



Human Resources Department

City of Burlington

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Institutions and Human Resources Policy Committee

Minutes

July 1, 2013

Present Councilors: Kevin Worden (K.W.), Sharon Bushor (S.B.), Max Tracy (M.T.)

Staff Present: Susan Leonard (S.L.), Stephanie Reid (S.R.)

Others Present: Mayor Weinberger (M.W.), Mike Kanarick (M.K.) (5:32pm – 6:25pm)

Meeting Called to order: 5:05pm Human Resources Conference Room, 179 S. Winooski

1. Approve Agenda

KW moved to approve the agenda, seconded by MT, Motion passed 3:0.

2. Approve Minutes of the May 28, 2013 Meeting

SB moved to postpone the adoptions of the minutes from the meeting of May 28, 2013 until the next meeting since the minutes were just received. Seconded by MT. Motion passed 3:0.

3. FY14 Budget and Goals

SL presented her FY14 budget narrative, which was originally submitted at the meeting at DPW. The Mayor did approve the not-level funded scenario that included additional money for software for diversity and equity training and also potentially for an Ameri-Corps person. Also attached in the packet are the FY13 goals, updates on where the department is on those goals, along with the FY14 goals so that the committee is really in the loop about what is going on in HR. The committee is to let SL know if anything was missed.

SB requested clarification on the orientation of the packet. SL responded by outlining the set-up of the packet. SL highlighted a few of the goals. 1) Diversity. The Mayor, at the beginning of last fiscal year, had convened a strategic planning committee around diversity and equity that was chaired initially by Kesha Ram before she became a City employee and Kyle Dodson, both as community members. When Kesha became a City employee, she stepped aside and Sarah O. stepped in. SL to provide an update on that committee work, how that ties into the HR FY14 goals and to bring back any comments or thoughts to take back to the committee.

KW questioned if SL was the staff member or HR is staffing that committee. SL responded with Beth Truzansky, CEDO, is actually staffing the committee as it pertains to scheduling and notes and Peter Owens and SL are City committee members with voting rights. Councilor Siegel is on the committee as well. SB stated that Councilor Siegel keeps them informed, where people are, not the minutia, but the progress that is being made. SL stated that diversity is particularly important and the overarching goal will be to weave diversity and inclusion into everything that we do, especially in terms of the policy manual revisions, contract negotiations. The Mayor, Bob Rusten, Mike Kanarick and SL met with representatives of Diversity Now. Diversity Now is looking for us to be inclusive from a leadership perspective, that we are all really communicating with one another and that we are taking leadership roles around diversity initiatives. As HR

committee members, SL wants you to feel informed and be able to be conversant on either committee, either internal to the City or external, if asked questions about your role or your leadership, to make sure you feel included in what's going on. SB asked accessibility's role and if that could be included with diversity. The Mayor was very concerned about how we were going to educate employees and people that worked with us about diversity and accessibility and didn't realize that most of us were proposing internal, understanding that it would have an impact on HR and the Attorney's office to play roles in teaching and training. Do you think that there could be in this process of rolling it out that the two have to be separate in the way you bring employees and people doing business with the City, up to speed? Do you think you have to have separate components? SB can see that happening but doesn't know if it has to, is that at all talked about in this inner sanctum. SL does clarify that there are two separate committees and that the short term answer is yes, that they are separate and probably makes sense from a perspective and we do have an HR FY14 goal to include accessibility training as a part of orientation and ongoing as it relates to access to employment, promotions, retention. As a part of the annual EAP (Employee Assistance Program) review for the year, they shared that they have a staff that is quite well versed in accessibility training and as a part of our contract will come to various departments and conduct training. SB questioned that there will have to be a diversity policy or section in the policy manual. SL is not looking for a separate policy section, as the EEO plan is pretty decent. We do need to update our diversity and inclusion statement to be more compliant with current law. We are finding in various places around the City, like with the Livable Wage Ordinance, that there are policies that we already have in place, that we are not actually, necessarily following to the full extent and I noticed with the EEO statement, that the HR Director should be doing once a year, and that haven't done, is a report to the City Council about what our demographics look like. There is also a section in the EEO policy that asks for each department to create their own plan around diversity. Should be less re-creating the wheel but more taking a look at what we have and making sure that we are intentional around our diversity and equity initiatives and if there is a place that we can find in the policy manual that we could be more explicit or more inclusive, that as we go through them, that we look through that lens. SB asked KW if he was ok with SB asking the questions. KW responded with absolutely. SB questioned if the Diversity Now committee has seen what's in our HR policy and had a chance to make suggestions of how to strengthen it, have they had that opportunity. SL responded with yes, that several members actually looked through the policy manual, not just for diversity and equity but for family-friendliness as well. Recent contact has been made to meet again with suggestions around policy changes. SB stated that ultimately our committee will vote on that but since we have a bunch of people who have immersed themselves in diversity and probably have much better understanding, we should try to seize the moment and get them to look at this, beef it up if we need to. KW stated that this would be the year that we comb through the policies and re-write as necessary, timing is perfect. SL confirmed.

