Lerner, Planning & Zoning Office

FROM: Lori Olberg, Clerk/Treasurer's Office

DATE: Monday, March 3, 2014

COMPANY: 83 Church Street LLC

DBA NAME: Pascolo Ristorante

FORMERLY: Nika

LOCATION: 83 Church Street

PHONE: 999-1440

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

Please indicate:

Approved?

Yes

☐

No

☐

Initials

Date

Notes:

Thank You,

Lori Olberg
Clerk/Treasurer's Office
City Hall

Date: Monday, March 3, 2014

Lori Olberg

From: Ken Lerner
Sent: Monday, March 03, 2014 11:53 AM
To: Lori Olberg
Subject: RE: Pascolo Liquor License Application

Hey Lori:

Appears no change in use, but are there interior changes? If so a zoning permit is not required (although we request a non-applicability for zoning permit form be completed for a definitive determination). Building permits would be needed however for any interior work. Also any new signs require zoning sign permits.

Otherwise not a problem as this Downtown zone allows restaurant and bars. The applicants are familiar with the regulations so not anticipating any issues.

Ken

My house, my life is my response or reply to it is always in message and its subject to it always to a public record under the Vermont Public Records Act

From: Lori Olberg
Sent: Monday, March 03, 2014 9:52 AM
To: Ken Lerner
Subject: Pascolo Liquor License Application

Please review Ken, if you can let me know by Wednesday (meeting is that night)

~thank you~

From: CTKonica@ci.burlington.vt.us [mailto:CTKonica@ci.burlington.vt.us]
Sent: Monday, March 03, 2014 5:47 AM
To: Lori Olberg
Subject: Message from KMBT_C550



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 - Restaurant

05/01/2014 - 04/30/2015

TO: Jeff Herwood, Clerk/Treasurer's Office
FROM: Lori Olberg, Clerk/Treasurer's Office

DATE: Monday, March 3, 2014

COMPANY: 83 Church Street LLC

DBA NAME: Pascolo Ristorante

FORMERLY: Nika

LOCATION: 83 Church Street

PHONE: 999-1440

*Please review
THW*

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

Thank You,

Lori Olberg
Clerk/Treasurer's Office
City Hall

Date: Monday, March 3, 2014

Lori Olberg

From: Jeffrey A. Herwood
Sent: Monday, March 03, 2014 9:57 AM
To: Lori Olberg
Subject: RE: Pascolo Liquor License Application

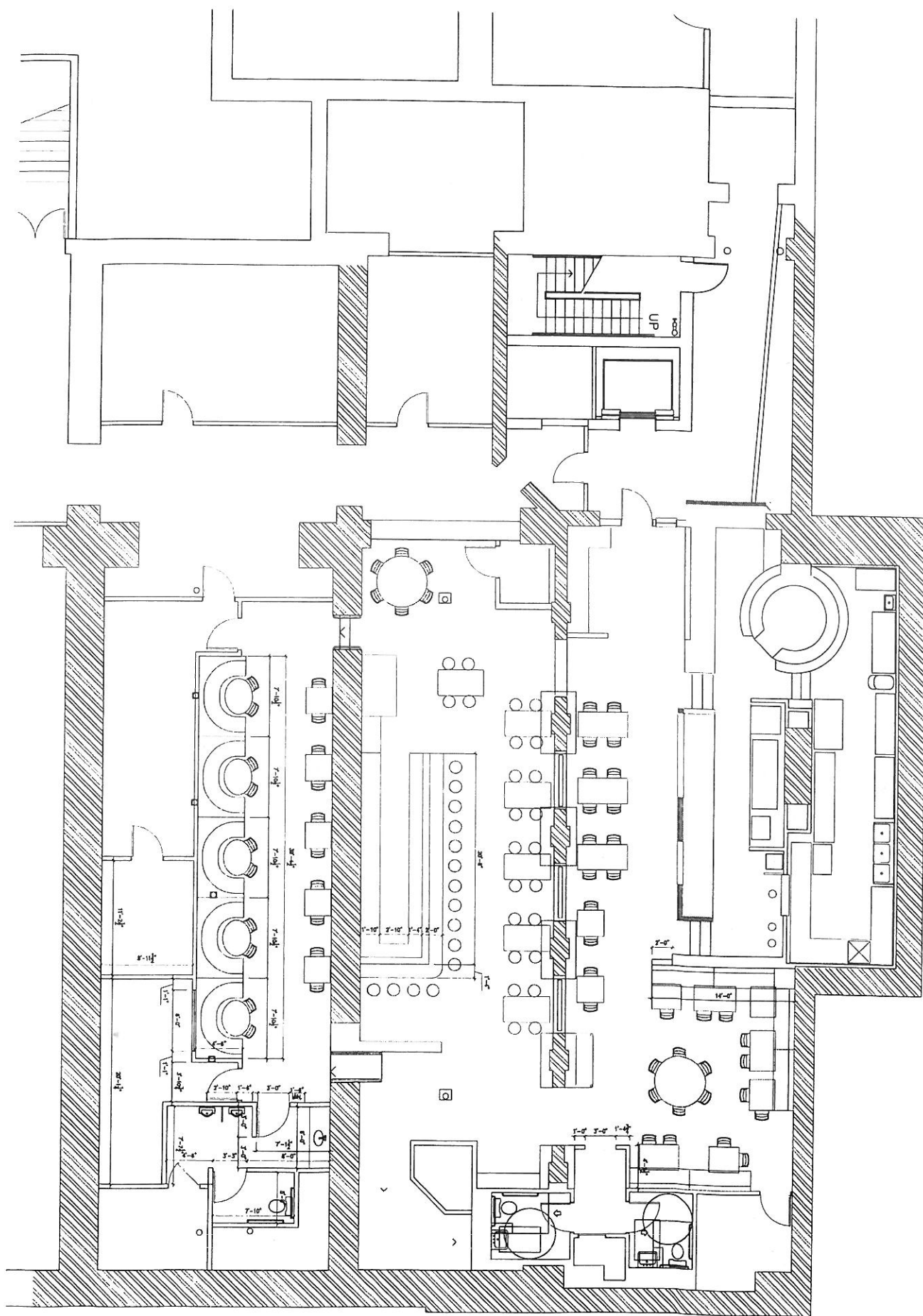
Good morning-
No monies are owed.
Jeff

From: Lori Olberg
Sent: Monday, March 03, 2014 9:53 AM
To: Jeffrey A. Herwood
Subject: Pascolo Liquor License Application

Please see below text, if you can let me know by Monday what meeting will be viable

Thank you,

From: CTKonica@ci.burlington.vt.us [mailto:CTKonica@ci.burlington.vt.us]
Sent: Monday, March 03, 2014 5:48 AM
To: Lori Olberg
Subject: Message from KMBT_C550



DEPARTMENT OF LIQUOR CONTROL
OUTSIDE CONSUMPTION PERMIT

Fee \$20.00

Name of Licensed Premise (Corporation/Partnership/Individual, d/b/a)

83 Church St LLC

d/b/a Pascolo Ristorante

Address 83 Church Street Town/City Burlington
Pending

License Number _____ Email or Fax # 580467@GMAIL.COM

Outside consumption would be in the area described below: (describe fully, including size, physical barriers, etc.)

21' x 18' area in front of

83 Church St. on the

Church Street Marketplace.

@ 36 seats all City permits to

*recommended for approval @ 3/5/14 lmt to be closed

Please remember that this outside consumption permit is an extension of your license to serve alcohol beverages, and that the same rules apply in this area as do in the regularly licensed premise area.

Outside Consumption time period (hours) from 11am to 12am

Permanent Use ☒ (Permanent use will be considered year round use)

Occasional Use ☐

Day(s) Requested _____

Hours Requested _____

Signature of Licensee



OUTSIDE CONSUMPTION PERMITS MUST FIRST BE APPROVED BY YOUR
TOWN/CITY CLERK

APPROVED BY LOCAL CONTROL COMMISSIONERS

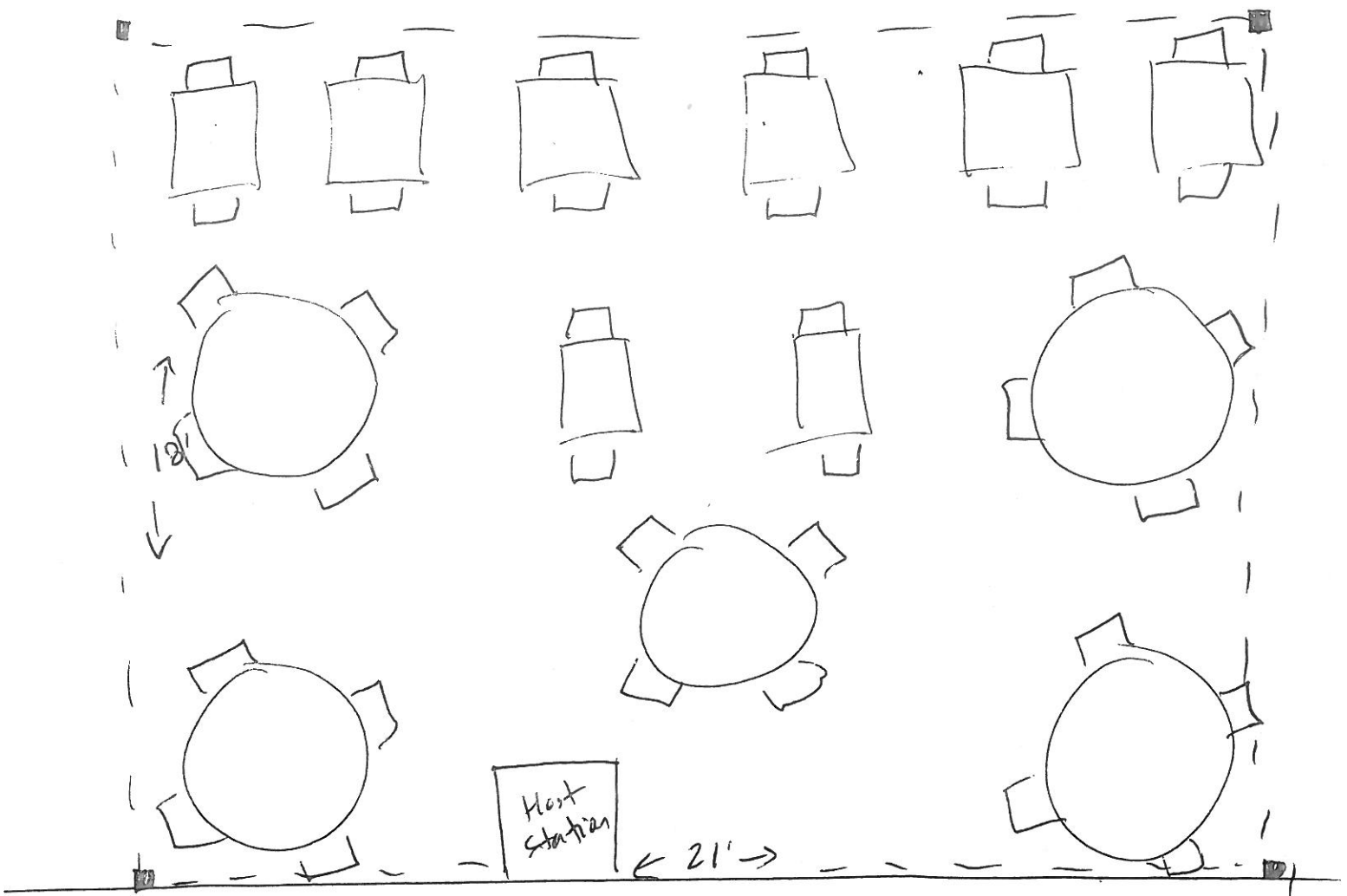
Town/City Clerk Signature _____

Date _____

83 Church St LLC.
dba Pascolo Ristorante
Ted Davis

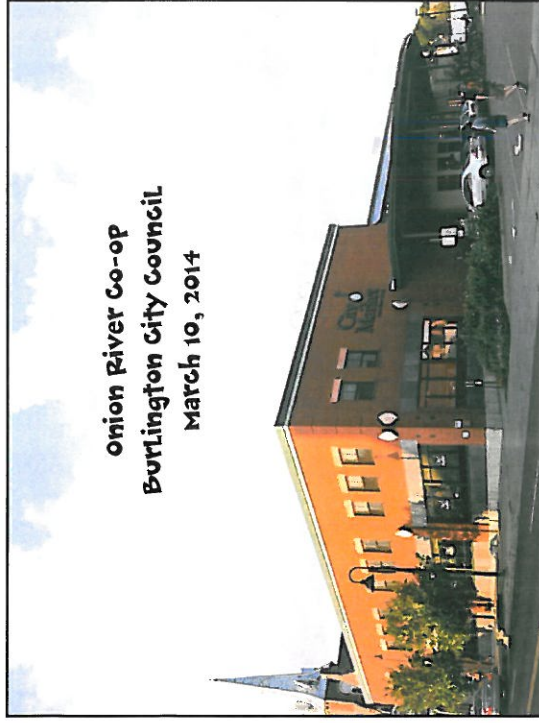
Approx. 36 seats.

Outside Consumption Area $21' \times 18'$
Area to be roped off.



Pedestrian Right of way \rightarrow
 \leftarrow

83 Church Street Building



**Onion River Co-op
Burlington City Council
March 10, 2014**

Why Are We Presenting?



- We're sharing the Co-op's commitment to the community we serve.
- City Market owns our building and the City owns the land and leases it to us.




City Market's Global Ends



The Onion River Co-op will be central to a thriving and healthy community, where:

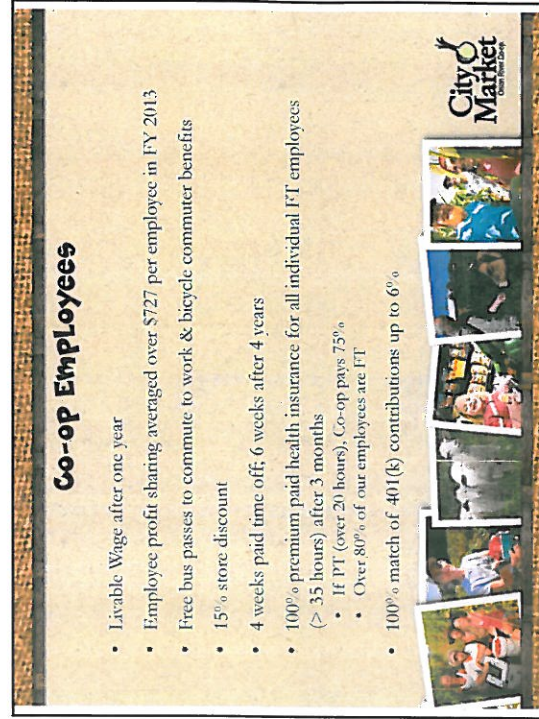
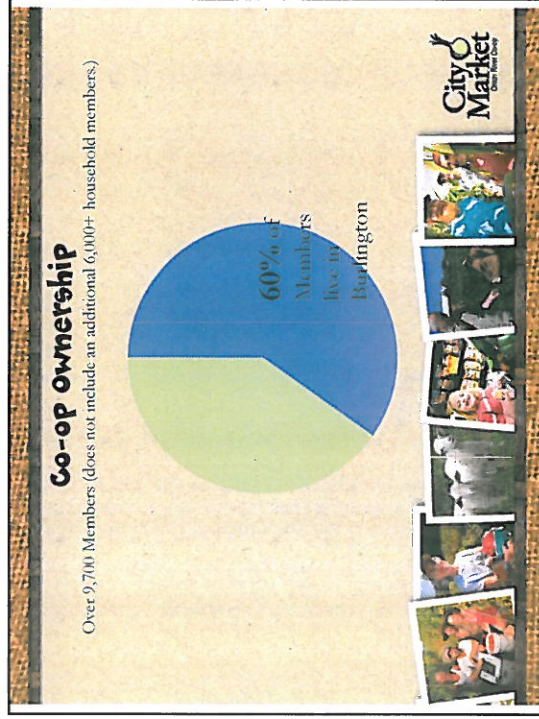
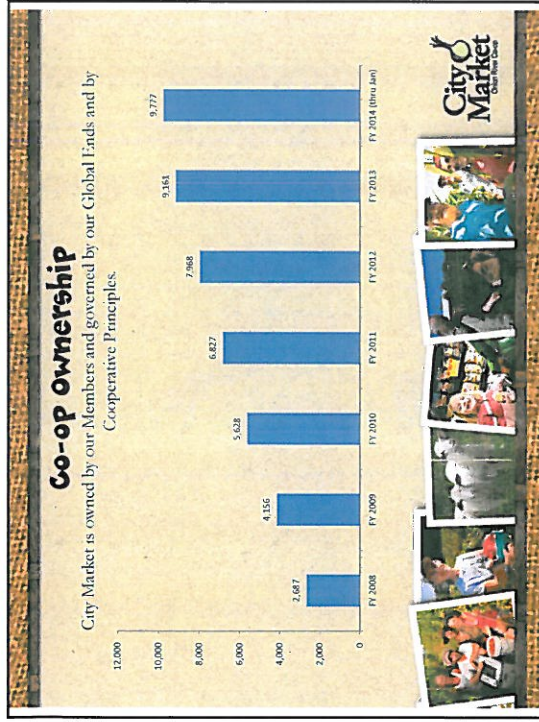
- Consumers have local access to progressive social, environmental and healthful choices;
- Residents enjoy an enhanced quality of life;
- The local food system is strengthened;
- The cooperative model is supported; and
- Our owners have a sense of pride in their cooperative.

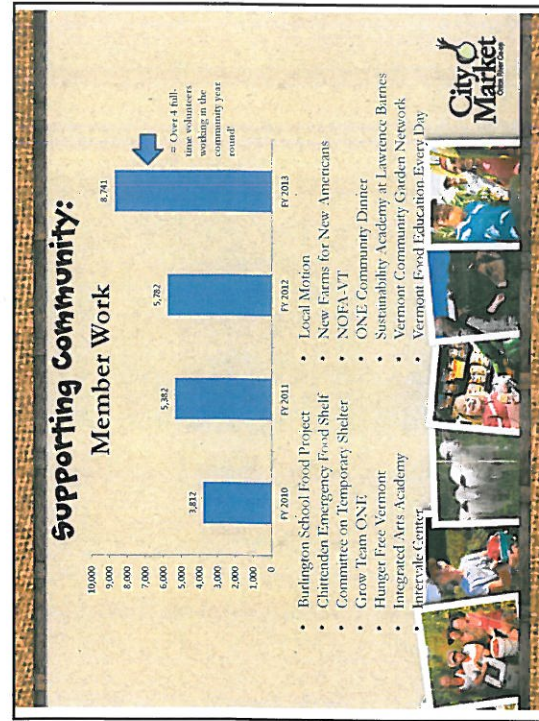
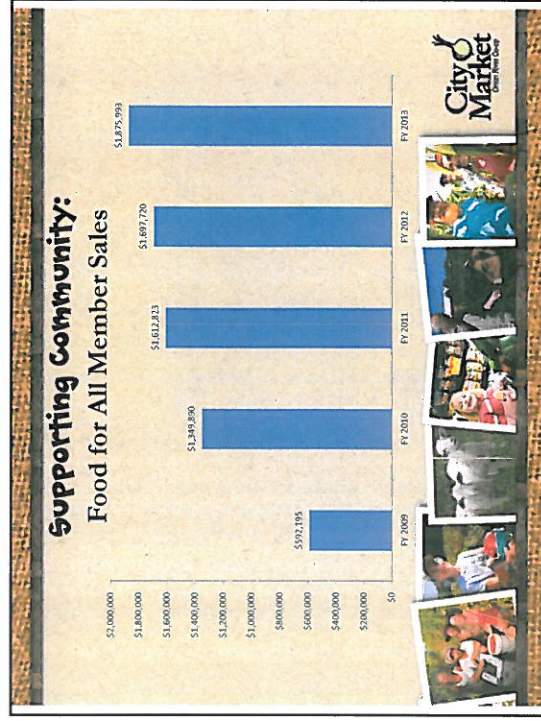
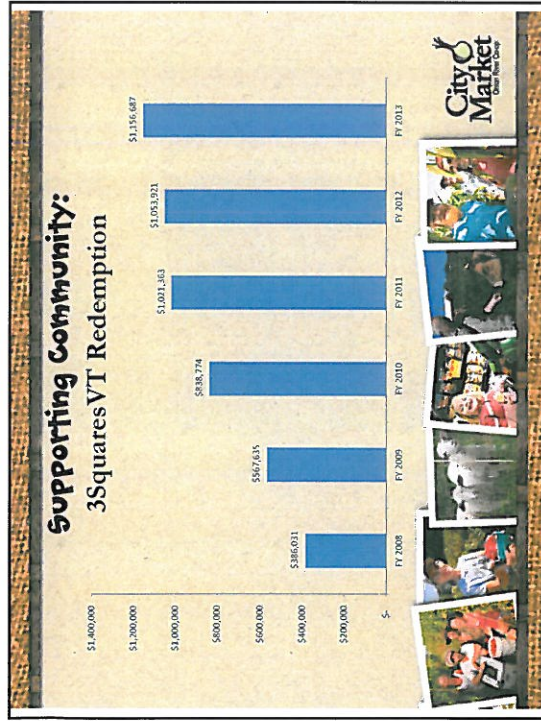



Meeting the City's Needs

- City Market will meet the needs of low-to-moderate income, disabled, and elderly residents.
- City Market will support local agriculture and Vermont products.





Supporting Community:

Annual COTS Tree Sale

December 2013	\$11,235
Total Donation	> \$90,000

"This wonderful event that benefits COTS raises much needed money for services, heightens awareness about those who are homeless or at risk of becoming homeless -- and has become a wonderful tradition for so many people in our community."

Rita Markley, Executive Director, COTS





Supporting the Local Economy

- We offer 2,050 VT products
- \$12 million in VT product sales each year (34% of sales and growing!)
- The multiplier effect for agriculture (2.5) is one of the highest of any sector of the economy




City Market's Annual Harvest Celebration
Butterbrook Farm, Westfield VT

Supporting Burlington

Taxes and Fees Paid



- FY 2010 \$424,626
- FY 2011 \$434,411
- FY 2012 \$463,258
- FY 2013 \$469,600

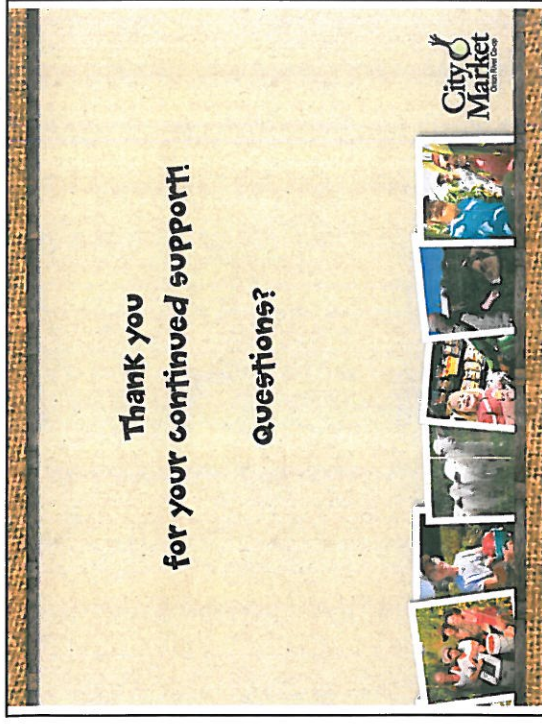



Supporting the Local Economy:

Patronage Refund

	FY 2010	FY 2011	FY 2012	FY 2013
Total Patronage Refund	\$390,586	\$610,652	\$643,469	\$873,848
Number of Checks	4,856	6,230	7,689	9,039



Resolution Relating to

MDP-14-01 - CLIMATE ACTION PLAN;
OPEN SPACE PROTECTION PLAN; AMENDMENT
AND RE-ADOPTION OF THE BURLINGTON
MUNICIPAL DEVELOPMENT PLAN

RESOLUTION_____
Sponsor(s): Councilor Tracy
Introduced: _____
Referred to: _____

Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

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

1 That WHEREAS, Burlington has a long history of climate planning and a commitment to sustainability,
2 as illustrated in the Legacy Action Plan, and the Municipal Development Plan, among others; and
3 WHEREAS, Burlington’s first Climate Action Plan was written in 2000 and adopted by the City
4 Council; and
5 WHEREAS, the updated draft involved extensive emissions data collection and analysis using the
6 International Local Government Greenhouse Gas (GHG) Emissions Analysis Protocol developed by the
7 Climate Registry and ICLEI (Local Governments for Sustainability); and
8 WHEREAS, this inventory found that Burlington’s overall greenhouse gas emissions increased
9 7% from 2007 to 2010; and
10 WHEREAS, with the input of dozens of stakeholders representing the public and private sectors,
11 and with extensive analysis conducted by Spring Hill Solutions and other energy and carbon management
12 specialists, 39 top greenhouse gas reduction strategies were identified and included in the draft Plan; and
13 WHEREAS, implementing the strategies outlined in the Plan will help Burlington achieve its
14 emissions reduction goals including: Goal 1) to stop the increase of emissions and bring 2016 levels down
15 to 2010 levels in municipal government operations, airport operations, and community-wide operations
16 respectively, and Goal 2) to reduce emissions attributable to municipal operations by 20%, emissions
17 attributable to airport operations by 10% and community-wide emissions by 10% by 2025 respectively;
18 and
19 WHEREAS, the draft Climate Action Plan, as recommended for approval by the Burlington
20 Planning Commission on May 8, 2012, went to the City Council for the first of two public hearings in
21 July 2012, and following that hearing, the Plan was re-organized with an emphasis on the 39 greenhouse
22 gas emissions reduction strategies organized around 7 over-arching greenhouse reduction goals that
23 consider energy use, transportation, urban forestry, food, and waste; and
24 WHEREAS, the City Council Transportation, Energy and Utilities Committee adopted a draft of
25 this resolution (as it pertains to the Climate Action Plan) with instruction to staff to add reference to the

Resolution Relating to

MDP-14-01 - CLIMATE ACTION PLAN; OPEN SPACE PROTECTION PLAN; AMENDMENT AND RE-ADOPTION OF THE BURLINGTON MUNICIPAL DEVELOPMENT PLAN

26 Energy Chapter of the Municipal Development Plan at its April 4, 2013 meeting (as set forth below, the
27 reference was added); and

28 WHEREAS, if implemented, the strategies outlined in the updated Climate Action Plan will not
29 only reduce Burlington's greenhouse gas emissions, but potentially save stakeholders money through
30 reduced energy and transportation costs at the municipal and community level, positively impact air
31 quality, spur the local economy, and improve the quality of life for all who live, work and play in
32 Burlington; and

33 WHEREAS, the City Council, in collaboration with City Green (a city team representing
34 Burlington's city departments charged with providing recommendations on how to reduce the
35 environmental impacts of city operations while saving financial resources) can begin to prioritize
36 strategies for near term implementation; and

37 WHEREAS, the Burlington 2014 Climate Action Plan is to be incorporated into the Energy Plan
38 of the City's Municipal Development Plan pursuant to the requirements of 24 V.S.A. §4382, §4384 and
39 §4432, and fulfilling the requirements of 24 V.S.A. §4384 and §4385 regarding the process for adoption;
40 and

41 WHEREAS, the Burlington Conservation Board initiated the update of the City's Open Space
42 Protection Plan in the summer of 2012; and

43 WHEREAS, the original Open Space Protection Plan, adopted in 2000, assembled a city-wide
44 inventory of open spaces on public, private, and institutional lands, established the Conservation Legacy
45 Program to oversee the city's Urban Wilds; and

46 WHEREAS, the plan also established the newly formed Conservation Legacy Fund for open space
47 acquisition and protection; and

48 WHEREAS, the original Plan was the basis for the city's Significant Natural Area zoning overlay
49 which is intended to limit developmental impacts to ecologically significant lands in the city; and

50 WHEREAS, the 2013 update of the Open Space Protection Plan has revised the open space
51 inventory, reflecting changes in land use and development, but also depicting open spaces at a much finer
52 scale than in the original inventory; and

53 WHEREAS, within the framework of that updated inventory the Plan identifies significant natural
54 communities and assesses underrepresented natural communities, identifies prime agricultural soils (state
55 and federally significant), identifies green infrastructure opportunities within the city's downtown core;

Resolution Relating to

MDP-14-01 - CLIMATE ACTION PLAN; OPEN SPACE PROTECTION PLAN; AMENDMENT AND RE-ADOPTION OF THE BURLINGTON MUNICIPAL DEVELOPMENT PLAN

56 maps formal and informal recreational trails, and includes proximity analyses of residents within ¼ mile
57 of community garden, public parkland, and the waterfront; and

58 WHEREAS, the new data in the updated Plan will enable improved decision making relative to
59 new development and acquisition of additional open spaces, new community garden opportunities
60 identified and implemented in underserved areas of the city, improvements in the connectivity of the
61 city's trail network, preservation of significant natural communities, and the greater use of green
62 infrastructure within the city's downtown core; and

63 WHEREAS, the updated Open Space Protection Plan has been built on extensive public outreach
64 and input including two rounds of public outreach, the first of which included presentations to each NPA
65 in the winter of 2012 to present initial ideas and to solicit guidance from citizens as to what the update
66 should accomplish, consultation with city boards and commissions, including the Conservation Board,
67 Parks & Recreation Commission, and the Planning Commission, meeting with a county-wide array of
68 environmental groups and the second of which included public outreach in the spring and summer of
69 2013 which presented refined open space goals and objectives for the Plan update as well as a second
70 round of consultation with each NPA, city boards and commissions; and

71 WHEREAS, the update of the Open Space Protection Plan also involved the use of an online
72 public input tool whereby people were able to see a map of the city with the open space inventory and
73 post comments on the map for others to review and comment on; and

74 WHEREAS, the Burlington 2014 Open Space Protection Plan is intended to be incorporated into
75 the Land Use Plan and Natural Environment sections of the City's Municipal Development Plan pursuant
76 to the requirements of 24 V.S.A. §4382, §4384 and §4432, fulfilling the requirements of 24 V.S.A. §4384
77 and §4385 regarding the process for adoption; and

78 WHEREAS, the Chittenden County Regional Planning Commission (CCRPC) requested an
79 amendment to the data sections of the "Introduction" and "Relationship to Other Plans" sections of the
80 2013 Burlington Municipal Development Plan; and

81 WHEREAS, the Planning Commission held a public hearing on November 12, 2013, on the
82 proposed amendments to the Climate Action Plan, Open Space Protection Plan and the Municipal
83 Development Plan, wherein the plans and other amendments were approved and forwarded to the City
84 Council for public hearing and adoption; and

Resolution Relating to

MDP-14-01 - CLIMATE ACTION PLAN; OPEN SPACE PROTECTION PLAN; AMENDMENT AND RE-ADOPTION OF THE BURLINGTON MUNICIPAL DEVELOPMENT PLAN

WHEREAS, the City Council held a public hearing on January 27, 2014 and a public hearing with a presentation from the Planning and Zoning Department and Community & Economic Development Office on February 18, 2014 on the proposed amendments to the Climate Action Plan, Open Space Protection Plan and the Municipal Development Plan; and

WHEREAS, the proposed amendments and plans were reviewed by the Planning Advisory Committee of the CCRPC on November 20, 2013, and it recommended approval to the CCRPC which will hold a public hearing on March 19, 2014, for final approval;

NOW, THEREFORE, BE IT RESOLVED that the Burlington City Council hereby adopts the Burlington 2014 Climate Action Plan and Burlington 2014 Open Space Protection Plan; and

BE IT FURTHER RESOLVED that the Burlington City Council hereby amends the 2013 Burlington Municipal Development Plan by incorporating the Burlington 2014 Climate Action Plan and the update of the Energy Plan Chapter and incorporating the Burlington 2014 Open Space Protection Plan and the update of the Land Use Plan and Natural Environment Chapter; and

BE IT FURTHER RESOLVED that the Burlington City Council hereby amends the data sections of the Introduction and Relationship to Other Plans sections of the 2013 Burlington Municipal Development Plan as recommended by the CCRPC; and

BE IT FURTHER RESOLVED that the 2013 Burlington Municipal Development Plan, as amended by this resolution, shall hereafter be titled the 2014 Burlington Municipal Development Plan.

Resolution Relating to

NEIGHBORHOOD DEVELOPMENT AREA

Knodel, Worden: Community Development ^& Neighborhood Revitalization Committee

RESOLUTION_____

Sponsor(s): Councilors Aubin,
Introduced: _____
Referred to: _____

Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Fourteen

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

1 That WHEREAS, Vermont's downtowns and villages have served as the social and economic centers of
2 our communities for generations and they play a key role in a region's economy; and

3 WHEREAS, almost one fifth of Vermont's economic activity and jobs are based in our downtowns;
4 and

5 WHEREAS, recent decades have brought tremendous economic, technological and social changes,
6 often with adverse effects on our downtowns along with the national trend of disinvestments in downtowns;
7 and

8 WHEREAS, in 1999, the State of Vermont's Agency of Commerce & Community Development
9 created the Downtown Program to bring tax credits, grants, training and technical services to "designated"
10 downtown organizations in order to preserve and revitalize historic downtowns and create strong
11 communities; and

12 WHEREAS, Burlington was one of the first municipalities in the state to receive downtown
13 designation from the Downtown Program; and

14 WHEREAS, the City of Burlington, through the Office of the Mayor, the Church Street
15 Marketplace District Commission, the Community and Economic Development Office, Burlington City
16 Arts, the Department of Parks and Recreation, the Department of Public Works and the Department of
17 Planning and Zoning in conjunction with the Burlington Business Association, seek to undertake a program
18 of reinvestment in the City's downtown along with supporting additional housing in the surrounding area;
19 and

20 WHEREAS, this must involve a long-term commitment to enhancing economic opportunities,
21 preserving historic buildings, and improving public spaces and infrastructure in the commercial district
22 along with adjacent development of additional housing ensuring the vitality of Burlington's downtown; and

23 WHEREAS, PlanBTV indicated a desire for additional density within our designated downtown
24 and particularly for additional housing opportunities within the immediately adjacent areas; and

WHEREAS, the Vermont Legislature has created a Neighborhood Development Area designation, to encourage municipalities and developers to plan for new and infill housing in the area within walking distance of a designated downtown; and

WHEREAS, incentives currently offered include that:

- qualified “mixed income” projects are exempt from Act 250 regulations;
- Act 250 projects not qualifying for the exemption receive a 50% discount on application fees;
- Agency of Natural resources fees for wastewater review are capped at \$50.00 for projects that have received sewer allocation from an approved municipal system;
- There be an exemption from the land gains tax;
- State funding be a priority for a variety of programs; and

WHEREAS, the City of Burlington desires to seek a Neighborhood Development Area designation for the area on the attached map to encourage new and infill housing within walking distance of the downtown; and

WHEREAS, the proposed Neighborhood Development Area designation does not change or override the Burlington Comprehensive Development Ordinance or the process by which development in Burlington is reviewed or approved by the City; and

WHEREAS, both the City Council Community Development & Neighborhood Revitalization Committee and the Planning Commission have endorsed the Neighborhood Development Area as proposed on the attached map;

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the Mayor, through the Planning and Zoning Office in conjunction with the Community and Economic Development Office, to submit an application for the new Neighborhood Development Area designation that encourages municipalities and/or developers to plan for new and infill housing in the area within walking distance of its designated downtown, village center, new town center, or within its designated growth center and incentivizes needed housing, further supporting the commercial establishments in the designated centers.



COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

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

TO: City Council
FROM: Brian Pine, Assistant Director for Housing & Neighborhood Revitalization
DATE: March 5, 2014
RE: Proposed Burlington Neighborhood Development Area Designation

Attached please find a resolution and a map related to the proposed Burlington Neighborhood Development Area (NDA). Also enclosed are the first few pages from the NDA application packet for background information about the program.

In July of 2013, staff from CEDO, Planning & Zoning and the Church Street Marketplace met with Vermont Downtown Program staff to discuss the NDA program and identify areas that qualify for the neighborhood designation. As the enclosed material explains, the NDA was created by the Vermont Legislature to encourage municipalities to plan for new and infill housing in the area within walking distance of their designated downtown. Our efforts are in direct support of the administration's focus on increasing the supply of housing within walking distance of downtown.

The proposed NDA has been discussed by the City Council Community Development & Neighborhood Revitalization Committee at several meetings. Vermont Downtown Program staff also presented information for the committee and for the public at meetings. In addition, this concept has been presented twice to the Planning Commission and they supported the designation as proposed.

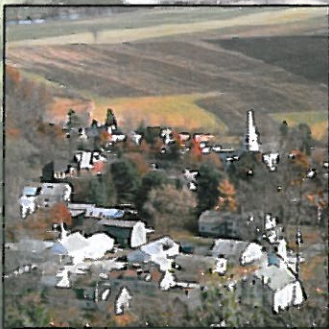
The attached map for the NDA was developed to align with the ½ mile radius of our Designated Downtown (the area that is shaded grey). While the NDA designation provides exemption from Act 250 review for qualified "mixed-income" projects, all local development review requirements still apply.

Please contact me at 865-7232 or bpine@burlingtonvt.gov if you have any questions about the proposed Burlington Neighborhood Development Area. I will be available at the March 10 Council meeting to answer any questions regarding this proposal.



Neighborhood Development Areas

Application and Design Guidelines [Interim]



**Division of Community
Planning + Revitalization**
July 2013



VERMONT

AGENCY OF COMMERCE & COMMUNITY DEVELOPMENT
DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT



Neighborhood Development Areas Application Guidelines

Introduction

Overview

The Neighborhood Development Area designation encourages municipalities and/or developers to plan for new and infill housing in the area within walking distance of its designated downtown, village center, new town center, or within its designated growth center and incentivizes needed housing, further supporting the commercial establishments in the designated centers. These guidelines provide instructions for communities preparing applications for the Neighborhood Development Area designation.

Eligibility and Benefits

Areas eligible for designation must be within a neighborhood planning area defined as an area surrounding an existing designated area, extending a 1/4 mile from Village Centers and New Town Centers, a 1/2 mile from Downtowns and encompasses the areas contained within a designated Growth Centers). Mapped neighborhood planning areas may be viewed at <http://smartgrowth.vermont.gov>

Within the neighborhood planning areas, applicants may use these application guidelines to help identify areas most suitable for residential development (infill, redevelopment and new) –where approved areas will receive the following benefits:

- Qualified “mixed income” projects are exempt from Act 250 regulations;
- Act 250 projects not qualifying for the exemption receive a 50% discount on application fees;
- Agency of Natural Resources fees for wastewater review are capped at \$50.00 for projects that have received sewer allocation from an approved municipal system;
- Exemption from the land gains tax.

Table of Contents

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Design Guidelines	12
Submittal	16

Neighborhood Development Areas Application Guidelines

Neighborhood Planning Areas

Overview

Neighborhood planning areas are delineated eligibility areas encircling designated centers depicted at <http://smartgrowth.vermont.gov> and described below. They are generally intended to represent areas within walking distance from commercial cores. Within these areas, using the guidance of this document, communities identify areas most suitable for infill and new housing development.

