



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A
Post Office Box 849
Burlington, VT 05402-0849
802.863.9094 VOICE
802.863.0466 FAX
802.863.0450 TTY
www.burlingtonvt.gov/dpw

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

MEMORANDUM

To: Tenzin Chokden, Clerks Office
From: Chapin Spencer, Director
Date: June 11, 2020
Re: Public Works Commission Agenda

Please find information below regarding the next Commission Meeting.

Date: **June 17, 2020**
Time: 6:30 – 9:00 p.m.

Due to current social distancing measures, this meeting will be held entirely virtually.

To view the meeting:

1. CCTV YouTube Channel (*streamed live*) or on Burlington Telecom Channel 317 (*not aired live*).
<https://www.youtube.com/channel/UCJkWMLSqRNKLoyUZQiNoAcQ>
2. Join via Zoom: <https://us02web.zoom.us/j/83495330508>
3. Call in for audio only: Phone number: 301-715-8592 Webinar ID: 834 9533 0508

To participate in public comment:

1. You must either join the meeting via the Zoom link above (strongly encouraged) or by calling via the call-in information above.
2. If signed in via Zoom, please use the "Raise Your Hand" feature. This will alert DPW staff that you wish to speak and will automatically add you to the queue. When it's your turn to speak, your name will be called and you will be unmuted.
3. If you are calling in, please press *9 which will alert DPW staff that you wish to speak. When it's your turn to speak, your phone # will be called out and you will be unmuted.
4. If you encounter any difficulties when attempting to speak during public forum, please email DPWCommunications@burlingtonvt.gov.

A G E N D A

ITEM

- 1 Call to Order – Welcome – Chair Comments
- 2 5 Min Agenda
- 3 10 Min Public Forum (3 minute per person time limit)
- 4 5 Min Consent Agenda
 - A Temporary ADA Space on Pine Street
- 5 15 Min Memorial Auditorium Parking Space Request
 - A Communication, J. Padgett
 - B Commissioner Discussion
 - C Public Comment
 - D Action Requested – Vote
- 6 15 Min Appeal of Building Permit After The Fact Fee
 - A Communication, W. Ward, B Biggie & S Vance
 - B Commissioner Discussion
 - C Public Comment
 - D Action Requested – Vote
- 7 30 Min Garage Rate Structure and Policy Adjustment
 - A Communication, J. Padgett
 - B Commissioner Discussion
 - C Public Comment
 - D Action Requested – Vote
- 8 Consolidated Collection and FY'21 Solid Waste Generation Tax Updates
 - A Communication, L. Perry
 - B Commissioner Discussion
 - C Public Comment
 - D Action Requested – Vote
- 9 5 Min Approval of Draft Minutes of 3-18-2020 & 5-20-2020
- 10 10 Min Director's Report
- 11 10 Min Commissioner Communications
- 12 **Adjournment & Next Meeting Date – July 15, 2020**

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, crime victim 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 (802) 540-2505.



Memo

Date: June 11, 2020

To: Public Works Commission

From: Phillip Peterson, Associate Public Works Engineer

CC: Susan Molzon P.E., Senior Public Works Engineer

Subject: Temporary Accessible (ADA) Parking Space on Pine Street

Recommendations:

Staff recommend the DPW Commission adopt:

31 Temporary Regulations.

No person shall park any vehicle at any time in the following locations, except automobiles displaying special handicapped license plates issued pursuant to 18 V.S.A. § 1325, or any amendment or renumbering thereof:

- On the west side of Pine Street in the ninth (9) space south of the Pine Street and Bank Street intersection.

Purpose & Need:

The purpose is to provide temporary accessible Americans with Disabilities Act (ADA) parking due to construction activities at 77 Pine Street, as recommended by the Public Rights-of-Way Accessibility Guidelines (PROWAG). There are three existing ADA spaces in the parking lot for 77 Pine Street which will be unavailable during construction. The need is to ensure adequate ADA parking spaces for the local area adjacent to 77 Pine Street during construction.

Project Checklist:

	N/A	Yes	No	Reference
Aligns with MUTCD standards and/or established City Policy?		X		PROWAG
Aligns with City plans?	X			
Followed Public Engagement Plan?		X		These Traffic Regulation changes are defined as an INVOLVE project in the Public Engagement Plan (PEP).

Summary and Conclusion:

The Department of Public Works (DPW) has received a request from a local business asking to put in one (1) temporary ADA Parking Space near 93 Pine Street; see Attachment-1. The ADA space would be temporary due to construction activities at 77 Pine Street. 77 Pine Street is undergoing a complete renovation. Construction activities at 77 Pine Street effecting ADA parking is expected to be completed in June 2021; once construction is complete, the space would revert back to a regular metered parking space.