2) Wellness. SL stated that we re-negotiated the health, dental, and life contracts. As a part of the new administration and the departure of an employee, Sue Trainor, from the Clerk Treasures' office, there was a re-organization and as a part of that all wellness and worker's compensations initiatives were moved to HR. We had always worked in very close partnership but HR finally took actual responsibility. MT questioned that risk management stayed at the C/T office. SL confirmed that the property liability of risk management did stay with the C/T office. One of the components of the new Blue Cross Blue Shield contract is that they increased the wellness grant from \$30,000 to \$50,000. The wellness team is larger than it has ever been and better represented across the City and for the first time since the committee's inception, we have specific goals that are based around the health-interest survey, feedback from the recent review of the EAP program looking at the highest utilization of their program, which is all confidential, but seeing that calls are for stress, depression and comparing that against our analytics from Blue Cross Blue Shield and finding

overlaps in the data. Using that data to structure wellness programs that are targeting those issues for the employees and the added benefit of reducing claim costs associated with those benefits.

3) Worker's Compensation. SL stated that we have an all-time low MOD rating. It's a scorecard figure as a municipality, we don't get to use the MOD rating in terms of actual premium. However, we have steadily reduced our MOD rating. Our total overall worker's compensation as a percentage of payroll has also been reduced. SB requested that figure. SL will send that to her. KW questioned is that reflected of minimal claims in the past. SL stated that it is not the number of claims, but the expense of those claims. KW stated that it is a result of safe workplaces and practices. SL communicates that we had the first workplace summit on safety back in the fall and attended by every department.

4. Update on Contract Negotiations – IBEW & BPOA

SL stated that we have two of our four contracts open for negotiations. KW stated that he learned from Eileen that negotiations are changing. SL confirmed, stating interest-based bargaining. Its consensus based. You don't move on from a topic unless you can get consensus. SL describes how the sessions are handled now as compared to previous negotiations sessions, how items are presented, discussed and voted on. KW stated that they did receive an update at the last session from Eileen on the status of the negotiations.

5. Policy Manual Review

a. **Combined Time Off.** SL explains the current set up of the vacation, sick, holiday, etc time off buckets. The hope is through contract negotiations and the policy manual review that we move towards combined time off. Discussion took place on how time off was used in the past and the potential for better flexibility from an employee standpoint and better management of that time from an employer standpoint.

b. **Telecommuting.** SL explained that there is a subcommittee of city employees that is looking at creating a telecommuting policy. Currently such policy does not exist. Discussion took place regarding current processes. SB questioned if we are going to restrict people's access. SL stated no but one of the bigger issues around telecommuting is security.

c. **Legal Updates.** SL stated that we will be working the City's Attorney's office so that any updates we need to make from a legal aspect will be done.