Downtowns

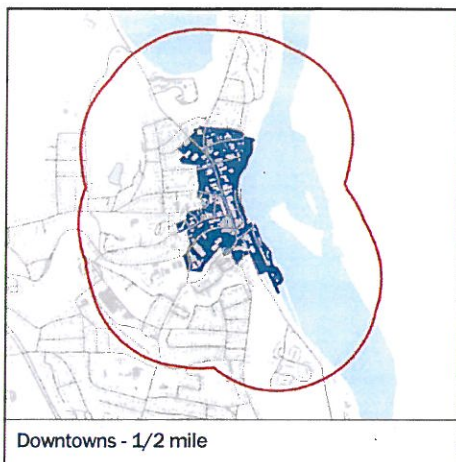
1/2 mile from approved boundary

Village Centers and New Town Centers

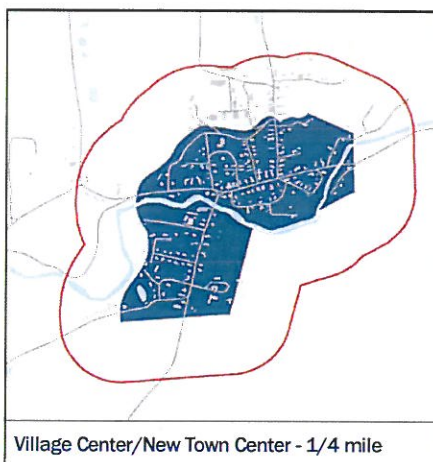
1/4 mile from approved boundary

Growth Centers

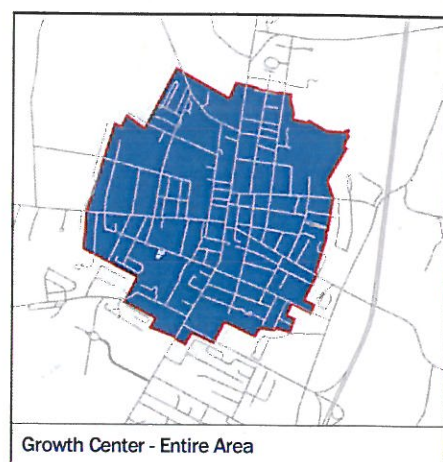
The Neighborhood Planning Area encompasses the areas contained within the growth center.



Downtowns - 1/2 mile



Village Center/New Town Center - 1/4 mile



Growth Center - Entire Area

Extending the Neighborhood Planning Area

In certain circumstances, due to existing development and physical constraints, the availability of land for future development within the existing neighborhood planning area may be highly constrained. A neighborhood development area may include one or more areas of land extending beyond the delineated neighborhood planning area if the following conditions are met:

- (A.) Including the extended area beyond the neighborhood planning area is consistent with the goals of section 4302 of this title;
- (B.) Residential development opportunities within the neighborhood planning area are limited due to natural constraints and existing development;
- (C.) The extended area represents a logical extension of an existing compact settlement pattern and is consistent with smart growth principles; and
- (D.) The extended area is adjacent to existing development.

In order to have a neighborhood development area designated beyond the delineated planning area, at least 80 percent but no fewer than seven of the members of the Downtown Board present find that all four of the above conditions are met.

Application Process

A municipality or land owner/developer with property within a neighborhood planning area may submit an application to have neighborhood development areas designated. If a municipality does not already have a designated center, it may apply for one simultaneously with a neighborhood development area application. All applicants must contact John E. Adams at john.e.adams@state.vt.us or at (802) 828 - 0162 with the Vermont Downtown Program in advance for a pre-application meeting to discuss the proposed application and clarify requirements. The applicant must fill out and submit the application checklist on page 6 that lists the application requirements.



Application Requirements

A municipality should submit 1 electronic copy of the full application to the Vermont Downtown Program via e-mail or by other electronic media. Maps and photos should be in color. The applications are due no later than 4:30 p.m. on the first Monday of any month in order to be considered for that month's meeting. Applications will be considered by the Vermont Downtown Board, which meets on the fourth Monday of each month. A neighborhood development area must receive its designation before any application for benefits may be accepted.

Representatives of the municipality should attend the Downtown Board meeting when their application is considered. A meeting agenda and a copy of the staff review will be sent to the contact person identified in the application about a week before the Downtown Board meeting.

Application materials must be submitted to:

Division of Community Planning and Revitalization
Department of Housing and Community Development
One National Life Drive, 6th Floor
Montpelier, VT 05620

Applications are due
on the first Monday
of the month by
4:30 p.m.

Community Planning + Revitalization

John Adams Phone: 802-828-0162
Wendy Tudor Phone: 802-828-5249

email: john.e.adams@state.vt.us
email: wendy.tudor@state.vt.us

Neighborhood Development Areas Application Guidelines

7 Step Process

1

Contact John E. Adams with Vermont Downtown Program to discuss the application process and set up a time for the pre-application meeting.

2

Meet in your town to go over program requirements and begin to identify areas that qualify for the neighborhood designation.

3

Gather application documents for the application. We strongly recommend you contact your Regional Planning Commission to assist you.

4

Complete application checklists to ensure you have all the materials gathered.

5

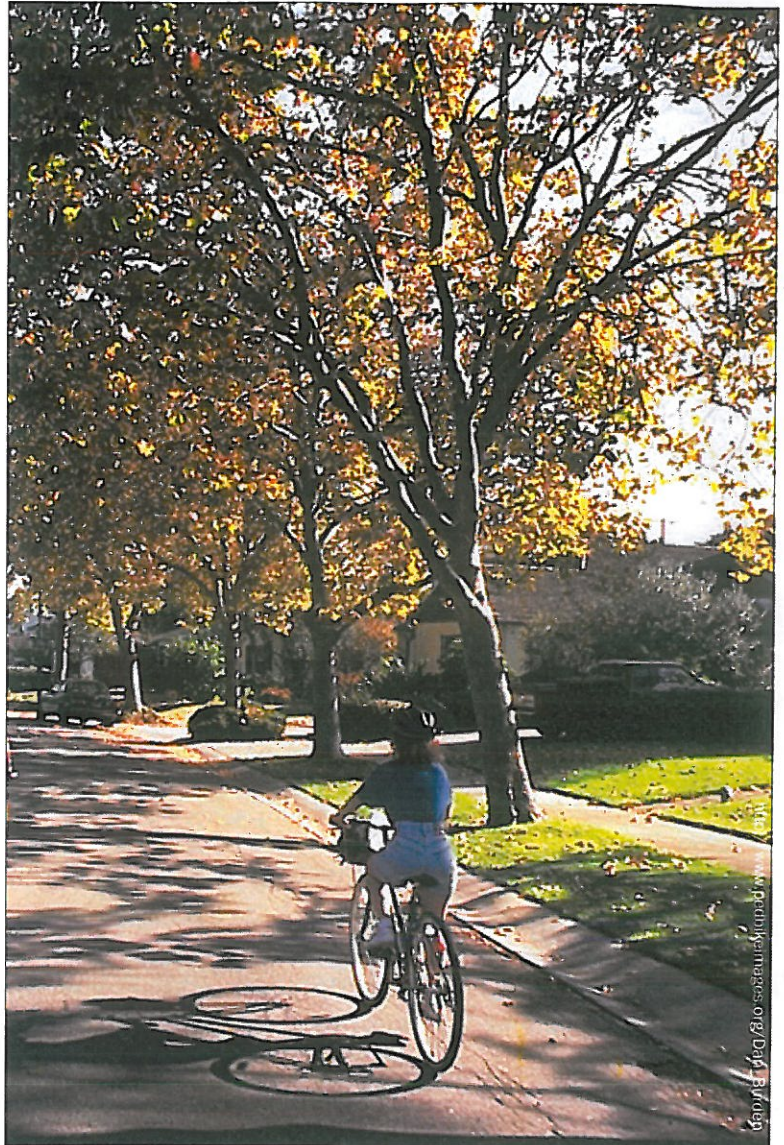
Submit documents and application checklist by e-mail.

6

John E. Adams will contact you to discuss application and Downtown Board process.

7

Attend Downtown Board meeting on the fourth Monday of the month.



Neighborhood Development Areas Application Guidelines

Checklist

1. Cover Letter, including:

- ☐ Name of Town or Incorporated Village.
- ☐ Brief narrative of why you seek Neighborhood Development Area Designation.
- ☐ Name, address, daytime phone number and email address of the primary contact person for application.
- ☐ A list of all documents included in application.

2. Notification to City/Town or Village Selectboard or Trustees (for Property Owner Application)

- ☐ The application must include a copy of the letter/email to the municipality notifying them of the intent to apply.

3. Municipal Wastewater System or Community Alternative Wastewater System approved by ANR

- ☐ Municipal wastewater system or community alternative wastewater system approved by ANR

4. Confirmed Planning Process

- ☐ A letter from the municipality's regional planning commission must be included in the application, stating that its planning process is "confirmed" under 24 V.S.A. §4350 by the commission. Confirmation means that the adopted municipal land use plan and planning process, have been reviewed and approved by that regional commission.

5. Flood Hazard Areas

- ☐ Development area is not located in flood hazard or fluvial erosion hazard areas

6. Complete Streets

- ☐ Development area conforms to Complete Streets Statute 19 V.S.A. § 309d and establishes pedestrian access to designated center.

7. Net Neighborhood Residential Density Requirements

- ☐ Municipal Bylaws allowing minimum net residential densities greater than or equal to four single-family detached dwelling units per an acre, exclusive of accessory dwelling units, or no fewer than the average existing density of the surrounding neighborhood, whichever is greater.

8. Neighborhood Development Area compatible with Historic Register Historic Districts

- ☐ Development Area is compatible with and reinforces the character of adjacent National Register Historic Districts, national or state register historic sites, and other significant cultural resources.

9. Energy Saving devices

- ☐ Bylaws and regulations do not prohibit energy saving devices.

10. Important Natural Resources

- ☐ Identify important natural resources impacted and describe anticipated disturbances and explain why the disturbance cannot be avoided or minimized.





11. Mapping Requirements

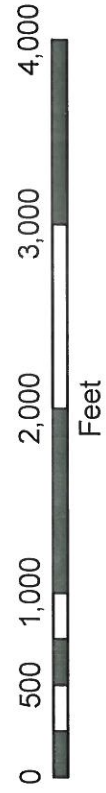
- ☐ Met mapping requirements as stated in these application guidelines.

12. Neighborhood Design Guidelines Requirements

- ☐ Neighborhood Design Guidelines met for walkable neighborhoods, complete streets and residential lot patterns.



 Designated Downtown Development District
 0.5 Mile from Downtown
 Zoning District Boundary
 Designated Neighborhood Development Area



Map prepared by the
Burlington Dept. of Planning & Zoning
January 2014

Resolution Relating to

AUTHORIZING APPOINTMENT OF TWO CITY COUNCILORS
TO SERVE ON COST CONTROL COMMITTEE TO REVIEW AND
DISCUSS BURLINGTON SCHOOL DISTRICT BUDGET

RESOLUTION_____

Sponsor(s): Councilor Hartnett

Introduced: _____

Referred to: _____

Action: _____

Date: _____

Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Fourteen

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

1 That WHEREAS, the cost of the school budget has increased substantially over time, creating a financial
2 burden for many in our community; and

3 WHEREAS, the education of our children is of paramount importance and must be supported by a
4 stable and sustainable financial foundation; and

5 WHEREAS, the Mayor outlined five cost control proposals for Superintendent Jeanne Collins and
6 the Burlington School Board (BSD) at the January 13, 2014 City Council meeting and thereafter in a
7 January 21, 2014 letter to Superintendent Collins; and

8 WHEREAS, these measures included:

- 9 • A joint effort to develop a consolidated, coordinated 10-year capital plan for the City and the BSD;
- 10 • An agreement to cooperate on a management consultant study that would explore centralization of
11 some City and BSD financial functions under the responsibility of the Office of the Chief
12 Administrative Officer (CAO);
- 13 • An agreement to explore regional municipal and education savings with at least the cities of
14 Winooski and South Burlington;
- 15 • An agreement to meaningfully engage the City's CAO throughout the BSD's FY16 budget
16 formulation process; and
- 17 • An agreement not to seek a Charter Change regarding bonding; and

18 WHEREAS, in a February 17, 2014 letter from School Board Chair Alan Matson to the Mayor, the
19 School Board expressed interest in exploring cost saving measures and conceptual support for working
20 together on the Mayor's cost control proposals, and in his February 19, 2014 letter to Board Chair Matson,
21 the Mayor indicated that he would make this collaboration a central focus of the CAO's team in calendar
22 year 2014; and

23 WHEREAS, the School Board and Administration have agreed that this process begin with the
24 creation of a Cost Control Committee, including School Board Commissioners, City Councilors, and

**AUTHORIZING APPOINTMENT OF TWO CITY COUNCILORS TO
SERVE ON COST CONTROL COMMITTEE TO REVIEW AND
DISCUSS BURLINGTON SCHOOL DISTRICT BUDGET**

25 appropriate Administration and BSD staff, with the understanding that the Committee will (1) meet to
26 establish clear goals for addressing the five cost control proposals and other items, (2) charge BSD and City
27 staff with creating an implementation plan for the proposals, and (3) review, discuss, and advise on the
28 implementation plan;

29 NOW, THEREFORE, BE IT RESOLVED that the City Council President will appoint two City
30 Councilors to serve on the Cost Control Committee.

31

32

33 lb/EBlackwood/Resolutions 2014/School Dept. - Appointment of Two City Councilors to Serve on Cost Control Committee re Budget
34 3/5/14

Resolution Relating to

APPOINTMENT OF ASSISTANT ELECTION OFFICIALS

RESOLUTION_____

Sponsor(s): Councilor Shannon

Introduced: _____

Referred to: _____

Action: _____

Date: _____

Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Fourteen

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

1 That WHEREAS, the City of Burlington Annual City Election occurred on March 4, 2014; and
2 WHEREAS, state statute, 17 V.S.A. §2454, requires the appointment of a sufficient number of
3 assistant election officials for each voting district by the Board of Civil Authority with an attempt to
4 appoint an equal number of persons from each major political party; and

5 WHEREAS, the below listed persons served under the direction of the Ward One Ward Clerk Sue
6 Alenick, Ward Three Ward Clerk Charlie Giannoni, Ward Four Ward Clerk Melani Barch, and Ward Five
7 Ward Clerk Nancy Nesbitt, as assistant election officials, providing competent and essential assistance to
8 the elected ward officers in the running of the March 4, 2014 Annual City Election;

9 NOW, THEREFORE, BE IT RESOLVED that the Burlington Board of Civil Authority, in
10 accordance with state law, ratifies the appointment of the following assistant election officials with the said
11 appointments to be in effect only for the March 4, 2014 Annual City Election:

12 Ward One

13
14 Jean Hopkins (I), 11 East Village Drive
15

16 Ward Three

17
18 Stephanie Juice (I), 43 Clarke Street #1
19

20 Ward Four

21
22 Ellen Sklar (I), 59 Crescent Beach Drive
23

24 Ward Five

25
26 Michael Healy (I), 66 Scarff Avenue
27

Burlington City Council



802/865-7136
TTY 802/865-7142

OPENINGS BURLINGTON CITY COMMISSIONS/BOARDS

On Monday, March 10, 2014, the Burlington City Council will fill vacancies on the following City Commissions/Boards:

Parks and Recreation Commission	Term expires 6/30/15	One Opening
Board of Tax Appeals	Term expires 6/30/14	One Opening
Board of Tax Appeals	Term expires 6/30/15	One Opening

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, March 5, 2014, 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.

Non-Discrimination

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at 865-7145.



OFFICE OF THE CLERK/TREASURER

City of Burlington

City Hall, Room 20, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000

Fax (802) 865-7014

TTY (802) 865-7142

APPLICATION FOR: Parks & Recreation Board/Commission
(Please fill out a separate application for each post)

Full Name: Bonnielee Jean Hooper Ward: 2

Residence: 13 Decatur Street Political Affiliation (mandatory): Independent

Are you a registered Burlington Voter? Yes

Phone (home): 865-4259 Phone (work): Same Phone (cell): 355-6561

E-Mail Address: turtleisle@pshift.com

Training or Experience Related to the Commission or Board Post for Which you are Applying:

- Garden Coordinator for Winooski Valley Park District
- Former Public School Teacher
- Executive Board member of PTO of the Integrated Arts Academy

Current Occupation: Educator - Artist

Education (list most recent first):

School	Location	Year/Degree
<u>Antioch New England Graduate School</u>	<u>Keene, NH</u>	<u>M.S. Environmental Studies</u>
<u>Smith College</u>	<u>Northampton MA</u>	<u>B.A. Comparative Literature</u>

RECEIVED
104 MAR -5 PM
BURLINGTON CLERK
TREASURER'S OFFICE

What do you hope to accomplish as a Commissioner/Board Member?

As a parent of two children who participate in many great park programs, I want to ensure its continued vibrancy and access to all members of the community. I feel parks are the heart and soul of our city.

Have you served as a Burlington City Commissioner/Board Member in the past? No

If the answer is yes, please list any and all appointments and dates you served.

Do you foresee any potential conflicts of interest if you were appointed to the position for which you are applying? No If so, please explain:

List Two References:

Bonnie Acker 864-8274

Sarah Sinnott 233-2027

Please use this area to make any further comments regarding your candidacy, especially in regard to your qualification for this position. You may attach additional sheets if necessary.

As a coordinator of the most diverse garden in Burlington, I have experience building connections with people of different ages, cultural, and economic backgrounds. I am accustomed to coordinating with many organizations such as VNA and AALV.

In order to be appointed to a Board or Commission post you must be nominated by a member of the City Council. A list of members is available upon request.

Signature: Bonnie Acker Date: 3/

The City of Burlington encourages persons from diverse backgrounds to apply to serve on boards, commissions and committees. The City is committed to providing equal opportunity to all persons without regard to political affiliation, race, color, religion, age, sex, sexual preference, national origin, disability or any other non-merit factor



OFFICE OF THE CLERK / TREASURER

City of Burlington

RECEIVED
4/14 MAR -5 A 8:06

City Hall, Room 20, 149 Church Street, Burlington, VT 05401 Voice (802) 865-7000 Fax (802) 865-7014 TTY (802) 865-7142

APPLICATION FOR: Parks & Recreation Board/Commission (Please fill out a separate application for each post)

Full Name: Fauna Hurley Ward: 3

Residence: 52 Drew St. Burlington, VT 05401 Political Affiliation (mandatory): Democrat

Are you a registered Burlington Voter? Yes

Phone (home): none Phone (work): 802-793-6029 Phone (cell): 774-249-2950

E-Mail Address: faunahurley@gmail.com

Training or Experience Related to the Commission or Board Post for which you are Applying:

I am currently working as the Executive Director of Revitalizing Waterbury, which is a state Designated Downtown nonprofit organization with the aim of preserving and enhancing the economic and social vitality of the downtown. In this position, part of my responsibility is to work with the Parks & Recreation Director (Chad Ummel) as well as the Design Committee to enhance and beautify the downtown. I am also currently reviewing a Downtown Master Plan so I'm familiar with the process of reviewing Master Plans, as I read in the latest meeting and finding sources of funding for certain projects to be implemented. I have served on the Community Development Block Grant (CDBG) Advisory Board for 2 years as the Ward 3 Representative. The Advisory Board reads, reviews and rates CDBG applications for funding and works collaboratively to make tough decisions on allocating funds to the organizations that best meet the goals of CDBG and the City of Burlington's goals.

Current Occupation: Executive Director, Revitalizing Waterbury

Education (list most recent first):

School	Location	Year/Degree
Clark University	Worcester, MA	2008, MA Community Development & Planning
Clark University	Worcester, MA	2006, BA International Relations & French

What do you hope to accomplish as a Commissioner/Board Member?

I enjoy being engaged in my community and as a recent homeowner in Burlington's Old North End, I have a deepened sense of responsibility to serve my community. Serving on the Parks & Recreation Commission would be a great benefit to me personally because I will have an opportunity to learn more about how our parks are maintained and how our community continues to improve upon our existing public assets. I have years of

events and fundraising experience and would offer my time towards promoting the four annual events and other smaller events that is put on by Parks & Recreation each year. I am invested in keeping our Parks and lawns free of pesticides and toxins. I have taken advantage of the Community Garden program in Burlington and have also attended a Healthy Lawns seminar and was pleased with the opportunity to have my soil tested and continue to use this wonderful resource to learn more about how to maintain an healthy lawn. As part of this commission and I would like to be involved with the continued work with educating our community about keeping our parks and lakes clean and healthy. My understanding is that there is a vacancy of representation from Burlington's Old North End, so I feel that I would serve the neighborhood well by posting information on our neighborhood Front Porch Forum and attend and / or report to our Neighborhood Planning Assembly as necessary or appropriate.

Have you served as a Burlington City Commissioner/Board Member in the past? **Yes**
If the answer is yes, please list any and all appointments and dates you served.

Yes, I am in my second year serving on the Burlington's Community Development Block Grant (CDBG) Advisory Board. Terms are held for 4-5 months and my first term was from January 2012 – May 2012 and I am currently serving this term until the end in April, 2014.

Do you foresee any potential conflicts of interest if you were appointed to the position for which you are applying? **No** If so, please explain:

List Two References: Representative Jill Krowinski 802-363-3907, Jake Perkinson 802-233-1207

Please use this area to make any further comments regarding your candidacy, especially in regard to your qualification for this position. You may attach additional sheets if necessary.

Having lived in Burlington for no more than three years, I have invested countless hours in this community through volunteering (phone banking, campaigning, literature distribution) for local candidates and promoting ballot questions. Most recently I have been involved with BTV Future and have distributed literature throughout my neighborhood and had dozens of conversations, posted on Front Porch Forum and have strongly advocated for the passage of Questions 2, 3, 4 and 5. Having served on the Community Development Block Grant Advisory Board, I am fully aware of the challenges we continue to face, but also of the dedicated organizations with whom we partner to help make our community accessible for all to enjoy. Serving on the Parks & Recreation Commission would further my involvement and investment in the community and if given the opportunity, I would be a reliable, committed, passionate and enthusiastic addition to this Commission.

In order to be appointed to a Board or Commission post you must be nominated by a member of the City Council. A list of members is available upon request.

Signature: *Jauna Hurley*

Date: *March 4 2014*

The City of Burlington encourages persons from diverse backgrounds to apply to serve on boards, commissions and committees. The City is committed to providing equal opportunity to all persons without regard to political affiliation, race, color, religion, age, sex, sexual preference, national origin, disability or any other non-merit factor

RECEIVED



OFFICE OF THE CLERK/TREASURER

City of Burlington

City Hall, Room 20, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000

Fax (802) 865-7014

TTY (802) 865-7142

APPLICATION FOR: parks and Recreation Board/Commission
(Please fill out a separate application for each post)

Full Name: Jeetan Khadka Ward: 7

Residence: Burlington 42 Birch Court Political Affiliation (mandatory): P

Are you a registered Burlington Voter? NO

Phone (home): _____ Phone (work): 503-5722 Phone (cell): 324-7076

E-Mail Address: jeetankhadka@gmail.com

Training or Experience Related to the Commission or Board Post for Which you are Applying:

- Burlington Kids Afterschool ~~Out~~ Outreach Coordinator (2010-2011)
 - Community and Economic Development office
AmeriCorps team leader (2011-2012)
 - Youth leadership and Engagement co-chair
partnership for change (2011-2013)
 - Diversity Rocks Youth group - co-founder/Adviser
(2011-till now)
- Current Occupation: Young Adult Navigator - Spectrum Youth and Family Services.

Education (list most recent first):

School	Location	Year/Degree
<u>CCV</u>	<u>Winook</u>	<u>Associate 2015</u>
<u>BHS</u>	<u>Burlington</u>	<u>HS 2010</u>

2/26/14
4:34pm
W

What do you hope to accomplish as a Commissioner/Board Member?

- Create safe, healthy, and empowering community of Youth and Young Adults
- Create cross-cultural engagement across community and represent under-served community
- Bring creative ideas to utilize underused Resources.

Have you served as a Burlington City Commissioner/Board Member in the past? NO

If the answer is yes, please list any and all appointments and dates you served.

Do you foresee any potential conflicts of interest if you were appointed to the position for which you are applying? NO If so, please explain:

List Two References:

Vince Brennan - ward 3 city councillor
Jesse Bridges - Park and Rec Director

Please use this area to make any further comments regarding your candidacy, especially in regard to your qualification for this position. You may attach additional sheets if necessary.

My Bio and letter of Request is attached along with this application.

In order to be appointed to a Board or Commission post you must be nominated by a member of the City Council. A list of members is available upon request.

Signature: [Signature] Date: 02/28/2014

The City of Burlington encourages persons from diverse backgrounds to apply to serve on boards, commissions and committees. The City is committed to providing equal opportunity to all persons without regard to political affiliation, race, color, religion, age, sex, sexual preference, national origin, disability or any other non-merit factor

Jeetan Khadka is the Young Adult Navigator at Spectrum Youth & Family Services, serving transition-age young adults, including immigrants, refugees, and young adults living in rural communities of Chittenden County. He is a 2010 graduate of Burlington High School. After graduating, he served two years as AmeriCorps States volunteer with Burlington School District and for Community & Economic Development Office with City of Burlington. During his service, he successfully worked on various community development projects and initiatives in the greater Burlington area. For last few years, Jeetan has been working in collaboration with the staffs of the Burlington Park and Recreation and has provided a valuable feedback, which was critical for creating successful engagement across the community. He also served as co-chair for Student Leadership and engagement implementation team with Partnership for Change, where he worked in collaboration with the Winooski and Burlington School Districts on high school transformation projects. As a former refugee, Jeetan is very connected to refugees and immigrant communities in the area. Jeetan also serves as young adult adviser with Diversity Rocks Youth Group, a group of youth and young adults who came to Vermont as refugees and immigrants. His love and compassion towards youth inspires him to become youth advocate and social worker someday.

RECEIVED
FEB 28 2014 4:34
CLERK
OFFICE

Jeetan Khadka

176 North Champlain St • Burlington, VT 05401 • Phone: (802) 324-7076 • E-Mail: Jeetankhadka@gmail.com

Work Experience

Burlington Kids After School Outreach Coordinator

2010-2011

- Work directly with Childcare resources and New American families to assess after school services.
- Evaluate program to create more culturally relevant services. Training and curriculum development to support Afterschool programming at five sites
- Provide technical support in registering children, tracking attendance and financials
- Serve as on-site staff running cultural programs at five Burlington Kids After School sites, supporting Site Directors, recruiting and managing volunteers.

Community and Economic Development Office

2011-2012

AmeriCorps Team Leader

- Provide Cultural Competency support to the team of eleven members and program director
- Organize team meeting with member and facilitated book discussion on "Courageous conversations about Race"
- Provide coaching and training on working across culture for City Departments, local non- profits, and AmeriCorps Volunteers.
- Organize community events to connect service provider with local community, Keep members updated with resources and opportunity.
- Recruit and Hire AmeriCorps Volunteers by the end of service year.

Partnership for Change

2011-2013

Youth Leadership and Engagement Co-chair

- Work in collaboration with Winooski and Burlington School District on High School Transformation project.
- Oversees the group, run the meetings, and be the most visible stakeholders for that areas of thinking.
- Work directly with students and teachers to create personalized, Relevant, Authentic, and Diverse programs.

Spectrum Youth & Family Services

Present

Young Adult Navigator

- Provide outreach to transition-age young adults, including immigrant and refugees and young adults living in rural communities, in need of transition information and resources
- Work in concert with the YTT Leadership Team to identify existing community resources and services
- Use Facebook, Twitter and other social networking sites in order to reach out and provide support and information to young adults
- Partner with the Parent Transition Resource Consultant to provide support and information to parents/caregivers of transition-age young adults.
- Assist with the development and maintenance of the Online Resource Center
- Participate in the YTT Leadership Team Meetings
- Participate in the development of leadership training for young adults and create young adult advisory groups.

Award Received

- Young adult Leadership Award through Youth In Transition Grant State Team
- 2012 Herb Bloomenthal Award for Community Activism

Education

Community College of Vermont

	3/6/2014		
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
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	6/24/2013
3/11/2013	Resolution: Commission and Board Appointment Process	report due back from the Charter Change Committee to the Council	Spring 2014
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	Spring 2014
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
6/10/2013	Resolution: City Attorney Constitutional Analysis of No Trespass Ordinance for Church Street Marketplace June 12, 2012	have the Ordinance Committee review Attorney John Franco's issues	not-specified
6/24/2013	Communication: John L. Franco, Jr., re: CSM Trespass Authority Ordinance Opinion	referred to the Ordinance Committee	not-specified
	Supplement		
7/15/2013	Communication: UVM Housing Master Plan	referred to the Institution/Human Resources Committee	not-specified
7/15/2013	Communication: Richard Cate, UVM, re: COB and UVM MOU re: Zoning Amendments	referred to the Institution/Human Resources Committee	not-specified
8/12/2013	Ordinance: CDO Historic Building Materials ZA 13-12	referred to the Ordinance Committee	not-specified
8/12/2013	Communication: P & Z Director White, re: Proposed Zoning Amendment 13-12	referred to the Ordinance Committee	not-specified
9/23/2013	Resolution: Finalize A Strategic Plan for Diversity, Equity and Inclusion for the City of Burlington	final plan and adoption by the City Council	1/27/2014
	Districts		
11/4/2013	Communication: Corey Mallon, RN, re: St. Joseph's School	"wtrapf" and referred to the Board of Finance	not-specified
11/4/2013	Communication: Hunter Rieseberg, VLCT, re: VLCT Board Sets DY15 Dues	send a copy to the Board of Finance	n/a
11/18/2013	Resolution: Launching The Downtown Parking Improvement Initiative	tasked to complete the downtown parking facilities assessment	no later than the end of 2014
11/18/2013	Resolution: Launching The Downtown Parking Improvement Initiative	Downtown Parking Management Plan will be presented to the City Council for adoption	no later than March, 2015
11/18/2013	Communication: Thomas Gustafson, VP for University Relations & Administration, Re; City of Burlington and University of Vermont Memorandum of Agreement Re: 2009 Zoning Amendments	referred to the Institution/Human Resources Committee with a report due back as to whether UVM is meeting the goals of the agreement and an assessment as to whether UVM is holding students accountable for off-campus behavior, and trends in the neighborhoods as they relate to UVM housing issues	2/10/2014
12/9/2013	Communication: CC Resolution -St. Paul Street Easement Deed Draft	"wtrapf" and referred to the Board of Finance	not-specified
1/13/2014	Ordinance: CDO--Neighborhood Mixed Use District Expansion ZA 14-05	referred to the Ordinance Committee	not-specified
1/13/2014	Communication: David E. White, re: Proposed Zoning Amendment - ZA - 14 - 05	referred to the Ordinance Committee	not-specified
1/27/2014	Communication: Jeff Munger, Chair, Airport Commission, re: Taxi Services	referred to the Board of Finance; copies sent to the OC/LC	not-specified

Resolution Relating to

**APPROVAL OF TRAFFIC BORROWING
AND PROMISSORY NOTE.**

RESOLUTION_____

Sponsor(s): Councilors Shannon,
Bushor, Knodell, Aubin: Board of
Finance

Introduced: _____

Referred to: _____

Action:_____

Date:_____

Signed by Mayor:_____

CITY OF BURLINGTON

In the year Two Thousand Fourteen

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

1 That WHEREAS, by previous resolution adopted November 18, 2013 the Department of Public Works
2 has been tasked with assessing the City owned parking garages through the launching of the Downtown
3 Parking Improvement Initiative; and

4 WHEREAS, the assessment is critical to creating a blueprint for the City to understanding what
5 immediate repairs are necessary; what repairs can be accomplished over a longer period of time, and an
6 indication of the remaining useful life of each of the City owned parking garages; and

7 WHEREAS, there are insufficient net Traffic revenues to support the upfront costs of such a study;

8 NOW, THEREFORE, BE IT RESOLVED that the Traffic Division of Public Works is authorized
9 to enter into a promissory note with the City to borrow \$150,000 to be paid back over three years at an
10 annual interest rate of two (2) percent; and

11 BE IT FURTHER RESOLVED that \$50,000 in annual savings from inter-departmental payments
12 budgeted in the fiscal year 2015 budget will be the vehicle for repayment of this borrowing.

13
14
15 lb/EMB/ Resolutions 2014/DPW - Approval of Traffic Borrowing & Promissory Note
16 2/26/14

Chapin Spencer
Director of Public Works

Patrick Buteau
*Assistant Director DPW
Parking & Fleet Services*



645 Pine Street Suite A
Post Office Box 849
Burlington, Vt. 05402-0849
(802) 863-0460 BUS• (802) 863-0466 FAX
(802) 863-0450(T.T.Y) For Hearing Impaired
pbuteau@burlingtonvt.gov

MEMORANDUM

To: Board of Finance and City Council
From: Patrick Buteau, Assistant Director Public Works
Date: February 3, 2014
Subject: Traffic Borrowing for Parking Facilities Assessment.

A handwritten signature in black ink, appearing to be "PB", located to the right of the "From:" line.

In November, 2013 the City Council passed a resolution launching a Parking Initiative public/private partnership with the overall goal of creating enhanced customer service for downtown parkers and a parking management strategy that better utilizes both public and private inventory.

Among the additional charges in the resolution was for the City to conduct an assessment of its parking facilities.

This assessment is critical to creating a blueprint for the City to understanding what immediate repairs are necessary; what repairs can be accomplished over a longer period of time, and an indication of the remaining useful life in each of the City's three parking garages.

With insufficient revenues over expenses being generated in the Traffic fund to support the entire upfront costs of this needed assessment, the Department is requesting Finance Board and City Council approval to borrow \$150,000 from City Sweeps account to be paid back at \$50,000 per year over three years at an annual interest rate of 2 percent; and approval to enter into a promissory note for the above borrowing.

In the 2015 proposed budget the inter department Traffic payment to Streets ROW for snow removal has been reduced by \$50,000 and that savings will be the payment vehicle for the borrowed funds.

Resolution Relating to

ACCEPTANCE OF BUREAU OF JUSTICE ASSISTANCE (BJA) 2013
BULLETPROOF VEST PARTNERSHIP GRANT FOR THE
PURCHASE OF 8 BULLETPROOF VESTS AS APPROVED BY BVP
PURCHASING GUIDELINES

RESOLUTION_____

Sponsor(s): Shannon, Bushor,
Aubin, Knodell: Bd. of Finance
Introduced: _____
Referred to: _____

Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Fourteen

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

- 1 That WHEREAS, Burlington Police Department (“Department”) currently receives Federal funds for
2 purchase of safety equipment; and
3 WHEREAS, the Bulletproof Vest Partnership Grant program stipulates that matching funds will be
4 provided to match the award; and
5 WHEREAS, the Department has been awarded a Bureau of Justice Assistance award in the amount
6 of \$2,444.77 through the 2013 Bulletproof Vest Partnership; and
7 WHEREAS, the Department currently has funds budgeted for this match in its FY 14 Specialized
8 Equipment account and understands that because the Grant expires August 31, 2015, there may be funds
9 and expenses, including a match, that will be required in its FY 15 budget, including the carryover of
10 reimbursement funds and expenses equal to the balance carried forward; and
11 WHEREAS, the Department made a presentation to the Finance Board on February 18, 2014 and
12 received its approval and unanimous support to move this matter to the full City Council for its approval;
13 NOW THEREFORE, BE IT RESOLVED that Michael Schirling, Police Chief of the Burlington
14 Police Department, or his designee, hereby is authorized to apply for reimbursement in the amount of the
15 grant; and
16 BE IT FURTHER RESOLVED that the FY 2014 budget be and hereby is amended as proposed by
17 the Mayor at the February 18, 2013 Board of Finance meeting for the purpose of adding \$ 2,444.77 to both
18 the Department Revenue and Expenditure accounts.



BURLINGTON POLICE DEPARTMENT

Antonio B. Pomerleau Building
1 North Avenue
Burlington, Vermont 05401

Michael E. Schirling
Chief of Police

Phone (802) 658-2704
Fax (802) 864-5945
TTY/TDD (802) 658-2700

TO: Members of the Burlington Board of Finance and City Council

FROM: Lise E. Veronneau, Business Administrator
BURLINGTON FIRE & POLICE DEPARTMENTS *Lise*

DATE: February 11, 2014

RE: 2013 Bulletproof Vest Partnership \$2,444.77 Grant

This is a request to accept the Bulletproof Vest Partnership Grant to support the Burlington Police Department in providing bulletproof vests to its law enforcement officers.

The Bureau of Justice Assistance (BJA) has awarded Burlington Police Department \$2,444.77 through the 2013 Bulletproof Vest Partnership.

This grant crosses fiscal years and requires a match in FY 15, hence why it is coming to the Board of Finance.

These federal funds will be reimbursed to the Burlington Police Department for the purchase of bulletproof vests.

INCREASE:		
<u>Expense</u>	101-17-050.6211 (Specialized Equipment)	\$2,444.77

INCREASE:		
<u>Revenue</u>	101-17-050.4875_123 (Grant Federal – Operating Equipment)	\$2,444.77

The Vest Grants are awarded with the stipulation that matching funds will be provided to match the award. The Police Department will allocate \$ 2,444.77 in matching funds from its General Fund Operating Budget for the purchase of these vests.

The deadline to use the FY 2013 award funds is August 31, 2015.

A complete packet including the grant award and cover page is available to the Board of Finance and City Council.

CC: Michael E. Schirling, Chief of Police

Respect ~ Honor ~ Remember

*Officer James P. McGrath, end of watch May 12, 1904; Officer J. Albert Fisher, end of watch December 15, 1947;
Officer Robert W. Provost, end of watch January 13, 1954*

Resolution Relating to

AUTHORIZATION TO REBUILD ELECTROSTATIC PRECIPITATOR AT MCNEIL PLANT

RESOLUTION_____

Sponsor(s): Councilors Shannon,
Bushor, Aubin, Knodell: Board of
Finance

Introduced: _____

Referred to: _____

Action: _____

Date: _____

Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Fourteen

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

1 That WHEREAS, to maintain particulate emissions in compliance with its state air quality permit, the
2 Burlington Electric Department as the operator of the McNeil plant has planned for and budgeted to
3 rebuild the B-West mechanical field of the electrostatic precipitator at McNeil; and

4 WHEREAS, BED invited six bidders to bid, and received two qualified bids:

5 Precipitator Services Group \$234,930

6 Whitehead Construction Inc. \$374,192; and

7 WHEREAS, based on lowest evaluated cost and compliance with the bid documents, the General
8 Manager of BED recommends awarding the contract to Precipitator Services Group to be completed in
9 the annual outage which occurs from April 12-27, 2014; and

10 WHEREAS, on February 12, 2014, the Electric Commission recommended approval of the award;
11 and

12 WHEREAS, on February 18, 2014, the Board of Finance recommended approval of the award;

13 NOW, THEREFORE, BE IT RESOLVED that the City Council hereby adopts the
14 recommendation of BED management and authorizes the Manager of the McNeil Plant to enter into a
15 contract, subject to the prior review of the City Attorney and the Chief Administrative Officer, with
16 Precipitator Services Group to rebuild the B-West mechanical field of the electrostatic precipitator at
17 McNeil in the amount of \$234,930 to be completed in the annual outage of April 12-27, 2014.

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March 6, 2014

To: Burlington City Council
From: John Irving
Subject: McNeil Electrostatic Precipitator

In order to maintain particulate emissions in compliance with our state air quality permit, we have planned for and budgeted to rebuild the B-West mechanical field of the electrostatic precipitator at McNeil. We invited six bidders to bid, and received two qualified bids:

Precipitator Services Group	\$234,930
Whitehead Construction Inc.	\$374,192

We have worked with both of these contractors with favorable results for similar work in the past. Based on lowest evaluated cost and compliance with the bid documents, we recommend awarding the order to Precipitator Services Group. This work will be done in the annual outage which occurs from April 12-27, 2014. I have requested that this item be added to the agenda for the March 10th Board of Finance meeting. It is my understanding that it will be on the consent agenda.

Resolution Relating to

**APPOINTMENT OF ACTING WARD CLERK AND
INSPECTORS OF ELECTION FOR WARD SIX**

RESOLUTION_____

Sponsor(s): Councilor Shannon

Introduced: _____

Referred to: _____

Action: _____

Date: _____

Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Fourteen

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

- 1 That WHEREAS, the Annual City of Burlington Election occurred on March 4, 2014; and
2 WHEREAS, Linda Ayer, Ward Clerk for Ward Six, requested that the following appointed
3 Assistant Election Officials be appointed to serve as Acting Ward Six Inspectors of Elections as follows:
4 Katharine Montstream for the period from 7:00 a.m. to 10:00 a.m. and Nathaniel “Nat” Ayer from the
5 period from 10:00 a.m. to 5:00 p.m. to perform the duties of Acting Ward Six Inspectors of Election Mary
6 Esther Treat, who was unable to work the full election day and was only able to perform her duties from
7 5:00 p.m. until the end of the election; and
8 WHEREAS, Linda Ayer, Ward Clerk for Ward Six, was forced to leave the polling place due to
9 sickness at approximately 6:00 p.m. and Acting Inspector of Election James Contompasis assumed the
10 responsibilities of Ward Clerk from then on until the election work was completed at approximately
11 9:30 p.m.; and
12 WHEREAS, the City Council must fill a vacancy in any ward office, including that of the office of
13 inspectors of election, when there are vacancies, as is the case in this ward, pursuant to City Charter §13;
14 NOW, THEREFORE, BE IT RESOLVED that the Burlington City Council hereby ratifies the
15 appointment of James Contompasis as Acting Ward Six Clerk and the appointments of Katharine
16 Montstream (P), 57 Clymer Street and Nathaniel “Nat” Ayer (P), 35 Deforest Heights as Acting Ward Six
17 Inspectors of Elections for the Annual City of Burlington Election that occurred on March 4, 2014 for the
18 times indicated above.