Public Engagement:

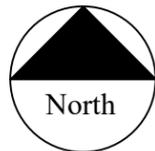
Public outreach was conducted in accordance with the DPW Public Engagement Plan. In preparation for the 6/17/20 DPW Commission Meeting, Staff placed flyers at each property along the block adjacent to the proposed temporary ADA parking space. Staff received no emails or phone calls in regards to this matter.

Attachments:

1. Site map.
-



SCALE: 1" = 30'



PINE STREET
TEMPORARY
ADA PARKING SPACE



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**

645 PINE STREET
BURLINGTON, VT 05401
(802) 863-9094
(802) 863-0466 (Fax)

DESIGNED PMP	SCALE 1"=30'
DRAWN PMP	DRAWING NO.
CHECKED SM	
DATE 6/11/2020	SHEET 1 OF 1



City of Burlington
Department of Public Works
Division of Parking and Traffic
645 Pine Street, Suite A
Burlington, VT 05402
802.863.9094 P
802.863.0466 F
802.863.0450 TTY
www.burlingtonvt.gov

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

Jeffrey A. Padgett, MBA
ASSISTANT DIRECTOR for PARKING & TRAFFIC
(Interim)

Date: June 17, 2020

To: Public Works Commission

From: Jeffrey A. Padgett, MBA
Assistant Director for Parking and Traffic (Interim)

C.C. Chapin Spencer, Director of Public Works

Subject: College Street Congregational Church
Proposal to Remove Meter
Library Lot @ Memorial Auditorium

The Department of Public Works has been approached by the College Street Congregational Church with a proposal to remove one metered spot from the Library Lot @ Memorial Auditorium and provide an easement to allow for better traffic circulation from the Church property. DPW Staff has worked closely with the Church and is in agreement with the request. They have also been in direct coordination with CEDO as the signatory authority for the Memorial Auditorium property and prepared an application for Zoning Approval. Therefore, we request that the Public Works Commission adopt the following motion:

“Authorize the Department of Public Works enter into a contract/agreement agreeable to the City Attorney to 1) allow an easement for traffic flow from the College Street Church property to exit across the Memorial Auditorium property 2) remove 1 parking space 3) realign two adjacent parking spaces and perform the necessary related construction at their cost and to City standards 4) in exchange for this easement a fee to the Church of \$75 per month and 5) for a time period such that the City can reasonably accommodate the access and is revocable at the City’s discretion.”

The City is unable to grant this access in perpetuity due to the pending re-development of Memorial Auditorium and possible site changes that may be necessary for that work.

Please see the attached memo and drawing provided by Andrea Rogers that explains the proposed project.

Attachment:

Proposal Memo and Plans – by Andrea Rogers

An Equal Opportunity Employer

This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.9094 (voice) or 802.863.0450 (TTY).

College Street Congregational Church hereby requests approval to provide an egress for the College Street Church parking lot through the Memorial driveway system with East and South exits to the street. This project includes:

- 1) The removal of one parking space on the North side of Memorial Auditorium
- 2) Related modifications to curbing
- 3) Realignment of the adjoining two spaces

This request addresses legacy and potential problems as follows:

- 1) Congestion in the lot which does not allow for safe turnaround
- 2) Resulting safety issues for YMCA's basement day care center infant drop off and pick up
- 3) Safe driveway exit on College Street given ever increasing east and west moving traffic including buses, library turn around and bicycles.
- 4) Anticipation of increased hazard if and when the hotel plan for the former YMCA building moves forward with a 75 car underground parking lot entrance and exit directly opposite the church driveway.

This new egress through Memorial property would allow for one way traffic, eliminating the more dangerous exit into College Street with impaired uphill view.

The anticipated traffic volume is low. It would involve week day drop off and pick up times, low flow comings and goings of staff and cars in rental spaces and use associated with evening or weekend church meetings, concerts, weddings, and funerals.

This requested driveway arrangement is also a precondition for a potential elevator to make College Street Church vertically accessible. It would require handicapped drop off from the parking lot. No other arrangement will work given that South Union Street is one way and College Street is a hill.

After discussion with Jeff Padgett, we propose a regular payment equivalent to the projected loss of parking revenue for the one spot taken, identified as \$75/month. We would bear the cost of the modifications, estimated at \$22,960 by J.A. Morrissey Inc. Of note, we currently provide 12 paid rental spaces to area businesses at close to market rate but could with a modest rent increase cover this cost, despite our meager resources.

Drawings for the project are attached.