7. Mayor's Update on UVM Relations

a. MW discussed the financial impact of the payment for service. Bulk of the payment is 1.2 million dollars. Bulk is for fire services, based on a square footage basis. The calculation is favorable to the City. SB questioned how many false alarms. MW stated they pay separately for false alarms. Carina and Paul reviewed this and for the fire piece, it falls genuinely in our favor. Other pieces of the payment pertain to Code Enforcement and Police. Again, Carina and Paul looked at this and they were satisfied that he calculations were thorough and made sense. SB questioned if that includes the cost for extra patrols on certain nights. SB would like to be able to understand what really is included and what is in their budget. MW stated that it is his understanding that the foot patrols are additional items with a separate budget. KW confirmed. Discussion took place on how those foot patrols are staffed. MW stated that he is fairly high degree of confidence with the parameters set that way, that we are getting a decent deal and it was a decent deal to renew. Whether we should be thinking more creatively about what the impacts really are, whether every stone has been left unturned, less confident. SB believes vandalism needs to be addressed, fair amount of damage that is born by the homeowner who happens to be in one of the UVM footpath corridors and that the City should be aware and that the City should be able to compensate. KW added that there may be other costs, not to say that UVM is responsible for a cash payment as they do do other things, but there may be more that

they could do to mitigate those costs. Discussion took place regarding other payments that are not the fee-for-service payment. MW stated that they will distribute the back-up for the payment.

b. Discussion on the SeeClickFix overseen by Code Enforcement and examples discussed of some of the issues. Data is very positive.

c. Discussion on recycling-litter management. Work being done on the details, the number of totes needed per unit, with a potential phase-in plan. Draft Ordinance to be presented at the July 15th meeting for the first reading. UVM participating as well, providing a block or two with totes. Meeting was also held with landlords, went well. Possible wrinkle is a manufactured prototype for a cover that almost doubles the capacity of the bin, will not let it slow down the process.

d. Discussion on student-safety. The police were involved in the UVM orientation last spring. The plan is to do it again this fall to make students aware of the various risks, in particular the female students. SB stated that they get that when they move off campus as well, talk about the liability and vulnerability of leaving things unlocked, things getting stolen and how one would be put at risk. Although they are going to do a computerized version, that doesn't reach everybody. MW stated that he believes there is a high utilization of the program, that he believes the orientation is required. Though for the students moving off-site, it's more voluntary, and that population doesn't take advantage. MT stated there two input points, the incoming first-year students go to a 2-day, 1-night orientation and an element of safety that happens within the days leading up to the first days of class.

e. Discussion on the residential parking-permit reform. MW stated that he would be really interested in some feedback from the 3 councilors. A separate issue from Public Works Commission, certainly no desire at City Hall to target or change that practice. Basically, we are trying to direct the police to not upset the apple cart. Seems to be provoking a big backlash. Discussion on the backlash. SB has concluded that even though she understood that the authority was not in the ordinance to allow residents to sign the back of their ticket, write their permit number and mail it to John King, who then voided the ticket. She felt that it was not good practice to change that without notifying the very residents who were familiar with this practice. She understood that it's one thing if you are going to change an ordinance and then educate everybody about it but to change it at this juncture was really bad form. MW stated that there was no disagreement here, didn't know it was happening and now that they are aware, they are trying to put the genie back in the bottle which is separate from a conversation that they did think was worth having which is should there be some changes in the administration of residential permits that result in better regulation of who gets these permits, how many of these are given out and more convenient renewal for long term residents. A question whether if they could improve service would there be some tolerance, some understanding, would it be reasonable to charge a modest fee for these permits, that hasn't been charged for in the past, but if coupled with better service. In his perspective, it is an extra service that some residents are getting that most residents don't and to charge something for it, he is all for it to cover the cost of administering the program. SB stated that what you will get from her ward, where she lives, not where Kevin lives, is that ok we have accommodated the Lake Monsters, we have done everything we can to make that happen and even though it is in our backyard and now you are going to tell us if we didn't buy a permit that allows us to park on the street, we would not be able to have any guests or find any parking around our street any night that any activity occurred, SB will take issue with that fact. And all the people that live on the side streets that now have been protected because of it, which is how residential parking came into existence. When the Reds came and the activity at Centennial field and one of the things that they realized is that they strangled us. SB didn't even live on East Avenue, lived on Colchester Ave at the time, but it completely strangled that neighborhood. You couldn't have anything, you could do anything, you couldn't have any guests, SB doesn't feel that that's really fair because if I live in the new North end and I don't have an activity like that, well great. But then also I don't have to put up with crowds and people