Resolution Relating to

**LICENSE AGREEMENTS FOR ENCUMBRANCES OUTSIDE OF
THE CHURCH ST. MARKETPLACE – PROPOSAL FOR CHANGES
TO APPROVAL PROCESS FOR RENEWAL APPLICATIONS**

RESOLUTION_____

Sponsor(s): Councilors Blais,

Tracy, Ayres: License Com.

Introduced: _____

Referred to: _____

Action:_____

Date:_____

Signed by Mayor:_____

CITY OF BURLINGTON

In the year Two Thousand Fourteen

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

1 That WHEREAS, the current process for the annual renewal of existing, non-Church Street
2 Marketplace License Agreements relating to encumbrances (for tables and chairs, awnings, signs, and
3 other encumbrances that overhang the public right-of-way) is unduly time-consuming and cumbersome;
4 and

5 WHEREAS, in order to implement a more efficient procedure that benefits both the licensees
6 seeking annual renewals and city officials charged with processing such renewals, the following
7 procedure shall be implemented for licensees seeking an annual renewal of existing, non-Church Street
8 Marketplace License Agreements:

- 9 1) the licensee shall submit an annual renewal application to the City ClerkTreasurer's Office
10 with the appropriate fee, including with such application updated proof of insurance and all
11 applicable endorsements;
12 2) the application shall also include a certification by the licensee that the renewal does not
13 amend, modify or otherwise change the existing License Agreement;
14 3) upon a certification by the Department of Public Works that each licensee is in compliance
15 with the terms of the existing License Agreement, the Treasurer's Office shall submit to the
16 City Council a listing of all such annual renewals;
17 4) if the renewal is approved by the City Council, the communication from the Treasurer's
18 Office, the certificate of compliance by the Department of Public Works, the renewal
19 application by the licensee with the required documentation, and proof of the payment of the
20 fee shall constitute the extension of the existing License Agreement for one year; and

21 WHEREAS, this proposed change to the process for the approval of renewals to existing, non-Church
22 Street Marketplace License Agreements was approved by the License Committee at its March 5, 2014
23 meeting, with a request that the proposal be submitted to the entire City Council for its review and
24 approval;

25 NOW, THEREFORE, BE IT RESOVLED that the process for the approval of existing, non-
26 Church Street Marketplace License Agreements for encumbrances outside the Church Street Marketplace
27 shall be amended as herein provided.

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lb/GM/2014/License Agreements for Encumbrances outside the Marketplace – New Process for Renewal Applications
2/27/14

Resolution Relating to

INCREASE HOURS FOR ONE REGULAR PART-TIME PARKING
ATTENDANT POSITION FROM 24 HOURS PER WEEK TO
32 HOURS PER WEEK AT THE DEPARTMENT OF
PUBLIC WORKS

RESOLUTION_____

Sponsor(s): Councilors Bushor,
Shannon, Aubin, Knodell: Bd. of
Finance: **Pending Bd. of Finance**
Approval on 3/10/14

Introduced: _____

Referred to: _____

Action: _____

Date: _____

Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Fourteen

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

1 That WHEREAS, the Assistant Director of Public Works-Equipment Services has recommended an
2 increase from 24 hours per week to 32 hours per week for one Regular Part-Time Parking Attendant
3 position at the Department of Public Works; and

4 WHEREAS, these services are needed to address the staffing demands of the City Parking
5 Facilities; and

6 WHEREAS, currently the Department of Public Works is paying overtime to have this shift
7 covered, therefore, while regular wages would increase, overtime wages would decrease; and

8 WHEREAS, this position will be funded through the Department's FY14 savings due to
9 automation; and

10 WHEREAS, the Human Resources Director used the Willis Classification System to determine a
11 recommended pay scale for this position; and

12 WHEREAS, the Board of Finance reviewed the position and approved it at its March 10, 2014
13 meeting;

14 NOW, THEREFORE, BE IT RESOLVED that the increase in hours of a single non-exempt,
15 AFSCME Parking Attendant position from 24 to 32 hours for the Department of Public Works is
16 approved and shall continue at an AFSCME Salary Grade 6 within the Fiscal Year 2014 AFSCME Salary
17 Table. The increase in hours shall take effect following City Council approval and signature of the
18 Mayor.



HUMAN RESOURCES DEPARTMENT

City of Burlington

179 South Winooski Avenue, Suite 100, Burlington, VT 05401

Voice (802) 865-7145

Fax (802) 864-1777

Vermont Relay: 7-1-1 or 800-253-0191

To: City Council

From: Stephanie Reid, Interim Human Resources Generalist
Susan Leonard, Human Resources Director

Date: March 3, 2014

Re: Department of Public Works – Increase One Union, Non-Exempt Regular Part-Time Parking Attendant from 24 hours per week to 32 hours per week

As detailed in the attached memo, the Assistant Director of Public Works-Equipment Services has requested an increase to one (1) Union, Non-Exempt Regular Part-Time Parking Attendant position from 24 hours per week to 32 hours per week to address ongoing overtime wages to cover a Friday shift at the Marketplace Garage.

The position, which will report to the Parking Foreman at the Department of Public Works, as shown on the attached existing and proposed organization charts, and without a change to the job description, was classified and scored using the Willis Classification System. The existing classification is an AFSCME non-exempt grade 6 with a corresponding salary range \$27,748 to \$32,895 from the FY14 AFSCME Willis salary table.

Particular to this position, the difference in funding for FY14 will be captured from the attrition of two (2) positions not filled due to automation with continued net savings in the FY15 budget. There will be an increase to the salary appropriations for FY14 and a decrease to the overtime appropriations for FY14.

We respectfully recommend your approval of the Assistant Director of Public Works-Equipment Services request to increase to one (1) Union, Non-Exempt Regular Part-Time Parking Attendant from 24 hours per week to 32 hours per week.

This position will become effective following City Council approval and signature of the Mayor.

Thank you.

Chapin Spencer
Director of Public Works

Patrick Buteau
Assistant Director DPW
Parking & Fleet Services



645 Pine Street Suite A
Post Office Box 849
Burlington, Vt. 05402-0849
(802) 863-0460 BUS (802) 863-0466 FAX
(802) 863-0450 (T.T.V) For Hearing Impaired
pbuteau@burlingtonvt.gov

MEMORANDUM

To: Board of Finance & City Council
From: Patrick Buteau, Asst. Director of Public Works
Date: February 23, 2014
Subject: Increase 24 hour Parking Attendant to 32 hour position

In the course of installing the automated lanes in the downtown garages, the Department has through attrition not filled one 40 hour position and one 24 hour position due to the automation. We have just moved an existing 24 hour employee based on seniority into a vacated 32 hour position giving the employee on more day per week of work. This employees 24 hour position is now open to be filled. With all of the accumulated sick and vacation time by the current parking attendants, we find ourselves one shift short every week in covering a Friday 9am – 5pm shift at the Marketplace Garage and typically have to fill it on an overtime basis.

With 90 individual shifts per week to be filled a huge amount of overtime is being paid to fill in when regularly scheduled attendants take time off.

Staff is requesting adding this difficult to fill Friday shift to the existing 24 hour vacant shift making the position a 32 hour position. Funding for the rest of this fiscal year will come from those positions not filled through attrition and the net savings in personnel will be reflected in the fiscal year 2015 budget.

Please see attached staffing levels before and after this request.

Current Parking Attendant Staffing Levels		
Number Employees	# hours per week	Total hours per week
12	40	480
5	32	160
5	24	120
22		760

Requested Parking Attendant Staffing Levels		
Number Employees	# hours per week	Total hours per week
11	40	440
6	32	192
3	24	72
20		704

City of Burlington Job Description

Position Title: Parking Attendant
Department: Public Works
Reports to: Assistant Parking Manager
Pay Grade: 6 **Job Code:** 229
Exempt/Non-Exempt: Non-Exempt **Union:** AFSCME

General Purpose: This position collects fees and processes transactions using fee computers for customers exiting parking facilities. In addition this position coordinates simple customer matters, while referring more complex billing and ticket fee issues to Shift Leaders, Assistant manager or Manager respectively.

Essential Job Functions:

- Process transactions and collect fees from customers in a courteous and respectful manner using automated fee computers for exiting vehicles.
- Settle routine customer payment issues and refer all other payment claim matters to supervisors.
- Carry out vehicle inventories when working the last shift prior to closing at any facility when needed.
- Have knowledge of and sell special discount parking packages from attendant booth.
- Refill ticket spitters with tickets as needed.
- Clear spitter jams and adjusts internal clocks as needed.

Qualifications/Basic Job Requirements:

- High School Diploma or equivalent.
- Ability to perform basic mathematical calculations.
- Punctuality and the ability to be on-site as scheduled.
- Ability to remain in booth and/or on-site for entire shift.
- Must conduct themselves in a professional and courteous manner at all times.

Physical & Mental/Reasoning Requirements; Work Environment:

These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position. Upon request for a reasonable accommodation, the City may be able to adjust or excuse one or more of these requirements, depending on the requirement, the essential function to which it relates, and the proposed accommodation.

☒ seeing ☐ ability to move distances ☐ lifting (specify)
☐ color perception within and between ☐ pounds

<input type="checkbox"/> (red, green, amber) <input type="checkbox"/> hearing/listening	<input type="checkbox"/> warehouses/offices <input type="checkbox"/> climbing	<input type="checkbox"/> carrying (specify) <input type="checkbox"/> pounds
<input checked="" type="checkbox"/> clear speech	<input type="checkbox"/> ability to mount and dismount forklift/truck	<input type="checkbox"/> driving (local/over the road)
<input checked="" type="checkbox"/> touching	<input type="checkbox"/> pushing/pulling	
<input checked="" type="checkbox"/> dexterity		
<input checked="" type="checkbox"/> hand		
<input checked="" type="checkbox"/> finger		
<input checked="" type="checkbox"/> reading - basic	<input checked="" type="checkbox"/> math skills - basic	<input type="checkbox"/> analysis/comprehension
<input type="checkbox"/> reading - complex	<input type="checkbox"/> math skills - complex	<input type="checkbox"/> judgement/decision making
<input checked="" type="checkbox"/> writing - basic	<input checked="" type="checkbox"/> clerical	
<input type="checkbox"/> writing - complex		
<input checked="" type="checkbox"/> shift work	<input type="checkbox"/> outside	<input type="checkbox"/> pressurized equipment
<input checked="" type="checkbox"/> works alone	<input type="checkbox"/> extreme heat	<input type="checkbox"/> moving objects
<input type="checkbox"/> works with others	<input type="checkbox"/> extreme cold	<input type="checkbox"/> high places
<input checked="" type="checkbox"/> verbal contact w/others	<input checked="" type="checkbox"/> noise	<input checked="" 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 checked="" type="checkbox"/> dirt/dust

Supervision:

Directly Supervises: 0

Indirectly Supervises: 0

Disclaimer:

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

Approvals:

Department Head: _____ Date: _____

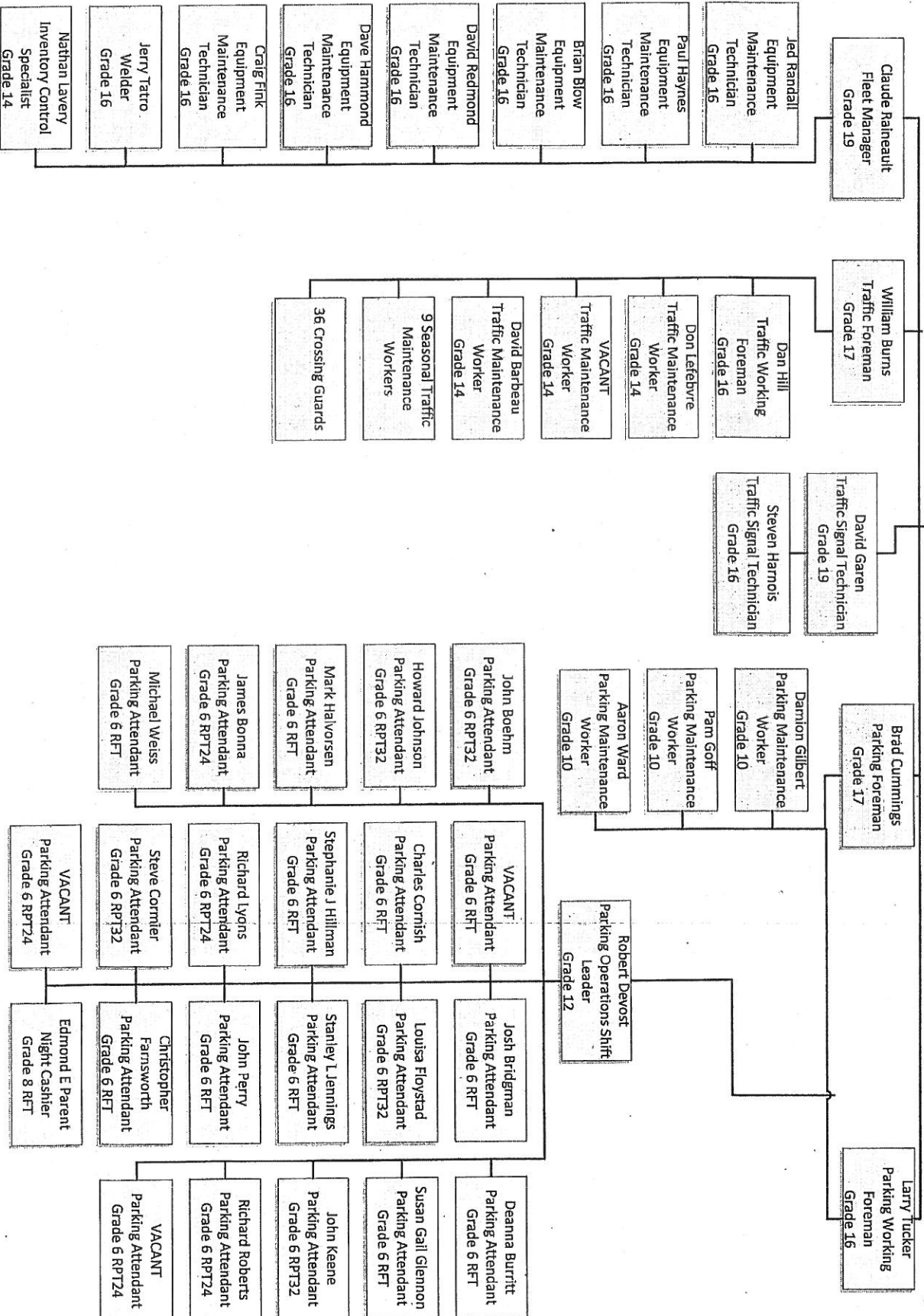
Human Resources: _____ Date: _____

(Revised July 2012)

This position description is provided to AFSCME for information only. The City has no obligation to negotiate with AFSCME regarding changes in position descriptions. The City's provision of revised position descriptions is in no way an admission of any obligation to negotiate or voluntary commitment to negotiate changes in position descriptions.

Department of Public Works
Division of Equipment Services
City of Burlington
January 2014

Patrick Buteau
Assistant Director of
Equipment Services
Grade 23



Department of Public Works
Division of Equipment Services
City of Burlington
PROPOSED MARCH 2014

Patrick Buteau
Assistant Director of
Equipment Services
Grade 23

Claude Raineault
Fleet Manager
Grade 19

William Burns
Traffic Foreman
Grade 17

David Garen
Traffic Signal Technician
Grade 19

Steven Harrois
Traffic Signal Technician
Grade 16

Brad Cummings
Parking Foreman
Grade 17

Larry Tucker
Parking Working
Foreman
Grade 16

Jed Randall
Equipment
Maintenance
Technician
Grade 16

Paul Haynes,
Equipment
Maintenance
Technician
Grade 16

Brian Blow
Equipment
Maintenance
Technician
Grade 16

David Redmond
Equipment
Maintenance
Technician
Grade 16

Dave Hammond
Equipment
Maintenance
Technician
Grade 16

Craig Fink
Equipment
Maintenance
Technician
Grade 16

Jerry Tatro
Welder
Grade 16

Nathan Lavery
Inventory Control
Specialist
Grade 14

Dan Hill
Traffic Working
Foreman
Grade 16

Don Lefebvre
Traffic Maintenance
Worker
Grade 14

VACANT
Traffic Maintenance
Worker
Grade 14

David Barbeau
Traffic Maintenance
Worker
Grade 14

9 Seasonal Traffic
Maintenance
Workers

36 Crossing Guards

Aaron Ward
Parking Maintenance
Worker
Grade 10

Pam Goff
Parking Maintenance
Worker
Grade 10

Damion Gilbert
Parking Maintenance
Worker
Grade 10

Robert Devost
Parking Operations Shift
Leader
Grade 12

John Boehm
Parking Attendant
Grade 6 RPT32

Howard Johnson
Parking Attendant
Grade 6 RPT32

Mark Halvorsen
Parking Attendant
Grade 6 RFT

James Bonna
Parking Attendant
Grade 6 RPT24

Michael Weiss
Parking Attendant
Grade 6 RFT

VACANT
Parking Attendant
Grade 6 RFT

Charles Cornish
Parking Attendant
Grade 6 RFT

Stephanie J Hillman
Parking Attendant
Grade 6 RFT

Richard Lyons
Parking Attendant
Grade 6 RPT24

Steve Cormier
Parking Attendant
Grade 6 RPT32

Josh Bridgman
Parking Attendant
Grade 6 RFT

Louisa Floydstad
Parking Attendant
Grade 6 RPT32

Stanley L Jennings
Parking Attendant
Grade 6 RFT

John Perry
Parking Attendant
Grade 6 RFT

Christopher
Farnsworth
Parking Attendant
Grade 6 RFT

Deanna Burritt
Parking Attendant
Grade 6 RFT

Susan Gail Glennon
Parking Attendant
Grade 6 RFT

John Keene
Parking Attendant
Grade 6 RPT32

Richard Roberts
Parking Attendant
Grade 6 RPT24

VACANT
Parking Attendant
Grade 6 RPT24

VACANT
Parking Attendant
Grade 6 RPT32

Edmond E Parent
Night Cashier
Grade 8 RFT

AFSCME

TABLE 32 for FY 14

Grade	Step 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
-------	--------	---	---	---	---	---	---	---	---	----	----	----	----	----	----

6	27748.48	28263.13	28777.54	29292.43	29807.08	30321.97	30836.61	31093.82	31351.26	31608.71	31865.91	32138.81	32380.56	32638.00	32895.45
	533.6247	543.5218	553.4143	563.3160	573.2131	583.1147	593.0118	597.9581	602.9089	607.8597	612.8060	618.0540	622.7031	627.6539	632.6048
	13.3406	13.5880	13.8354	14.0829	14.3303	14.5779	14.8253	14.9490	15.0727	15.1965	15.3201	15.4513	15.5676	15.6913	15.8151

Regular Wage, does not include overtime

Step 1	Cost per 24 hrs per wk
Step 15	320.1748
	379.5629

Step 1	Cost per 32 hrs per wk
Step 15	426.8998
	506.0838

DEPARTMENT HEAD REQUEST
FOR APPROVAL TO FILL

All of the following information must be answered completely and submitted to the Human Resource office prior to filling a position. Attach additional sheets if necessary.

1. Title of position: Parking Attendant
New World Position ID number: _____
2. Current Grade for position: 6 Current salary for position: \$13.94 hourly
3. Position Status (check one):
☐ Regular Full Time
☒ Regular Part Time, hours per week: Change from 24 to 32 hours
☐ Limited Service Full Time
☐ Limited Service Part Time, hours per week: _____
4. How long has position been in the budget? Over ten years
5. How long was the previous employee in the position? 1 year 3 months
6. How many people does the position affect? Customers exiting Parking Garages
7. Reason for vacancy (check one):
☐ Resignation ☐ Retirement
☐ Removal of provisional/probationary employee
☒ Other (please specify): Existing employee picked up more hours
8. Date of vacancy: 02/18/2014
Total hours being paid out to vacating employee: none
9. Date to fill position: ASAP
10. Funding for the position is (check all that apply):
For Salary
☐ 100% local share ☐ Local/Grant - indicate % _____
☐ Grant
☒ Other (please specify): Traffic Special Revenue Fund

For Benefits
☐ 100% local share ☐ Local/Grant - indicate % _____
☐ Grant
☒ Other (please specify): Traffic Special Revenue Fund

11. Provide justification for filling this position: Refill 24 hour position of incumbent who took 32 hour position to pick up more hours. This 24 hour position is necessary for continuous coverage of the 95 shifts that need to be filled on a weekly basis. Additionally we would request to add one more shift to this position making it a 32 hour position to provide coverage for a Friday day shift that typically requires filling with overtime by existing employees. Currently we have one 40 hour and two 24 hour positions vacant including this position. Adding one more shift to this 24 hour position will leave us with 80 hours of unfilled positions which we had anticipated with automating some of the parking booths for credit card use only. Current fy2014 budget accounts for these positions so final reductions in staffing will be made in the 2015 and future budgets.

12. Explain the impact of not filling this position: Shortage of attendants to provide customer service to exiting patrons of City owned parking facilities.

Department Head Signature

CAO Signature

Date

Date

Resolution Relating to

AUTHORIZATION FOR ELECTRIC DEPARTMENT
TO CONSTRUCT SOLAR ARRAY AT
BURLINGTON INTERNATIONAL AIRPORT

RESOLUTION _____

Sponsor(s): Councilors Shannon,
Bushor, Aubin, Knodell: Bd.
of Finance: **Pending Bd. of
Finance approval on 3/10/14**
Introduced: _____
Referred to: _____

Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Fourteen

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

1 That WHEREAS, Burlington Electric Department (“BED”), received voter approval to issue revenue
2 bonds in 2009 which were partially intended for the procurement of renewable energy; and
3 WHEREAS, BED issued a Request for Proposals in November, 2012 seeking partners to develop
4 solar generation on properties owned by the City of Burlington; and
5 WHEREAS, in response to the RFP six (6) vendors submitted nine (9) distinct proposals for
6 installation of a solar array located on the Burlington International Airport (BTV) parking garage; and
7 WHEREAS, after evaluating these proposals BED and BTV invited the three (3) most viable
8 bidders to conduct a site visit and refine their proposals; and
9 WHEREAS, upon completion of this second round of bidding, BED and BTV staff determined
10 that the proposal which provided the most benefit to Burlington residents while addressing the site
11 constraints was a turnkey installation proposal from Encore Redevelopment, LLC which would result in
12 BED owning the solar array and paying BTV to use space on the BTV parking garage roof for installation
13 and operation of the solar array; and
14 WHEREAS, the cost of this project is projected to be \$1.5 million including a contract for design,
15 permitting, and construction with Encore Redevelopment, LLC and BED’s internal costs; and

* * * * *

DISTRIBUTION:

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

ORIGINAL

RESOLUTION RELATING TO

.....

.....

.....

Adopted by the City Council

....., 20.....

..... Clerk

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

..... Mayor

Vol. Page

* * * * *

AUTHORIZATION FOR ELECTRIC DEPARTMENT TO
CONSTRUCT SOLAR ARRAY AT BURLINGTON INTERNATIONAL
AIRPORT

16 WHEREAS, the project will result in an annual payment from BED to BTV for use of the parking
17 garage roof in the amount of \$19,000 per year while resulting in an anticipated \$740,000 total benefit (in
18 nominal dollars) to Burlington residents over the next 20 years; and

19 WHEREAS, all of funds needed to construct the project will be covered by BED's 2009 Revenue
20 Bond and all funds needed to operate and maintain the project will be covered by BED's operating
21 budget; and

22 WHEREAS, the Board of Finance considered this matter at its meeting on March 10, 2014
23 (concurrently with this City Council meeting of the same date) and recommended the City Council's
24 adoption of this Resolution;

25 NOW, THEREFORE, BE IT RESOLVED by the City Council that BED's General Manager is
26 authorized to execute a Development and Construction Contract with Encore Redevelopment, LLC, and
27 BED's General Manager and BTV's Director of Aviation are authorized to enter into a Memorandum of
28 Understanding, all in substantially the same form as attached, subject to the prior review and authorization
29 of the City Attorney and Chief Administrative Officer; and

30 BE IT FURTHER RESOLVED that BED's General Manager is authorized to take such actions as
31 necessary to petition the Public Service Board for a Certificate of Public Good (CPB) and apply for such
32 other permits, licenses, or approvals to develop and construct a solar array at BTV, subject to the review
33 of the Burlington Electric Commission; and

34 BE IT FURTHER RESOLVED that upon receipt of the CPG and all other necessary permits,
35 licenses, or approvals, BED's General Manager is authorized to build and implement the solar array,
36 subject to the review of the Burlington Electric Commission; and

* * * * *

DISTRIBUTION:

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

ORIGINAL

RESOLUTION RELATING TO

.....
.....
.....

Adopted by the City Council

....., 20.....

..... Clerk

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

..... Mayor

Vol. Page

* * * * *

37 BE IT FURTHER RESOVED that during all stages of the design, approval, and construction of
38 this project, the BTV Director of Aviation is authorized to make the BTV parking garage accessible to
39 BED and its agents and subcontractors for the installation of a solar array.

40

41 lb/GM/Resolutions 2014/BED – Authorization re Contract to Construct Solar Array Panels with Encore Redevelopment, Inc. & Memo of
42 Understanding with BIA

* * * * *

DISTRIBUTION:

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

ORIGINAL

RESOLUTION RELATING TO

.....
.....
.....

Adopted by the City Council

....., 20.....

..... Clerk

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

..... Mayor

Attest:

Vol. Page

* * * * *

DRAFT DRAFT DRAFT

MEMORANDUM OF UNDERSTANDING
BETWEEN THE BURLINGTON INTERNATIONAL AIRPORT AND THE
BURLINGTON ELECTRIC DEPARTMENT REGARDING THE
INSTALLATION OF SOLAR FACILITIES ON THE ROOF OF THE AIRPORT
PARKING GARAGE

Field Code Changed

This Memorandum of Understanding is made this ___ day of _____, 2014, by and between the Burlington International Airport (hereinafter "BTV"), with its principal address being 1200 Airport Drive, South Burlington, Vermont, and the Burlington Electric Department (hereinafter "BED"), with its principal address being 585 Pine Street, Burlington, Vermont, (hereinafter the "Parties").

Recitals

WHEREAS, BTV is an international airport owned and operated by the City of Burlington, Vermont, that is located in South Burlington, Vermont, including the BTV Parking Garage; and

WHEREAS, BED is an electric utility company owned and operated by the City of Burlington, Vermont, that is located in the City of Burlington, Vermont, and which desires to construct an approximately 500 kW (AC) solar PV generation facility/array (hereinafter "Solar Facilities") on the roof of the BTV Parking Garage; and

WHEREAS, BED desires to enter into a separate agreement, contemporaneous herewith with ENCORE REDEVELOPMENT LLC, to construct said Solar Facilities on and in certain areas of the BTV Parking Garage ("Permitted Areas" as specified in Exhibit A), including solar panels, mounting systems, inverters, transformers, integrators, electrical lines and conduits, cables, transformers, wires, meters, monitoring equipment and all other necessary and convenient equipment and appurtenances needed and used to collect, produce and transmit electricity from exposure to sunlight; and

WHEREAS, BTV desires to support BED's effort to development said renewable energy project as well as to benefit from same and therefore hereby agrees to permit BED to subcontract and arrange for the design, installation, operation, maintenance, and replacement of Solar Facilities in the Permitted Areas;

NOW THEREFORE, in consideration of the mutual covenants and promises contained herein, the sufficiency of which is hereby acknowledged by both Parties, the Parties hereby covenant and agree as follows:

1. **Grant of Permission.** BTV hereby grants to BED:
 - a. permission to install, operate, maintain, improve and replace the Solar Facilities in the Permitted Areas and to run wires, conduits and other equipment needed to connect the Solar Facilities to BED's electricity distribution system; and
 - b. permission to enter BTV and the BTV Parking Garage at all reasonable times, provided reasonable advance notice (other than in the event of an emergency) has been provided to BTV by BED, the granting of which will not unreasonably be withheld, conditioned or delayed, for the purpose of carrying out BED's obligations under this Agreement, including but not limited to installing, operating, maintaining, improving and replacing the Solar Facilities so as to generate electricity for sale and distribution as well as installing, operating, maintaining, improving and replacing any machinery or equipment or other facilities necessary to interconnect the Solar Facilities with the BED electrical distribution system.
2. **Installation of the Solar Facilities.** The Solar Facilities shall be installed within the Permitted Areas based on consultation and agreement between BED and BTV. BED and BTV shall also consult and agree on when the installation shall begin and any reasonable limits on the installation, which shall not impede BED's ability to complete the construction and installation of the solar facilities prior to _____.
3. **Modification and Expansion of the Solar Facilities.** BED may at any time modify the Solar Facilities for the purpose of, among other reasons, adding solar power-generating equipment and/or interconnection equipment and increasing the electricity generated; provided, however, that BTV's prior written approval shall be required for any material modification or expansion that would require additional space beyond the Permitted Areas (a "Material Modification"). BTV shall have no obligation, pursuant to the terms of this Agreement, to grant BED's request for a Material Modification and may choose to grant or deny such a request at its sole discretion. Upon any proposal by BED for a Material Modification, BED shall provide to BTV the plans and specifications of such Material Modification. Such plans and specifications shall be subject to the review and approval of BTV and any approved Material Modification shall comply with and not reasonably deviate from those approved plans and specifications. Any expansion of the Solar Facilities pursuant to this provision of the Agreement shall be controlled by and subject to the terms of this entire Agreement. Pursuant to the August 5, 2010 FAA determination authorizing the construction of the Solar Facilities, which is attached hereto as Exhibit B, BED agrees that if there is any glare, radar reflection, or any other interference with the

safe and efficient use of navigable airspace by aircraft or the safety of persons or property on the ground determined to be caused by the Solar Facilities by the FAA and/or BTV, BED shall immediately mitigate said effects in whatever ways required, including but not limited to, the removal of solar panels or any other elements of the Solar Facilities.

4. **Approvals and Permits.** BED or its subcontractors shall be responsible for obtaining all necessary Approvals and Permits required for the installation, construction and operation of the Solar Facilities, and shall be responsible for paying all permit fees required in connection with its activities under this Agreement. BTV shall cooperate with BED in obtaining all such Approvals and Permits.
5. **Maintenance of the Parking Garage and the Solar Facilities; Liability for Damage.** BTV will maintain the BTV Parking Garage in good condition and repair and shall provide BED with at least 30 days prior written notice of any repair, maintenance or construction ("Maintenance") which could foreseeably impede, interrupt or prevent the generation and supply of electricity by the Solar Facilities or damage or otherwise adversely impact the installation, operation and maintenance of the Solar Facilities or BED's performance under this Agreement or BED's agreement with ENCORE REDEVELOPMENT, LLC to develop and install the Solar Facilities in any material respect (collectively, "Adverse Effects"); provided, however, in the event of an emergency requiring immediate Maintenance, BTV shall use commercially reasonable efforts to provide BED with as much notice as may be reasonably practicable under the circumstances. BTV shall coordinate with BED, or its successors and assigns, in good faith and shall take all commercially reasonable measures necessary to ensure that the Adverse Effects in connection with any such Maintenance are avoided or minimized. BED shall cooperate with BTV in relocating the Solar Facilities temporarily, and BED and its successors and assigns will be responsible for and/or pay for the entire cost of any required relocation (the "Relocation Costs"), during those periods of time in which such relocation is necessary to repair or replace the BTV Parking Garage roof or perform any other necessary maintenance or construction to the BTV Parking Garage, provided that:
 - (a) BTV has provided BED with at least 90 days written notice of any such relocation of the Solar Facilities (however, in the event of an emergency requiring immediate action, BTV shall provide BED with as much notice as possible under the circumstances);
 - (b) Such Maintenance is required by law, is set forth on Exhibit B hereto, or necessary to correct or prevent a significant structural problem, an unreasonably dangerous condition, or a condition reasonably likely to result in significant property damage if not remedied;

- (c) Such repair, replacement, maintenance or construction cannot reasonably be performed without the relocation of the solar facilities; and
- (d) BTV shall coordinate with BED, or its successors and assigns, in good faith and shall use its best efforts to ensure that any such repair, replacement, maintenance or construction is performed in a manner that minimizes the Relocation Costs.

Notwithstanding anything in this Agreement to the contrary, BED shall have the right to deduct any reasonable Relocation Costs incurred from any payments, fees or amounts payable by BED to BTV pursuant to this Agreement, and specifically excluding the security deposit payment outlined in Section 12 of this Agreement. The amount of such reasonable Relocation Costs referenced in this Section 5 shall be subject to the review and approval of BTV, which approval shall not be unreasonably withheld, conditioned or delayed, prior to the deduction of any payments, fees or amounts payable by BED to BTV. For the avoidance of doubt, other than BED's deduction of Relocation Costs incurred from the amount of BED's subsequent payments to BTV pursuant to Section 16 of this Agreement, BTV shall have no liability for Relocation Costs incurred by BED pursuant to this Section 5. If the nature of any BTV Maintenance is such that no accommodation, modification or relocation of the Solar Facilities can be made that is satisfactory to BED, in BED's sole discretion, then BED may terminate this Agreement, without being in breach, and remove the Solar Facilities from the Permitted Areas. BTV hereby represents and warrants to BED that, except as set forth on Exhibit C hereto, no repair, replacement, maintenance or construction of the BTV Parking Garage that would require the full or partial relocation of the Solar Facilities is currently planned or contemplated during the term of this Agreement, and to its knowledge, no condition currently exists that is reasonably likely to necessitate repair or replacement of the roof that would require the full or partial relocation of the Facilities.

If damage is caused to the BTV Parking Garage by the Solar Facilities or by BED or its employees, agents or contractors in connection with the installation, operation, maintenance, improvement or replacement of the Solar Facilities, BED shall promptly repair such damage at its own expense. In addition, if BTV, its employees, contractors, or any of its agents are responsible for damage to the Solar Facilities or any of its component parts, BTV shall pay for all reasonably required repairs to the solar facilities and any reasonable expense of diagnosing any failure incurred by BED as a result of such damage; provided however, that, except for damage arising from the gross negligence or intentional misconduct of BTV, to the extent not covered by BTV insurance, BTV's liability under this sentence shall be limited to BED's right to deduct the amount of all such reasonably required repairs and reasonable expenses from any and all amounts

subsequently payable by BED to BTV pursuant to this Agreement and excluding the Security Deposit payments outlined in Section 12 of this Agreement. BED shall provide BTV with notice of the amount of such reasonably required repairs and reasonable expenses referenced in the preceding sentence (the "BED Notice"). If BTV disputes whether such repairs are reasonably required or such expenses are reasonable, the Parties shall follow the dispute resolution process laid out in Section 26.

The Solar Facilities and all repairs, parts, accessories and improvements of any kind or nature furnished or affixed to the Solar Facilities shall at all times be and remain the property of BED and its successors and assigns. BED shall, at its sole expense, operate, maintain and repair the Solar Facilities in accordance with all laws and regulations of any applicable governmental authority and this Agreement.

6. **Exposure to Sunlight.** BTV covenants that it will use its best efforts to not allow vegetation on its property to grow in a manner or initiate or conduct any activities, except those permitted pursuant to the terms of paragraph 12 below, that could reasonably diminish the exposure of the Solar Facilities to sunlight during daylight hours, while this Memorandum of Understanding and License Agreement remains in effect.
7. **Use of Subcontractors.** The use by BED of Encore Redevelopment, LLC and its subcontractors, agents, etc. to construct/install the Solar Facilities shall be deemed approved by BTV by this Agreement. Upon approval of BTV, which approval shall not be unreasonably withheld, conditioned or delayed, BED shall be permitted to use or license other subcontractors or agents to perform any of its obligations under this Agreement, provided however that any third parties used be fully insured and that the use of such third parties shall not relieve BED of its obligations and responsibilities hereunder, and BED shall be responsible for the actions and performance of such third parties.
8. **BTV not to Interfere with the Solar Facilities.** BTV shall not tamper with or undertake any maintenance or alterations to the Solar Facilities without the express written permission of BED. BTV shall take all reasonable measures necessary to ensure that the operation of the BTV Parking Garage does not unreasonably impede, interrupt, reduce or prevent the generation and supply of electricity by the Solar Facilities or damage or otherwise adversely impact the installation, operation and maintenance of the Solar Facilities or BED's performance under this Agreement.
9. **BED not to Interfere with the Operations of BTV.** Without the express written authorization of BTV, BED shall not undertake any alterations, repairs or improvements to the Solar Facilities that may affect the operations of BTV (other

than those reasonably deemed necessary by BED to address emergencies) or may impede or otherwise materially adversely impact BTV operations. BED shall take all reasonable measures necessary to ensure that the Solar Facilities and the operation of the Solar Facilities does not unreasonably affect, interrupt or impede BTV operations.

10. **Cooperation in Securing Rebates, Tax Credits and other Economic Benefits.** BTV will cooperate with BED in completing and filing such applications and other documents as are necessary to permit BED to receive rebates, tax credits and other economic benefits that are now or may hereafter become available to BED in connection with the Solar Facilities.
11. **Term; Removal of the Facilities.** This Agreement shall commence upon execution and shall terminate 20-years from the date on which the Solar Facilities reaches commercial operation by reliably delivering energy to the electric grid (hereinafter the "Agreement Term") unless this term is extended by mutual agreement of the Parties. At the end of the Agreement Term or upon termination of this Agreement, BED, its successors or assigns shall sever, disconnect, and remove the Solar Facilities and all of BED's other property from the BTV Parking Garage. In addition, at the expiration of the Agreement Term or upon termination of this Agreement, BED, its successors and assigns shall promptly repair and restore any damage caused to the BTV Parking Garage resulting from the placement of the Solar Facilities in the Permitted Areas or removal of the Solar Facilities from the Permitted Areas, to the reasonable satisfaction of BTV. BED and its successors and assigns shall be liable for any other damage to the BTV Parking Garage caused by the negligence of BED or its employees, contractors, agents, successors and assigns during such removal, repair or restoration. All removal, repair and restoration shall be at the sole expense of BED or its successors and assigns.
12. **Improvements.** Without the express written consent of BED, BTV shall not install or construct any improvements to the BTV Parking Garage, excluding those projects set forth on Exhibit B, that adversely impact the installation, operation or maintenance of the Solar Facilities, the generation or supply of electricity by the Solar Facilities, or BED's performance or rights under this Agreement. Notwithstanding the foregoing, BED's consent shall not be required if: (a) BTV provides BED with at least 90 days prior written notice of such improvement; and (b) BTV (after coordinating with BED in good faith) grants BED, or its successors and assigns, all rights necessary for the modification or relocation of the Solar Facilities, such that there is no reduction in the electricity generation or capacity of the Solar Facility or breach of BED's obligations under this Agreement, and BED shall have the right to deduct the amount of all reasonable costs and expenses incurred by BED in connection with or as a result of such BTV improvements and such modifications and relocations (including the

value of lost energy) from any and all amounts subsequently payable by BED to BTV pursuant to this Agreement and excluding the Security Deposit payment outlined in Section 12 of this Agreement. The amount of these reasonable costs and expenses referenced in this Section 13 shall be subject to the review and approval of BTV, which approval shall not be unreasonably withheld, conditioned or delayed, prior to the deduction of any payments, fees or amounts payable by BED to BTV. For the avoidance of doubt, other than BED's deduction of costs and expenses incurred from the amount of BED's subsequent payments to BTV pursuant to this Agreement, BTV shall have no liability for costs and expenses incurred by BED pursuant to this Section 13.

