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AUTHORIZATION TO EXECUTE THE 2010
TIGER GRANT AGREEMENT FOR THE
WATERFRONT ACCESS NORTH PROJECT

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

That WHEREAS, this past spring, the U.S. Department of Transportation (DOT) announced that the \$1.5 billion TIGER (Transportation Investment Generating Economic Recovery) Discretionary Grant program was created by Congress as part of the 2009 Recovery Act, to finance strategic investments in infrastructure that will result in immediate and long term job creation; and

WHEREAS, the TIGER funds were among the most sought after competitive Recovery Act monies, oversubscribed by a ratio of 38:1 with \$57 billion in requests for the \$1.5 billion available; and

WHEREAS, only 3% of projects were funded through this nationally competitive program; and

WHEREAS, the City was awarded \$3.15 million of TIGER funds to be used for the “Waterfront North” project, which involves rebuilding the end of Lake Street, realigning and upgrading portions of the bike path, undergrounding of overhead utilities, storm water management improvements and constructing the parking necessary for the redevelopment of the Moran plant; and

WHEREAS, the \$100,000 Transportation Enhancement grant requires a 20% local match that will come from Parks Impact fees and Streets and Sidewalk funds; and

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40 WHEREAS, the \$3.15 million of TIGER funding requires no match (except for the utility
41 portion of the work as set out below); and

42 WHEREAS, a portion of this project includes the undergrounding of overhead facilities
43 and the undergrounding of the overhead facilities is regulated by state law that requires that
44 when Federal moneys are used for undergrounding, approximately 50% of the undergrounding
45 costs shall be covered by the municipality but our local ordinance allows the City to recover
46 these costs from the utilities that own the overhead facilities; and

47 WHEREAS, a recent Vermont Supreme Court decision upheld as legal the City
48 ordinance allowing for this recovery of local share costs; and

49 WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity – a Legacy
50 for Users (SAFETEA-LU) funds were used for the planning and design of these improvements;
51 and

52 WHEREAS, the Community and Economic Development Office in conjunction with the
53 Department of Public Works, and the Vermont Agency of Transportation (VTrans) in
54 consultation with the citizen advisory Waterfront Marketplace Downtown group, the City
55 Council Transportation Energy and Utilities Committee and full city council, developed the
56 Waterfront Access North project authorized by these funds based on the following principals;

57 1) Burlington’s Marketplace, Downtown and Waterfront will be economically
58 strengthened through continued public improvements and private investments.

59 2) The infrastructure improvements provided on the Waterfront will ensure safer
60 pedestrian and vehicular access.

61 3) The amenities of the Marketplace will be extended to other parts of the
62 downtown and the waterfront.

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68 4) Consideration will be given to improvements that can be well maintained and
69 managed.

70 NOW, THEREFORE, BE IT RESOLVED that this City Council does hereby authorize
71 the Mayor to direct Steven Goodkind, Public Works Director, to execute the 2010 TIGER Grant
72 Agreement, and to otherwise act as the representative of the City of Burlington in all matters
73 relating to the execution of this award obligation, subject to the prior review of the City
74 Attorney.

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