walking by late at night, etc. I don't have to have bright lights. I mean we have worked through all of this but I think there is a price. SB is very much about accommodating activity and you choose where you live but sometimes something happens after you choose where you live and you really can't control that. SB not excited about that. MT questioned what about other streets, like where he lives, on Green Street. It's close to downtown. Is it a situation where we would have to request resident-only parking and we could be creating a slippery slope on the other side. SB stated but that was the process. Ok, now wearing the Public Works hat as I was on the Public Works Commission when this was created. There were criteria. If all the houses on your street had more cars than could be accommodated and would occupy the whole street, residential parking would provide no relief for you because you already occupy the entire street. But if there were spaces available, when all the residents were home, and if someone from downtown decided to park on your street so that nobody could come and be a visitor, then you could benefit from residential parking. Don't know how that is being reviewed now. KW stated that conversation illustrates the point where every neighborhood looks at residential parking permits in a different way. Was excited to hear that John King was working on something as I understood the underlying principles to be good but now that I am realizing that they may be coming up with an answer before they adequately understood what the issues might be. MW stated that the Public Works Commission is holding hearings on it. KW stated that there already is a lot of Front Porch Forum buzz on this, getting emails that this draconian, we have to pay on a public street. And I don't think people understand that they are not paying to park on a public street, you are paying to keep everyone else off it, so that you can park on it. It's a complex issue. People think they have something now and that they are going to lose it. MK stated that what has happened a little bit now with the resident parking ticket issue and also with there has been a little push if you don't have your sticker in the right place on the back bumper, I think that the public may think that some of these changes actually occurred rather than being at the public input phase. Understand that it is confusing people. SB stated that John is coming to the Ward 1 meeting on the 10th. KW suggested that residents pay one time and then renew it online, annually, and when there are change overs, you've got to get a permit each time. That would take the stress off the long term residents who feel like they rightly should have a little bit more access to this and put a little bit more ownness on the units that have a lot of turnover. MW stated that we are just trying to sort out the right policy. It's a complicated issue, there are mixed feelings. KW stated that he is not a big residential parking permit fan personally. MW stated that he also wonders if it is too blunt a way to implement. Like my neighborhood by having residential permit only from Maple over, my block is a free-for-all, which is fine but from Maple south, it's residential permit only and absolutely empty all day, we have this valuable real estate, people totally desperate for parking who work in town who can't find a place to park during the day. Those people would be gone by the evening when maybe there is pressure. SB stated that you also have to understand the age of the neighborhoods. On East Ave, there are houses that don't have driveways because they were built before driveways. So you end up making them pay. It's a public street. MW stated exactly, it's a public street so why should people have a private use of it. KW stated it's complicated. We need to acknowledge that every neighborhood has a different need and maybe the plan should be more targeted. SB stated that you will have more pushback from people when you have events going on.

f. Discussion on change in firework policy. Discussion of the complaints from fireworks going off for the past couple of years. MW confirmed that everyone agrees that we should curtail it. Discussion on state law, possession and ban use in the City. MT stated that he had Emma (a staff-person) do some research on it and that resulted in what he thought was an ordinance change, basically banning possession as there is an element within the Charter that states we have the right to regulate fireworks and the assumption was that it was extended to possession. But it's actually more confusing legally, if there is already a state law in existence, why not enforce that and not tie up ordinance. Decided not to go forward with it until the City's Attorney office could

look at it. MW stated that they are working on it. MT confirms that Attorney Bergman has done work on it, in terms of research but is on vacation. SB stated that he is also working on a Supreme Court brief. MT stated that either way it is still in the works and brewing and a lot of people are very interested in it. SB questioned if she has seen fireworks being sold in stores, so that is confusing. Time check by KW need to move on.