13. **Temporary Construction License.** BTV shall provide, at no cost to BED, a mutually satisfactory site in close proximity to the Permitted Areas for the temporary storage and assemblage of materials to construct, erect and install, expand, modify, replace and maintain the Solar Facilities ("Construction Areas"). Upon completion of construction of the Solar Facilities or any expansion, modification or repair thereof that requires the use of a storage or assemblage area, BED, at its sole expense, will remove all remaining materials from such site and will restore such site as nearly as is reasonably possible to the condition in which it existed immediately prior to the commencement of such activity.
14. **Use.** BED will use only the Construction Areas and Permitted Areas for the erection, installation, operation, maintenance, repair, replacement, improvement and removal of the Solar Facilities as well as for all other activities to be conducted by BED, limited to, and in connection with the performance of its obligations and exercise of its rights under this Agreement. BED will comply with all laws, ordinances, orders, rules and regulations (state, federal, or local), specifically including without limitation all environmental and occupational, health and safety requirements relating to BED's use or occupancy of the Permitted Areas and the Solar Facilities and the operation thereof, with respect to activities, conduct, safety and harassment.
15. **Ingress and Egress.** BTV shall provide and maintain all roads, driveways and walkways that are now and may be located in and around the BTV Parking Garage necessary for proper ingress and egress to and from, and occupancy of, the Permitted Areas by BED. BED will observe all speed limits and other rules and regulations established by BTV with respect to such roads and driveways existing at BTV.
16. **Fee.** On the first day of the month following execution of this Agreement, and on the first day of every month thereafter until the expiration of the Agreement Term or this Agreement is terminated, BED shall pay BTV a monthly fee equal to \$1,583 dollars. In addition, to the extent BED sells Renewable Energy Credits (REC) from energy produced by the Solar Facilities BED shall keep the first

\$28.00 per REC sold and shall pay to BTV an amount equal to 50% of all revenues received in excess of \$28.00 per REC, payment to be made within 30-days of BED receiving said revenues. BED may, at BED's option and in its sole discretion, prepay any amounts due or to become due pursuant to this Agreement, in whole or in part, at any time.

17. **Understanding.** This Agreement reflects an understanding between BED and BTV. It does not constitute nor shall it be construed as an easement or lease. BED does not acquire any interest in the Premises or the BTV Parking Garage other than the allowances granted hereby.
18. **Personal Property.** All of the Solar Facilities shall be and remain the personal property of BED and shall not be or become fixtures, notwithstanding the manner in which the Solar Facilities is or may be affixed to the Premises or the BTV Parking Garage. BTV shall not suffer or permit the Solar Facilities to become subject to any lien, security interest or encumbrance of any kind and BTV expressly disclaims and waives any rights it may have in the Solar Facilities at any time and from time to time, at law or in equity. BED shall maintain the Solar Facilities in a good state of repair. BED may grant a security interest in the Solar Facilities and an assignment for purposes of security to its lender or lenders, and BTV shall provide any consent and/or waiver reasonably requested by any lender, consenting to such lender's rights in such Property.
19. **Environmental Matters.** BED shall not be liable for any past, present or future contamination or pollution or breach of environmental laws, if any, relating to the Premises or the BTV Parking Garage, unless attributable to BED's activities, its employees contractors or agents. Accordingly: (a) BED shall not be responsible for any work relating to (i) the existence, use, transportation or treatment of Hazardous Materials, or (ii) the storage, handling, use, transportation, treatment, or the disposal, discharge, leakage, detection, removal, or containment of Hazardous Materials, and (b) BTV agrees to assume full responsibility for (and protect, indemnify and defend BED against, any liability for response costs for any contamination or pollution or breach of environmental laws related to the Premises and the BTV Parking Garage, unless and to the extent attributable to BED's activities. BED may encounter Hazardous Materials when installing, servicing, expanding, modifying or maintaining the Solar Facilities. In the event BED encounters any Hazardous Material at the Premises, BED shall promptly cease any work in progress in an orderly, safe and efficient manner and inform BTV of the nature and location of said Hazardous Materials. It shall then be BTV's responsibility to eliminate or contain such Hazardous Materials in a commercially reasonable manner in compliance with law to allow BED to continue or finalize any work in progress.

20. **Assignment.** This Agreement and the rights of BED hereunder may be assigned by BED upon written approval of BTV, which approval shall not be unreasonably withheld, conditioned or delayed; provided, however, that any such assignment will not relieve BED of any of its obligations hereunder. With the written consent of BED, this Agreement may be assigned by BTV provided, however, that any such assignment will not relieve BTV of any of its obligations hereunder.
21. **Liability for Injury and Damage.** BED shall defend, indemnify and hold harmless BTV from any and all liability, loss, cost, damage or expense sustained by reason of the injury or death of any person, and/or damage to or destruction of any property arising from or caused by the Solar Facilities and/or caused by any act, omission, or neglect of BED or its subcontractors, agents, servants, or employees, including reasonable attorney's fees and other litigation expenses. BED shall obtain liability insurance naming BTV an additional insured for this purpose in an amount not less than \$1,000,000 as a condition of this Agreement. BED shall provide BTV with certificate(s) of insurance naming BTV as an additional insured and evidencing the procurement of insurance contemplated in this Section 23.
22. **Hold Harmless.** BED shall be liable for and hold harmless, indemnify, and defend BTV from any other claims or actions brought by any person or reason arising from BED's negligence in connection with the Solar Facilities or out of the erection, installation, operation, maintenance, repair, replacement, improvement and removal of the Solar Facilities as well as for all other activities to be conducted by BED, limited to, and in connection with the performance of its obligations and exercise of its rights under this Agreement throughout the duration of the term of this Agreement.
23. **Clean Up.** BED or its subcontractors or agents, shall clean up after each day's work during any erection, installation, operation, maintenance, repair, replacement, improvement or removal of the Solar Facilities to the degree necessary to provide for entrance and exit, public safety, fire lanes, and operation of all necessary BTV business. At the conclusion of any erection, installation, operation, maintenance, repair, replacement, improvement or removal of the Solar Facilities, BED or its subcontractors or agents shall clean up and remove all equipment, excess materials, and wastes etc., and shall promptly return the BTV Parking Garage and/or Premises to its prior condition (excluding any approved construction or additions by BED) as it existed prior to any work by BED.
24. **Revocation.** In the event of a default in the terms of this Agreement by either BTV or BED, the other party may terminate this Agreement / Revoke the License granted herein. Events that shall constitute a default under this Agreement shall include, but not be limited to, a party's failure to perform or comply with any material provision of this Agreement; an unauthorized assignment, a party's

insolvency or inability to pay debts as they mature, or an assignment for the benefit of creditors; or if a petition under any foreign, state, or United States bankruptcy act, receivership statute, or the like, as they now exist, or as they may be amended, is filed by a party.

No party shall be in default under this Agreement unless and until it has been given written notice of a breach of this Agreement by the other party and shall have failed to cure such breach within thirty (30) days after receipt of such notice. When a breach cannot reasonably be cured within such thirty (30) day period, the time for curing may be extended by agreement of the parties for such time as may be necessary to complete the cure, provided that the defaulting party shall have proceeded to cure such breach with due diligence.

25. **Resolution of Disputes.** Any dispute that arises hereunder shall be resolved by submission of the dispute to the Mayor or his/her delegate.
26. **Monitoring/Data Access.** Following the installation and commission of the Solar Facility, if requested by BTV, BED shall provide BTV with access to an online monitoring portal for the Solar Facility, which BTV staff will be able to access.

IN WITNESS WHEREOF, the parties, as evidenced by the signatures of their Duly Authorized Agents, do hereby execute this Memorandum of Understanding and Solar Facilities License Agreement this ____ day of _____, 201__.

IN PRESENCE OF:

BURLINGTON INTERNATIONAL
AIRPORT

Witness

By: _____
Gene Richards, Director of Aviation
Duly Authorized Agent

BURLINGTON ELECTRIC
DEPARTMENT

Witness

By: _____
Barbara Grimes, General Manager of Power
Resource
Duly Authorized Agent

APPROVED BY BURLINGTON CITY COUNCIL

WITNESS

By: _____
Mayor

Exhibit A

"Permitted Areas"

[Attached hereto]

Exhibit B

"FAA Determination"

[Attached hereto]

Exhibit C

The following repairs, replacements, maintenance or construction are anticipated to the BTV Parking Garage during the term of the Solar Facilities License Agreement between BED and BTV that may have some manner of impact on the Solar Facilities and/or equipment/appurtenances attached thereto:

- 1.
- 2.
- 3.



PROJECT DEVELOPMENT AND CONSTRUCTION AGREEMENT

This PROJECT DEVELOPMENT AND CONSTRUCTION AGREEMENT (this "Agreement") is made this __th day of March, 2014, between **Burlington Electric Department** (hereinafter, "Owner" or "BED"), a municipally owned utility existing under the laws of the State of Vermont, with a principal office located at 585 Pine Street, Burlington, Vermont 05401 and **Encore Redevelopment, LLC**, a limited liability company organized under the laws of the State of Vermont, with principal place of business at 110 Main Street, Suite 2E, Burlington, Vermont 05401 (hereinafter, "Manager").

WITNESSETH:

WHEREAS, Owner intends to own and operate the Project (as defined below) and desires to engage Manager to render project development, management and construction services with respect thereto; and

WHEREAS, Manager won a competitive procurement process coordinated by the Owner to provide project development and management and construction services for the Project; and

WHEREAS, Manager has significant expertise in the management of similar development and construction projects and desires to manage the development and construction of the Project;

NOW, THEREFORE, in consideration of the mutual covenants and promises hereinafter contained, the parties agree as follows:

1. Definitions. Terms not defined elsewhere in this Agreement shall have the following meanings. .
 - a. "BED Distribution System" – shall mean the electrical distribution system owned by BED and used for distributing power from the Green Mountain Power electrical system to BED's customers at the Burlington International Airport.
 - b. "Certificate of Public Good" or "CPG" shall mean a determination, pursuant to 30VSA, §248 allowing the construction and operation of the Project.

- c. "Commissioning" – Shall mean the Project has been energized and has delivered power to the BED Distribution System for not less than 30 days without being shut down for technical reasons
- d. "Delivery to Site" - Shall mean that materials have been delivered to the Project Site or Property and deposited/stored in the area(s) designated by Owner.
- e. "Procurement" - Shall mean submitting documented orders to suppliers for the major equipment described in Exhibit 1.
- f. "Project" – Shall mean an approximately 537 kWdc solar array, to include major equipment described in Exhibit 1.
- g. "Project Site" – Shall mean the areas of the Property necessary for construction of the Project or connecting the Project to the BED Distribution System.
- h. "Property" Shall mean the Burlington International Airport Parking Garage
- i. "Representatives" – Shall mean employees, agents, contractors, sub-contractors, or other persons acting on behalf of a party under this Agreement.
- j. "Substantial Completion" – Shall mean that all major equipment listed in Exhibit 1 has been installed at the Project Site and connected to the BED Distribution System.
- k. "Work" or "The Work" – Shall mean the duties and responsibilities of the Manager pursuant to this Agreement, including, but not limited to design, engineering, permit attainment, procurement, construction and installation of the Project and all other services to be provided by Manager hereunder, and described in more detail in Exhibit 4.

2. Management of Project. In connection with the construction of the Project located at the Property, Owner hereby retains Manager, and Manager does hereby agree to undertake all project development and construction management obligations and services with respect to the Project. In the performance of services under this Agreement, it is understood that Manager shall at all times be acting and performing independently of Owner's control as to the details and means by which the services are provided. Manager is providing services to Owner as an independent contractor and not as an employee, partner, or agent of Owner. Nothing contained herein shall be deemed to create a relationship of employment, association, partnership, or joint venture between Owner and Manager. It is understood that Owner does not by reason of this Agreement agree

to use Manager exclusively or at any fixed level. It is likewise understood that Manager is free to contract for similar services with other persons or companies while under contract with Owner.

Manager shall have no authority hereunder to take any action, create any obligation, make any commitment, incur any indebtedness, or enter into any agreement on behalf of Owner. Manager shall not in connection with any services provided to or on behalf of Owner represent to any person or entity that Manager is associated with Owner in any capacity other than that of an independent contractor.

3. Duties. Manager shall perform, either directly or through the use of subcontractors, the Work. The primary responsibilities of Manager are listed in Exhibit 4. For the avoidance of doubt, unless specifically identified as a responsibility of the Owner (BED) in Exhibit 5, all activities required to achieve Project Commissioning are the responsibility of Manager.

If Owner requests Manager to perform additional services beyond the Work, Manager shall perform such additional services only upon obtaining written authorization from Owner. Such additional work shall be described in a written change order or other writing signed by both parties which, upon execution, shall be incorporated herein by reference, and such work will be performed in accordance with any additional terms and conditions (such as payment terms) set forth therein.

4. Insurance. Manager shall obtain insurance with respect to its duties hereunder in accordance with BED policies as represented in Exhibit 2 to this Agreement, with all such policies naming Owner as additional insured, and shall provide to Owner a certificate evidencing such insurance at the time of execution of this Agreement. Manager will provide to Owner proof of worker's compensation liability insurance for all Manager's Representatives working on site, for the entire duration of the project. Manager will be responsible for any damage to the Property by its employees, contractors, sub-contractors, etc. that occurs in conjunction with work performed under this Agreement.
5. Standard of Care. Manager shall provide services in accordance with generally accepted practices of project managers, contractors, engineers and other professionals providing similar services in the same locale under similar circumstances. Owner recognizes that Manager's services are on behalf of and for the exclusive use of Owner in relation to the Project. Owner recognizes that the services provided require decisions, which are not based upon pure science but rather upon professional judgmental considerations. Owner hereby recognizes that in circumstances involving application for permits, variances, waivers, approvals and the like Manager cannot and does not guarantee, represent or warrant a favorable reply from governing and regulating entities, and Owner agrees that payment to Manager for services already rendered shall not be delayed

or denied due to unfavorable replies, rulings, requirements or results; provided, however, that Manager shall not commence construction until all permits necessary for the construction of the Project have issued. With the written approval of Owner, Manager may commence construction of the Project before such time as any applicable appeal period for any necessary permit has expired without appeal. Manager shall bear the risk of any additional costs and delays as the result of any subsequent appeals.

6. Manager Warranty. Manager shall warrant all Work performed hereunder by Manager and its subcontractors will be free from defects in design, workmanship, materials and equipment for five (5) years from commissioning. Manager shall ensure that Owner shall have the benefit of all manufacturers' warranties for components of the Project. Critical equipment warranties are shown in Exhibit 1. Manager will be held harmless from actions and omissions by the Owner that result in the voiding of manufacturers' warranties, including unapproved changes, maintenance and repairs or failure to comply with prescribed operation and maintenance instructions. Manager shall, for the protection of Owner, use commercially reasonable efforts to obtain from all vendors and subcontractors from which Manager, or its subcontractors, procures machinery, equipment or materials or services, warranties and guarantees with respect to such machinery, equipment, materials or services, which shall be made available to Manager to the full extent of the terms thereof. In no case shall Manager proceed with the Project without the written approval of Owner if the warranties shown for Major Equipment in Exhibit 1 cannot be obtained. Manager shall at all times perform its construction, installation, and commissioning activities in a manner consistent with all such warranties and shall not perform any actions that may violate or void such warranties.

7. Compensation for Services. Owner agrees to pay Manager, as total compensation for the Work and the construction of the project as detailed below, the total sum of \$ 1,213,250, equal to \$2.26/watt installed and based on a 537 kWdc output. The final compensation under this Agreement shall be adjusted up or down based on the final installed output of the Project at a \$2.26/watt price, as long as final project size is at least 500kWdc. Should the final project size be below 500kWdc, Owner and Manager will negotiate an appropriate total project cost or else terminate the Agreement in accordance with Section 16. Any adjustment will be reflected by increasing or decreasing the progress payments shown below under "Procurement" and "Delivery to Site", with 50% of any adjustment being added to, or subtracted from, each of these amounts.

	Total Cost (\$)	Unit Cost (\$/W)	% of Total
TOTAL	\$ 1,213,620	\$ 2.26	100.0%
Retainer Upon Engagement	\$ 20,000	\$ 0.04	1.6%
Completion of Permit Design	\$ 15,000	\$ 0.03	1.2%

Submit CPG filing	\$ 15,000	\$ 0.03	1.2%
Receipt of CPG	\$ 15,000	\$ 0.03	1.2%
Procurement	\$ 400,000	\$ 0.74	33.0%
Delivery to Site	\$ 400,000	\$ 0.74	33.0%
Substantial Completion	\$ 274,125	\$ 0.51	22.6%
Commissioning	\$ 74,125	\$ 0.14	6.1%
TOTAL	\$ 1,213,250	\$ 2.26	100.0%

- a. \$20,000 due upon execution of this Agreement;
 - b. \$15,000 due upon completion of permit design (anticipated to be February 28, 2014);
 - c. \$15,000 due upon submission of Certificate of Public Good petition (anticipated to be April 1, 2014);
 - d. \$15,000 due upon receipt of Certificate of Public Good (anticipated to be July 1, 2014);
 - e. \$400,000 due upon Procurement for all major equipment shown in Exhibit 1 for Project (anticipated to be July 2, 2014).
 - f. \$400,000 due upon delivery of modules and racking to the jobsite necessary to commence construction (anticipated to be September 2, 2014);
 - g. \$274,125 due upon substantial completion of the project, as defined by all panels mounted on racking and all inverters and balance of system equipment installed (anticipated to be November 2, 2014); and
 - h. \$74,125 due upon Project Commissioning (anticipated by November 30, 2014)
8. Completion Date/Force Majeure. Manager will work to achieve the earliest commissioning date possible, with a target date of November 30th, 2014. Manager shall have no liability for any failure to perform or delay in performance due to any circumstances beyond its reasonable control, including, but not limited to, any act of Owner or Owner's agents, strikes, riots, wars, fire, flood, explosion, acts of nature, any act or failure to act of government, or inability to obtain materials or equipment for reasons beyond its reasonable control. In the event of any delay in performance due solely to the foregoing circumstances, the time for performance shall be extended by a period of time necessary to overcome the effect of such delay. Notwithstanding the above, no compensation is due to Manager under this Agreement until services are completed as described in "Compensation for Services".
9. Work for Hire. Manager agrees that any work of authorship created or developed by Manager during the rendition of services to Owner, either individually or jointly with others, in the course of the rendition of services to Owner (including, but not limited to business or site plans, electrical diagrams, research reports, plans, permits, models and marketing or public relations documents) shall be

deemed a "work for hire," and the exclusive property of Owner. With respect to any invention, trade secret, or work of authorship (to the extent not deemed a "work for hire" by operation of law) created or developed in the course of the rendition of services to Owner, Manager hereby irrevocably assigns, transfers, and conveys to Owner all of Manager's right, title and interest in such property, including but not limited to, all rights of patent, copyright, trade secret or other proprietary rights in such property. Further, Manager agrees to execute any documents or take any action reasonably requested by Owner to perfect Owner's ownership of any such property. Manager further agrees that, to the best of its knowledge, all work created or developed by Manager will be original and non-infringing.

10. Professional Services. All services to be performed by Manager pursuant to this Agreement shall be performed and/or supervised by Manager. All services performed will be in keeping with the professional standards applicable in the State of Vermont. Manager shall provide services in accordance with generally accepted practices of project managers, contractors, engineers and other professionals providing similar services in the same locale under similar circumstances. All services under this Agreement, whether by Manager or Manager's employees, contractors, sub contractors, etc. will be in conformance with all applicable local, state, and federal laws, including the local ordinances referenced in Exhibit 3.
11. Deadlines for Performing Services. Services shall be rendered in a timely fashion, with the target commissioning date of November 30, 2014. Manager will not be responsible or held liable for delays beyond its control, including delays in Owner securing approval for initiation of project, delays in permitting approvals, and changes requested by the Owner that have an impact on the overall project schedule.
12. No Guarantee that Approvals Will be Obtained. Subject to the provisions of Section 5, nothing contained herein shall be construed by Owner as a guarantee that any necessary approvals or permits will be approved by any applicable municipal, state or federal agency. Manager shall not be responsible for changes at the utility with respect to tariffs, interconnection requirements or legislative changes that go into effect after the date of this Agreement.
13. Billing and Payment. Manager shall submit an invoice upon completion of payment milestones listed in "Compensation for Services". Except for the initial \$20,000 payment, which shall be invoiced and payable upon the execution of this Agreement, Owner shall make payment within fifteen (15) business days of receiving written notice from Manager that the applicable payment milestone has been achieved. If the Owner disputes any written notice requesting payment or portion thereof, the Owner shall give the Manager written notice of such dispute within fifteen (15) days after receipt of such request. In such an event, the Owner shall timely pay the undisputed portion of any such invoice and the Parties shall

meet and confer in an attempt to resolve any disputed amount. Upon resolution of any disputed amount, the agreed-upon amount shall be paid within fifteen (15) business days after resolution of the dispute. The Owner shall not be deemed to be in default of this Agreement by reason of withholding payment with respect to the disputed portion of any legitimately disputed invoice or payment. Interest on any payment which is not made shall be the lesser of two (2) percent over the per annum rate of interest equal to the prime lending rate published in the Wall Street Journal under "Money Rates" and the maximum rate permitted by applicable law. Provided this Agreement is executed by both parties by March __, 2014, the compensation shown in Section 7 is not subject to change or adjustment as a result of changes and increases in the cost of the Work, unless and to the extent such change or increase is due to or arises from a change requested by Owner (and agreed to by the Manager, in its discretion) or any breach by Owner of its obligations hereunder.

14. Project Specifications. For the payment outlined above in Section 7, Manager will provide to Owner the Project, to include Major Equipment as defined in Exhibit 1. Manager shall not modify these equipment specifications without written approval by Owner. Modifications to equipment, or extensions of warranties, shall be described in a written change order or other writing signed by both parties which, upon execution, shall be incorporated herein by reference, and in accordance with any additional terms and conditions (such as payment terms) set forth therein.
15. Events of Default. The occurrence of any of the following events shall be an "Event of Default" with respect to the applicable party under this Agreement:
 - (a) With respect to Owner, after written notice from Manager, Owner fails to make any payment on the due date therefore, and such failure continues for a period of thirty (30) days after the applicable due date.
 - (b) With respect to either Party, the other Party breaches or fails to perform any material covenant, agreement or obligation set forth in this Agreement and such breach or failure remains uncured sixty (60) days or more after the Party claiming default provides written notice to the other Party, specifying the provision pursuant to which the alleged default has occurred. The Party accused of default shall have sixty (60) days from the date of the notice to cure the default. In the event that the defaulting Party shall fail to cure the default within sixty (60) days, the non-defaulting Party shall be entitled to send a notice of termination of this Agreement to the defaulting Party and shall be entitled to pursue any and all remedies available at law or in equity.
 - (c) No Party shall be considered to be in default in the performance of its obligations under this Agreement to the extent that performance of any such obligation is prevented or delayed by a Force Majeure Event. "Force Majeure Event" means any act, event, cause or condition that prevents a

Party from performing its obligations, was not reasonably anticipated as of the date of this Agreement, and is beyond the affected Party's reasonable control, except that no act, event, cause or condition shall be considered to be an event of Force Majeure if and to the extent the Party seeking to invoke the Section has caused or contributed to the applicable act, event, cause or condition by its act, fault or negligence. A Force Majeure Event may include, but shall not be limited to the following: fires, storms, earthquakes, floods, lightening, landslides, volcanic eruptions, hurricanes, tidal waves, epidemics, tornadoes, acts of God, changes in laws or regulations, war, strikes, terrorism, riot or insurrection. If a Party is prevented or delayed in the performance of any such obligation by a Force Majeure Event, such Party shall promptly provide written notice to the other Party of the circumstances preventing or delaying performance and the expected duration thereof. The Party affected by a Force Majeure Event shall diligently endeavor to resume performance of its obligations as soon as reasonably practicable. Neither Party may use its claim of a Force Majeure Event to excuse a failure to pay when due an amount owed to the other Party hereunder unless the event of Force Majeure affects the banking system used to tender payments.

16. Term and Termination. Unless earlier terminated in accordance with this Agreement, this Agreement shall commence upon the date first set forth above and shall continue in full force until satisfactory completion of Manager's duties under this Agreement. Either party may terminate this engagement at any time with written notice. If Owner terminates for reasons other than breach or default, Owner must pay Manager for remaining milestones on a pro rata basis of percent complete. Manager must deliver project documents to Owner along with justification of percentage complete calculation for any pending milestones.
17. Right of Entry. Owner hereby grants to Manager, or represents and warrants, that permission has been duly granted for a right of entry, from time to time, by Manager's Representatives, upon the Project Site for the purpose of performing and with the right to perform all acts, assessments, research, staging, construction and installation, all to be in compliance with Owner's standard safety protocols. While on the Owner's premises or Project Site, Manager's Representatives shall confine themselves to areas designated by Owner. Manager's Representatives shall be subject to any applicable badge, pass or other physical and technical security measures employed by Owner at the project site or other Owner sites visited by them. Manager and its Representatives shall comply with all rules, regulations and guidelines specified by Owner for conduct on such sites.
18. Hazardous Wastes. Owner hereby warrants that if Owner knows or has any reason to assume or suspect that hazardous materials may exist at the Project site, Owner has so informed Manager. Owner also warrants that Owner has done all that is reasonably possible to inform Manager of any such known or suspected hazardous materials' types, quantity and location. Manager shall promptly

provide written notice to Owner if Manager observes any hazardous materials at or around the Project Site during the course of construction or installation of any equipment. In the event Manager encounters any Hazardous Material at the Property or Project Site, Manager shall promptly cease any work in progress in an orderly, safe and efficient manner and inform both BED and the Burlington International Airport of the nature and location of said Hazardous Materials. It shall then be BED's responsibility to arrange for the elimination or containment of such Hazardous Materials in a commercially reasonable manner in compliance with law to allow Manager to continue or finalize any work in progress

Manager shall comply with all applicable laws in connection with the use, handling, and disposal of any hazardous substances in the performance of its Work.

19. Cross Indemnity. Owner shall indemnify, defend and hold harmless Manager and the officers, directors, agents and employees of Manager providing services hereunder (herein collectively referred to as an "Owner Indemnified Person"), from and against any and all claims, losses, damages, liability, costs, or actions including but not limited to attorneys' fees and fees of experts and investigators which such Owner Indemnified Person may suffer or for which such Owner Indemnified Person may be held liable for by any reason of injury (including death) to any person or persons or damage to any property arising out of or resulting from, directly or indirectly, the performance of any or all of Owner's obligations under this Agreement as per Exhibit 5 and Owner's obligations under any subcontractor or other third party agreement related to the Project executed by Owner, including payments to such subcontractor or third party, except to the extent such claims arise from an Owner Indemnified Person's negligence, gross negligence, or willful misconduct.

Manager shall indemnify, defend and hold harmless Owner and the officers, directors, agents and employees of Owner providing services hereunder (herein collectively referred to as a "Manager Indemnified Person"), from and against any and all claims, losses, damages, liability, costs, or actions including but not limited to attorneys' fees and fees of experts and investigators which such Manager Indemnified Person may suffer or for which such Manager Indemnified Person may be held liable for by any reason of injury (including death) to any person or persons or damage to any property arising out of or resulting from, directly or indirectly, the Manager's performance or failure to perform of any or all of the services contracted for hereunder; failure to pay any taxes, assessments, or contributions which Manager is required to pay; bodily injury and property damage, fines, penalties, cleanup costs, costs associated with delay or work stoppage, and third party claims that in any way result from or arise from Manager owned or generated hazardous materials and substances; and any third party claims of infringement, except to the extent such claims arise from a Manager Indemnified Person's negligence, gross negligence, or willful misconduct.

This section shall survive the termination of this Agreement.

20. Remedy. Except for matters for which Manager is obligated to indemnify Owner, Manager's entire liability and Owner's exclusive remedy for all situations involving performance or nonperformance of the services contracted hereunder shall be the adjustment or correction of the services hereunder or, at Manager's option, the services shall be redone, or if after repeated efforts, Manager is unable to adequately perform, Owner shall be entitled to recover a pro-rated credit of the sums actually paid by Owner for such defective portion of the services.
21. Compliance. Manager by virtue of providing services hereunder does not assume Owner's responsibility, liability or legal responsibility for the site or otherwise undertake Owner's responsibility for reporting to any federal, state, or local public agencies any conditions at the site that may present a potential danger to public health, safety, or the environment except as far as Manager's work on the project so requires. Owner acknowledges that it is the Owner's responsibility to notify the appropriate federal, state, or local public agencies as required by law, or otherwise to disclose, in a timely manner, any information that may be necessary to prevent any danger to public health or safety. Manager shall comply with all applicable laws, regulations, regulatory guidance and industry best practices in the performance of its duties under this Agreement.
22. Notices. All notices called for by this Agreement shall be in writing and shall be deemed to have been sufficiently given or served when deposited in the mail, postage prepaid, certified and return receipt requested, addressed to the parties hereunder as shown above or to such other address as a party may advise the other in writing prior to the notice being given or served.
23. Miscellaneous. This Agreement shall be governed and construed in accordance with the laws of the State of Vermont. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of this Agreement shall remain in full force and effect and shall in no way be affected, impaired or invalidated so long as the economic or legal substance of the relationship between the parties under this Agreement is not affected in any manner materially adverse to any party. Upon such a determination, the parties shall negotiate in good faith to modify this Agreement so as to effect the original intent of the parties to the fullest extent possible. Headings, titles and paragraph captions used in this Agreement are for descriptive purposes only, and shall not be deemed to add or detract or otherwise modify the meaning of the applicable paragraph. Any delay or omission on the part of a party to exercise any right or remedy specified hereunder shall not constitute a waiver of the party's right to exercise the same in the future. The individual signing this Agreement warrants he/she has authority to sign as, or on behalf of, Manager or Owner, as applicable.

24. Confidentiality. Manager and Owner fully understand that "Confidential Information" under this Agreement shall be defined as information disclosed in writing of a competitively sensitive or proprietary nature, which is either marked as confidential or with a similar legend. Confidential Information shall include any and all information relating to the parties' businesses or operations, including without limitation documents, drawings, designs, schedules, product plans, marketing plans, technical procedures and information, manufacturing processes, software or system architecture, source code, prototypes, samples, methodologies, formulations, patent applications, know-how, trade secrets, specifications, financial statements, Project-related documentation and other business information that is marked as confidential at the time of disclosure. Manager agrees that it will not disclose any of the aforesaid, directly or indirectly, or use any of them in any manner, either during the term of the Agreement or at any time thereafter, except as authorized by Owner during the period of rendition of services to Owner and except as required by law, provided that Manager provides Owner a reasonable opportunity to review the disclosure before it is made and to interpose its own objection to the disclosure. Manager shall not retain any copies of Confidential Information (including electronic copies) after the termination of this Agreement without Owner's prior written permission.
25. Entire Agreement. This Agreement, together with the other written agreement and instrument executed concurrently herewith or pursuant to the provisions hereof, contains the entire agreement between the parties concerning the matters herein set forth and supersedes all prior agreements between them respecting such matters. Any amendments hereto shall be in writing, signed by both parties.
26. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. At the trial of any matter arising under this Agreement, only one counterpart need be produced.
27. Assignment; Binding Effect. Except as to the assignment of proceeds, Manager will not assign its interest in this Agreement, in whole or in part, without the prior written consent of the Owner. The Owner may assign its interest in this Agreement in connection with any transfer of the Property or to any affiliate it controls, by which it is controlled by or with which it is under common control. This Agreement shall be binding upon, and inure to the benefit of, both parties, and their respective heirs, representatives, successors and assigns.

a.

ENCORE REDEVELOPMENT, LLC

By: _____
Chad Farrell, Member and a duly authorized
representative of Encore Redevelopment

BURLINGTON ELECTRIC DEPARTMENT

By: _____
_____ a Duly Authorized
Representative of Burlington Electric
Department

EXHIBIT 1: LIST OF MAJOR EQUIPMENT

Component	Quan.	Unit Output	Man/Model	Warranty
Solar Modules	1,704	315W	SolarWorld SW315	25 yr
Inverter(s)	1	500kWac	Solectria 500 PE	5 yr
Data Acquisition System	1	N/A	Locus LGATE 320	5 yr
Racking System	537W	N/A	AET Rayport B	15 yr

Notes:

1. Extended warranties available for purchase
2. Procurement or installation of step-up transformer not included in scope of work
3. Racking, modules and inverters are all American-made
4. BED responsible for costs and installation of:
 - a. New production meter
 - b. New step up transformer and connections
 - c. Any required auxiliary equipment on the high side of the transformer, to include network upgrades in BED or GMP service territory
 - d. Extension of cellular or telephone communication service and infrastructure
5. The cost and installation of all materials not listed above under #4 required to achieve Project Commissioning shall be the responsibility of Manager

EXHIBIT 2 – Owner/BED Insurance Requirements

BURLINGTON ELECTRIC DEPARTMENT (B.E.D.)

INSURANCE REQUIREMENTS: TYPE 4 Contractor's Order

- 1.1 Contractor shall purchase and maintain insurance coverage for not less than the following limits:

	<u>COVERAGE</u>	<u>MINIMUM LIMIT</u>
a.	Excess/Umbrella: (in conjunction with the liabilities listed below)	
	Bodily Injury	\$3M to \$5M each occurrence \$3M to \$5M in aggregate
	Property Damage	\$3M to \$5M each occurrence \$3M to \$5M in aggregate
	(Note: A combined single limit in the range of \$3,000,000 to \$5,000,000 per occurrence is acceptable.)	
b.	Comprehensive General Liability:	
	Bodily Injury	\$1,000,000 each occurrence \$2,000,000 in aggregate
	Property Damage	\$1,000,000 each occurrence \$2,000,000 in aggregate
	(Note: A combined single limit of \$1,000,000 each occurrence, \$2,000,000 in aggregate is acceptable.)	
c.	Automobile Liability:	
	Bodily Injury	\$1,000,000 each person \$1,000,000 each occurrence
	Property Damage	\$1,000,000 each occurrence
	(Note: A combined single limit of \$1,000,000 for bodily injury and property damage liability is acceptable.)	
d.	Workers' Compensation:	Statutory Limits

- 1.2 Contractor shall purchase and maintain such comprehensive general liability and other insurance as set forth above which will provide protection from claims arising from the result of Contractor's performance and furnishing of services outlined in the awarded Purchase Order and/or Contract, whether it is performed or furnished by Contractor or by anyone directly or indirectly employed by the Contractor to perform or furnish any of the work outlined in the Purchase Order and/or Contract. The Contractor shall hold B.E.D. harmless for any and all damages/claims (including but not limited to bodily/personal injury, property damage, loss of income, business interruption, or wrongful death), while performing or as a result of, work assigned/related to the awarded contract.
- 1.3 Contractor shall provide B.E.D. with a certificate of insurance for coverages set forth above which shall not be subject to cancellation without at least thirty (30) days advance written notice to B.E.D. Such evidence of insurance shall be received at B.E.D. before the commencement of work, or Purchase Order and/or Contract is awarded, whichever is sooner, and such insurance shall be maintained throughout the duration of awarded contract. Forward certificate of insurance to Burlington Electric Department, 585 Pine St., Burlington, VT 05401, Attention: Insurance Analyst.
- 1.4 Any claim in excess of limits set forth above or which are not covered by the Contractor's comprehensive general liability, automobile liability, or worker's compensation insurance are the sole responsibility of the Contractor.
- 1.5 B.E.D. and/or any affiliated or subsidiary companies shall be recognized as additional insureds with respect to insurance. Coverage provided by the contractor shall be primary to any other valid and collectible insurance available with respect to B.E.D. as additional insured.

Revised 9/9/2010

EXHIBIT 3 – Ordinance Compliance and Certifications

COMPLIANCE WITH LAWS: The Manager shall comply with all applicable federal, state and local laws, including but not limited to the City of Burlington's Livable Wage Ordinance, Outsourcing Ordinance, and Union Deterrence Ordinance. As a condition of this contract, the Contractor shall submit the written certifications required by the ordinances attesting to compliance. Said certifications are attached below.

Certification of Compliance with the City of Burlington's

Livable Wage Ordinance

I, _____, on behalf of Encore Redevelopment, LLC (Manager) and in connection with the Project Development and Construction Agreement with Burlington Electric Department dated March __, 2014, hereby certify under oath that (1) Manager shall comply with the City of Burlington's Livable Wage Ordinance; (2) as a condition of entering into this contract or grant, Manager confirms that all covered employees, as defined by Burlington's Livable Wage Ordinance, shall be paid a livable wage for the term of the contract as determined and adjusted annually by the City of Burlington's Chief Administrative Officer, (3) a notice regarding the applicability of the Livable Wage Ordinance shall be posted in the workplace or other location where covered employees work, and (4) payroll records or other documentation, as deemed necessary by the Chief Administrative Officer, shall be provided within ten (10) business days from receipt of the City's request.

Dated at _____, Vermont this ____ day of _____, 2014.

By: _____
Duly Authorized Agent

Subscribed and sworn to before me: _____
Notary

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

I, _____, on behalf of Encore Redevelopment, LLC (Manager) and in connection with the Project Development and Construction Agreement with Burlington Electric Department dated March __, 2014, hereby certify that all services provided under this contract shall be performed in the United States or Canada. I understand that this requirement also applies to any subcontractor I may hire to provide services for the City of Burlington. .

Dated at _____, Vermont this ____ day of _____, 2014.

By: _____
Duly Authorized Agent

Subscribed and sworn to before me: _____
Notary

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

I, _____, on behalf of Encore Redevelopment, LLC (Manager) and in connection with the Project Development and Construction Agreement with Burlington Electric Department dated March __, 2014, hereby certify that Manager (1) shall comply with the City of Burlington's Union Deterrence Ordinance; (2) has not advised the conduct of any illegal activity under that Ordinance, (3) does not currently, and will not over the life of the contract provide union deterrence services in violation of this Ordinance.

Dated at _____, Vermont this ____ day of _____, 2014.

By: _____
Duly Authorized Agent

Subscribed and sworn to before me: _____
Notary

EXHIBIT 4 – Duties of Manager

A. Project Management

- Provide BED with weekly progress reports tracking progress towards project schedule
- Promptly notify BED of any issues that arise with Project.
- Designate a Project Manager as single point of contact for technical, regulatory, legal or financial matters
- Coordinate with various stakeholders and jurisdictions to ensure code compliance and safety standards

B. System Design

- Coordinate with BED and Airport on system design criteria
- Provide electrical engineering and production optimization
- Provide civil/structural design and warranty verification
- Coordinate with cell service provider proposing antennas at site to ensure compatibility between separate facilities
- Ensure technical compliance with State and local electrical and building code where applicable

C. Interconnection Approval

- Submit 5.500 interconnection application and supporting documentation.
- Interface with BED (and GMP as necessary) to ensure system stability
- Facilitate interconnection study process with inverter and transformer manufacturers
- Facilitate execution of Generator Interconnection Agreement (GIA) as deemed necessary
- Procure communications service as necessary from local provider

D. Permitting

- Prepare Section 248 filing with Vermont Public Service Board, including 45-day notice of pending application
- Draft supporting documents including necessary expert testimony for applicable criteria.
- Support necessary tasks including pre-hearing conference, public hearings, technical hearings as necessary
- Obtain, in BED's name, a Certificate of Public Good (CPG) and all other applicable local, State and Federal permits including Federal Aviation Administration (FAA) determination and State Electrical Inspection.