Zoning permits have been prepared for the properties, working with CEDO and the Planning and Zoning Department ready for submission pending a positive decision by Public Works.

Andrea Rogers

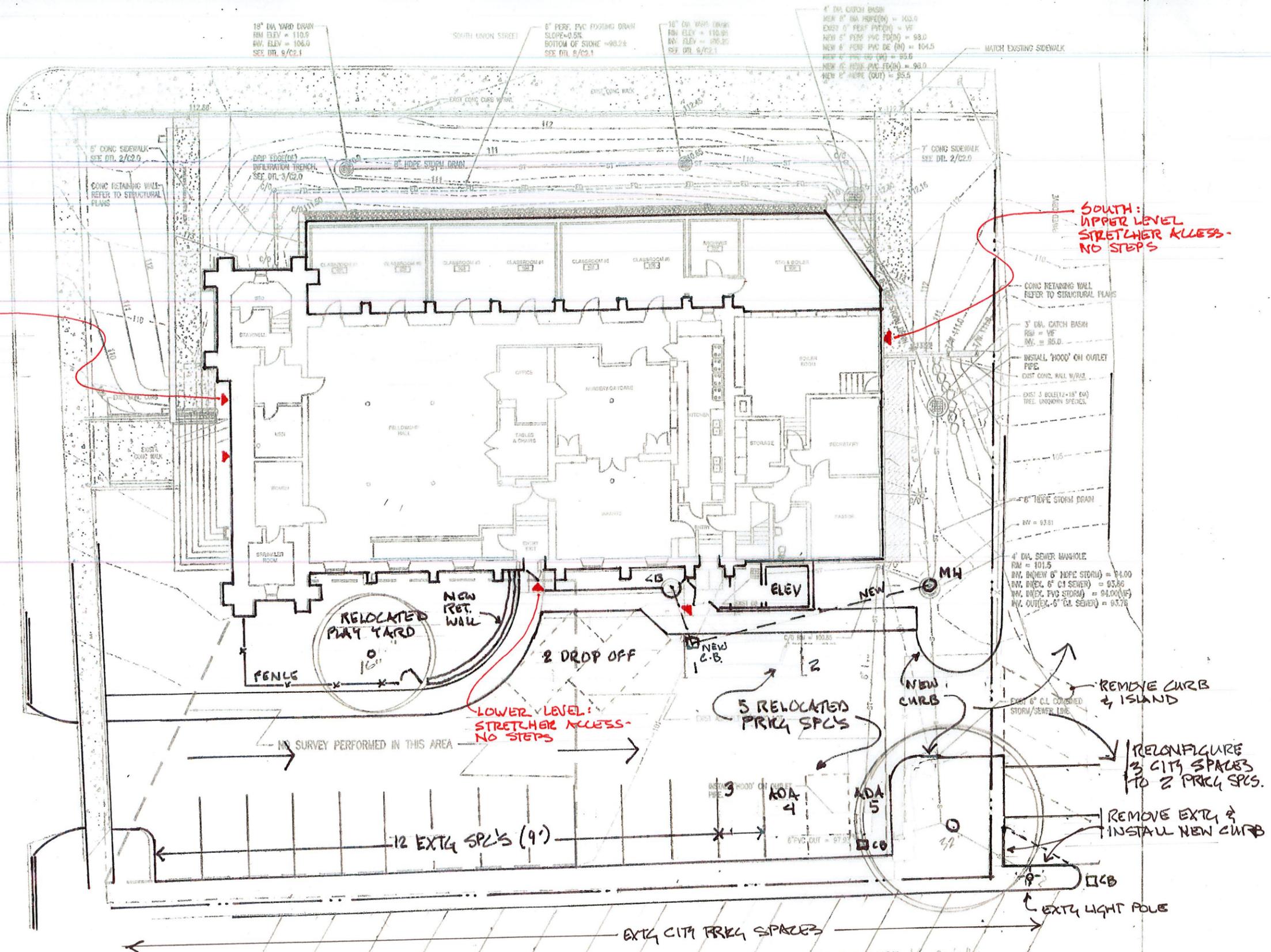
5/11/20

On behalf of College Street Church

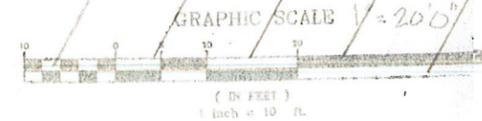
NORTH:
UPPER LEVEL
STRETCHER
ACCESS -
NO STEPS

SOUTH:
UPPER LEVEL
STRETCHER ACCESS -
NO STEPS

LOWER LEVEL:
STRETCHER ACCESS -
NO STEPS



College St Church - ELEVATION STUDY A
G.V.V ARCHITECTS SEP 2019 / REVISED JAN 2020





Department of Permitting and Inspections

645 Pine Street
 Burlington, VT 05401-8415
 Phone: (802) 865-7188
 Fax: (802) 865-7195

www.burlingtonvt.gov/dpi

Zoning Permit Application

Use this form for ALL zoning permit applications. See the relevant checklist for specific requirements.