g. Discussion on Davis Gate. MW stated that is a small victory. A gate called Davis Gate on Davis Street, which was a complaint that reached a resolution with the Council. The resolution stated that they wanted closure of Davis to all vehicles except emergency vehicles and that it is his understanding that UVM did that last year. They also changed the shuttle schedule and routes. SB confirmed that they did do that, to take them away from neighborhood streets. Not sure if that worked or not. MW stated that he believes the feedback has been positive. KW stated that Gail is leading the charge or been involved with the neighborhood safety initiative so they [UVM] are doing a lot, give credit where it's due.

h. Discussion on housing. Discussions to come after this meeting. The analysis by Brian Pine and believe the City Attorney's office as reported from Carina to MW is that UVM is in compliance with the existing housing agreement, the one that goes through 2015. MW believes that there might be some confusion and maybe controversy about that. The independent City analysis is that with the Red Stone lofts construction, 61% of the students are now housed on campus and that puts them in compliance and will probably become increasingly in compliance with the modest decline in students that is expected. No one thinks that is good enough, including UVM. MW believes Sullivan to be open to conversations about housing. We are looking at possible sizable student developments which would further impact this issue. SB stated that she hopes discussions would include Councilors from Wards 1 and 6, if the housing complexes are in those Wards. These are important things and we need to get feedback from, earlier than later. MW agrees. SB stated that she is not excluding Wards 2 and 3 from because of the student impact but certainly a housing initiative that is slated for one of those Wards, that Ward should be made aware of it. Modifications were made to Ward 6 to allow them to have greater lot coverage and build up. MT stated that he encourages them to take a look at the new campus master plan. SB stated that she was a part of that brain storming group. It was to be rolled back to them, promised by President Sullivan at the Ward 1 meeting and feedback was never received. Very big disappointment. MT stated that it is on their website now. He believes that the conversation has changed in a big way, centrally and looking at downtown housing. MT stated that he doesn't see on campus housing as a viable option at this point, or as viable as it might have been. SB stated that she believes downtown is a long way and UVM classrooms and all the people that get impacted by that. Champlain made a commitment to shuttle their students. Don't know if UVM would do the same.

i. Discussion on job creation. MW stated that some of the conversations that he has had with President Sullivan both have noted that might be something to do around job creation, economic development, investment in UVM. MW believes that President Sullivan generally recognizes that one of the best things, if not the best thing that UVM has going for it is how great Burlington is and that it is a major selling point for the campus. Look around the country or not even that far. Look at Middlebury. The town and the college co-hired an employee to work at trying to get alumni to relocate or start businesses in the town of Middlebury. Just one creative, collaborative example. Perhaps something is possible with more time, nothing specific at this time to propose. SB stated that Champlain has done that quite effectively. KW offered testimony regarding Champlain's efforts.

MW stated that he has nothing else [to report]. If there is something missing from the list, that the committee thinks they should be working on, that they are not working on, that would be helpful feedback. SB stated there are two things for this chair of this committee, for the committee and for the Mayor. First of all, this committee is a hybridoma in the world of science where you take two things that are not necessarily related and you mesh them together. In looking