E. Procurement

- Responsible for purchase of all project equipment up to the Point of Interconnection. See Exhibit 1 for breakdown/specifics of key components.
- Manage logistics related to shipping and delivery of equipment
- Provide equipment warranties as shown in Exhibit 1

F. Construction

- Obtain all necessary construction permits
- Coordinate with BTV airport management for construction access, staging/laydown areas, security authorization and scheduling.
- Limit use to only those areas defined as either temporary areas for construction use, or areas defined as within the Project Site
- Hire and work with construction contractor to install facilities per approved design
- Clean up after each day's work during any erection, installation, operation, maintenance, repair, replacement, or improvement of the Solar Facilities to the degree necessary to provide for entrance and exit, public safety, fire lanes, and operation of all necessary Burlington International Airport business.

G. Commissioning

- At the conclusion of any erection, installation, operation, maintenance, repair, replacement, or improvement of the Solar Facilities, Manager or its subcontractors or agents shall clean up and remove all equipment, excess materials, and wastes etc., and shall promptly return the Property and/or Premises to its prior condition (excluding any approved construction or additions by BED) as it existed prior to any work by Manager
- Coordinate with BED to energize project and confirm project meets technical specifications
- Configure data acquisition system (DAS) and provide access credentials to BED
- Provide BED with long term operations & maintenance manual and close-out documentation.

EXHIBIT 5 – Duties of Owner/BED

A. Project Management

- Provide a primary and alternate point-of-contact for Manager to communicate with

B. System Design

- Coordinate with Manager and Airport staff to facilitate and approve project design up to the Point of Interconnection

C. Interconnection Approval

- Coordinate with BED engineering to obtain expedited approval (30 days maximum from date of 5.500 submittal)
- Obtain approval from GMP as deemed necessary
- Perform (or pay to perform) necessary system impact studies and facilities studies

D. Permitting

- Facilitate waiver of 45-day Notice with City and Regional Planning Commission
- Perform (or pay to perform) alternatives analysis and compliance studies required for CPG
- Provide direct testimony as necessary concerning utility and economic criteria (§248(b)(2,4,6,7,10)).

E. Procurement

- Procure production meter, transformer and any auxiliary equipment required from the Point of Interconnection to BED's Distribution System.

F. Construction

- Install production meter, transformer and any auxiliary equipment on high side of transformer

G. Commissioning

- Coordinate system testing and inspections to support energizing and commissioning of system

MEMORANDUM

TO: Burlington Board of Finance and City Council

FROM: Ken Nolan, Manager of Power Resources

DATE: March 5, 2014

RE: **Burlington International Airport Solar Installation**

cc. Barbara Grimes, BED General Manager

Background

In November, 2012 BED issued a Request for Proposals seeking solar installations on more than a dozen city owned properties. Several facilities fell off the list due to not receiving any proposals, or receiving proposals which were not cost effective. Several others remain in process. The first property to reach the milestone of having a negotiated agreement for installation is the Burlington International Airport parking garage.

In response to the RFP BED received nine (9) proposals from six (6) separate companies. After completing an economic analysis, and discussing the proposals with airport staff, BED chose three (3) vendors (NextSun Energy, American Capital Energy, and Encore Redevelopment) to conduct site visits and prepare detailed binding proposals. The bidders submitted a range of proposals that involved variations of 1) BED ownership, 2) Airport Ownership, 3) third party ownership and a contract with BED, 4) third party ownership and a contract with the airport.

BED and Airport staff then reviewed the proposals to determine both the lowest cost option and the option that best balanced risks among the involved parties. Upon completing the review both BED and the Airport were in agreement to move forward with a hybrid structure whereby BED would own the solar installation and “lease” space on the parking garage roof from the airport, and one of the bidders would be hired to complete a turnkey installation of the project. This contractual structure provided the airport with a fixed revenue stream while leaving all of the management issues surrounding the solar generator with BED, and using a seasoned solar developer to complete the work.

Bid Review and Awarded Winner

BED then awarded the bid to Encore Redevelopment, to move toward development of contract documents. Encore’s proposal, with BED ownership, is anticipated to produce a Net Present

Value benefit to the city of \$516,000 over 20-years.

The next closest option, from American Capital Energy, was a completely different structure requiring third party ownership of the solar array, a power purchase agreement with BED, and lease payments to the airport. It would have required BED and the airport to give up rights to any Renewable Energy Credits after 5-years, and would have produced a net present value benefit to the city of only \$373,000.

The last option from NextSun Energy had pricing that did not produce a net benefit to the city. After the site visit NextSun revised their proposal in a manner that increased the costs significantly from their original bid, taking them out of the running in relation to the other two bidders.

The enclosed contract for your review/approval represents the agreement between BED and Encore Redevelopment to design, permit, and construct a roughly 500kW solar array to be owned and operated by BED.

Cost and Funding

The total project construction cost is estimated at \$1.5 million with the Encore Redevelopment contract representing \$1,213,250, and the remaining roughly \$287,000 representing BED's staff time and direct equipment (transformers, metering, etc.) needed to support the project. All of these funds will be taken from a 2009 bond approved by city voters and issued by BED to acquire renewable energy. No funds will be needed from the airport or general fund departments. Ongoing O&M costs will be covered in BED operating budget in a similar fashion to other owned generators.

Other Agreements

In addition to the contract with Encore Redevelopment, BED and the Airport will be entering into an MOU that in essence "leases" the airport parking garage roof to BED for the purpose of owning and operating the solar array. In return for this lease BED will pay the airport a fee intended to pass 50% of the net value of the power produced by the facility to the airport. These lease payments are presently estimated at \$19,000 per year to be reflected as a fixed payment in the MOU document.

Critical Milestones and Approval Request

The pricing obtained in the contract with Encore Redevelopment is very time sensitive in that solar panel prices are becoming increasingly volatile. Encore has obtained favorable pricing for all American made products, but cannot hold this pricing indefinitely. They have indicated that city approval by March 10, 2014 is acceptable, but any approvals beyond this time may require a price increase.

Therefore, BED is asking for concurrent approval of the Encore Redevelopment contract and the BED/Airport MOU by the Board of Finance and City Council on March 10, 2014.



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

Fee \$25.00

**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 Treehouse Inc / Tree Bertram
2. D/B/A (Business Name) El Gato Cantina 3. Bus. Phone 802 540-3095
4. Business Address 169 Church St, Burlington
5. Mailing Address " "
6. Contact person David Beams 7. Contact Phone 617-549-8643
8. Email contact address dbeams2@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 3/15/14
4. Proposed Hours for this Special Event 10pm - 1am
5. Proposed Location for this Special Event Specify if event will be on City street or right-of-way
At El Gato (169 Church St)

For this Proposed location please answer the following questions:

- a) Occupancy Load 101 b) # of Restrooms 2 c) # of Egresses 3
- d) Date of last Fire/Safety Check 2/14 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)

Fee \$25.00

**PART III
DESCRIPTION OF ENTERTAINMENT**

Please give DETAILED description of the type of entertainment for which you are applying:

Description Salsa Night. DJ and Salsa dancing
Bar will remain open but kitchen will close.

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: 2-25-14

SIGNATURE OF APPLICANT David Beams

PRINT NAME: David Beams

RELATIONSHIP TO BUSINESS General manager

OFFICE USE ONLY

Fee Paid \$ 25.00 Date: 2/25/14 Fee Returned \$ _____ Date: _____

At their meeting of 3/5/14, the Burlington City Council License Committee recommended
Approval X Denial _____

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



2013 2014
May 1, 2012 -- April 30, 2013

Fee \$25.00

**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 MM Small and Co LLC
2. D/B/A (Business Name) Manhattan Pizza Pub 3. Bus. Phone 802 658 6776
4. Business Address 167 Main St
5. Mailing Address 167 Main St
6. Contact person Sam Tolstoi 7. Contact Phone 973 886 8151
8. Email contact address bookingmanhattan@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 3/23/14
4. Proposed Hours for this Special Event 9-1am
5. Proposed Location for this Special Event Specify if event will be on City street or right-of-way

For this Proposed location please answer the following questions:

- a) Occupancy Load 88 b) # of Restrooms 2 c) # of Egresses 3
d) Date of last Fire/Safety Check 2/16/13 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

*Paid
\$1414
check # 3139*

(Continued on back)

PART III DESCRIPTION OF ENTERTAINMENT

Please give DETAILED description of the type of entertainment for which you are applying:

Description Hosting a benefit event for a new small
business in Burlington. Event will include
2 local bands with amplified music.

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: 2/24/14

SIGNATURE OF APPLICANT 

PRINT NAME: Sam Tolstov

RELATIONSHIP TO BUSINESS owner

OFFICE USE ONLY

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

At their meeting of 3/5/14, the Burlington City Council License Committee recommended

Approval X Denial _____

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



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

Fee \$25.00

**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 THE SKINNY PANCAKE INC
2. D/B/A (Business Name) The Skinny Pancake 3. Bus. Phone (802) 540-0188
4. Business Address 60 Lake Street Suite 1A
5. Mailing Address Burlington VT, 05401 (same address)
6. Contact person Lauren Nealy 7. Contact Phone (802) 233-5243
8. Email contact address Nealy@HaveYourCakeCatering.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 March 14, 2014
4. Proposed Hours for this Special Event 8pm - 2am
5. Proposed Location for this Special Event Specify if event will be on City street or right-of-way
Skinny Pancake, 60 Lake Street (INSIDE)

For this Proposed location please answer the following questions:

- a) Occupancy Load 190 b) # of Restrooms 10 c) # of Egresses 3
- d) Date of last Fire/Safety Check July 2013 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)

Fee \$25.00

**PART III
DESCRIPTION OF ENTERTAINMENT**

Please give DETAILED description of the type of entertainment for which you are applying:

Description We will be having "Toy Soldiers" play on
Friday March 3rd, 2014 and would love to
move our tables so our patrons can dance
their hearts out!

RECEIVED
MAR-3 2:14
BURLINGTON
CLERK'S OFFICE

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: 3/3/14

SIGNATURE OF APPLICANT Lauren Nealy

PRINT NAME: Lauren Nealy

RELATIONSHIP TO BUSINESS Catering + Events Manager

OFFICE USE ONLY

chk# 21153 lo

Fee Paid \$ 25.00 Date: 3/3/14 Fee Returned \$ _____ Date: _____

At their meeting of 3/5/14, the Burlington City Council License Committee recommended
Approval X Denial _____

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

3/4/14

I RESIGNE from the
Police Commissioner.

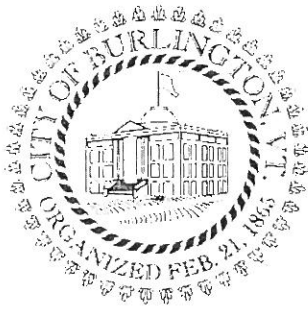
Respectfully submitted,



PHILIP LAVIGNE

RECEIVED

2014 MAR -4 10 23 AM
BURLINGTON
TREASURY OFFICE



Office of Mayor Miro Weinberger

MEMORANDUM

To: City Council
From: Mayor Miro Weinberger *MW*
Date: January 17, 2014
Re: Reappointment of Michael Knauer to BHA Board of Commissioners

This memo is to inform the City Council that I am reappointing Michael Knauer to the Burlington Housing Authority Board of Commissioners. Pursuant to 24 V.S.A. § 4004(a), the Mayor has sole authority to appoint BHA commissioners.

Michael has ably served three 5-year terms on the BHA Board. His previous public service includes serving on the Burlington School Board from 1985-1988. Mike and his wife have three children and have lived in Burlington's New North End for the past 24 years. He received his Bachelor of Science degree in Computer Science from Massachusetts Institute of Technology. Mike is a consulting manager at Hewlett-Packard Company.


This appointment is effective January 17, 2014 and expires January 17, 2019.

CC: Paul Dettman, BHA
Michael Knauer



Office of Mayor Miro Weinberger

MEMORANDUM

To: City Council
From: Mayor Miro Weinberger 
Date: March 4, 2014
Re: Appointment of Dr. Pablo Bose to BHA Board of Commissioners

This memo is to inform the City Council that I am appointing Dr. Pablo Bose, Assistant Professor in the Department of Geography at the University of Vermont (UVM), to the Burlington Housing Authority Board of Commissioners. Pursuant to 24 V.S.A. § 4004(a), the Mayor has sole authority to appoint BHA commissioners.

Pablo's work has focused on issues related to migration, transnationalism, diasporas, and diverse environments. According to his UVM biography, his earlier work focused on environmental advocacy and grassroots social justice issues, and his current research includes "work on refugee resettlement in non-traditional destinations, examining the impact on both receiving locations and migrant communities of their resettlement in places like Chittenden County." Pablo also served as a member of the Public Investment Team charged with reviewing community proposals submitted to the Public Action Investment Plan as part of the process to develop ideas for potential infrastructure investments in the City's waterfront. Pablo will bring an important perspective as BHA continues to provide housing and rental assistance to both New American and native-born households from diverse backgrounds.

This appointment is effective retroactive to January 17, 2014 and expires January 17, 2015, as Pablo will serve the remainder of Clarence Davis's original term.

CC: Paul Dettman, BHA
Dr. Pablo Bose



OFFICE OF THE CLERK/TREASURER

City of Burlington

City Hall, Room 20, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000

Fax (802) 865-7014

TTY (802) 865-7142

TO: Board of Finance
FROM: Bob Rusten, Chief Administrative Officer
DATE: February 4, 2014
RE: Quarterly Budget Amendment Reports - Updated

Good evening everyone.

At your 1/27/14 Board of Finance (BoF) meeting the CAO office presented the quarterly Budget Amendment Report as required in the most recent Resolution entitled "DELEGATION OF AUTHORITY FOR BUDGET-NEUTRAL AMENDMENTS WITHIN CITY DEPARTMENTS' INDIVIDUAL BUDGETS".

The Resolution does not specify any requirements for that Report.

During the Report discussion we identified that it took over 11 hours to create the Report, as it was customized to be easily readable.

The question arose as to whether the Report provided sufficient information to warrant the time spent in its creation. The BOF was generally in agreement that it did not, and I was tasked to present an alternative to the current process.

I propose the following:

- Unless and until the Report requirement is removed that we continue to prepare a quarterly Report to be discussed by the BoF and to be sent to the City Council.
- The Report will include any Budget Amendment where any one budget account line change, revenue or expense, exceeds \$25,000.
- The Report will include any Budget Amendment whose total of changes, revenue and expense, exceed \$50,000.
- The Report will include any Budget Amendment that totally eliminates all of the originally budgeted revenue or expense.
- Assistant CAO Scott Schrader will maintain a folder in his office that will hold all Budget Amendments (BA) for any one quarter. BoF members can ask for that folder to be brought to a BoF meeting, or can personally review that folder.

Under the current Resolution the CAO has the authority to approve a BA if a line does not exceed \$25,000. The Mayor has the authority to approve a BA if any line is more than \$25,000 and less than \$50,000. We are suggesting these amounts as the criteria for the written Report.

I hope this is helpful and look forward to our discussion at the February 3, 2014 BoF meeting.

The City of Burlington does not discriminate on the basis of political or religious affiliation, race, color, national origin, age, sex, sexual orientation, marital status, veteran status or disability. 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 or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made.



OFFICE OF THE CLERK/TREASURER

City of Burlington

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Fax (802) 865-7014

TTY (802) 865-7142

February 21, 2014

To: Joan Shannon, City Council President

From: Scott Schrader, Asst. Chief Administrative Officer

Re: Agenda Preparation Software (BoardDocs) Training

I have been working with BoardDocs and Lori to develop a schedule of implementation for the new agenda preparation software the City has recently acquired. It is our intent to begin using the software with the induction of the new City Council on April 6th. Under this schedule administrative and end user training (City Council) will occur on April 1st and April 2nd respectively. This will mean that Councilors not yet seated will take the training prior to their first meeting. The training will take place with a representative of BoardDocs present and, as it relates to the City Council training, will take place in the evening in the City Council chambers. All City Councilors will be required to bring their laptops or other portable devices that they would be using to access the website hosting the agenda to the training session.

Moving forward from that training, agenda preparation training of department heads and/or their designees and City Attorney staff will be conducted during the month of April to instruct employees responsible for requesting items to be placed on an agenda on the design, policies and procedures of the new software, with the end goal being an all-electronic process from beginning to end. However, this training will not impact the Councilor's ability to use BoardDocs as of April 6th.

If you have any questions or concerns regarding this schedule or the training, please advise. Additional information will be provided as it becomes available.

Thank you.

Sweep Accounts & Other Bank Accounts

Fund	Account #	Fund Name	Bank	Account Description	10/25/2013	11/21/2013	12/27/2013	1/22/2014	2/20/2014	
					Amount	Amount	Amount	Amount	Amount	
101		General Fund	TD Bank	Sweep - Main Operating	534,508	1,090,816	2,824,956	3,992,116	1,675,082	
101	1000_175	General Fund	KeyBank	Stability Bond Proceeds	1,927,123	8,927,123	5,927,122	27,123	27,123	A
Various	1100_	Various	KeyBank	Water, Wastewater, Storm - Depository	1,746,259	1,555,232	1,555,232	478,889	1,125,641	
483	1000_480	BT	TD Bank	Telecom -Depository	1,622,929	1,846,579	1,770,819	1,681,403	1,727,765	
400	1000_400	Airport	TD Bank	Airport - Depository	296,096	340,211	711,210	329,975	234,743	
125	1000_126	Retirement	KeyBank	Retirement - Disbursements	56,256	56,256	56,256	5,000	5,000	
235	1100_	TIF	KeyBank	TIF	1,263,912	1,097,395	1,097,395	1,666,092	1,274,447	F
700		Capital	KeyBank	Capital Improvements Project	2,000,000	537,745	527,712	517,709	346,090	
201	1100	Impact	KeyBank	Impact Fees	731,147	747,446	747,446	597,157	559,757	
700	1100_700	Capital	TD Bank	Pennies for Parks	767,022	389,707	389,723	253,765	581,185	
264	1000_200	General Fund	TD Bank	Traffic - Depository	679,324	247,485	247,485	388,523	5,000	
301	1000_300	CEDO	KeyBank	Bank Account (s)	103,619	187,988	303,747	332,143	273,072	
400	1050_425	Airport	TD Bank	Operating Maintenance Reserve	3,102,569	3,103,096	3,103,495	3,103,891	1,104,246	B
400	1050_400	Airport	TD Bank	Debt Service Fund	1,811,744	1,812,012	2,537,383	1,982,891	2,345,736	
400	1100_450	Airport	TD Bank	Passenger Facility Charges	2,020,218	2,737,463	2,624,178	2,629,522	2,620,839	
400	1000_415	Airport	TD Bank	Prepaid - Debt Coverage Improvement	485,478	485,561	485,623	485,685	485,747	
400	1050_415	Airport	Mellon	Delta Airlines Escrow	450,000	450,000	450,000	450,000	450,000	
400	1050_487	Airport	Peoples	Debt Service Res 2012 A	1,359,252	1,359,252	1,359,252	1,359,252	1,359,252	
400	1050_488	Airport	Peoples	Debt Service Res. 2012 B	638,518	638,518	638,518	638,518	638,518	
400	1050_489	Airport	Peoples	Debt Service Res. 2012 C	7,164	7,164	7,164	7,164	7,164	
400	1050_490	Airport	Peoples	Debt Service Res. 2012 ABC COI	120,709	120,709	120,709	120,709	120,709	
400	1050_491	Airport	Peoples	2012 ABC Construction	5,446	5,446	5,446	5,446	5,446	
400	1050_430	Airport	TD Bank	Cash Reserve - Required by Bond Covenant	215,189	215,226	215,253	215,281	215,308	
600	1000_600	BCDC	KeyBank	BCDC - Reserve Requirements	7,069	7,069	7,069	7,069	7,069	
603	1000_603	BCDC	KeyBank	BCDC - Depository				143,127	146,526	
605	1000_605	BCDC	TD Bank	BCDC - Reserve Requirement	107	107	107	107	107	
500's	1100_500	Perpetual	KeyBank	Cash Miscellaneous	27,070	27,070	27,070	27,070	27,070	
101	1050_107	General Fund	KeyBank	Equitable Sharing		600,000	600,000	600,000	600,000	
704	1000_700	Capital	TD Bank	Green Mountain Power	140,620	140,715	140,715	140,751	140,751	
101	1000_102	General Fund	TD Bank	HR (ERRP) Reimbursements	6,686	6,686	6,686	6,686	6,686	
101	1000_110	General Fund	TD Bank	Safeguard - Main Operating	26,429	26,431	26,432	26,434	26,436	
101	1000_125	General Fund	TD Bank	Payroll - ADP Disbursement	13,547	13,548	13,549	13,550	13,551	
503	1100_503	Perpetual	KeyBank	Walter Carpenter Fund	1,810	1,810	1,810	1,810	1,810	
504	1100_504	Perpetual	KeyBank	Christmas Account Fund	1,619	1,619	1,619	1,619	1,619	
505	1100_505	Perpetual	KeyBank	Lolita Deming Estate	11,217	11,217	11,237	11,238	11,239	
506	1100_506	Perpetual	TD Bank	Cash Firemen's Relief Trust	628	628	628	628	628	
507	1100_507	Perpetual	KeyBank	Firemen Fund	28,072	28,074	28,076	28,079	28,080	
301	1050_450	CEDO	TD Bank	HODAG	67,299	67,310	67,318	-	-	
400	1050_470	Airport	KeyBank	Revenue Anticipation Line of Credit	3,730	3,770	3,699	-	-	
400	1050_410	Airport	NSB	Grant Anticipation Reserve	300,000	300,000	300,000	-	-	
Totals					22,580,385	29,194,484	28,942,139	22,276,421	18,199,442	

Sweep Accounts & Other Bank Accounts

Fund	Account #	Fund Name	Bank	Account Description	10/25/2013	11/21/2013	12/27/2013	1/22/2014	2/20/2014
					Amount	Amount	Amount	Amount	Amount

(Due To) / Due From

Amounts that are positive owe to the Sweep Account.

Fund	Account	Fund Name		Account Description	9/30/2013	10/31/2013	11/31/2013	12/31/2013	1/31/2014
					Amount	Amount	Amount	Amount	Amount
101	1100_101	General Fund		General Fund	(29,288,882)	(38,014,372)	(8,268,778)	(6,330,912)	(13,410,126)
Capital	1100_700	Capital		Capital Fund	3,997,210	6,906,044	4,346,437	5,656,652	4,862,274
190	1100_190	School		School Fund	12,477,383	16,012,802	(4,670,881)	(6,178,038)	(2,248,172)
125	1100_125	Retirement		Retirement Fund	2,363,745	2,003,109	1,413,977	1,660,263	1,990,164
301	1100_301	CEDO		Community & Economic Dev. Fund	1,905,005	1,953,685	1,944,492	1,910,931	1,989,696
400	1100_400	Airport		Airport Fund	782,155	1,093,340	2,544,122	1,304,684	35,423
484	1100_484	BT		Burlington Telecom - Unfunded	16,936,492	16,936,492	16,936,492	16,936,492	16,936,492
501	1100_501	Perpetual		Cemetery Perpetual Care Fund	(1,035,889)	(1,053,708)	(1,056,131)	(1,056,164)	(1,056,164)
230	1100_230	CSM		Church Street Marketplace Fund	145,182	63,241	91,735	150,393	151,072
603	1100_603	BCDC		BCDC Fund	(128,009)	(129,552)	(142,072)	0	0
				Tax Anticipation Note - Nothing Owed	0	0	0	0	0
Total					8,154,391	5,771,080	13,139,392	14,054,301	9,250,658

C

D

E

Notes:

A The Stability Bonds have been used to pay for operating expenses. This amount will be fully replenished with our tax payments received on March 12th.

B Airport operating reserves were used for capital expenses incurred. This account will be fully replenished with reimbursement from the FAA for federal approved projects by the third week of March.

C The amount owed to the General Fund prior to a tax collection period is higher due to the cycle of cash flows. The amount owed to the General Fund will be dramatically reduced with the March tax payments.

D The amount owed to School Fund declines every month after a tax collection period.

E The Airport Fund owes the General Fund \$35,423. This was the result of debt payments made on semi-annual basis on January 1st, and the drop in revenues typically seen in the winter months. The airport cash position will strengthen in the months, April - June.

F The TIF Fund balance was reduced as a result of the Urban Reserve Debt being paid off in full.

City of Burlington

January 2014

FINANCIAL STATEMENTS





OFFICE OF THE CLERK/TREASURER

City of Burlington

City Hall, Room 20, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000

To: Mayor, City Council, and Board of Finance

From: Bob Rusten, Chief Administrative Officer
Rich Goodwin, Assistant Chief Administrative Officer

Date: February 24, 2014

Subject: January 2014 Financial Report

This report summarizes the City of Burlington financial performance through January 2014. It compares actual revenues and expenditures against the amended budget for Fiscal Year 2014. In addition, it highlights any significant variances.

Financial analysis and summaries are provided for the General Fund, Enterprise Fund, and Special Funds. This was the first month we requested narratives, and this report includes what was submitted

General Funds Departments

00 -Non- Departmental:

The total year-to-date (YTD) revenue budgeted for this department is \$41.7 million, and the amount collected is \$21.4 million representing 51.3% of projected revenue. The primary revenue sources consist of the following: property taxes, pilot fees, fees for services, gross receipts, tax increment financing, and miscellaneous taxes.

The Non-Departmental budget represents approximately 67% of revenue for the General Fund. The detail for the Non-Departmental is shown in tables below:

As you can see, Property Taxes and Pilot Fee revenue are on track YTD.

Account	Description	Amended Budget	YTD Transactions	BalanceLeftTD	% Collected
Property Taxes					
4000_220	Property Taxes Debt Service	\$ 2,241,285.00	\$ 1,134,663.93	\$ 1,106,621.07	50.6%
4000_210	Property Taxes Retirement	\$ 6,461,614.00	\$ 3,271,198.41	\$ 3,190,415.59	50.6%
4000_200	Property Taxes County	\$ 174,827.00	\$ 88,551.77	\$ 86,275.23	50.7%
4000_190	Property Taxes CCTA	\$ 1,475,542.00	\$ 746,918.45	\$ 728,623.55	50.6%
4000_180	Property Taxes Library Tax	\$ 174,827.00	\$ 88,551.77	\$ 86,275.23	50.7%
4000_170	Property Taxes Highway / Streets	\$ 1,090,922.00	\$ 552,694.30	\$ 538,227.70	50.7%
4000_165	Property Taxes Penny for Parks	\$ 349,654.00	\$ 176,377.82	\$ 173,276.18	50.4%
4000_160	Property Taxes Parks	\$ 874,136.00	\$ 442,736.03	\$ 431,399.97	50.6%
4000_150	Property Taxes Housing Trust	\$ 188,813.00	\$ 95,694.89	\$ 93,118.11	50.7%
4000_130	Property Taxes Open Space	\$ 188,813.00	\$ 95,694.89	\$ 93,118.11	50.7%
4000_120	Property Taxes Police/Fire	\$ 2,821,711.00	\$ 1,428,868.88	\$ 1,392,842.12	50.6%
4000_110	Property Taxes Capital Street	\$ 2,157,368.00	\$ 1,057,046.35	\$ 1,100,321.65	49.0%
4000_100	Property Taxes General City	\$ 8,318,279.00	\$ 4,029,905.59	\$ 4,288,373.41	48.4%
	Total Property Taxes	\$ 26,517,791.00	\$ 13,208,903.08	\$ 13,308,887.92	49.8%
Pilot Fees					
4027_113	Pilot Burlington Telecom	\$ 46,500.00	\$ 49,694.24	\$ (3,194.24)	106.9%
4027_110	Pilot Champlain Housing Trust	\$ 11,638.00	\$ 16,084.62	\$ (4,446.62)	138.2%
4027_109	Pilot Burl Area Foundation	\$ 1,700.00	\$ 1,766.04	\$ (66.04)	103.9%
4027_108	Pilot VPPSA	\$ 104,000.00	\$ 107,958.44	\$ (3,958.44)	103.8%
4027_107	Pilot Burl Housing Authority	\$ 55,000.00	\$ 118,739.82	\$ (63,739.82)	215.9%
4027_106	Pilot Fern	\$ 41,500.00	\$ 43,812.00	\$ (2,312.00)	105.6%
4027_105	Pilot Cathedral Square	\$ 32,000.00	\$ 33,357.00	\$ (1,357.00)	104.2%
4027_104	Pilot Degoesbriand Unit Pilot.	\$ 22,000.00	\$ -	\$ 22,000.00	0.0%
4027_103	Pilot Burlington Electric	\$ 390,000.00	\$ 377,229.32	\$ 12,770.68	96.7%
4027_102	Pilot Howard Health	\$ 24,500.00	\$ 25,430.78	\$ (930.78)	103.8%
4027_101	Pilot Wastewater	\$ 425,000.00	\$ 432,432.38	\$ (7,432.38)	101.7%
4027_100	Pilot Water	\$ 181,500.00	\$ 187,378.62	\$ (5,878.62)	103.2%
4025_105	Pilot Local	\$ -	\$ 37,566.69	\$ (37,566.69)	
4025_100	Pilot State	\$ 746,000.00	\$ 674,329.00	\$ 71,671.00	90.4%
	Total Pilot Fees	\$ 2,081,338.00	\$ 2,105,778.95	\$ (24,440.95)	101.2%

At a glance from the table shown below, you will see YTD performance is on track. The one area that we will focus on is fees for services. We will work with University of Vermont (UVM) to finish an agreement, and typically Fletcher Allen pays the City at the end of the fiscal year.

Account	Description	Amended Budget	YTD Transactions	BalanceLeftTD	% Collected
Fees For Services					
4600_103	Fees For Services Champlain College	\$ 103,000.00	\$ 60,273.74	\$ 42,726.26	58.5%
4600_102	Fees For Services UVM	\$ 1,220,000.00	\$ 40,248.26	\$ 1,179,751.74	3.3%
4600_101	Fees For Services Fletcher Allen Hospital	\$ 410,000.00	\$ 107,207.75	\$ 302,792.25	26.1%
	Total Fees For Services	\$ 1,733,000.00	\$ 207,729.75	\$ 1,525,270.25	12.0%

Other Revenue

Other revenue includes Street Franchise Fees, Gross Receipts, Tax Increment Financing, and miscellaneous taxes. We are track to budget. However, sales tax and gross receipts can be extremely volatile even in stable economic times; therefore, staff continues to monitor this large revenue source on a monthly basis and investigate significant variances. It should be noted, we do not receive our Commercial Tax Assessment fees until the last month of the fiscal year.

Account	Description	Amended Budget	YTD Transactions	BalanceLeftTD	% Collected
4230	Street Franchise Fees	\$ 2,200,000.00	\$ 1,156,482.37	\$ 1,043,517.63	52.6%
4020	Gross Receipts	\$ 2,800,000.00	\$ 1,684,088.86	\$ 1,115,911.14	60.1%
4015	Tax Increment Financing	\$ 2,289,497.00	\$ 1,000,419.07	\$ 1,289,077.93	43.7%
Miscellaneous Taxes					
4010	Local Option Sales Tax	\$ 2,180,000.00	\$ 541,585.56	\$ 1,638,414.44	24.8%
4005	DID Taxes	\$ 310,082.00	\$ 153,519.85	\$ 156,562.15	49.5%
4002	Commercial Tax Assessment	\$ 1,072,414.00	\$ -	\$ 1,072,414.00	0.0%
	Total Miscellaneous Taxes	\$ 3,562,496.00	\$ 695,105.41	\$ 2,867,390.59	19.5%
	Grand Total	\$ 41,184,122.00	\$ 20,058,507.49	\$ 21,125,614.51	48.7%

The Non- Department Expenditures has an annual budget of \$17.7 million. This includes \$4.6 million in health benefit expenditures. Currently, we carry all cost of health insurance in a separate distinct fund, but budget the expense in the General Fund. We will need to provide a budget modification to transfer this budgeted expenditure to the Self Insurance Fund. This change will modify our budget to \$13.1 million. The total expenditures incurred are \$4.6 million, or 35% of the total revised budget. The YTD expenditures are on track to plan.

04 - Clerk / Treasurer:

The annual revenue for the Clerk/Treasurer's office is \$2.6 million, and the YTD collected is \$1.6 million, representing total collections of 62.9%. This number is slightly less than what was collected at this time of year 64%. We feel confident that we are on target and will achieve our revenue goals for the year.

The annual expenditures for the Clerk/Treasurer's Office are \$1.9 million, and our YTD expenditures are \$1.3 million, representing total expenditures to be 64.3%, compared to 61.0% from the prior year. The Clerk/Treasurer's office required additional support for the annual audit, and incurred additional costs to build the foundation of Kronos. The Kronos clocks will automate and streamline the timekeeping, and result in greater efficiencies for the payroll team. The combination of these initiatives resulted in the Professional and Consulting expenses to exceed our budgeted plan. The finance team will be submit a budget amendment, and has developed a plan to reduce its expenses for the balance of the year.

23 - Parks and Recreation:

Overview: Parks and Recreation is showing general fund revenues of 60% and expenses of 61% as of mid-February. This shows a strong picture currently but we know there are hidden revenue shortfalls and tight expenses within that larger picture.

Revenues:

- Recreation is expecting a shortfall in its administrative budget of at least \$10,000 due to a sponsor pulling out at the last minute for July 3rd.
- Recreation Programs and Athletics are currently projecting a shortfall of at least \$25,000 due to over projection from prior years.
- No rental bus operations therefore no bus revenue as originally projected.
- Positive outlook for gardens and tree/greenways.
- No revenue for Public Buildings – shortfall of approx. \$38,000
- Waterfront Marina revenues are tracking well but spring weather will determine final success.
- Parking revenues will be short approx. \$40,000 due to poor projections and purchasing delays on a new multi-space meter.
- Leddy Revenues are down approx. \$35,000 to decreased ice from some youth programs and decline of figure skating program rentals that occurred well after budgeting season.

Expenses

- Problem area in all facilities around building maintenance. We have had multiple equipment failures at Leddy, Memorial and elsewhere.

301 - Community Economic Development Office:

The majority of CEDO funding is from reimbursable grants and grant funding is as projected. Expenditures are tied to project completion and project expenses and are not evenly distributed throughout the fiscal year. At this time, CEDO admin revenue is behind schedule

GENERAL FUND REVENUE

For the Month of January 2014

You should be at approximately 50%									
Organization #	January Collected	Adopted Budget	Budget Amendments	Awarded Budget	Encumbrances	YTD Collected	Remaining to be Collected	% Collected	% Last Year Collected
101-00-000-									
101-00-000-									
101-04-000-	\$31,873	\$41,056,343	\$50,000	\$41,056,343	\$0	\$21,356,897	\$20,299,446	51.2%	92.00%
101-04-000-	\$49,642	\$2,331,037	\$25,000	\$2,356,037	\$0	\$1,605,997	\$947,040	68.9%	64.00%
101-05-000-	\$8,579	\$200,000	\$0	\$200,000	\$0	\$24,131	\$175,869	12.0%	36.00%
101-06-000-									
101-07-000-	\$38,673	\$486,234	\$0	\$486,234	\$0	\$486,172	\$62	99.9%	51.00%
101-07-000-	\$490	\$94,100	\$0	\$94,100	\$0	\$737	\$93,363	0.7%	1.00%
101-08-000-									
101-15-000-	\$180,231	\$689,000	\$1,000	\$690,000	\$0	\$563,138	\$326,862	82.3%	76.00%
101-15-000-	\$13,942	\$500,000	\$0	\$500,000	\$0	\$305,838	\$194,162	61.2%	77.00%
101-15-000-									
101-15-000-	\$77,763	\$160,027	\$0	\$160,027	\$0	\$160,027	\$0	100.0%	0.00%
101-15-000-	\$3,152	\$0	\$0	\$0	\$0	\$164,532	\$164,532	18.5%	0.00%
101-17-000-	\$49,472	\$432,237	\$341,652	\$73,585	\$0	\$192,466	\$556,423	25.5%	0.00%
101-17-000-									
101-17-000-	\$32,740	\$590,300	\$9,000	\$599,300	\$0	\$274,233	\$324,067	45.7%	13.00%
101-17-000-	\$95,189	\$1,142,270	\$0	\$1,142,270	\$0	\$646,335	\$495,935	56.6%	58.1%
101-17-000-									
101-17-000-	\$71,725	\$40,000	\$0	\$40,000	\$0	\$30,877	\$9,123	77.2%	43.00%
101-17-000-	\$151,197	\$1,166,600	\$500	\$1,167,100	\$0	\$756,352	\$410,748	64.8%	43.00%
101-18-000-	\$0	\$495,450	\$0	\$495,450	\$0	\$185,386	\$310,064	37.5%	43.00%
101-18-000-	\$0	\$62,293	\$0	\$62,293	\$0	\$115,331	\$207,062	18.7%	38.00%
101-18-000-	\$208,230	\$1,596,039	\$0	\$1,596,039	\$0	\$1,222,813	\$373,226	76.5%	38.00%
101-18-000-	\$21,633	\$175,000	\$32,557	\$207,557	\$0	\$131,468	\$166,089	75.2%	36.00%
101-18-000-	\$56,150	\$1,168,910	\$0	\$1,168,910	\$0	\$463,279	\$705,631	39.6%	17.00%
101-18-000-	\$183,794	\$515,000	\$0	\$515,000	\$0	\$483,844	\$31,156	94.7%	0.00%
101-18-000-	\$76,222	\$511,200	\$0	\$511,200	\$0	\$495,243	\$15,957	97.1%	48.00%
101-18-000-	\$77,527	\$710,000	\$0	\$710,000	\$0	\$527,251	\$182,749	74.8%	55.00%
101-18-000-	\$203,956	\$247,140	\$0	\$247,140	\$0	\$144,165	\$102,975	58.3%	58.00%
101-20-000-	\$11,499	\$1,043,350	\$0	\$1,043,350	\$0	\$59,971	\$983,379	5.7%	94.00%
101-21-000-									
101-21-000-	\$17,682	\$138,100	\$1,000	\$139,100	\$0	\$58,995	\$80,105	42.8%	43.00%
101-21-000-	\$0	\$15,000	\$0	\$15,000	\$0	\$248	\$14,752	1.7%	66.00%
101-21-000-	\$0	\$6,500	\$0	\$6,500	\$0	\$0	\$6,500	0.0%	43.00%
101-23-000-000-	\$1	\$12,500	\$18,463	\$30,963	\$0	\$58,382	\$27,419	188.5%	126.00%
101-23-000-000-	\$20,000	\$0	\$120,000	\$120,000	\$0	\$20,000	\$100,000	16.7%	0.00%
101-23-000-000-	\$7,055	\$25,000	\$0	\$25,000	\$0	\$30,745	\$5,745	122.9%	50.00%
101-23-000-000-	\$0	\$24,500	\$0	\$24,500	\$0	\$13,862	\$10,638	56.5%	36.00%
101-23-000-000-	\$1,135	\$10,000	\$0	\$10,000	\$0	\$12,830	\$2,830	128.3%	17.00%
101-23-000-000-	\$1,548	\$23,000	\$0	\$23,000	\$0	\$2,730	\$20,270	12.1%	15.00%
101-23-000-000-	\$2,700	\$131,200	\$0	\$131,200	\$0	\$52,480	\$78,720	40.9%	42.00%
101-23-000-000-	\$0	\$49,000	\$2,330	\$51,330	\$0	\$40,828	\$10,502	79.5%	16.00%
101-23-000-000-	\$10,533	\$397,900	\$0	\$397,900	\$0	\$275,072	\$122,828	69.1%	70.00%
101-23-000-000-	\$13,464	\$99,000	\$0	\$99,000	\$0	\$57,202	\$41,798	57.8%	62.00%
101-23-000-000-	\$0	\$5,000	\$0	\$5,000	\$0	\$0	\$5,000	0.0%	0.00%
101-23-000-000-	\$6,188	\$110,000	\$0	\$110,000	\$0	\$68,959	\$41,041	62.6%	56.00%
101-23-000-000-	\$59,040	\$617,000	\$0	\$617,000	\$0	\$279,731	\$337,269	45.3%	52.00%
101-23-000-000-	\$11,285	\$205,400	\$0	\$205,400	\$0	\$84,766	\$120,634	41.2%	45.00%
101-23-000-000-	\$1,145	\$536,500	\$0	\$536,500	\$0	\$387,260	\$149,240	72.1%	71.00%
101-23-000-000-	\$154,809	\$1,149,800	\$0	\$1,149,800	\$0	\$763,025	\$386,775	66.5%	57.00%
101-23-000-000-	\$18,285	\$95,500	\$12,000	\$107,500	\$0	\$60,150	\$47,350	46.9%	61.00%
101-23-000-000-	\$0	\$36,500	\$0	\$36,500	\$0	\$0	\$36,500	0.0%	0.00%
101-27-000-000-	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.0%	0.00%
101-27-000-000-	\$37,687	\$625,500	\$36,000	\$661,500	\$0	\$202,841	\$458,659	30.6%	19.00%
101-27-000-000-	\$7,560	\$160,500	\$30,000	\$190,500	\$0	\$115,730	\$74,770	60.7%	21.00%
101-27-000-000-	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.0%	0.00%
101-27-000-000-	\$916	\$15,038	\$0	\$15,038	\$0	\$2,021	\$13,017	13.4%	69.00%
101-27-000-000-	\$19,882	\$340,625	\$0	\$340,625	\$0	\$153,138	\$187,487	44.9%	34.00%
101-27-000-000-	\$0	\$21,500	\$0	\$21,500	\$0	\$2,639	\$18,861	12.2%	7.00%
101-27-000-000-	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.0%	0.00%
101-27-000-000-	\$1,608,211	\$62,629,339	\$782,266	\$63,411,505	\$0	\$32,797,721	\$30,613,784	51.7%	93.00%

101-04-000- Non-Departmental Clerk/Treasurer/Admin City Attorney/Admin

101-05-000- Planning and Zoning/Admin City Assessor/Admin Human Resources/Admin Fire/Police/Grants Police/Grants

101-06-000- City Assessor/Admin

101-07-000- Police/Police Uniform Services Police/Police Security Police/Police and Communications Police/Police Enforcement Public Works/Engineering Public Works/Equipment Maintenance Public Works/Street/Snow Removal Public Works/Street/Street Concrete Public Works/Recycling Public Works/Inspection Services Public Works/Central Facility Code Enforcement/Admin

101-18-000- Fletcher Free Library/General Services Fletcher Free Library/Summer Reading Program Fletcher Free Library/English as a Second Language Parks and Recreation/Admin/Administration Parks and Recreation/Grants Parks and Recreation/Parks/Administration Parks and Recreation/Parks/Grants Maintenance Parks and Recreation/Parks/Buildings Maintenance Parks and Recreation/Parks/Trees & Greenways Parks and Recreation/Parks/Community Gardens Parks and Recreation/Parks/Cometries Parks and Recreation/Recreation/Administration Parks and Recreation/Recreation/Recreation Programs Parks and Recreation/Recreation/Events Parks and Recreation/Recreation/Bus Operations Parks and Recreation/Athletic Programs Parks and Recreation/Facilities/Lobby Area Parks and Recreation/Facilities/Memorial Auditorium Parks and Recreation/Facilities/North Beach Parks and Recreation/Facilities/Waterfront Parks and Recreation/Facilities/Miller Center Parks and Recreation/Facilities/Public Buildings Burlington City Arts/Admin/Development Burlington City Arts/BACA Center Burlington City Arts/Arts Education/Print Studio Burlington City Arts/Arts Education/City Studio Burlington City Arts/Arts Education/Photo Studio Burlington City Arts/Arts Education/Visual Arts Burlington City Arts/Facilities/Events Burlington City Arts/Public Art

101-04-000- Impact fees were being mingled with permit revenue until end of November. Now they are being correctly allocated to their own respective accounts.

