



CITY OF BURLINGTON, VERMONT
CITY COUNCIL TRANSPORTATION, ENERGY &
UTILITIES COMMITTEE

c/o Department of Public Works
645 Pine Street, Suite A
Post Office Box 849
Burlington, VT 05402-0849

802.863.9094 VOX
802.863.0466 FAX
802.863.0450 TTY
www.dpw.ci.burlington.vt.us

Councilor Kurt Wright, Chair WARD 4
Councilor Vince Brennan WARD 3
Councilor David Hartnett WARD 4

Inquiries:
Nicole Losch
802.865.5833
nlosch@ci.burlington.vt.us

Transportation, Energy and Utilities Committee of the City Council

Thursday, March 29, 2012 at 6:00 PM
645 Pine Street, front conference room
-MINUTES-

Members present: Chair, Kurt Wright
David Hartnett

Others present: noted below

Chair Wright called the meeting to order at 6:10 pm.

1. Agenda
Hartnett moved to accept. Wright second. All in favor.
2. Public Forum
No members of the public in attendance for forum.
3. Minutes of 11/10/2011
Hartnett moved to accept. Wright second. All in favor.
4. Downtown Transit Center – CCTA
Aaron Frank, CCTA: Provided brief history of existing CCTA transit center and site. New site must be declared by June 30 to keep federal funding. Reviewed work to date; details available on CCTA website. 37 potential sites have been identified in 4 groups/categories within the central business district. 9 sites moved into secondary screening: 1st group 151 St Paul St; 2nd group 63 Pearl St, 50 Cherry St, combination of 63 Pearl and 50 Cherry St; 3rd group no viable sites; 4th group St Paul St between Cherry St to Pearl St, Cherry Street at Church Street, 85 Pearl St, 20 Pine St, 135 Pearl St. Reviewed sketches of potential site development, included future buildout of transit center. Reviewed site selection process, meeting schedule, and project timeline. Seeking conceptual approval from the city because St Paul Street project is city property. Steve Goodkind, DPW Director: Project will come to DPW Commission in April also. Q&A responses included Steve Carlson, CCTA; Aaron Frank; Steve Goodkind; TEUC members: In full buildout additional on-street parking would be lost for bus bays; initial plan fits within existing CCTA stops on St Paul and Cherry Streets. Cathedral was approached for interest in conveying land for various site buildout options; not interested in conveying land but supported on-street concept. State building was approached and only conveyed need to maintain access to

underground parking on St Paul St; access would be maintained. Concept for interim building includes first floor passenger area with ticket booth, restrooms during scheduled bus hours, and heated waiting areas; second floor staff breakroom. Truex Cullins designing facility to be exciting and attractive. Concessions are being considered but are not included due to limited footprint of building. Preliminary traffic study shows no impacts but additional study will be completed if concept pursued; DPW has reviewed and supports concept to be studied further. Project budget is \$9.7 million with 80% Federal funding and 20% State and local split evenly. St Paul St on-street concept is within budget; 50 Cherry St is over budget and estimated at \$20 million for relocation of State facility and parking on top of transit center design and construction. CCTA has capital funds to provide match without raising revenue. If it moves forward, City Council will need to approve street closure for St Paul St transit center.

Hartnett and Wright support concessions/vending if as space allows. Hartnett acknowledges additional potential at 50 Cherry site; wants to ensure process is done right so that it is successful in the future. Wright agrees but understands cost constraints are severe and that grand plans may have to be cut in order to move the project forward.

Hartnett moved to approve St Paul St transit center to continue to go forward for evaluation. Wright second. All in favor.

5. Champlain College Geothermal Water System Agreement

Norm Baldwin, Assistant Director, DPW; Steve Goodkind, DPW Director; Gene Bergman, City Attorney; John Caulo, Champlain College Vice President of Campus Planning; David Provost, Champlain College Senior Vice President of Finance & Administration.

DPW allows encroachment within ROW for 30 days; longer periods require Council approval.

DPW manages process through excavation inspector: reviews technical plans for utilities impacts, safety and other ROW complications; determines how to fit the proposal within the ROW with minimal impacts; considers safety of proposal; works to preserve city's rights and access to public ROW and other utilities. DPW supports Champlain's use of geothermal water and believe it will work without impacts to other utilities. Unsure of how to craft agreement for permanent use of ROW. Considered easement but assigns Champlain first priority use of that space. Redrafted for process similar to recent ICV foundations on Battery St, uses franchise fee but unclear if fee should be flat or continuing. Disagreement remains over fee structure (one-time or annual assessment) and definitions relating to fee assessment that set precedent for Champlain College as a utility.

City Council expressed interest in understanding process and decisionmaking; DPW seeks TEUC support for agreement type to pursue, franchise fee to pursue, while allowing Champlain to be successful.

Champlain College owns properties on Maple St west of Willard St; 6" flexible pipe would be placed under Maple Street to carry water from water well on property south of Maple Street to property north of Maple Street, where a geothermal system would heat the water for distribution to Champlain properties. Installation would involve directional boring below lowest utility in ROW, approximately 12' below surface.

City ordinance doesn't define utility but describes activities; this proposed activity fits description of utility. Proposed fee structure based on numbers provided by Champlain and educated guesses based on similar activities. Final agreement should be approved by City Council but entities need guidance on how and what to negotiate before going to Council for vote.

Debate over definitions of facility in question: conduit to transport water vs. building to building connection by same property owner vs. heating/cooling of product. All have different

implications for fee structure and involve various city ordinances. Franchise fees are paid by entities such as Water Dept. carrying water from house to house, Telecom and BED when new connections are made.

No other examples of similar situations; possibly UVM process in past but without DPW approvals to date.

Clear definition of Champlain College as an educational facility rather than utility can be provided in the agreement approved by City Council. Issue cannot be fully resolved with this TEUC, since new Mayor and new Board of Finance in effect on 4/2. However, guidance should be provided.

Hartnett and Wright: one-time fee should be pursued and agreement should come to Board of Finance and City Council together. City and Champlain should renegotiate agreement and identify a fee that is fair and reasonable, considers reinterpretation of water utility, and encourages renewable energy efforts.

6. Sidewalk Accessibility Program & Burlington Candidates
Written correspondence provided.

7. Adjourn
Hartnett moved to adjourn at 7:19. Wright second. All in favor.