at the SL and nothing personal, and the staff, SB believes that they are not the right staff for the institutions and SB would like to understand how can the Council work with your administration on any of these initiatives. How can the Institutions Committee really make things, advance things, what do you see our role in your administration. Not to be a burden, but to assist. That is the question. And if MW and MK are going to be a part of the committee workings, then can MW and MK think about who else could staff this committee when we are dealing with Institutions things. SB believes that maybe a legal slant, potentially may be needed, though unsure. SB believes the updates are good but would like to know if there is a real role to play. KW stated that he was going to request that MW and MK stick around for the next item which is the mission statement, which only speaks to HR issues, doesn't say anything about Institutions. KW seconds SB motion regarding Susan and her office being the right office to staff. MW stated that if Kesha [Ram] had been in town this week, she would have been here as well. She has been dealing with the neighbors, engaged in a lot of these conversations. Whether someone in addition from the City Attorney's office is needed. SB stated that she is not sure who should staff but not HR is not the right group of staff. MW agreed and clarifies for this piece [Institutions]. SB stated that the mission statement was written when she was chair of the HR committee and the reason that they didn't address the Institutions was that it was not known what the role of the committee would be as far as Institutions. Saw as receiving information or direction from the Council and the Administration but not really clear what was going to come this way and so didn't really know how to state it. MW stated that there are certainly a couple of things that they are working on that will need Council action that deal with agreements, with Institutions. If there is a financial aspect of it, the Board of Finance has a clear role. Makes sense that this is as good a committee to do the Council vetting and possible collaboration. SB stated that she is really looking, for example the housing initiative that came from UVM. Where does that go? Does that go to the CD committee, really don't know where it goes. Trying to figure that out. None of us want to have too much redundancy or to divide and conquer, as we may conquer ourselves and we won't succeed really well. Just really trying to figure out what our role is, asking tonight, not necessarily defining it. But would like us to have a purpose. KW stated that maybe each could think about that over the intervening weeks and bring something to the next meeting. MW questions KW if he is on CD&R too. KW confirms. KW stated that he has an understanding of what his vision is between the two but doesn't have any background on this committee as all we have dealt with over the past 6 months are HR issues. SB stated that there is an overlap. KW agrees. KW stated that he sees this as relationships with the Institutions and CD&R is neighborhood revitalization. There is a link to neighborhoods that need revitalization and Institutions. SB questions if he sees this as more policy. KW confirms. CD&R started out with revitalization of the old North end and that was not an Institutions based need. It is now because we are talking about the college challenges but in the future could be totally detached. MW will take today and turn it into some formal communication and think a little bit more on how we can formalize working together on these things.

6. Retirement Ordinance Revision

SL stated that she put this on the agenda as a communication, as she assumes that any change to the ordinance would go through the ordinance committee. Marina Collins, Retirement Administrator and SL have started working with Ken Schatz and have a complete draft of revisions and suggestions that have been presented to both the Mayor and Eileen. No decisions that are being asked, just making aware as we go through the policy manual for updates that there will be some overlap. To the extent that those items affect policy.

SB stated that she did tell SL that we as a committee need to look at the category of seasonal employee as a result of liveable wage. There are quite a number of seasonal employees in different definitions. And if we move forward with expanding liveable wage, not saying that we are, but if it were decided to do something, we would need to define these subcategories, because

if it were expanded it may not necessarily be expanded to every group under those subcategories. SL stated that is another area of overlap as the policy manual does define our types of employees, looking at it through the lens of liveable wage but also through the lens of diversity and equity and from the Federal Labor and Standards Act compliance perspective.

9. Slate of Work/Goals

KW questions if he wants them to review what you have and give comments. SL confirmed and stated that if there is anything that needs to be added to the overall HR goals. MT stated that having diversity should be a standing item, given that it is such a high priority, keeping that on the agenda, even if it is a quick 3 minute update. SB questions if there has been an attorney or who in the Attorney's office actually looks at Federal and State law to make sure we are in compliance with our policy and any changes. We used to contract with Joe McNeil's office for review for compliance. When was that last done and who is doing that for us. SL stated that Eileen actually has it a couple of months ago and is going through it. She has mentioned, as you can imagine, that there is so much legal work flow flooding the office. She also has employment law background, though not labor relations.

10. Future Meeting Dates

Discussion took place regarding meeting time. 5pm works on Mondays for SB if there is not a Board of Finance meeting. SB stated that the slate of work is actually bigger than what people think. The review of the policy will take some time. SL agrees. The previous committee had suggested that between legal, employee comments and HR, was that HR should bring policy changes rather than going through it cover to cover. SB proposes that if we know internally of revisions that have to be made, that we create a track policy online that could be printed and usually you can identify who made the track, attorney, etc. The committee can also bring something forward and can either access the track and make their own revisions or, if you are ready, we can each take a section at a time and focus on those.

Date decided August 19, 2013, 5 pm. SR to send invite.

5. Adjournment

KW made a motion to adjourn at 6:38pm, seconded by MT. Motion passed 3:0.