101-04-000- 99% of the money collected is from the State Tax Department for Reappraisal funds.

101-04-000- No revenue budgeted for FY 14

101-04-000- Reimbursements equal actual expense - Not all expended/billed yet

101-04-000- 0.00% Equitable Share - Disputes accounted separately

101-04-000- Reimbursements equal actual expense - Not all expended/billed yet

101-04-000- 0.00% Motor Vehicle Fees - Revenue Projection of \$155,000 will be reduced. No longer charging for Records, \$500 billing occur in 3rd Qtr

101-04-000- 13.00% Annual Service Agreement - will be 100% at 6-30

101-04-000- 43.00% Delay in City reporting Credit Card Payments

101-04-000- 53.00% Invoicing incomplete

101-04-000- 58.00% Rental billing does not occur until April 1, 2014 and represents over \$671,000. Development Coordinator was expected to be hired in July 2013, position will not be filled until end of February 2014. In addition, the appeal campaign went out late

101-04-000- 43.00% We have not received major donor gift that was given last year

101-04-000- 126.00% Additional grant revenue

101-04-000- Grants have been awarded and are reimbursable so revenues will be received at a later date

101-04-000- 36.00% Higher reimbursement rate for off season work

101-04-000- 17.00% BED work completed in full, billed all at once - will be approx. \$25k

101-04-000- 15.00% New rates in effect starting in October, slower time for burials

101-04-000- 42.00% Majority of revenue for July 3rd festivities - known shortfall of \$10k due to last minute sponsor decision

101-04-000- 69.1% Majority of revenue for summer camp programs - projecting a shortfall (25,000) based on full registrations year end

101-04-000- 62.00% No bus operations - corresponding savings on expense side

101-04-000- 0.00% Majority of revenue in winter months - missing major rental deposit - will be overall short but offset by expense reductions

101-04-000- 45.3% Loss of Annex rental (140) shortage expected, multiple canceled concerts for spring

101-04-000- 72.1% Majority of revenue in summer

101-04-000- 57.00% Seasonal Boat rental upcoming accounts for large % of remaining revs - shortage in parking approx. \$40k

101-04-000- 61.00% New programs started in January looking to boost rentals - no charge for school groups - waiting next lease payment

101-04-000- 46.9% No internal charges for facilities

101-04-000- 0.00%

101-04-000- 30.6%

101-04-000- 21.00%

101-04-000- No revenues budgeted for FY 14

101-04-000- 66.4%

101-04-000- No revenues budgeted for FY 14

101-04-000- 63.6%

101-04-000- 12.2%

101-04-000- No revenues budgeted for FY 14

101-04-000- 51.7%

GENERAL FUND EXPENDITURES
For the Month of January 2014

Organization #	Organizational Set	Agency Expenses	Adjusted Budget	Budget Amendments	YTD Encumbrance	YTD Encumbrance	% Expended	% Left To Be Expended	Notes & Remarks
101-00-000-	Non-Departmental	\$9,102	\$73,535	\$17,311,043	\$10,000	\$13,097,365	26.13%		
101-01-000-	City Council/Adm	\$840	\$115,213	\$87,211	\$1,200	\$34,122	40.50%		
101-01-001--	City Council/Regional Programs	\$9,773	\$2,115,254	\$106,760	\$2,722,014	\$1,292,678	93.63%		
101-02-000-	Mayor's Office/Adm	\$23,950	\$305,014	\$0	\$309,014	\$117	53.70%		
101-04-000-	City Treasurer/Adm	\$193,722	\$1,946,102	\$0	\$1,946,102	\$2,635	64.31%		Professional fees exceeded budget. Finance team will reduce expenditures as needed to achieve its budget.
101-04-001--	City Treasurer/Elections/Voter Registration	\$912	\$19,350	\$0	\$19,350	\$0	34.95%		
101-04-010--	City Treasurer/Information Technology	\$22,201	\$645,149	\$0	\$645,149	\$37,348	69.98%		
101-05-000-	City Attorney/Adm	\$11,348	\$225,545	\$0	\$225,545	\$114	52.00%		
101-05-001--	City Attorney/Personnel	\$49,981	\$950,008	\$0	\$950,008	\$4,136	58.19%		
101-06-000-	Planning and Zoning/Adm	\$17,117	\$237,972	\$0	\$237,972	\$284	53.64%		
101-08-000-	Human Resources/Adm	\$38,885	\$503,573	\$0	\$503,573	\$717	49.01%		
101-10-000-	Fire/Suppression	\$98,399	\$2,123,173	\$1,000	\$2,123,173	\$44,718	71.35%		
101-10-010--	Fire/Emergency Medical Services	\$435,656	\$5,521,004	\$55,000	\$5,576,004	\$30,718	63.10%		
101-10-011--	Fire/Police	\$73,972	\$1,000,693	\$18,933	\$1,019,626	\$63,811	70.05%		
101-10-013--	Fire/Police	\$0	\$0	\$0	\$0	\$0			
101-10-014--	Fire/Police	\$0	\$0	\$0	\$0	\$0			
101-10-015--	Fire/Police	\$0	\$0	\$0	\$0	\$0			
101-10-016--	Fire/Police	\$0	\$0	\$0	\$0	\$0			
101-10-017--	Fire/Police	\$0	\$0	\$0	\$0	\$0			
101-10-018--	Fire/Police	\$0	\$0	\$0	\$0	\$0			
101-10-019--	Fire/Police	\$0	\$0	\$0	\$0	\$0			
101-10-020--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-021--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-022--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-023--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-024--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-025--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-026--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-027--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-028--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-029--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-030--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-031--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-032--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-033--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-034--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-035--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-036--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-037--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-038--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-039--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-040--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-041--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-042--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-043--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-044--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-045--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-046--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-047--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-048--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-049--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-050--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-051--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-052--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-053--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-054--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-055--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-056--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-057--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-058--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-059--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-060--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-061--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-062--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-063--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-064--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-065--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-066--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-067--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-068--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-069--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-070--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-071--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-072--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-073--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-074--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-075--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-076--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-077--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-078--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-079--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-080--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-081--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-082--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-083--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-084--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-085--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-086--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-087--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-088--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-089--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-090--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-091--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-092--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-093--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-094--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-095--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-096--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-097--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-098--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-099--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-100--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-101--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-102--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-103--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-104--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-105--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-106--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-107--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-108--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-109--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-110--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-111--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-112--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-113--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-114--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-115--	Police/Adm	\$38,897	\$71,765	\$82,300	\$140,377	\$111,306	38.77%		
101-10-116--	Police/Adm	\$38,897	\$71,765						

SPECIAL FUNDS REVENUE
For the Month of January 2014

Organization #	Organizational Set	January Collected	Adopted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Collected	Remaining to be Collected	% Collected	% Collected Last Yr.	Memo & Notes
150-09-035--	Human Resources/Health and Dental Insurance	\$361,924	\$10,348,377	\$0	\$10,348,377	\$0	\$3,024,273	\$7,324,104	29.22%	28.00%	
175-00-013--	Non-Departmental/Liability Insurance	\$140	\$1,669,065	\$0	\$1,669,065	\$0	\$325,072	\$1,343,993	19.48%	51.00%	
175-00-015--	Non-Departmental/Workers Compensation	\$57,978	\$1,530,000	\$0	\$1,530,000	\$0	\$511,441	\$1,018,559	33.43%	20.00%	
230-33-000--	Market Place/Admin	\$48,934	\$805,552	\$0	\$805,552	\$0	\$496,958	\$308,594	61.69%	9.00%	
230-33-390--	Market Place/Public Relations	\$29,483	\$109,816	\$3,572	\$113,388	\$0	\$107,207	\$6,181	94.55%	72.00%	
230-33-391--	Market Place/General Maintenance	\$917	\$11,000	\$0	\$11,000	\$0	\$6,417	\$4,583	58.33%	6.00%	
235-04-005--	Clerk/Treasurer/Waterfront TIF	\$911	\$2,289,497	\$0	\$2,289,497	\$0	\$1,002,240	\$1,287,257	43.78%	51.00%	
245-19-000--	Public Works/Admin	\$63,374	\$980,500	\$0	\$980,500	\$0	\$442,799	\$537,701	45.16%	53.00%	
264-19-200-450-	Public Works/Traffic/Right of Way	\$116,257	\$1,522,000	\$0	\$1,522,000	\$0	\$977,447	\$544,553	64.22%	62.00%	
264-19-200-451-	Public Works/Traffic/Municipal Parking Garage	\$45,214	\$706,440	\$0	\$706,440	\$0	\$396,546	\$309,894	56.13%	56.00%	
264-19-200-452-	Public Works/Traffic/Airport Parking	\$0	\$822,001	\$0	\$822,001	\$0	\$313,607	\$508,394	38.15%	470.00%	
264-19-200-454-	Public Works/Traffic/Signals	\$0	\$155,000	\$0	\$155,000	\$0	\$0	\$155,000	0.00%	6.00%	
264-19-200-455-	Public Works/Traffic/College Street Garage	\$54,827	\$656,518	\$0	\$656,518	\$0	\$444,407	\$212,111	67.69%	73.00%	
264-19-200-456-	Public Works/Traffic/Lakeview Garage	\$53,693	\$818,515	\$0	\$818,515	\$0	\$423,095	\$395,420	51.69%	44.00%	
Grand Total		\$833,650	\$22,424,281	\$3,572	\$22,427,853	\$0	\$8,471,508	\$13,956,345	37.77%		

SPECIAL FUNDS EXPENDITURES
For the Month of January 2014

Organization #	Organizational Cat	January Expenses	Adjusted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Expended	Remaining Balance	% Expended	% Last Year Expense	Memo & Notes
150-08-035--	Human Resources/Health and Dental Insurance	\$716,014	\$10,348,377	\$0	\$10,348,377	\$8,710	\$5,269,239	\$5,079,138	51.00%	64.00%	
175-00-013--	Non-Departmental/Utility Insurance	\$577,040	\$1,669,005	\$0	\$1,669,005	\$723	\$1,021,598	\$646,741	61.25%	81.00%	
175-00-015--	Non-Departmental/Workers Compensation	\$262,712	\$1,530,000	\$0	\$1,530,000	\$7,819	\$1,039,680	\$482,500	68.46%	84.00%	
230-33-000--	Market Place/Admin	\$13,362	\$201,577	\$2,940	\$204,457	\$9,348	\$168,249	\$126,860	58.33%	61.00%	
230-33-390--	Market Place/Public Relations	\$15,122	\$204,643	-\$1,242	\$203,401	\$33,372	\$126,595	\$43,444	78.43%	80.00%	
230-33-391--	Market Place/General Maintenance	\$29,402	\$333,764	\$1,874	\$335,638	\$10,881	\$196,412	\$128,345	61.76%	74.00%	
235-04-006--	Clerk/Treasurer/Waterfront TIF	\$498,326	\$2,289,497	\$0	\$2,289,497	\$0	\$1,181,053	\$1,108,444	51.59%	46.00%	
235-04-006--	Clerk/Treasurer/Downtown TIF	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%	0.00%	
245-19-000--	Public Works/Admin	\$47,134	\$1,033,195	\$0	\$1,033,195	\$38,356	\$350,514	\$644,324	37.64%	44.00%	
264-19-200-450-	Public Works/Traffic/Right of Way	\$69,720	\$1,314,735	\$0	\$1,314,735	\$2,372	\$641,238	\$671,145	48.95%	43.00%	
264-19-200-451-	Public Works/Traffic/Municipal Parking	\$52,043	\$715,482	\$0	\$715,482	\$31,467	\$351,584	\$332,431	53.54%	53.00%	
264-19-200-452-	Public Works/Traffic/Airport Parking	\$36,412	\$721,266	\$0	\$721,266	\$3,247	\$313,222	\$404,797	43.88%	47.50%	
264-19-200-453-	Public Works/Traffic/School Crossing Guards	\$17,103	\$253,535	\$0	\$253,535	\$181	\$131,697	\$121,637	52.07%	51.00%	
264-19-200-454-	Public Works/Traffic/Signals	\$32,069	\$481,567	\$0	\$481,567	\$39,350	\$169,185	\$271,032	43.30%	51.00%	
264-19-200-455-	Public Works/Traffic/College Street Garage	\$46,265	\$804,683	\$0	\$804,683	\$34,080	\$382,179	\$389,424	51.23%	45.00%	
264-19-200-456-	Public Works/Traffic/Lakeview Garage	\$41,728	\$577,534	\$0	\$577,534	\$31,138	\$295,688	\$251,368	56.09%	43.00%	
Grand Total		\$2,454,452	\$22,578,800	\$3,572	\$22,582,452	\$251,043	\$1,687,525	\$10,693,884	52.65%		

IMPACT FEES FUND - EXPENDITURES
For the Month of January 2014

58-

You should be at approximately

Organization #	Organizational Set	January Expenses	Adopted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Expended	Remaining Balance	% Expended	% Expense Last Year	Memo & Notes
Row Labels	Organizational Name Set	Sum of Current Month	Sum of Adopted Budget	Sum of Budget Amendments	Sum of Amended Budget	Sum of YTD Encumbrances	Sum of YTD Transactions	Sum of Balance Left			
201-15-000--	Impact Fees / Fire	\$0	\$140,521	\$0	\$140,521	\$45,938	\$0	\$94,583	32.69%	0.00%	
201-17-000--	Impact Fees / Police	\$0	\$179,770	\$0	\$179,770	\$132,490	\$0	\$47,280	73.70%	0.00%	
201-19-000--	Impact Fees / DPW	\$0	\$248,248	\$0	\$248,248	\$0	\$0	\$248,248	0.00%	0.00%	
201-21-000--	Impact Fees / Fletcher Free Library	\$0	\$60,149	\$0	\$60,149	\$0	\$0	\$60,149	0.00%	0.00%	
201-23-000--	Impact Fees / Parks and Recreation	\$65,574	\$248,662	\$0	\$248,662	\$29,226	\$93,807	\$125,628	49.48%	0.00%	
201-32-000--	Impact Fees / School	\$0	\$48,524	\$0	\$48,524	\$0	\$0	\$48,524	0.00%	0.00%	
Grand Total		\$65,574	\$925,874	\$0	\$925,874	\$207,654	\$93,807	\$624,413	37.56%		

IMPACT FEES FUND - REVENUES
For the Month of January 2014

You should be at approximately 58%

Organization #	Organizational Set	January Collected	Adopted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Collected	Remaining to be Collected	% Collected	% Collected Last Year	Memo & Notes
201-15-000--	Impact Fees / Fire	\$140,521	\$140,521	\$0	\$140,521	\$0	\$3,796	\$144,317	-2.70%	0.00%	
201-17-000--	Impact Fees / Police	\$0	\$179,770	\$0	\$179,770	\$0	\$0	\$179,770	0.00%	0.00%	
201-19-000--	Impact Fees/ DPW	\$0	\$248,248	\$0	\$248,248	\$0	\$0	\$248,248	0.00%	0.00%	
201-21-000--	Impact Fees/ Fletcher Free Library	\$0	\$60,149	\$0	\$60,149	\$0	\$0	\$60,149	0.00%	0.00%	
201-23-000--	Impact Fees/ Parks and Recreation	\$0	\$248,662	\$0	\$248,662	\$0	\$0	\$248,662	0.00%	0.00%	
201-32-000--	Impact Fees/ School	\$0	\$48,524	\$0	\$48,524	\$0	\$0	\$48,524	0.00%	0.00%	
Grand Total		\$3,796	\$925,874	\$0	\$925,874	\$0	\$3,796	\$929,670	-0.41%		

AIP's Revenues
For the Month of January 2014

58% You should be at approximately

Organization #	Organizational Set	January Collected	Adopted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Collected	Remaining to be Collected	% Collected	% Collected Last Year	Memo & Notes
404-35-700--	Airport/Capital Projects	\$0	\$697,558	\$0	\$697,558	\$0	\$0	\$697,558	0.00%	1.00%	
405-35-700--	Airport/Capital Projects	\$0	\$582,372	\$0	\$582,372	\$0	\$0	\$582,372	0.00%	1.00%	
406-35-700--	Airport/Capital Projects	\$0	\$4,000	\$0	\$4,000	\$0	\$0	\$4,000	0.00%	3.00%	
407-35-700--	Airport/Capital Projects	\$0	\$729,261	\$0	\$729,261	\$0	\$0	\$729,261	0.00%	10.00%	
409-35-700--	Airport/Capital Projects	\$0	\$918,852	\$0	\$918,852	\$0	\$0	\$918,852	0.00%	0.00%	
412-35-700--	Airport/Capital Projects	\$0	\$0	\$0	\$0	\$0	\$0	\$0	-13.00%		
421-35-700--	Airport/Capital Projects	\$0	\$468,395	\$0	\$468,395	\$0	\$0	\$468,395	0.00%	0.00%	
426-35-700--	Airport/Capital Projects	\$0	\$304,326	\$0	\$304,326	\$0	\$0	\$304,326	0.00%	0.00%	
429-35-700--	Airport/Capital Projects	\$0	\$109,653	\$0	\$109,653	\$0	\$0	\$109,653	0.00%	60.00%	
430-35-700--	Airport/Capital Projects	\$0	\$146,755	\$0	\$146,755	\$0	\$0	\$146,755	0.00%	98.00%	
431-35-700--	Airport/Capital Projects	\$0	\$64,142	\$0	\$64,142	\$0	\$0	\$64,142	0.00%	68.00%	
432-35-700--	Airport/Capital Projects	\$0	\$2,096,789	\$0	\$2,096,789	\$0	\$0	\$2,096,789	0.00%	5.00%	
433-35-700--	Airport/Capital Projects	\$0	\$5,554,976	\$0	\$5,554,976	\$0	\$0	\$5,554,976	0.00%	0.00%	
434-35-700--	Airport/Capital Projects	\$0	\$2,785,685	\$0	\$2,785,685	\$0	\$0	\$2,785,685	0.00%	0.00%	
435-35-700--	Airport/Capital Projects	\$0	\$1,190,000	\$0	\$1,190,000	\$0	\$0	\$1,190,000	0.00%	0.00%	
436-35-700--	Airport/Capital Projects	\$0	\$203,000	\$0	\$203,000	\$0	\$0	\$203,000	0.00%	0.00%	
437-35-700--	Airport/Capital Projects	\$0	\$1,309,835	\$0	\$1,309,835	\$0	\$0	\$1,309,835	0.00%	0.00%	
450-35-700--	Airport/Capital Projects	\$0	\$890,795	\$0	\$890,795	\$0	\$0	\$890,795	0.00%	40.00%	
Grand Total		\$0	\$18,056,394	\$0	\$18,056,394	\$0	\$0	\$18,056,394	0.00%		

AIP's EXPENDITURES
For the Month of January 2014

58% You should be at approximately

Organization #	Organizational Set	January Expenses	Adopted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Expended	Remaining Balance	% Expended	% Expended Last Year	Memo & Notes
404-35-700--	Airport/Capital Projects	\$47	\$697,558	\$0	\$697,558	\$0	\$2,857	\$694,701	0.41%	1.00%	
405-35-700--	Airport/Capital Projects	\$0	\$582,372	\$0	\$582,372	\$0	\$0	\$582,372	0.00%	1.00%	
406-35-700--	Airport/Capital Projects	\$0	\$4,000	\$0	\$4,000	\$0	\$0	\$4,000	0.00%	3.00%	
407-35-700--	Airport/Capital Projects	\$0	\$729,261	\$0	\$729,261	\$0	\$0	\$729,261	0.00%	10.00%	
409-35-700--	Airport/Capital Projects	\$0	\$918,852	\$0	\$918,852	\$0	\$0	\$918,852	0.00%	0.00%	
421-35-700--	Airport/Capital Projects	\$0	\$468,395	\$0	\$468,395	\$0	\$717	\$467,678	0.15%	0.00%	
426-35-700--	Airport/Capital Projects	\$0	\$304,326	\$0	\$304,326	\$0	\$0	\$304,326	0.00%	0.00%	
429-35-700--	Airport/Capital Projects	\$0	\$109,653	\$0	\$109,653	\$35,774	\$59,842	\$14,037	87.20%	60.00%	
430-35-700--	Airport/Capital Projects	\$0	\$146,755	\$0	\$146,755	\$126,674	\$15,640	\$4,441	96.97%	98.00%	
431-35-700--	Airport/Capital Projects	\$0	\$64,142	\$0	\$64,142	\$38,592	\$7,147	\$18,403	71.31%	68.00%	
432-35-700--	Airport/Capital Projects	\$26,236	\$7,096,789	\$0	\$7,096,789	\$91,205	\$381,848	\$1,623,735	22.56%	5.00%	
433-35-700--	Airport/Capital Projects	\$34,916	\$5,554,976	\$0	\$5,554,976	\$96,998	\$2,027,223	\$3,430,755	38.24%	0.00%	
434-35-700--	Airport/Capital Projects	\$371,662	\$2,785,685	\$0	\$2,785,685	\$813,470	\$1,880,931	\$91,284	96.72%	0.00%	
435-35-700--	Airport/Capital Projects	\$348,095	\$1,190,000	\$0	\$1,190,000	\$260,307	\$909,932	\$19,761	98.34%	0.00%	
436-35-700--	Airport/Capital Projects	\$5,000	\$203,000	\$0	\$203,000	\$148,460	\$39,036	\$15,504	92.36%	0.00%	
437-35-700--	Airport/Capital Projects	\$234,089	\$1,309,835	\$0	\$1,309,835	\$324,000	\$237,337	\$746,498	42.86%	0.00%	
450-35-700--	Airport/Capital Projects	\$4,506	\$890,795	\$0	\$890,795	\$153,570	\$334,000	\$403,225	54.73%	40.00%	
Grand Total		\$1,024,551	\$18,056,394	\$0	\$18,056,394	\$2,089,050	\$5,896,510	\$10,070,834	44.23%		

CAPITAL FUNDS REVENUE
For the Month of January 2014

Organization #	Organizational Set	January Collected	Adopted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Collected	Remaining to be Collected	% Collected	% Collected Last Year	Memo & Notes
700-04-700--	Clerk/Treasurer/Capital Projects	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%	0.00%	
700-23-000-701-	Parks and Recreation/Admin/Pennies for Parks	\$161	\$349,654	\$0	\$349,654	\$0	\$180,015	\$169,639	51.48%	5.00%	
700-23-000-702-	Parks and Recreation/Admin/Greenbelt	\$65	\$188,813	\$0	\$188,813	\$0	\$35,302	\$153,511	18.70%	0.00%	
700-23-000-703-	Parks and Recreation/Admin/Conservation Legacy	\$88	\$188,919	\$0	\$188,919	\$0	\$132,107	\$36,808	78.21%	0.00%	
705-19-700--	Public Works/Capital Projects	\$0	\$0	\$0	\$0	\$0	\$46,930	\$46,930	0.00%	0.00%	
706-19-700--	Public Works/Capital Projects	\$0	\$10,000	\$0	\$10,000	\$0	\$0	\$10,000	0.00%	0.00%	
709-19-150-700-	Public Works/Engineering/Street Capital	\$62,082	\$2,266,555	\$0	\$2,266,555	\$0	\$1,183,050	\$1,083,505	52.20%	62.00%	
709-19-150-801-	Public Works/Engineering/Street Capital	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%	0.00%	
709-19-150-803-	Public Works/Engineering/Sidewalk Improvement Projects	\$0	\$0	\$0	\$0	\$0	\$3,077	\$3,077	0.00%	0.00%	
709-19-150-804-	Public Works/Engineering/Federal Transit Administration	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%	0.00%	
709-19-700--	Public Works/Capital Projects	\$0	\$2,000,000	\$0	\$2,000,000	\$0	\$0	\$2,000,000	0.00%	0.00%	
715-19-700--	Public Works/Capital Projects	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%	0.00%	
716-19-700--	Public Works/Capital Projects	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%	0.00%	
718-19-700--	Public Works/Capital Projects	\$0	\$0	\$0	\$0	\$0	\$113,310	\$113,310	0.00%	0.00%	
719-31-700--	CEO/Capital Projects	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%	0.00%	
700-23-000--	Parks and Recreation/Admin	\$0	\$188,813	\$0	\$188,813	\$0	\$0	\$188,813	0.00%	0.00%	
Grand Total		\$42,895	\$5,162,750	\$15,700	\$5,178,450	\$0	\$1,693,792	\$3,484,658	32.71%		

You should be at approximately 59%

CAPITAL FUNDS EXPENDITURES
For the Month of January 2014

Organization #	Organization Set	January Expenses	Adjusted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Expended	Remaining Balance	% Expended	% Expense Last Year	Memo & Notes
700-04-700--	Clerk/Treasurer/Capital Projects	\$19,585	\$400,000	\$0	\$400,000	\$51,116	\$72,221	\$76,663	30.83%	31.00%	
700-23-000-701-	Parks and Recreation/Admin/Pennies for Parks	\$10,325	\$778,728	\$0	\$778,728	\$29,876	\$415,908	\$32,944	57.25%	27.00%	
700-23-000-702-	Parks and Recreation/Admin/Greenbelt	\$6,797	\$188,813	\$0	\$188,813	\$7,926	\$57,363	\$123,524	34.58%	38.00%	
700-23-000-703-	Parks and Recreation/Admin/Conservation Legacy	\$6,148	\$168,915	\$0	\$168,915	\$5,461	\$47,978	\$115,876	31.40%	20.00%	
705-19-700--	Public Works/Capital Projects	\$2,227	\$120,000	\$0	\$120,000	\$0	\$11,985	\$103,015	9.99%	43.00%	
705-19-700--	Public Works/Capital Projects	\$2,227	\$0	\$10,000	\$10,000	\$0	\$5,538	\$4,462	55.38%	88.00%	
709-19-150-700-	Public Works/Engineering/Street Capital	\$5,315	\$2,685,908	\$0	\$2,685,908	\$5,569	\$1,256,232	\$1,424,107	46.98%	89.00%	
709-19-150-800-	Public Works/Engineering/Open	\$0	\$0	\$0	\$0	\$0	\$728	\$728	0.00%	0.00%	
709-19-150-801-	Public Works/Engineering/FHWA	\$0	\$0	\$5,700	\$5,700	\$0	\$22,956	\$17,256	402.75%	1.00%	
709-19-150-802-	Public Works/Engineering/Open 2	\$216	\$95,184	\$0	\$95,184	\$24,710	\$3,365	\$67,109	29.50%	0.00%	
709-19-150-803-	Public Works/Engineering/Sidewalk Improvement Projects	\$1,874	\$434,839	\$0	\$434,839	\$0	\$96,493	\$338,346	22.19%	30.00%	
709-19-150-804-	Public Works/Engineering/Federal Transit Administration	\$0	\$3,360,000	\$0	\$3,360,000	\$0	\$7,535	\$3,352,465	0.22%	0.00%	
709-19-700--	Public Works/Capital Projects	\$45,079	\$2,681,000	\$0	\$2,681,000	\$172,588	\$316,443	\$2,364,557	18.43%	15.00%	
715-19-700--	Public Works/Capital Projects	\$67,883	\$6,916,651	\$0	\$6,916,651	\$43,881	\$162,287	\$6,754,364	2.98%	0.00%	
716-19-700--	Public Works/Capital Projects	\$0	\$431,358	\$0	\$431,358	\$0	\$1,764	\$429,594	0.29%	0.00%	
718-19-700--	Public Works/Capital Projects	\$60,138	\$941,500	\$0	\$941,500	\$0	\$117,065	\$824,435	44.30%	14.00%	
724-19-700--	Public Works/Capital Projects	\$3,981	\$0	\$0	\$0	\$0	\$14,168	\$14,168	0.00%	0.00%	
705-19-700--	Public Works/Capital Projects	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%	0.00%	
700-33-000--	Parks and Recreation/Admin	\$154,250	\$419,813	\$100,000	\$519,813	\$7,019	\$355,135	\$16,637	73.71%	0.00%	
Grand Total		\$83,877	\$19,622,709	\$115,700	\$19,738,409	\$373,146	\$2,662,818	\$16,075,591	18.43%		

You should be at approximately 50%

RETIREMENT EXPENDITURES
For the Month of January 2014

You should be at approximately 58%

Organization #	Organizational Set	January Expenses	Adopted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Expended	Remaining Balance	% Expended	Last Year Expense %	Memo & Notes
125-08-000--	Human Resources/Admin	\$12,317	\$231,716	\$0	\$231,716	\$38,909	\$80,108	\$112,700	51.36%	46.00%	
125-08-036--	Human Resources/Retirement	\$1,240,426	\$13,780,022	\$0	\$13,780,022	\$0	\$8,212,118	\$5,567,904	59.59%	70.00%	
Grand Total		\$1,252,743	\$14,011,738	\$0	\$14,011,738	\$38,909	\$8,292,226	\$5,680,603	59.46%		

RETIREMENT REVENUE
For the Month of January 2014

You should be at approximately 58%

Organization #	Organizational Set	January Collected	Adopted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Collected	Remaining to be Collected	% Collected	% Collected Last Year	Memo & Notes
125-08-000--	Human Resources/Admin	\$0	\$50	\$0	\$50	\$0	\$0	\$50	0.00%	0.00%	
125-08-036--	Human Resources/Retirement	\$771,489	\$13,725,988	\$0	\$13,725,988	\$0	\$5,751,334	\$7,974,654	41.90%	133.00%	
Grand Total		\$771,489	\$13,726,038	\$0	\$13,726,038	\$0	\$5,751,334	\$7,974,704	41.90%		

WASTEWATER DEPARTMENT REVENUE
For the Month of January 2014

Organization #	Organizational Set	January Collected	Adopted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Collected	Remaining to be Collected	% Collected	% Collected Last Year	Memo & Notes
480-19-425-000-	Public Works/Wastewater/Administration	\$562,543	\$7,753,382	\$0	\$7,753,382	\$0	\$4,356,169	\$3,397,213	56.18%	58.00%	
480-19-425-430-	Public Works/Wastewater/Main Plant	\$436	\$200,000	\$0	\$200,000	\$0	\$113,622	\$86,378	56.81%	0.00%	
480-19-425-431-	Public Works/Wastewater/North Plant	\$1,106	\$74,000	\$0	\$74,000	\$0	\$19,478	\$54,522	26.32%	35.00%	
480-19-425-432-	Public Works/Wastewater/East Plant	\$3,969	\$40,000	\$0	\$40,000	\$0	\$19,150	\$20,850	47.88%	34.00%	
Grand Total		\$568,054	\$8,067,382	\$0	\$8,067,382	\$0	\$4,508,419	\$3,558,963	55.85%		

58%

You should be at approximately

WASTEWATER DEPARTMENT EXPENDITURES For the Month of January 2014

55%

You should be at approximately

Organization #	Organizational Ext	January Expenditures	Adopted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Encumbrances	Remainder Balance	% Expended	% Expense - Last Year	Memo & Notes
480-19-425-000-	Public Works/Wastewater/Administration	\$87,454	\$4,382,681	\$0	\$4,382,681	\$6,152	\$1,207,551	\$3,168,978	27.69%	44.00%	
480-19-425-430-	Public Works/Wastewater/Main Plant	\$168,596	\$2,419,082	\$0	\$2,419,082	\$226,333	\$1,117,087	\$1,080,662	55.33%	57.00%	
480-19-425-431-	Public Works/Wastewater/North Plant	\$27,506	\$381,564	\$0	\$381,564	\$47,452	\$194,402	\$139,710	63.38%	58.00%	
480-19-425-432-	Public Works/Wastewater/East Plant	\$28,139	\$503,846	\$0	\$503,846	\$64,698	\$258,419	\$180,729	64.13%	51.00%	
480-19-425-433-	Public Works/Wastewater/Pump Stations	\$10,383	\$188,569	\$0	\$188,569	\$9,668	\$95,488	\$83,413	55.77%	46.00%	
Grand Total		\$322,078	\$7,875,742	\$0	\$7,875,742	\$354,303	\$2,867,947	\$4,653,492	40.91%		

WATER DEPARTMENT REVENUE
For the Month of January 2014

You should be at approximately 58%.

Organization #	Organizational Set	January Collected	Adopted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Collected	Remaining to be Collected	% Collected	% Collected Last Year	Memo & Notes
460-19-400-000-	Public Works/Water/Administration	\$402,139	\$5,645,233	\$0	\$5,645,233	\$0	\$3,208,037	\$2,437,196	56.83%	59.00%	
460-19-400-410-	Public Works/Water/Production	\$0	\$2,000	\$0	\$2,000	\$0	\$2,329	-\$329	116.45%	0.00%	
460-19-400-411-	Public Works/Water/Distribution	\$34,342	\$379,000	\$0	\$379,000	\$0	\$168,047	\$210,954	44.34%	39.00%	
460-19-400-412-	Public Works/Water/Metering	\$7,115	\$30,000	\$0	\$30,000	\$0	\$32,000	-\$2,000	106.67%	37.00%	
Grand Total		\$443,596	\$6,056,233	\$0	\$6,056,233	\$0	\$3,410,413	\$2,645,820	56.31%		

WATER DEPARTMENT EXPENDITURES For the Month of January 2014

You should be at approximately 58%

Organization #	Organizational Set	January Expenses	Adopted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Expended	Remaining Balance	% Expended	% Expended Last Year	Memo & Notes
460-19-400-000-	Public Works/Water/Administration	\$34,829	\$1,720,929	\$0	\$1,720,929	\$21,575	\$607,193	\$1,092,161	36.54%	35.00%	
460-19-400-410-	Public Works/Water/Production	\$76,706	\$1,788,560	\$0	\$1,788,560	\$352,833	\$891,678	\$544,049	69.58%	50.00%	
460-19-400-411-	Public Works/Water/Distribution	\$159,912	\$1,505,055	\$0	\$1,505,055	\$20,825	\$813,111	\$671,120	55.41%	52.00%	
460-19-400-412-	Public Works/Water/Metering	\$32,793	\$352,814	\$0	\$352,814	\$15,649	\$200,564	\$116,601	61.28%	55.00%	
460-19-400-413-	Public Works/Water/Billing	\$7,182	\$174,422	\$0	\$174,422	\$7,474	\$84,551	\$92,998	57.76%	56.00%	
Grand Total		\$312,423	\$5,541,780	\$0	\$5,541,780	\$418,355	\$2,597,096	\$2,526,328	54.41%		

AIRPORT REVENUE
For the Month of January 2014

SFP*

You should be at approximately

Organization #	Organizational Set	January Collected	Advised Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Collected	Remaining to be Collected	% Collected	% Collected Last Year	Memo & Notes
400-35-000--	Airport/Admin	\$128,587	\$2,569,478	\$0	\$2,569,478	\$0	\$1,263,656	\$1,307,822	49.10%	43.00%	
400-35-430--	Airport/Terminal Operations	\$470,125	\$5,338,014	\$0	\$5,338,014	\$0	\$3,587,288	\$1,750,726	67.20%	89.00%	
400-35-431--	Airport/Airfield Operations	\$149,424	\$1,725,060	\$0	\$1,725,060	\$0	\$1,145,211	\$579,850	66.39%	56.00%	
400-35-432--	Airport/Industrial Park	\$94,423	\$1,604,804	\$0	\$1,604,804	\$0	\$904,586	\$700,218	56.37%	79.00%	
400-35-433-000-	Airport/Parking Operations/Parking Garage	\$523,557	\$7,100,000	\$0	\$7,100,000	\$0	\$3,967,949	\$3,132,052	55.89%	53.00%	
400-35-433-601-	Airport/Parking Operations/Park & Shuttle	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%	0.00%	
400-35-434--	Airport/Other Properties	\$21,185	\$261,593	\$0	\$261,593	\$0	\$150,024	\$111,569	57.35%	9.00%	
Grand Total		\$1,387,351	\$18,598,949	\$0	\$18,598,949	\$0	\$11,016,713	\$7,582,236	59.23%		

AIRPORT EXPENDITURES For the Month of January 2014

\$8-- **You should be at approximately**

Organization #	Organizational Set	January Expenses	Adopted Budget	Budget Amendments	Amended Budget	YTD Encumbrances	YTD Expended	Remaining Balance	% Expended	% Expended Last Year	Memo & Notes
400-35-000--	Airport/Admin	\$117,390	\$1,282,392	\$45,000	\$1,327,392	\$47,929	\$936,978	\$342,490	74.20%	47.00%	
400-35-041--	Airport/Grants	\$0	\$345,000	\$0	\$345,000	\$0	\$0	\$345,000	0.00%	0.00%	
400-35-430--	Airport/Terminal Operations	\$857,623	\$7,887,566	\$30,380	\$7,917,946	\$463,403	\$3,782,367	\$3,611,417	54.04%	51.00%	
400-35-431--	Airport/Airfield Operations	\$431,060	\$3,988,540	\$92,380	\$4,080,920	\$273,875	\$1,684,775	\$2,092,270	48.35%	51.00%	
400-35-432--	Airport/Industrial Park	\$161,955	\$1,706,459	\$73,500	\$1,632,959	\$9,707	\$635,262	\$987,990	39.50%	85.00%	
400-35-433-600-	Airport/Parking Operations/Parking Garage	\$670,818	\$2,919,385	\$53,500	\$2,875,885	\$25,730	\$1,675,075	\$1,175,080	59.14%	59.00%	
400-35-433-601-	Airport/Parking Operations/Park & Shuttle	\$823	\$10,421	\$0	\$10,421	\$2,500	\$3,156	\$4,766	54.27%	12.00%	
400-35-434--	Airport/Other Properties	\$58,054	\$575,367	\$20,000	\$595,367	\$8,194	\$343,021	\$244,151	58.99%	65.00%	
Grand Total		\$2,327,723	\$18,895,135	\$0	\$18,895,135	\$831,338	\$9,060,634	\$9,003,163	52.35%		



Strengthening
community food
systems.

February 21, 2014

Mayor Miro Weinberger
149 Church Street
Burlington, VT 05401

Dear Mayor Weinberger,

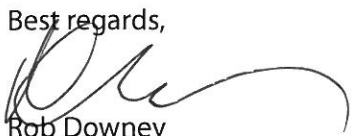
On behalf of the Intervale Center Board of Directors and our great staff, thank you for selecting Peter Owens to fill the City seat on our Board. We welcome Peter's passion and expertise, and are honored to work with a leader in your administration to strengthen our partnership. With 350 acres in Burlington and a mile of road and riverfront under our management, as well as the countless ways that Burlington residents engage with us – whether eating food from Intervale farms, running on trails, cross-country skiing, or attending Summervale – we are so grateful to have Peter to help advance our mission and tackle the many mutual concerns we have each year related to this special piece of our city.

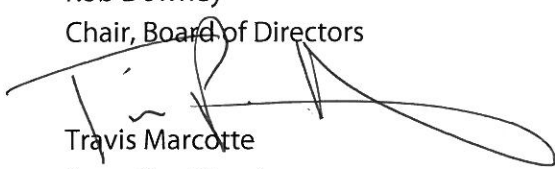
I want to thank you again for taking the time to attend Summervale last year, highlight our work on your television show, and bring your senior leaders to our Farmstead for one of your regular meetings. We've had very positive relationships with many in your administration, but it was particularly nice to have all senior leadership together to share our successes.

As a leader for over 25 years in the sustainable food movement now sweeping the country, we are confident that together with the City we can share how this special place came to be, what we have been able to accomplish for our community and where we see future investment for the benefit of farms, land and people in Vermont.

It has been great to work with you and your administration, and in the coming years we hope to further elevate Burlington as one of the greatest places to live, work and play. Again, thank you for appointing Peter to our Board and for your commitment to helping us support farms, land and people in Burlington and beyond!

Best regards,


Rob Downey
Chair, Board of Directors


Travis Marcotte
Executive Director

180 Intervale Road
Burlington, VT 05401
Phone: 802.660.0440
Fax: 802.658.8075
www.intervale.org

cc: Burlington City Council

RECEIVED
2014 FEB 25 P 12:13
BURLINGTON CLERK
BUREAU OF CLERK
TREASURY OFFICE

Martha R. Lang, Ph.D.
138 Colchester Avenue
Burlington, VT 05401
(802) 862-1094

February 24, 2014

President Shannon and
The Burlington Board of Finance
City Hall
149 Church Street
Burlington, VT 05401

Re: St. Joseph's School: Problems with the Attempted Purchase

Dear President Shannon and the Burlington Finance Board:

I. Urban Planning. If the proposed property transaction on Taft School and St. Joseph's School is approved, St. Joseph's School will be the third public school within an half mile radius. However, it is Ward 5 that has the school overcrowding: students from Ward 5 are bused to the New North End schools where there is available classroom space. Also, the narrow streets around St. Joseph's School, located in a residential area, makes it a less than an ideal location for more school traffic. Furthermore, there are only thirty-one parking spaces at St. Joseph's School compared to eighty parking spaces at Taft School.

II. K- 8th Grades: The Proposed Use for St. Joseph's. There is a plan to use St. Joseph's School for K - 8th grades. How does this K - 8th grade model enhance the education of the Burlington school children? If it does, shouldn't all of the Burlington schools have K-8th grade groupings? Has anyone asked the parents of the elementary age students who might be attending St Joseph's if they want their children with older, and bigger, middle-school students? South Burlington parents are vehemently opposed to having even their fifth graders moved to the middle school with sixth through eighth graders. How is St. Joseph's K-8th grade grouping different?

III. The \$200,000 Lease Payments to be Taken from the School Maintenance Budget. The school department plans to enter into a lease/purchase agreement with St. Joseph's Parish for \$2 M beginning with a lease payment of \$200,000. The school department plans to take the first \$200,000 payment from the school maintenance budget. The next \$200,000 payment would also be funded with school maintenance money: they plan to ask for an increase in the school maintenance allowance from 1.5 % to 1.75 % so the \$200,000 payment will be available. The last time the school department used such a scheme with maintenance money was to buy 59 Murray Street for \$210,000. That cost was rolled into the \$1.25 M school debt for fiscal 2015, and the school department couldn't even use the building.

Page 2. Letter February 12, 2014, Martha R. Lang.

IV. \$8 M to Renovate St. Joseph's School. The school department keeps referring to renovations costs of \$1.6 M for St. Joseph's School. However, the most recent study by the school department in October, 2013 determined the cost to be closer to \$8 M.

V. Probate Court and the Taft School. The onetime payment of \$1.6 M by the possible buyer of Taft School is designed as an eighty year lease (sale). It seems this arrangement is an attempt to circumvent the Probate Court Order dated September 18th, 2008 that says the school department cannot sell Taft School it can only be leased, primarily for educational purposes. One million six hundred thousand is the appraised value of Taft School. With this deal the monthly lease payments on a 25,000 square foot building are \$1,666 per month. That price is less than the rent for a three bedroom apartment in the area. Moreover, the current tenant, Burlington Telecom, is paying \$6 a square foot for rent at Taft School but the proposed agreement would only charge the new tenant 82 cents a square foot. Clearly this lease is an attempt to sell Taft School.

VI. \$410,00 Debt on the Ira Allen School Building. The school department hopes to sell the Ira Allen Building at 150 Colchester Avenue for \$2 M and pay off the mortgage on St. Joseph's School. There is no guarantee the Ira Allen building will be sold. And, there is a \$410,000 debt on the Ira Allen Building owed to the state of Vermont, when the building is sold.

VII. Zoning Problems. If the Ira Allen Building is sold, where will the school administrative offices be moved to? Recently there have been discussions on moving the staff to H. O. Wheeler School. However, like St. Joseph's School, H. O. Wheeler is in a residential medium (RM) zone which does not permit office/administrative work.

Sincerely,

Martha R. Lang.

Enclosure

cc:

Burlington City Council
Elizabeth Curry, Burlington School Commissioner



STATE OF VERMONT
DEPARTMENT OF EDUCATION
120 State Street
Montpelier, VT 05620-2501

October 28, 2005

Jeanne Collins, Superintendent
Burlington City School District
150 Colchester Ave
Burlington VT 05401

Re: Vermont School Building Aid for Taft School and the Early Essential Education Ctr

Dear Superintendent Collins:

Thank you for your inquiry about a section of Vermont's Title 16 regarding the potential repayment of state aid upon sale of a school building.

The statute in question is 16 VSA §3448 (b) Refund Upon Sale, which I believe took effect July 1, 1970. In the case of the possible sale of the vacated Taft School building and the building that use to be the Early Essential Educational Center in Burlington, the maximum amount that would potentially be refunded is \$410,364.38. This amount is for school construction aid paid to the EEE Center. In my research I did not find any state construction aid paid for the Taft school

Vermont state aid of \$202,385.85 in 1973, \$172,290.32 in 1975 and \$35,688.21 in 1976 are the payments clearly attributed to the EEE Center found in my research.

If the school district can offer records of payments of Vermont state school building aid that differ from our records, please submit a request for reconsideration.

I hope this information is useful to you. If I can be of any further assistance, I can be reached at (802) 828-3144.

Sincerely,

A handwritten signature in black ink that reads "Donna L. Trucksess".

Donna L. Trucksess
School Construction Program

cc: Scott Lisle, Business Manager
Lyman Amsden, Advisor

Martha R. Lang, Ph.D.
138 Colchester Avenue
Burlington, VT 05401
(802) 862-1094

February 24, 2014

President Shannon and
The Burlington Board of Finance
City Hall
149 Church Street
Burlington, VT 05401

Re: St. Joseph's School: \$8 M to Renovate The Building

Dear President Shannon and the Burlington Board of Finance:

The Costs to Renovate St. Joseph's School. The renovation costs for St. Joseph's School are about \$8 M based on a report by the Burlington School Department's Infrastructure and Technology Division dated October 31, 2013 (see attached). The following renovation projects should be given careful consideration:

A. Asbestos Abatement. There is asbestos in St. Joseph's School. A building permit was issued to St. Joseph's School on August 2, 2005 for asbestos abatement. The work has not been done. The renovation estimates dated October 31, 2013 did not include the cost of having asbestos removed. Asbestos is known to be in St. Joseph's School yet it was not included in the renovation costs for the building. Why? However, building permits to remove asbestos were issued for Lawrence Barnes School on May 10, 2010 and H. O. Wheeler on June 23, 2011. Both of these permits were closed out (work completed) which shows the school department knows the importance of asbestos abatement.

At a school board of finance meeting on October 25, 2011 asbestos abatement was the first item listed by the school department in the renovation costs for 118 North Champlain Street, a building the school department bought and wanted to renovate. They are occupying the building (under false pretenses) but they have not applied for an asbestos abatement permit. Why?

B. Electrical Hazards. About a million dollars of electrical work must be done in St. Joseph's School. According to the electrical permits pulled, and not closed, the needed electrical upgrades are known to exist; they will be extensive; and they have not been done. This indicates that the original knob and tube wiring from 1929 may still be in use. That wiring is an electrical fire about to happen.

C. The Only Working Furnace Was Installed in 1929. There are two furnaces (boilers) in St. Joseph's School, but only one is working. Furnaces tend to stop working when they are needed the most, during subzero weather. That is because there is pressure on them to produce more

Page 2. Letter February 24, 2014, Martha R. Lang.

heat. If the only working furnace fails during cold weather, before it can be replaced the building will have to be vacated, the pipes drained, the asbestos removed, the building rewired, and then the furnaces can be installed. That process could take a year or more.

D. Fire Sprinkler, Elevator Installation, and Plumbing Upgrades Needed. There is no fire sprinkler system in this building, which is a huge liability for the city of Burlington. Installing this sprinkler is a necessary expense that should not be postponed. Also, extensive plumbing upgrades must be done. An elevator costing at least a quarter of a million dollars must be installed. This is in addition to kitchen upgrades, classroom reconfiguration, and sound proofing parts of the building.

E. Unknown Factors. There was no mention in this report on the condition of the roof and the foundation, two critical aspects to maintaining the quality of a building. Nor was there any discussion about the condition of the windows. This report did not include the legal and building and zoning fees, which could be tens of thousands of dollars. Until all of these factors are known, the \$8 M estimate for renovations can only be considered incomplete.

Based on the above information, it would be a good idea to hire a certified building inspector to confirm the condition of St. Joseph's School and then get written estimates from reputable contractors on the cost of the needed renovations.

Thank you.

Sincerely,

Martha R. Lang.

Enclosure

cc:

Burlington City Council
Elizabeth Curry, Burlington School Commissioner

To: Bernie O'Rourke, Chair, Infrastructure and Technology Committee
 From: Paul Irish, Director of Infrastructure and Technology
 Re: Saint Joseph's School Capital Costs
 Date: 31 OCT 2013

Mark Irish, Bernie O'Rourke, and Paul Irish sat down with Colin Lindberg and Randy Burnett and did a review of potential costs for Saint Joseph's School. After that, Mark Irish reviewed specific costs with L&N to firm up prices.

Based on the original presentation, we were asked to return with a listing of costs to occupy. The following table shows immediate costs, and short term (less than 5 years) additional recommendations, if funding is available. Highlighted items have been reviewed. Major increases are in heat pump/ventilation/boilers, electrical, and lighting.

Contingency and design/engineering fees are included. This does not include the purchase of the building.

Immediate Costs

Item		Fiscal Year	Cost	Priority
contingency	1	2015	\$160,000	safety
bathroom ADA compliance	1	2015	\$368,000	accessibility
elevator	1	2015	\$260,000	accessibility
furnishings for classrooms	1	2015	\$100,000	
kitchen additional	1	2015	\$47,500	safety
kitchen hood	1	2015	\$83,000	safety
sprinkler	1	2015	\$257,400	safety
window treatments	1	2015	\$16,000	
Door Buzzer/Vid/Int	1	2015	\$6,000	security
Commercial Movers	1	2015	\$25,000	
TOTAL			\$1,322,900	

Short Term Additional Recommendations

Item		Fiscal Year	Cost	Priority
Contingency	3	2017	\$600,000	
Arch and Eng Fees	3	2017	\$400,000	
Heat Pumps for AC, ventilation, inc boilers	3	2017	\$2,886,000	
Room Re-configurations	3	2017	\$100,000	
downspouts runoff wastewater improvements	3	2017	\$28,600	
electrical upgrade	3	2017	\$915,200	
lighting improvements	3	2017	\$238,000	
sound control in gym	3	2017	\$30,000	
locksets	3	2017	\$100,000	security
TOTAL			\$5,297,800	

DELIBERATIVE AGENDA

SPECIAL CITY COUNCIL WORKSESSION
MONDAY, NOVEMBER 4, 2013
CONFERENCE ROOM 12, CITY HALL
6:00 P.M. – 7:00 P.M.

1. AGENDA
2. DISCUSSION: Peter Owens, CEDO Director and Nathan Wildfire, CEDO, re: PIAP Update
3. ADJOURNMENT

REGULAR MEETING, CITY COUNCIL
MONDAY, NOVEMBER 4, 2013
CONTOIS AUDITORIUM, CITY HALL
7:15 P.M.

PRESENT: City Council President Shannon, Councilors Bushor, Worden, Tracy, Knodell, Ayres, Mason, Paul, Blais and Decelles

ABSENT: Councilors Siegel, Brennan, Hartnett and Aubin

CITY ATTORNEY'S OFFICE: Eileen Blackwood

CLERK/TREASURER'S OFFICE: Bob Rusten, Scott Schrader and Rich Goodwin

CITY COUNCIL PRESIDENT SHANNON PRESIDING:

1. AGENDA

On a motion by Councilors Mason and Bushor the agenda was unanimously adopted as amended as follows: amend action for consent agenda item 5.20. COMMUNICATION: Corey Mallon, RN, 32 Forest Street, re: St. Joseph's school (pf 10/21/13) to "waive the reading, accept the communication, place it on file and refer it to the Board of Finance;" amend action for consent agenda item 5.26.

COMMUNICATION: Norman Baldwin, P.E., City Engineer/Assistant Director-Technical Services, re: Request special consideration to repave St. Paul Street between King and Maple in lieu of Excavation Fees to "waive the reading, accept the communication, place it on file and refer it to the Board of Finance;" add to the consent agenda item 5.27. COMMUNICATION: Jeffrey A. Herwood, C/T Office, re: Muncil Payment Plan-054-2-062-000 with the consent action to "waive the reading, accept the communication and place it on file;" add to the consent agenda item 5.28. COMMUNICATION: Hunter Rieseberg, Vermont League of Cities and Towns President, re: VLCT Board Sets DY15 Dues with the consent action to "waive the reading, accept the communication, place it on file and send a copy to the Board of Finance."

2. REPORT: Board of Airport Commissioners, Jeff Munger, Chair, Burlington International Airport, re: Burlington Airport Commission's Annual Report, FY 2013

Jeff Munger, Airport Commission Chair, stated that in FY13 they spent a lot of time addressing Airport needs. They created a strategic plan committee and will receive a report on that. The most important thing that the Airport did was to continue to stabilize finances and to maintain debt service coverage. They ended the year with a score of 1.46. Rating agencies like to see at least 1.25. As they start the new fiscal year, their debt score has continued to improve with a rate of 1.74 in December. They have fully funded their reserves and refinanced \$24 million of debt which will save them about \$300,000 per year. Aviation

activity is down nationwide because of the recession and the airlines concentrating seats. Burlington was down over 1,500 seats at one point. Airlines then get fuller loads and tickets become more expensive. With the startup of Delta's non-stop service to Atlanta, enplanements were up 3% in August. September, which is usually a slow month, saw an 8% increase. Airport staff communicates with the airlines almost daily to try to get larger planes with more seats and service to Burlington. They have Delta, JetBlue, United and Porter Air. They want to take care of the airlines that they have. They replaced the terminal roof, which was leaking. They put out an RFP for food service and the Skinny Pancake is now in the Airport. They have post-security restaurants and the Chubby Muffin at pre-screening. They renegotiated a contract with Hudson News. They have invested in increasing the size of their facilities. There are one pre-screening and two post-screening locations. They offer a number of Vermont products. These successes mean revenue for the Airport. The Airport staff has done a great job of maximizing rents. They are working to get all of their leases up to date. They are continuing to market heavily to Canada, who represent 30-40% of their customers. It still behooves them to come down because Burlington's fares are typically cheaper. Greyhound Bus Lines has been successful since moving to the Airport. They offer direct service to Montreal so many Canadians fly from other parts of Quebec to Trudeau and then take a bus to Burlington. He noted that Taxi Administration at the Airport is becoming very cumbersome and inefficient. They work with one member of the Police Department to handle all of the hearings. They need to work to find a better solution. They made national news by having a yoga space for people to relax. They also have a private place for breastfeeding moms.

Councilor Bushor stated that she visits the Airport regularly to take the bus. She believes that Greyhound is a wonderful service. Busses often get delayed significantly coming into the U.S. She suggested they speak to their Senators to see if there is a way to improve that, because she sees that could be a wrinkle in customer satisfaction if people are trying to catch a flight in Burlington. She hopes they can figure out a way to improve that. Mr. Munger stated he works for Senator Sanders. They have had this problem for a while and it is because of a staffing issue. They are working to address it.

Councilor Tracy inquired what conversations they have had to try to improve relations with South Burlington. Mr. Munger stated the change in the South Burlington Town Manager and Select Board members has allowed them to improve relations. The Airport Director has met with South Burlington on almost a weekly basis. They are moving in the right direction. It is about time that they work to solve the problems between the two communities. Bill Keogh, Airport Commissioner, stated they have made a number of inroads on that issue. They are addressing their legal issues and the relationship has improved drastically.

Councilors Tracy and Worden made a motion to waive the reading, accept the report and place it on file. The motion passed unanimously.

3. REPORT: Spencer Newman, Burlington Electric Commission, re: Commission Chair Report

Spencer Newman, Burlington Electric Commission Chair, stated that BED has moved towards their goals of increasing efficiency, completing renewable energy contracts, moving forward with the Smart Grid project, renegotiating the Winooski One purchase, maintaining stable rates and solidifying their financial position. He is pleased that the Smart Grid project is almost complete. The majority of Burlington residents can log on to the website and view their electric usage in 15 minute intervals. The implementation of the project has also led to several efficiencies, including becoming aware of power outages much sooner than they used to be able to. This allows them to repair them more quickly. They have done well with their Service Quality and Reliability Plan. They have met their goals in all categories. Because of their aggressive energy efficiency work, the average residential usage has decreased 29% since 1989. Their FY14 budget does not call for any rate increases. As long as market conditions and renewable energy credits are stable, there will be no increases. The Department does an outstanding job at controlling its operating expenses. Their investments in the grid and smart meter

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project has resulted in increased reliability and lessened unplanned outages. Line loss has been reduced from 4% in 1996 to 2.5%. This year they expect half a million dollars in savings due to the efforts they have made in efficiency and line loss. The administrative cost per customer has declined by 18% since 2003 when adjusted for inflation. He is optimistic that the conservative financial management of the Department will help them increase their credit rating. The 2012 Integrated Resource Plan received approval from the Public Service Board. It states that the Department's and Commission's goals of moving the department towards 100% renewable energy in the near future while keeping rates stable and regionally competitive. They have purchased several long term wind contracts and are continuing to negotiate the purchase of the Winooski One hydro facility. They have also created a Lighting Commission to review City-wide lighting standards and fixtures.

Councilor Bushor stated that she is interested in the lighting policy. UVM brought forward a resolution about lighting asking them to look at the placement of lighting and clearing around lights so walkways would be safer for people. She is glad that they have this committee because everyone throughout the community will benefit from roadways and pathways being better lit. The performance measures report is useful to tell them if they are meeting their goals and mission. They can then compare them year to year. She finds this helpful and hopes that they can use this in other Departments.

Councilor Tracy stated that he appreciates the aggressive push to move towards renewables. He inquired what information they can share about the Winooski One negotiations. Mr. Newman stated he cannot say much. The Commission voted to authorize negotiations to begin and those are in progress. As soon as they are able to release information, they will. Councilor Tracy inquired if there is a timeline as to when that may happen. Mr. Newman stated it is in arbitration right now and he is unsure of the rules. He knows that both sides have a sense of urgency to get this resolved.

Councilor Worden stated that there was recently an Electric Vehicle Day. They were told that one benefit of Smart Grid is that BED would be able to have variable rates for peak and off peak hours. There is a big interest in that for people who do want to be able to plug in their cars. That would be an incentive to charge during off peak hours. He inquired if that is coming and if there are additional benefits to Smart Grid. Mr. Newman stated Smart Meters allow people to measure usage every 15 minutes rather than once a month. Because it can be read so frequently, they can charge people more for the times at which they are using power. They can be charged more on a hot summer day when power costs are higher than they would be on a cool fall day when they are not using heating or cooling. Other areas have instituted time of use rates so that it is cheaper to buy power at night when there is less demand on power. It costs less to charge vehicles at off peak hours. He supports time of use rates and believes the Public Service Department is looking into it on a statewide level. They have to figure out how to implement it to encourage people to take advantage of time of use rates without penalizing people unfairly.

Councilors Tracy and Bushor made a motion to waive the reading, accept the report and place it on file. The motion passed unanimously.

4. PUBLIC FORUM

City Council President Shannon opened the public forum at 7:32 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Charles Simpson	Ward 6 Resident	Opposed to F-35s
Ray Gonda	S. Burlington Resident	Opposed to F-35s
Heather Lawton	Ward 6 Resident	In Favor of Gun Regulations

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Paul Fleckenstein	Ward 3 Resident	Opposed to F-35s
James Marc Leas	S. Burlington Resident	Opposed to F-35s
Eileen Andreoli	Winooski Resident	Opposed to F-35s
Bill Keogh	Ward 5 Resident	Compliment for Council President
Michael Mahoney	Winooski Resident	Opposed to F-35s
Jean Saysani	Winooski Resident	Opposed to F-35s
Katie Kirby	Winooski Resident	Opposed to F-35s

There being no one further coming forward and no objection from the remaining Council, City Council President Shannon closed the public forum at 7:56 p.m.

5. CONSENT AGENDA

On a motion by Councilors Bushor and Knodell the consent agenda was unanimously adopted as amended thus taking the following actions as indicated. Councilor Mason stated he will recuse himself from consent agenda items 5.09. & 5.26., as his firm represents a party in each of those matters.

5.01. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re:
Accountability List

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

5.02. RESOLUTION: Authorization to Pursue Tax Collection Litigation (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

5.03. RESOLUTION: Authorization to Amend The Fire Department Budget to Account for Burlington's Annual Contribution for Indigent Care Provided by The Visiting Nurse Association (Councilors Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

5.04. COMMUNICATION: Lise E. Veronneau, Business Administrator, Burlington Fire and Police Departments, re: FY 14 Contribution to VNA

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

5.05. RESOLUTION: Authorization to Execute Contract with A. Marcelino & Company for Plowing and Snow Removal on The Church Street Marketplace (Fall, 2013 – Spring, 2016)(Councilors Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

5.06. COMMUNICATION: Church Street Marketplace Department, re: Authorize City of Burlington To Execute Contract with A. Marcelino & Company for Snowplowing and Removal for The Church Street Marketplace District, 2013 -2016

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

5.07. RESOLUTION: Authorization for Purchase of Ambulance for Fire Department

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

*waive the reading and adopt the resolution

5.08. COMMUNICATION: Lise E. Veronneau, Business Manager, Burlington Fire & Police Departments, re: Ambulance Replacement FY 14

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

5.09. RESOLUTION: Approval of Amendment to Amended and Restated Agreement for Hydroelectric Project Development Between BED and Winooski One Partnership (Councilors Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

Councilor Aubin did not vote on this item.

5.10. RESOLUTION: Authorization for Purchase of Excavator (Councilors Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

5.11. COMMUNICATION: Laurie Adams, Assistant Director DPW Water Quality to Burlington Board of Finance, re: Request to Purchase & Finance an Excavator

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

5.12. RESOLUTION: Contract Amendment – Downtown & Waterfront Plan Town Planning and Urban Design Collaborative (TPUDC) (Councilors Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

5.13. COMMUNICATION: Sandrine Thibault, AICP, Comprehensive Planner, Department of Planning and Zoning, re: Contract Amendment: planBTV-Downtown & Waterfront Plan – Town Planning and Urban Design Collaborative (TPUDC)

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

5.14. RESOLUTION: Authorization to Amend Champlain Parkway Design Contract with Clough, Harbor & Associates, LLP (Councilors Shannon, Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

5.15. COMMUNICATION: Norman Baldwin, P.E., City Engineer, Department of Public Works, re: Champlain Parkway Design Contract Amendment with Clough Harbor & Associates

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

5.16. COMMUNICATION: Harold Skorstad, re: October 28th City Council Meeting re: F-35s

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

5.17. COMMUNICATION: Tom Papp, President, Strathmore Homeowners Association, re: South 40 Solar LLC Power Purchase by BED (pf 10/21/13)

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

5.18. COMMUNICATION: Carolyn Bates, 20 Caroline Street, re: Recent Gun Incidents in Burlington (pf 10/21/13)

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

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5.19. COMMUNICATION: Jim Robert, Ward 7, re: 10/21/13 City Council Meeting (pf 10/21/13)
*waive the reading, accept the communication and place it on file

5.20. COMMUNICATION: Corey Mallon, RN, 32 Forest Street, re: St. Joseph's School
(pf 10/21/13)
*waive the reading, accept the communication, place it on file and refer it to the Board of Finance

5.21. COMMUNICATION: Kelli Brooks, Board Member, Strathmore Homeowners Association, re:
South 40 LLC Power Purchase by BED (pf 10/21/13)
*waive the reading, accept the communication and place it on file

5.22. COMMUNICATION: Mayor Miro Weinberger, re: City Hall Internship Program
*waive the reading, accept the communication and place it on file

5.23. COMMUNICATION: Sylvia Holden, 189 North Avenue, re: Opposes F-35 basing at the
Burlington Airport
*waive the reading, accept the communication and place it on file

5.24. COMMUNICATION: Elizabeth Mercer, 71 Rose Street, re: Opposes F-35 basing at the
Burlington Airport
*waive the reading, accept the communication and place it on file

5.25. COMMUNICATION: Jeanne Keller, 27 Bilodeau Parkway, re: Opposes F-35 basing at the
Burlington Airport
*waive the reading, accept the communication and place it on file

5.26. COMMUNICATION: Norman Baldwin, P.E., City Engineer/Assistant Director-Technical
Services, re: Request special consideration to repave St. Paul Street
between King and Maple in lieu of Excavation Fees
*waive the reading, accept the communication, place it on file and refer it to the Board of Finance

Councilor Mason did not vote on this item.

5.27. COMMUNICATION: Jeffrey A. Herwood, C/T Office, re: Muncil Payment Plan –
054-2-062-000
*waive the reading, accept the communication and place it on file

5.28. COMMUNICATION: Hunter Rieseberg, Vermont League of Cities and Towns President, re:
VLCT Board Sets DY15 Dues
*waive the reading, accept the communication, place it on file and send a copy to the Board of Finance

6. COMMUNICATION: Mayor Miro Weinberger, re: Proposed Maker Space in Memorial
Auditorium

Peter Owens, CEDO Director, stated that he is pleased to be sitting with Michael Metz who has presented the idea of the Maker's Movement and Maker's Space. This was a new concept to him. It will be a collaborative space between art, technology and creativity. CEDO is excited about the economic development power that this kind of collaborative work has to generate new ideas and incubate new products and businesses. They are working with the generator group leading this effort to find short term opportunities to roll out pieces of this program in the City. One space they have been looking at is the Memorial Annex. Conversations are ongoing because the Maker's program is complex. They are also looking at longer term solutions, such as a piece of one of the PIAP proposals in the Moran Plant.

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Michael Metz, Generator, stated that he is here to answer questions. They plan to create a community accessible space that will have tools available including a woodworking shop, a welding shop, an electronics shop and a rapid prototyping shop. They have surveyed the market to determine what tools and classes are most desirable. There will be classes and projects around the tools and the community could access them. There would be a membership in the organization. There will be classrooms and spaces for individual artists and entrepreneurs. It is a mix-up of art, science, technology, entrepreneurship and creating new ideas. They exist all over the country. This will be of a small scale. They have three great things coming together. There is tremendous interest at this time from artists, the business community, entrepreneurs, philanthropists and the local educational institutions. They have a strong team of leaders. There are nine people with an incredibly diverse skill set and a track record of achieving things in the community working on this project. They will fundraise during their first year, but they hope to be self-sustaining in the second year. After the first year, any fundraising will be for scholarships.

Councilor Mason inquired what has driven the success or failure of these projects. Mr. Metz stated it is partnership and collaborations and the proximity of educational institutions that are interested in the space. UVM and Champlain College are both helping to push this forward. It is also very important to have a creative community, which Burlington has.

Councilor Bushor stated that she thinks this is great and it is what Burlington is about. She wondered if this would pull some people from Pine Street, but she does not think so because it has a very different flavor. Mr. Metz stated that he believes that Pine Street is where they belong long-term. However, it is not cheap right now and the City has been cooperative about short term lease rates. They have a difficult business model. Long term, they believe that the Maker's Space as well as BCA's Clay and Photography Studios should relocate to Pine Street near ReSource to support each other. Councilor Bushor stated that the communication from the Mayor links this with the ordinance that is coming forward. When the ordinance was brought before the Ordinance Committee there was no discussion about this. They did discuss making space available for Maker's Space and she supported it. Normally when there is a motivator to a Zoning Amendment that project comes in to the Committee. This did surprise her and she wishes it was disclosed at the Ordinance Committee. Mr. Metz stated that he thought it was mentioned and there was no attempt to misinform the Council. That building is not appropriately zoned for all of what they want to do. This does affect some other spaces in the City.

7. PUBLIC HEARINGS: COMPREHENSIVE DEVELOPMENT ORDINANCES:

- Adaptive Reuse and Residential Bonuses ZA 13-11
- Conditional Uses in Mixed Use Districts ZA 14-03
- Downtown Transition District Expansion ZA 14-04

City Council President Shannon opened the public hearings at 8:21 p.m.

David White, Planning and Zoning Director, stated that ZA 13-11 relates to Adaptive Reuse and residential bonuses. This is an amendment to the section of the Comprehensive Development Ordinance that deals with residential bonuses. There are two that are affected by this change- the adaptive reuse and the residential conversion bonus. The intent is to bring these two bonuses into alignment in terms of additional lot coverage and intensities that they permit. This will make them consistent with each other and the bonuses afforded through inclusionary zoning. Both of these bonuses are specific to situations where there is a non-conforming non-residential use in a residential area. This will facilitate the conversion to a conforming use. The second is ZA 14-03 which is a collection of changes to the use table. They were just talking to the Maker's Space which is a part of this. That is equivalent to a use they already have which is a machine and woodworking shop. This would be for that to be a conditional use in the mixed use district. The second use is food processing which is related to an interest in the community to provide community kitchens. The amendment would allow these types of activities as conditional uses in the transitional districts and the neighborhood districts. The final change has to do with automotive and

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vehicle repair. This would allow that activity as a conditional use in the neighborhood mixed use districts. This comes at a request to Dolan's Auto on North Winooski Avenue. It is a neighborhood oriented activity that they should allow and support. The final amendment is ZA 14-04 which is an expansion of the Downtown Transition District. This comes at the request of the property owner. It will take two properties on South Champlain Street that are currently surrounded by the Downtown Transition district and absorb them. This will facilitate the Brownfield remediation and adaptive reuse of those sites.

City Council President Shannon closed the public hearings at 8:27 p.m.

7.01. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE – Adaptive Reuse and Residential Bonuses ZA 13-11 (Planning Department, Planning Commission, Councilors Mason, Bushor, Paul: Ordinance Committee)(2nd reading)

Councilors Mason and Paul made a motion to waive the 2nd reading and adopt the ordinance.

Councilor Mason stated that these ordinances were considered by the Ordinance Committee. The only party who testified on them was the Planning and Zoning Office. There was some conversation on adaptive reuse related to lot coverage. They deferred to the Planning and Zoning Office to determine the appropriate number because he is not an expert in what would incentivize someone to convert something from a non-conforming use to a conforming use.

Councilor Bushor stated that her only concern is it gave an increase in the RL District because she thinks about neighborhoods and maintaining equilibrium. She supports the intent of taking a non-conforming and converting it to a conforming one.

Councilor Worden requested that clarification on building coverage relates to lot coverage without taking into account other lot coverage features. Mr. White stated that this is a situation that is specifically tied to the adaptive reuse of a historic building. They anticipate that there will be an expansion of the building. They want to allow that to facilitate that adaptive reuse. They are allowing that up to 125% of what exists. It needs to be proportional because the building may be large or small. They cannot give it a specific number because it is dependent on the size of the preexisting building. Councilor Worden inquired if they are allowed a 25% increase or a 125% increase. Mr. White stated that they are allowed a 25% increase or 125% of what exists. Councilor Worden stated that the ordinance read an expansion of more than 125%. To him that sounds like a 100 square foot building could become 225. That is not the intent. They are talking about expansion of the building but the table refers to lot coverage. There are two things involved. The first is lot coverage which refers to the buildings, parking and sidewalks. This just refers to the building within a lot coverage table. Mr. White stated that the building may already consume the allotted amount of lot coverage. They are considering that there could be an addition that would expand the footprint of an existing building. Councilor Worden stated that could make it above the required lot coverage amount. Mr. White stated that is correct. He understands the confusion with the language.

Councilors Worden and Ayres made a motion to amend the ordinance to change each section of the table to say "expansion up to a total of 125% of the preexisting building coverage." The motion passed unanimously.

The motion to adopt the ordinance passed by a vote of 8-1 with City Council President Shannon voting against.

7.02. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE – Conditional Uses in Mixed Use Districts ZA 14-03 (Planning Department, Planning Commission, Councilors Mason, Bushor, Paul: Ordinance Committee) (2nd reading)

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Councilors Mason and Tracy made a motion to waive the 2nd reading and adopt the ordinance.

Councilor Tracy thanked them for getting this done quickly in a way that will enable Dolan's Auto to make some changes to their building. It is in an area in the Old North End that is about to see a lot of revitalization and development. The business owner would like to have a wheelchair accessible waiting room since he services a lot of vehicles from social service agencies that are used by people with disabilities. He is grateful for the work that was put into this.

The motion passed unanimously.

7.03. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE – Downtown Transition District Expansion ZA 14-04 (Planning Department, Planning Commission, Councilors Mason, Bushor, Paul: Ordinance Committee) (2nd reading)

Councilors Mason and Paul made a motion to waive the 2nd reading and adopt the ordinance. The motion passed unanimously.

7.04. COMMUNICATION: Assistant City Attorney Sturtevant, re: Public Hearing Notice: Burlington Comprehensive Development Ordinances-ZA-13-11, ZA-14-03 and ZA-14-04

Councilors Mason and Worden made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

8. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE – RCO-Recreation Greenspace Lot Coverage ZA 14-02 (Planning Department, Planning Commission)(1st reading)

Councilors Mason and Worden made a motion to consider this first reading and refer to the Ordinance Committee.

Councilor Bushor stated that she did not see a cover letter with this. David White, Planning and Zoning Director, stated that there should have been a memo from the Parks Director and maps of existing parks. Councilor Bushor inquired if there is a percentage of lot coverage for exemptions for low impact design stormwater management techniques. Mr. White stated that there is no maximum amount stated and it will be left to the Stormwater Administrator to determine whether or not it is appropriate technology.

The motion passed unanimously.

9. COMMITTEE REPORTS (5 mins.)

Councilors Tracy stated that they heard updates at their most recent Transportation, Energy and Utilities Committee about an exciting new parking initiative going on in the City to better assess how they are using parking. There will be a parking summit. They will be hearing from other cities who are dealing with the same issues. This is the first step and there will be a lot of process around this. It is an issue that they struggle with and it is exciting to see them taking some proactive efforts to resolve parking issues. They heard about facilitating solar permitting for residents. They also heard about putting in seasonally removable barriers between bike lanes and traffic.

City Council President Shannon stated that she has been working with the Clerk's Office to find a solution to their online agenda access. It has been a process to find an alternative. They have interviewed

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a number of companies and have narrowed it down. They will be asking for a presentation from that company.

10. COMMUNICATION: City Councilors, re: General City Affairs (oral)(10 mins.)

Councilor Bushor stated that she appreciated the communication regarding internships in the City. It was useful to know how successful it was from the people who served in that capacity. She heard a presentation about downtown parking improvements initiatives. She felt that the public sector was moving forward but that the user was not necessarily engaged. She hopes that people will remember those who come downtown to park. Some of the communications made it seem that the 2 hours of free parking was not advantageous but she feels that it is. She hopes they will look at the customer and what brings them downtown. More people are online shopping so stores are working to bring people downtown. As they understand what they need to do with their infrastructure, they need to remember what they need to do to bring people downtown.

Councilor Ayres stated that the Charter Change Committee has been working to evaluate the commission appointment process. They have distributed a survey about the process to all current commissioners and recent applicants. He hopes that people will fill them out to inform their deliberations.

City Council President Shannon stated that it is important that Councilors notify her when they will not make meetings, as they are getting close to not having a quorum.

11. COMMUNICATION: Mayor Weinberger, re: General City Affairs (oral)(5 mins.)

Mayor Weinberger stated that they have been working to secure a consultant for the Diversity and Equity Strategic Planning process. They received four proposals. The Committee evaluated the proposals and selected a partnership with Curtis Reed and Mary Gannon. They began their work the day they were selected.

They have had success with their internship program in the past year and will continue their efforts in the next year. He is impressed by the energy and additional capacity the program has brought to City Hall.

There was a Partnership for Change learning conversation this past weekend which was the first broad event of the New Year. It was encouraging to see the organization continue to make progress under the leadership of its new Executive Director.

The Hack the Stacks event took place at the Library. It resulted in new applications being created for the Library. It was an example of the new energy and initiatives going on at the Library.

He viewed MisLEAD, a documentary by Tamara Rubin in Contois Auditorium. It will be broadly disseminated, but they had one of the early screenings. It was a great way to mark lead poisoning prevention week. It was a great way to bring attention to the dangers of lead poisoning and the resources available in CEDO to mitigate those dangers.

There will be a press conference at the Airport to report new air service developments. They will be holding the Pension Summit. It would be welcome to have a strong Council attendance to address this important issue. There will also be a Parking Summit. No conclusions have yet been drawn about changes to the parking system. The summit is about raising the profile about policy decisions that go into proper management in the downtown. His sense is that the meetings that have been held by CEDO and the Business Community have been aimed at the question of improving customer experience in Burlington. They hope to keep the downtown as vibrant as possible, which is why they are reviewing the system.

12. COMMUNICATION: Eileen Blackwood, City Attorney and Bob Rusten, CAO, re:

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Litigation (oral)

On a motion by Councilors Paul and Ayres the City Council went into executive session at 8:58 p.m. to discuss Litigation and Burlington Telecom and a real estate contract where premature disclosure would place the City at a substantial disadvantage. Present were: see above. David Provost, Burlington Telecom Advisory Board, and attorneys from Burak, Anderson, Melloni were present for the Burlington Telecom issue only.

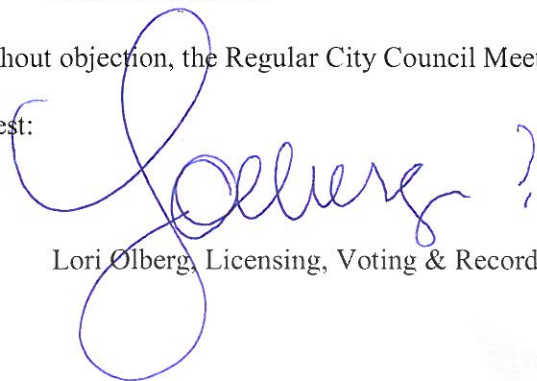

13. COMMUNICATION: Eileen Blackwood, City Attorney, re: Burlington Telecom (oral)

Without objection, the City Council went out of executive session at 9:45 p.m.

14. ADJOURNMENT

Without objection, the Regular City Council Meeting unanimously adjourned at 9:45 p.m.

Attest:

 ? 

Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary

DELIBERATIVE AGENDA
SPECIAL CITY COUNCIL WORKSESSION
MONDAY, NOVEMBER 18, 2013
CONFERENCE ROOM 12, CITY HALL
6:00 P.M. – 7:00 P.M.

PRESENT: City Council President Shannon, Councilors Bushor, Worden, Brennan, Siegel, Aubin, Mason, Blais, Ayres and Decelles; Councilor Tracy (arrived at 6:05 p.m.); Councilor Paul (arrived at 6:30 p.m.); CAO Rusten; ACAO Schrader and HR Director Leonard. Mayor Weinberger and Mike Kanarick arrived at 6:45 p.m.


ABSENT: Councilors Hartnett and Knodell

CITY COUNCIL PRESIDENT SHANNON PRESIDING:

1. AGENDA
2. DISCUSSION: Bob Rusten, CAO, re: Self-insurance (oral)
 - 2.01. COMMUNICATION: Bob Rusten, Chief Administrative Officer, Susan Leonard, Human Resource Director & Scott Schrader, ACAO for Administration, re: Initial discussion of City of Burlington's Medical Self-Insurance
3. ADJOURNMENT

On a motion by Councilors Bushor and Mason the Special City Council Work session unanimously adjourned at 7:15 p.m.

Attest:

 
Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary

ADJOURNED MEETING, CITY COUNCIL
MONDAY, NOVEMBER 18, 2013
CONTOIS AUDITORIUM, CITY HALL
7:21 P.M.

PRESENT: City Council President Shannon, Councilors Bushor, Worden, Tracy, Brennan, Siegel, Aubin, Hartnett, Mason, Blais, Paul, Ayres and Decelles

ABSENT: Councilor Knodell

CITY ATTORNEY'S OFFICE: Eileen Blackwood

CLERK/TREASURER'S OFFICE: Bob Rusten, Rich Goodwin, Scott Schrader and Lori Olberg

CITY COUNCIL PRESIDENT SHANNON PRESIDING:

1. AGENDA

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On a motion by Councilors Mason and Bushor the agenda was unanimously adopted as follows: note updated sponsorship for agenda item 2. RESOLUTION: Honoring Burlington Youth Football Program (Full City Council).

2. RESOLUTION: Honoring Burlington Youth Football Program (Full City Council)

Councilors Hartnett and Decelles made a motion to waive the reading and adopt the resolution.

Mayor Weinberger read the resolution aloud.

The motion passed unanimously.

Coach Kevin Garrison, Burlington Youth Football Program, thanked the Council and Councilor Hartnett for their support. Their culture and diversity in Burlington is unmatched by any other town. They turned the challenges that they have a team into a positive outcome. The kids gave 110% all season and represented the community. He was proud that they were able to accomplish what they did.

Coach Jack Detore, Burlington Youth Football Program, thanked the Mayor and Council for inviting them. It is an honor to be recognized. He thanked Councilor Hartnett for his support. This program was being recognized as helping youth at all levels of diversity. They have done a great job. He presented the Mayor with a hat and t-shirt.

Councilor Hartnett stated that what was happening here was much more than football. The coaches were role models and gave them a commitment beyond Saturday mornings. The Garrison house often has kids spending the night to get them ready for the game and making sure they have breakfast and a ride to the game. The success was more than wins and losses and was about what they have done as a community. This made inroads to diversity in the City. A strong youth athletic program was crucial to the diversity of the City. Athletics brings everyone together beyond their color, salary or where they live. He thanked everyone who has been involved.

Councilor Bushor requested that they give a signed copy of the adopted resolution to each coach and player. Mayor Weinberger stated that they would be happy to.

3. REPORT: Peg Boyle Single, Chair, Library Commission, re: Fletcher Free Library November, 2013 Commissioners' and Trustees' Report

Peg Boyle Single, Library Commission Chair, stated that at the time the Fletcher Free Library opened in 1875, getting your hands on a book could be life changing. It was the first time that a person could have a book in their home without being a member of a society or a church. The Library continues to be life changing today. If you have to apply for a job online but do not have a computer, you can go to the library and get help doing it. There were 42,000 log-ons last year. They have classes for computer skills and English. They have the fastest bandwidth in the region for high speed state of the art video. It is a safe place to have conversations about race, LGBT issues and Islam. It is the hub of the community. They are making strong partnerships with the Partnership for Change and Albany College. The Library Director has developed strong relationships with the staff. One staff member commented that they are happier than they have ever been working at the Library. Funds were tight at the Library when it opened in 1875, as they are now. When they opened, they received grants for \$20,000 and \$11,000. Adjusted for inflation, this is half a million dollars to buy books and open the library. They are doing all that they can and are starting an aggressive development fund. They will be looking for ways to support programs going into the library. As a citizen, she is seeing great things happening in the City. The Library is hitting a wall, and she suggested that it is time to start thinking about revenues. For the Library and Burlington to meet its

full potential, they need to think about investing and get the best return that they can. She thanked them for their support of the Library.

Councilor Bushor stated that she always looks forward to this report because it is upbeat and highlights what they do in the community. She inquired if the numbers increased for the summer reading program. Rubi Simon, Library Director, stated she believes there was an increase. There were between 1,400-1,700 children that registered for the program. Councilor Bushor inquired if people have been taking advantage of the tutoring services and the partnership with Albany College. Ms. Simon stated it is currently a drop-in program because they want to ensure they can fill the slots. It is free and the Albany College of Pharmacy gets a grant to pay work study students to come in and provide tutoring. Councilor Bushor inquired how students in the community are made aware of this service. Mr. Simon stated their youth services librarian does outreach to the grade schools. The tutors provide coverage mainly for students in grades 1 through 6. She has partnerships with teachers to make sure they are aware of it and includes information in newsletters. Councilor Bushor inquired if school guidance counselors are aware of it so they can identify students that may need additional help. Ms. Simon stated she is unsure of the specifics of how they communicate with the schools. They should look into making sure they are strategically looking at placing these services with the right people. Councilor Bushor stated there is a need and she hopes that students in need can take advantage of it.

Councilor Brennan stated he appreciates the work that they are doing with the youth. When he was on the School Board, there were preliminary talks about the high school working with the library for an annex. That would be a good idea. They have expanded in the New North End and bringing seniors in with youth after high school is out is a great idea. He feels that bringing the community together would be a positive change. Ms. Simon stated the high school age group is a critical part of their population and they are looking at ways to keep them connected and ensuring they receive the services that they need. She feels the library is lacking in teen services. They do not have a teen service librarian and feels they would benefit from having that position. They have current staffing that is not at the levels to help sustain that.

Councilors Worden and Ayres made a motion to waive the reading, accept the report and place it on file. The motion passed unanimously.

4. REPORT: James T. Strouse, Chairman, Burlington Employees' Retirement System,
City Council Report for June 2013

Bob Hooper, Retirement Board Vice-Chair, stated he will entertain any questions. Since the report was written, Matt Dow and John Frederico have joined the board as well as the new CAO. He noted that members of the Board have expressed interest in attending trainings and attending VPIC meetings.

Councilor Bushor stated that there was a discussion about VPIC performance over the past five years and a series of meetings. The report stated that in May there was discussion about the performance versus the hypothetical performance. The Board decided to monitor the comparative performance over both an up and down cycle in the market before making a decision. She inquired where they were at with that. Mr. Hooper stated VPIC has taken a strategy to decrease the leverage to risk in equity so that when the market hits a down cycle, the losses are not as significant. They have not experienced a significant down cycle yet to see if the representations have proven to be accurate. The hypothesis was that it was easier to not make as much money on the upside when they do not lose as much on the downside. They were still evaluating this. Councilor Bushor inquired if they cannot project how long they will be monitoring this for because they need to wait until they have enough down and up cycles to make comparisons. Mr. Hooper stated that is correct.

Councilor Mason inquired when they entered into a contract with VPIC and how long the contract lasts. Mr. Hooper stated that the contract was on a year to year basis. It was initially for a set period of time

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right as the market took a dive. The returns for the Burlington fund have been skewed to the negative because of the market trend. There are conversations with the Burlington Board's advisor on whether or not the VPIC fund could be duplicated in house to provide better results. So far they have heard that VPIC enjoys economies of scale because they are investing larger amounts of money could not be duplicated. He has not yet seen numbers that cause him to believe it was a good thing to do. Councilor Mason inquired what the date of the contract was. Mr. Hooper stated that he believed it was in line with the fiscal year.

Councilors Paul and Mason made a motion to waive the reading, accept the report and place it on the file. The motion passed unanimously.

5. PUBLIC FORUM

City Council President Shannon opened the public forum at 7:33 p.m.

<u>Name</u>	<u>Ward/Affiliation</u>	<u>Subject</u>
Ian Galbraith	Ward 2 Resident	Opposed to Gun Ordinances
Martha Lang	Ward 1 Resident	St. Joseph's School
Ron Ruloff	Ward 3 Resident	Opposed to Animals in Distress and Gun Ordinances
Mike McGarghan	Ward 7 Resident	Opposed to Gun Charter Changes

There being no one further coming forward and no objection from the remaining Council, City Council President Shannon closed the public forum at 7:43 p.m.

6. CONSENT AGENDA

On a motion by Councilors Bushor and Decelles the consent agenda was unanimously adopted thus taking the following actions as indicated. Councilor Mason stated his firm represents the developer pertaining to consent agenda item 6.17.; he will recuse himself because of a conflict of interest.

6.01. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re:
Accountability List

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

6.02. RESOLUTION: Authorization to Purchase Police Vehicles Using Impact Fees
(Councilors Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

6.03. COMMUNICATION: Lise E. Veronneau, Business Administrator, Burlington Fire & Police
Departments to the Board of Finance and the City Council, re: FY 14
Vehicle Purchase – Use of Impact Fees

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

6.04. RESOLUTION: Prepayment of 1999 Urban Reserve Certificates of Participation (COPs)
(Councilors Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

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6.05. RESOLUTION: 41 Cherry Street, LLC: Amendments to Ground Lease and Notice of Lease (Councilors Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

6.06. COMMUNICATION: Richard Haesler, Assistant City Attorney, re: 41 Cherry Street – Ground Lease Amendment #3; et al

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

6.07. RESOLUTION: Authorize Amendments to Master Services Agreement Between Burlington Telecom and VTEL (Councilors Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

6.08. COMMUNICATION: Martha R. Lang, Ph.D., re: St. Joseph School

*waive the reading, accept the communication, place it on file and send a copy to School Superintendent Jeanne Collins

6.09. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary, re: Minutes, Regular City Council Meeting, July 15, 2013, Draft

*waive the reading, accept the communication, place it on file and adopt the minutes at the December 9, 2013 City Council Meeting

6.10. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary, re: Minutes, Regular City Council Meeting, August 12, 2013, Draft

*waive the reading, accept the communication, place it on file and adopt the minutes at the December 9, 2013 City Council Meeting

6.11. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary, re: Minutes, Regular City Council Meeting, September 9, 2013, Draft

*waive the reading, accept the communication, place it on file and adopt the minutes at the December 9, 2013 City Council Meeting

6.12. COMMUNICATION: Thomas Gustafson, Vice President for University Relations & Administration, The University of Vermont, re: City of Burlington and University of Vermont Memorandum of Agreement Re: 2009 Zoning Amendments

*waive the reading, accept the communication, place it on file and refer it to the Institutions/Human Resources Committee with a report due back at the February 10, 2014 City Council Meeting as to whether UVM is meeting the goals of the agreement and an assessment as to whether UVM is holding students accountable for off-campus behavior, and trends in neighborhoods as they relate to UVM housing issues

6.13. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance Minutes, October 15, 2013

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

6.14. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance Minutes, October 21, 2013

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

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6.15. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance Minutes, October 28, 2013

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

6.16. RESOLUTION: Authorization to Enter Agreement to Waive Excavation Fees
(Councilors Bushor, Aubin, Knodell: Board of Finance)

*waive the reading and adopt the resolution

6.17. COMMUNICATION: Norman Baldwin, P.E., City Engineer/Assistant Director-Technical Services, DPW, re: Request special consideration to repave St. Paul Street between King and Maple in lieu of Excavation Fees

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

7. COMMUNICATION: Chapin Spencer, Director, DPW, re: Downtown Parking Improvement Initiative (15 mins.)

Chapin Spencer, DPW Director, stated that they have brought a proposed resolution to launch the Downtown Parking Improvement Initiative. They have worked with the BBA, CEDO, the Police Department, the RPC and others. The Mission of this initiative was to listen, learn, and experiment together to propose new ways to manage, operate and maintain downtown parking infrastructure. They want to maintain a vibrant Burlington and the parking system is a key piece of that. They have four main outcomes. The first is to educate, inform and listen. They will be hearing from residents, the business community, and shoppers to hear what is working and what is not. They will listen to ideas they have to improve. The second is to assess the City's infrastructure. They have two aging garages and they will need to plan for the future. They will need to understand their lifespan and future capital needs. Third, they will implement pilot programs to explore new ways of managing parking. They will look at demand based pricing, extending the hours of enforcement, and new technologies. Finally, they will create a parking management system that will look at public and private systems and hopefully bring them together for the customer to enjoy.

Kelly Devine, Burlington Business Association Executive Director, thanked Councilors for attending the parking summit. They recorded the event and received a grant so they were able to bring in a high caliber keynote speaker. They had over 140 people attend the event and 95 participated in an interactive listen and learn session. That information will all be available online. They will be talking to a number of stakeholder groups. This will be more of a parking and transportation effort, but the focus in step 1 is parking improvements. They first hope to improve the customer experience. They know that more than half of the people that come from within Burlington or Chittenden County. Their first experience when they come downtown is with the parking system. They want a safer and cleaner system and to add signage to help people make their way to parking. They want to make it easier to pay and accept all modes of payment. They mostly accept coins right now, which is difficult for those who arrive without that form of payment. They want to reduce violations because that is not a positive experience for people. They want to have parking at a variety of price points to make it affordable for all visitors. The goal is to have 85% occupancy at all locations. That would mean there would always be a spot available for every person's budget balanced against how much they value convenience. They would also like to reduce congestion on downtown streets. National averages showed that 1/3-1/2 of congestion on downtown streets came from people driving around looking for parking. There is also a positive climate impact. Estimates are that 30% of emissions in a downtown are because of cars driving around looking for convenient, inexpensive parking. They will benefit the community by saving the parking infrastructure. The garages are in serious need of repair and improvement. They will also support their traffic fund which takes care of streets, traffic signals, crossing guards, and cross walks. They will work to coordinate the efforts between residential parking needs and the downtown parking needs to make sure there is a collaborative approach.

Nate Wildfire, CEDO Assistant Director, stated that planBTV acutely addresses the need for better parking management. They ought to be moving towards a more comprehensive plan. They have a tremendous amount of underutilized capacity. At peak times, 35% of downtown spaces are vacant. That is hard to believe, but it is true. Some of those are street spaces and public garage spaces, but a lot of those are private garage spaces. Because there is no comprehensive plan, there is no incentive for the private owners to work with the public sector to create a seamless experience for a customer. Visitors do not really care if the space is public or private, they just want to park. That is the first impression of Burlington for many visitors. Comprehensive parking management has five themes. The first is user experience, which is the customers experience and whether it is positive or negative. The second and third themes are demand and supply. Right now they do not operate the parking system with any attention to market based demands or supplies. The fourth is the location where parking is available and where people are trying to go. They need to direct people to different locations so it is an easy experience. Signage is not so good. The last is theme is time and pricing; time limits and pricing influence parking behaviors. Having both Public Works and the BBA involved represents the public/private partnership that will be necessary for any parking management system. In most cities at least 50-60% of parking spaces need to participate to make a management system effective. They need the private sector. Private sector employers, business people and non-profit sectors who come downtown know their customers best. Their input will be critical to making sure their needs are met. They also need information from all corners. They will include the CCRPC, CATMA, the transit system, Local Motion and others.

Councilor Bushor stated that she supports this initiative but is concerned about the reference that was made to expanding the hours of enforcement. She knows that people are thoughtful and everyone wants Burlington to thrive. She is concerned about increased fees, elimination of 2 hours of free parking and expansion of hours. Expansion of hours would be detrimental to those attending downtown events, especially because parking meters limit the amount of time. When contemplating increase of fees or eliminating two hours of parking, they need to remember that they are struggling to bring people to local stores in the downtowns because people are shopping online. She is concerned about moving in a direction that is harmful. She works at Fletcher Allen and the people she works with feel that the 2 hours of free parking are in incentive. She is concerned about the changes and wants them to be very thoughtful. She understands the need for money but hopes that they will get enough feedback from the users through this process. She is glad to hear they are broadening the scope of people involved in the conversation. This process does need to unfold and be explored.

Councilor Hartnett stated that they need to do a better job identifying private parking lots downtown as private. He has had people looking for their cars that have been towed. There are some signs, but at night they are not well lit. Many people come for the first time and their car ends up being towed to another town and are unable to get it until the next day. That is a bad impression for a first time visitor to Burlington. He inquired if there is anything that they can do in the short term with their private partners to make that a better situation. Ms. Devine stated that she has been talking about signage for a long time. There is a comprehensive way finding system that will be in place in the spring. She could have a conversation with people about that. When someone comes downtown, the worst case scenario is that their car gets towed, and the second worst is getting a parking ticket. She thinks it is a good idea. Because there are so many private operators, there is no uniformity between the experiences. It is confusing and she would like to do what they can to improve it.

Councilor Paul stated that she thought the parking summit was excellent. It was interesting because there were a lot of different stakeholder groups represented. There are not going to be any draconian changes to the parking system. The idea is to educate and inform. The speaker was great and had great ideas, but a number of them were pretty dramatic and would upset people if they came as a surprise. If they were to extend meters into evening hours, they would do it on a pilot basis and then evaluate their successes. They mentioned that the 2 hours of free parking is a tremendous advantage, but it is very costly. 70% of people who park in the garages use the 2 hours of free parking and do not stay longer. Even with the Downtown

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Improvement District they are not breaking even while they have two garages that are 40 years old. She inquired if they have thought through what they may do for a pilot and when that may happen.

Ms. Devine stated one piece of advice they got was that if a pilot is not working it should be pulled. They will begin doing pilots. They will also be working on a parking management plan, and the pilots will help inform them. The Downtown Improvement District was created through a charter change, so there is language that directly affects the 2 hour free parking program. It is specific that the Downtown Improvement District money should be used for a parking program with 2 hours of free parking. That language limits them. They have not considered getting rid of that program. Mr. Spencer stated they have not decided which pilots they will choose. The resolution tonight will create the advisory committee who will review the options and make recommendations. They are in the very early stages. There is great interest in beginning them as soon as they can. He estimates they will begin in February or March.

Ms. Devine stated they are focusing energy and money on education and outreach to talk to people in advance of pilots. Mr. Wildfire stated the pilot projects will be both public and private. It will not work if it is just the public sector.

Councilor Worden stated that he attended the parking summit and it was well attended and organized. He will support this. The reason people come to Burlington is not because there is an available parking space but for the experience downtown. No matter how people come downtown they end up at their final destination by walking. He is glad they are targeting the circle pattern of people looking for a space. He has heard increased concerns about pedestrian safety. It is something that they need to look at on a parallel track. He believes this will result in a great program.

Councilor Siegel stated that they were talking about graded costs for meters to balance affordability and convenience. It sounded like the undercurrent was that people with more money can choose affordability over convenience, but people with less money will not have the choice.

Councilor Brennan stated that he is concerned about the cause and effect that changes downtown would have on residential areas. Not all streets have residential parking and he is concerned that they may be solving a problem in one place but creating another problem somewhere else. Mr. Spencer stated that they are aware of the potential for that and know that there is a relationship between the downtown and neighborhood parking systems. They have secured money to do a concurrent residential parking study so they can plan accordingly. The residential parking program has not changed much in 30 years and it will be an opportunity to see how they can manage parking better than they do today. They will play off each other.

Mayor Weinberger stated that he feels that they had a good conversation at the parking summit and encouraged people to watch it before they begin moving forward with their pilot programs. The speaker made parking funny and interesting. The overarching thing that comes through in that presentation is that it really impacts the quality of life in the City. Their parking system is driving up the cost of living. They heard that every additional parking space added to a housing unit increases the cost of the unit 15-30% and reduces the number of homes that can be built. The system is not optimally serving the businesses or cultural institutions. It is also not a system that works well for residents and visitors. The only way to get through this is by engaging the details in policies and relationships.

Councilors Tracy and Decelles made a motion to waive the reading, accept the communication and place it on file.

7.01. RESOLUTION: Launching the Downtown Parking Improvement Initiative
(Councilors Tracy, Ayres, Mason: Transportation, Energy &
Utilities Committee)

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Councilors Tracy and Decelles made a motion to waive the reading and adopt the resolution with an amendment to line 99 to state that the City Council President will appoint a member of the City Council to the committee.

Councilor Tracy stated that it has been amazing to see the collaboration that has happened on this issue. The resolution will have four different phases. First they will facilitate public dialogue. Second they will assess parking needs, which will be done by the end of 2014. This will give enough time to do a comprehensive and intentional analysis. Parking is an emotional topic and people have had strong reactions and have already raised valid concerns even though nothing has been proposed. Once they receive the results of the assessment, they will develop a plan by March of 2015. The plan will include involvement from businesses, stakeholders, and the City. There will be a working group that will speak to the staff side of things. They will also create an advisory committee with business owners, downtown residents, representatives from different cultural organizations, a City Councilor and a member of the Regional Planning Commission. They will receive feedback from that group to inform their decisions.

Councilor Bushor stated that she hopes that the downtown residents selected by the Mayor are not business owners and do not live side by side. She feels they will be better served by having that diversity.

The motion to adopt the resolution as amended passed unanimously.

8. RESOLUTION: Adoption of Proposal for \$500,000 Fund Adjustment (Councilors Aubin, Knodell: Board of Finance)

Councilors Aubin and Paul made a motion to waive the reading and adopt the resolution.

Councilor Aubin stated that when they adopted the FY14 budget, part of it was that they would need to seek out \$500,000 of savings within the general fund. This resolution authorizes the savings from the general fund as outlined in the memo from the CAO. Part of this savings does come from the Council budget. It lowers their yearly reimbursement from \$5,000 per Councilor to \$3,000 per Councilor for one year only. He supports this because it is only for one year. He was impressed to see what they found in the budget. This is a good sign that they are streamlining that budget to find savings for taxpayers while still providing services.

Councilor Bushor stated that she did not support this. She did not have a sense of whether or not the Council would be supportive of giving up some of their funds. She has been on the Council for a long time and is sensitive to having some Councilors decide how their money should be spent without consulting all of them. The other item that concerned her was the parking fees. It is only \$25,000, but she is unsure how they will generate that. The final item that concerned her was the Health Insurance Contribution. She was supportive of about \$400,000 of this, but not the remainder of it. She did not want to saddle the Administration with something that she was unwilling to partner with them to make happen. Certainly they want to bridge this gap, but she wants to be careful about it.

CAO Rusten stated that the goal was to come up with cost savings that they believed would be real without creating any hardships or negatively impacting services. They believe this proposal achieves that goal. They have identified \$477,000 in decreased expenses and increased revenues, but will continue to look for additional savings throughout the fiscal year. They believe there are some things that they can easily do to make changes to health insurance. They believe that they can bid pharmaceutical drugs out to reduce costs. They currently pay Blue Cross Blue Shield for their stop loss insurance, but they could potentially bid that out and get a better price. They are pretty confident that they can come up with \$40,000 without changing the fundamental aspects of their health insurance system. They are also hoping that the Council will return with some changes to the system that could be implemented. There is a \$28,000 reduction in Councilor reimbursement. This is a one-time change and the funds will be restored

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in FY15. The remaining funds are still more than has been spent in the past few years for reimbursement. They feel this is a reasonable amount. They believe that if new revenue is implemented in FY14, it would be possible to come up with \$25,000 without impacting the long term implications for parking management and dealing with deferred maintenance on the parking garages. If there is no plan to address revenues in FY14, those funds will not exist and they will have to come up with another plan.

Councilor Bushor stated based on the responses she just heard she will support the resolution.

The motion passed unanimously.

8.01. COMMUNICATION: Bob Rusten, Chief Administrative Officer, re: Proposal that Identifies approximately \$500,000 in General Fund reduced expenditures and increased revenues to achieve FY 2014 General Fund budget goal

Councilors Aubin and Mason made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

9. RESOLUTION: March 4, 2014 Annual City Meeting –Proposed Charter Change Re Ban on Firearms in Any Establishment with a Liquor License (Charter Change Committee)

Councilors Siegel and Tracy made a motion to waive the reading and adopt the resolution.

Councilor Siegel stated that this is a final vote to approve the ballot language for this item, which will appear on the March ballot. If approved by the voters, it would be sent to the Legislature. If approved, it would establish a ban on having firearms in establishments with a liquor license. There are some exceptions for those who are required to carry firearms for their jobs.

Councilor Bushor inquired if it is mandatory that the penalty be a criminal offense. City Attorney Blackwood stated that is the Council's choice. Councilor Bushor stated that she does not agree with doing that. She does not understand how it would be implemented if it passes the Legislature. Someone coming into Burlington would not know that it is illegal to bring a firearm into an establishment. City Council President Shannon inquired if there would be an ordinance paired with the charter change to work out the details. City Attorney Blackwood stated that this does not contemplate that there would be anything further. There is an issue about informing people about every ordinance that is passed.

Councilor Blais stated that all three charter changes have provisions for the City to seek a civil offense or a criminal offense. The City Attorney would be able to look at other cases to determine which would be appropriate. Councilor Bushor stated that the resolution reads that any violation shall be considered a criminal offense. Councilor Blais stated that the next clause states that any violation shall be considered a civil offense. That is similar to many other ordinances that allow the City Attorney to bring civil or criminal action. City Attorney Blackwood stated that is correct. Councilor Bushor stated that in other ordinances there are often tiers where the first offense is civil and the second or third would be criminal. It does not seem to her that there is a choice.

Councilor Siegel stated that her understanding was that it would be a choice between criminal or civil violations. She understands how the language is confusing and requested clarification from the City Attorney. City Attorney Blackwood stated that generally there is prosecutorial discretion. A violation could be a criminal or civil violation. The individual prosecuting this will decide which they would like to use. City Council President Shannon inquired if it is possible to charge someone with both a criminal and civil charge for the same violation. City Attorney Blackwood stated they can. City Council President

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Shannon stated that is how she reads this. City Attorney Blackwood stated the choice is implied. Councilor Siegel inquired if there is a way to amend this so that it is more obvious that there is a choice. City Attorney Blackwood suggested changing the word "shall" to "may."

Councilors Siegel and Bushor made a motion to amend the resolution to change the words "shall" to "may" on lines 48 and 39. The motion passed by a vote of 12-1 with Councilor Brennan voting against.

Councilor Bushor requested clarification about the rollout of this charter change. City Attorney Blackwood stated that this is somewhat unusual because there is a State Law that says that no City Charter can do this. They are asking the Legislature to overturn that. In doing so, the Legislature could also give the City the authority to pass an ordinance. Otherwise, they do not have that authority. A rollout will have to be consistent with what is here in the Charter language. They can put up signs. City Council President Shannon inquired if they can require signs. City Attorney Blackwood stated that they could require signs.

Councilor Decelles stated that he does not want people driving into Burlington and seeing signs that they cannot carry a firearm. People will wonder why they are posting them. He inquired if the Legislature could give them language for an ordinance. The ordinance would have similar penalties laid out in it. He inquired why that is different than what they are asking them to do. City Attorney Blackwood stated that they are looking to have the voters decide if they want this regulation in Burlington and then it will go to the Legislature. It requires a change in State Law for there to be any regulation. The Legislature has the authority to change what the voters approved and can add or subtract things. Councilor Decelles stated that she mentioned that they could give them an ordinance that would be different than a charter change. City Attorney Blackwood stated that they could give the City the authority to enact an ordinance. They could not enact an ordinance for them.

The motion passed by a vote of 12-1 with Councilor Decelles voting against.

10. RESOLUTION: March 4, 2014 Annual City Meeting – Proposed Charter Change Re Police Seizure of Firearms During Domestic Abuse Incident (Charter Change Committee)

Councilors Siegel and Brennan made a motion to waive the reading and adopt the resolution with an amendment to change the word "shall" to "may" on lines 39 and 48.

Councilor Siegel stated that this issue was brought forward by the Police Chief. There are situations where officers are called to situations with violence in the home but charges are not pressed and the Police have to leave. There are times when they leave but have seen a firearm in the home. They leave a situation that may be abusive, but they have no way to remove the weapons from the hands of the abuser. This will give them the opportunity to seize weapons when there is probable cause.

Councilor Bushor stated that one clause of the resolution seems to be in conflict with another clause. Councilor Worden clarified that he reads that an appeal must be made within 30 days and the weapon must be returned within 5 days of the appeal. Councilor Bushor stated that she does not feel that it reads very well. City Attorney Blackwood stated that the thinking was that if the weapon was not seized at the time of the incident, the Police could still seek forfeiture of the weapon as a penalty for the violation later. City Council President Shannon inquired if the violation is failing to forfeit the weapon when the Police ask to seize it. City Attorney Blackwood stated that is the thinking. Councilor Bushor stated that if the Police come to a house and the abuser has a gun that is not the violation. They will take the weapon and return it within 5 days if return is requested. It is unclear to her what a violation is. She would like to support this, but would like more clarity. Councilor Siegel stated that if an officer comes to a house and there is probable cause that there is abuse and the abuser has a weapon but the victim does not press

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charges, they can take the weapon. If there is a violation of allowing that to happen, such as the person obstructing the Police from taking the weapon, penalties come into play. There is no civil or criminal offense for just having the gun. It is only an offense if there is a violation.

Councilor Mason stated that the difficulty with that analysis is that there is nothing obligating them to turn over their weapon.

The Council took a 5 minute recess.

Councilors Siegel and Tracy made a motion to refer this to the Charter Change Committee with a report back date of December 16.

Councilor Brennan stated that he attended some of the Charter Change Committee Meetings and he advocated for one year imprisonment. He suggested that could be on the table.

Councilor Ayres stated that he is concerned because they have a timetable that they have to follow to bring this to the Legislature. December 16 is the absolute last date to stay on that schedule. City Attorney Blackwood stated that date is within the schedule. City Council President Shannon inquired if their evening meeting would be too late. City Attorney Blackwood stated that it is the last scheduled meeting that would allow them time to get out public hearing notices before this appears on the ballot in March.

The motion to refer the resolution to the Charter Change Committee passed unanimously.

11. RESOLUTION: March 4, 2014 Annual City Meeting – Proposed Charter Change Re Safe Storage of Firearms (Charter Change Committee)

Councilors Siegel and Brennan made a motion to waive the reading and adopt the resolution with the amendment to change the word “shall” to “may” on lines 34 and 37.

Councilor Siegel stated that this charter change, if approved, would require people to have their firearms in a safe storage box or with a trigger lock if they are not on the person. This was brought forward to deal with the number of accidents that happen when youth play with guns. It will also make it harder for someone with a mental illness to get a hold of someone else’s weapon.

The motion passed by a vote of 12-2 with Councilors Decelles and Hartnett voting against.

12. ORDINANCE: ANIMALS AND FOWL—Confinement of animals in vehicles (Councilors Mason, Blais, Paul, Shannon, Bushor, Tracy, Knodell, Ayres, Worden & Siegel)(1st reading—proposed action: consider this 1st reading and refer it to the Ordinance Committee)

Councilors Mason and Ayres made a motion to consider this first reading and refer this to the Ordinance Committee.

Councilor Mason stated that this was put forth by the Police Department to cover a gap in animals in vehicles. Currently all they have is a citation for cruelty. This mirrors State Statute and would provide them a tool to deal with an animal stuck in a vehicle.

Councilor Tracy inquired what happens to the car if a window is broken to free an animal. He wondered if the car would be left unattended. Councilor Mason stated that he will find out the answer.

The motion passed unanimously.

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- 12.01. COMMUNICATION: Whitney Bierschenk, Hospital Manager, BEVS, re: Support for Vermont Statute Title 13 §386. Confinement of animals in vehicles

Councilors Mason and Ayres made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

- 12.02. COMMUNICATION: Nancy Cathcart, President & CEO, Humane Society of Chittenden County, re: Support of a proposed city ordinance that matched Vermont Statute Title 13 §386.

Councilors Mason and Ayres made a motion to waive the reading, accept the communication and place it on file. The motion passed unanimously.

13. COMMITTEE REPORTS (5 mins.)

Councilor Worden stated that the Community Development and Neighborhood Revitalization Committee met. There is a proposal for a plan coming from the State Housing Department to promote development in downtown areas to reduce the pressure on development in suburbs. This focuses on residential neighborhoods within a half mile walking distance of downtown. It enables developers to take advantage of certain benefits that the State may offer such as reduced permit costs. It will return to the Committee at a future date. They also continued discussing neighborhood revitalization. The first area that they will be focusing on is parking in general. There are many parking ordinances that are being considered right now and they will discuss how they may affect quality of life in neighborhoods.

Councilor Paul stated that the Parks, Arts and Culture Committee will not be meeting in November because the respondents to the PIAP RFP will be presenting. There are 9 proposals and the Council will be voting on which of the proposals will receive TIF funding.

Councilor Brennan stated that the Tax Abatement Committee will be meeting.

Councilor Siegel stated that the Charter Change Committee will be meeting to discuss Redistricting. They are finalizing the lines of the Wards and Districts, the terms of office, and language for the Voter Registration Board and the School Board. City Council President Shannon stated that it is particularly important that Councilors pay attention to the Redistricting work. It would be better for the Charter Change Committee to know people's opinions before they bring a proposal forward to the Council.

14. COMMUNICATION: City Councilors, re: General City Affairs (oral)(10 mins.)

Councilor Paul stated that they have heard the announcement that Barbara Grimes will be retiring. It is a bittersweet moment since she will have more time to spend with her children, but Burlington will be losing a tremendous leader. When she was hired as General Manager, she inherited many challenges. As an Electric Commissioner, she was one of the people who voted to hire her. She has done a lot for the City and to give women a voice in a traditionally male dominated industry. At the time she came to Burlington Electric, there were no women in management and leadership positions in Vermont utilities. That landscape has changed tremendously in part because of Barbara's work. She has done an amazing job to foster an environment where women can succeed and thrive. She is the first woman to be the President of the Northeast Public Power Association. She will work with whoever will replace her to help them succeed.

Councilor Bushor stated that in Ward 1 there is a large development of about 237 units being proposed on Grove Street. This is where Ireland Construction is. It is exciting and there will be an affordability

component. It is slated for only 1 and 2 bedroom units which does not provide options for families. They have always tried to support families in Burlington and she finds it sad that there is no component of 3 bedroom units. They need to be thoughtful when they work with developers so that they do not preclude families.

Councilor Siegel stated that she wanted to express some of the issues that came up after Wayne Brunette was shot and killed. She has not been able to reach out to Chief Schirling and Mayor Weinberger. The Police Chief stated that this was the first time an officer discharged a firearm since 1997, but on July 29, 2012, rubber bullets were discharged. They are referred to as non-lethal bullets, but the fact is they can and have killed. She finds it insulting to the people who were shot by Burlington Police Officers. The Mayor made some kind expressions of condolences to the family and to the officers suffering from the trauma. To say that in the same breath lessened the condolences to the family to her. She eagerly awaits the results of the internal and external investigations.

Councilor Hartnett stated that it was an unfortunate incident in the New North End. Wayne Brunette was a classmate and friend of his. He was a good person from a good family. He has been in touch with the Mayor and he has been checking in with the family. The New North End Councilors have been in touch with the family and they want the process to play out. The City and the Mayor have done an outstanding job in reaching out. It was unfortunate and they are all awaiting the report because there are a lot of questions to be answered. He feels that the proper steps have been taken up until now and he hopes they continue to be taken.

City Council President Shannon congratulated the Mayor and his family on the addition to their family.

15. COMMUNICATION: Mayor Weinberger, re: General City Affairs (oral)(5 mins.)

Mayor Weinberger thanked the Council for the warm wishes. It has been an exciting time for his family.

When they last met, it was the night before they announced the addition of Allegiance Air Service and they are excited about that flight which will begin in February.

They held the Parking Summit and the keynote speaker made a remarkable presentation who made the subject of parking humorous and interesting. The Pension Summit also took place and was a productive start to an important long term conversation. They have already begun the work promised to the Council to create a process going forward. They will bring this process to the Council soon.

There was a Veteran's Day Ceremony in Battery Park. They also had a ceremony in Memorial Auditorium where the lost plaques that were found in the basement were unveiled. They are in the entryway of the Auditorium.

There is a Sweep Account Report in their packet, which is the new description for what used to be called the pooled cash report. They had a good discussion about this at the Board of Finance. This was an important step to regularize reporting to the full Council.

There is an event with UVM President Tom Sullivan tomorrow. It is an important event in the relationship between the City and UVM. He hopes there is strong attendance.

Tim Wise, an anti-racism author, will be speaking at Champlain College. He believes the event is sold out. He encouraged Councilors to attend.

16. COMMUNICATION: Eileen Blackwood, City Attorney and Bob Rusten, CAO, re: Potential litigation regarding a public records request (oral)

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On a motion by Councilors Bushor and Tracy the City Council went into executive session at 10:13 p.m. premature disclosure would place the City at a substantial disadvantage. Present were: see above. Councilor Decelles was not present.

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

17. COMMUNICATION: Richard Haesler, Assistant City Attorney, re: Champlain Parkway-Pending Litigation (oral)

On a motion by Councilors Bushor and Mason the City Council went into executive session at 9:39 p.m. to discuss pending litigation. Premature disclosure would place the City at a substantial disadvantage. Present were: See above, Brian Dunkiel, Chapin Spencer, Peter Owens, and Richard Haesler. Councilor Decelles was not present.

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

On a motion by Councilors Bushor and Siegel the City Council went out of executive session at 10:09 p.m.

On a motion by Councilors Bushor and Paul agenda item 17.5 was amended on the agenda.

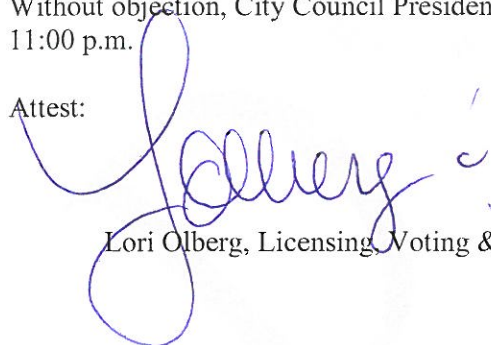

- 17.5. RESOLUTION: Settlement of Pending Litigation – Champlain Parkway
(Councilor Shannon)

Councilors Mason and Paul made a motion to waive the reading and adopt the resolution. The motion passed unanimously.

18. ADJOURNMENT

Without objection, City Council President Shannon adjourned the Adjourned City Council Meeting at 11:00 p.m.

Attest:

Lori Olberg, Licensing, Voting & Records Coordinator and Amy Bovee, Executive Secretary