PROJECT LOCATION ADDRESS: <u>265 College St, Burlington</u>	
PROPERTY OWNER*: <u>College St Congregational Church</u> <small>*If condominium unit, written approval from the Association is also required</small>	APPLICANT: <u>College St. Church A. Rogers "Agent"</u>
POSTAL ADDRESS: <u>265 College St</u>	POSTAL ADDRESS: <u>SAME</u>
CITY, ST, ZIP: <u>Burlington, VT 05401</u>	CITY, ST, ZIP: <u>"</u>
DAY PHONE: <u>864-7704</u>	DAY PHONE: <u>A. Rogers 864-6603</u>
EMAIL: <u>info@collegestreetchurch.org</u>	EMAIL: <u>andrea@burlingtontelecom.net</u>
SIGNATURE: <u>[Signature] President</u> <small>I am the owner. In addition, I duly authorize the applicant (if noted) to act on my behalf for all matters pertaining to this zoning permit application.</small>	SIGNATURE: <u>[Signature]</u>

Description of Proposed Project: Extending current driveway through to Memorial Auditorium Drive to allow one way passage and egress. Project to alleviate safety issue when exiting current lot into College + lack of turn around for daycare drop off and in view of increased traffic.

Existing Use of Property: Single Family Multi Family: # ___ Units Other: Church lot to come with daycare proposed

Proposed Use of Property: Single Family Multi Family: # ___ Units Other: No change now - future elevate

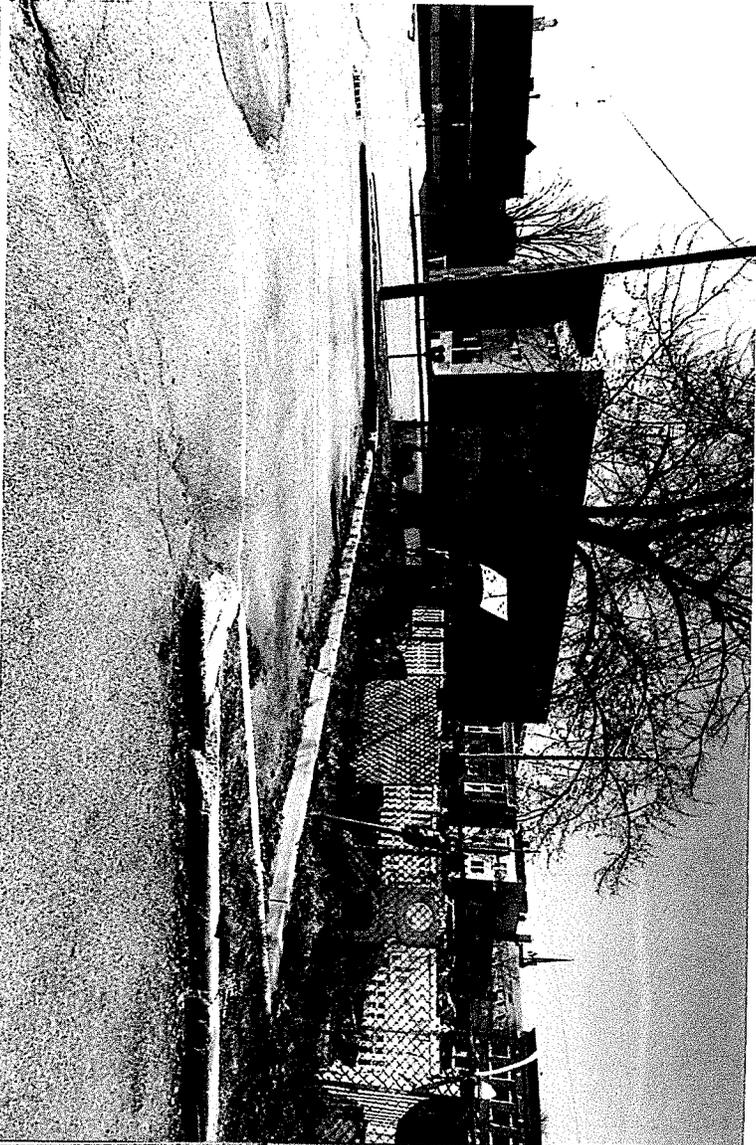
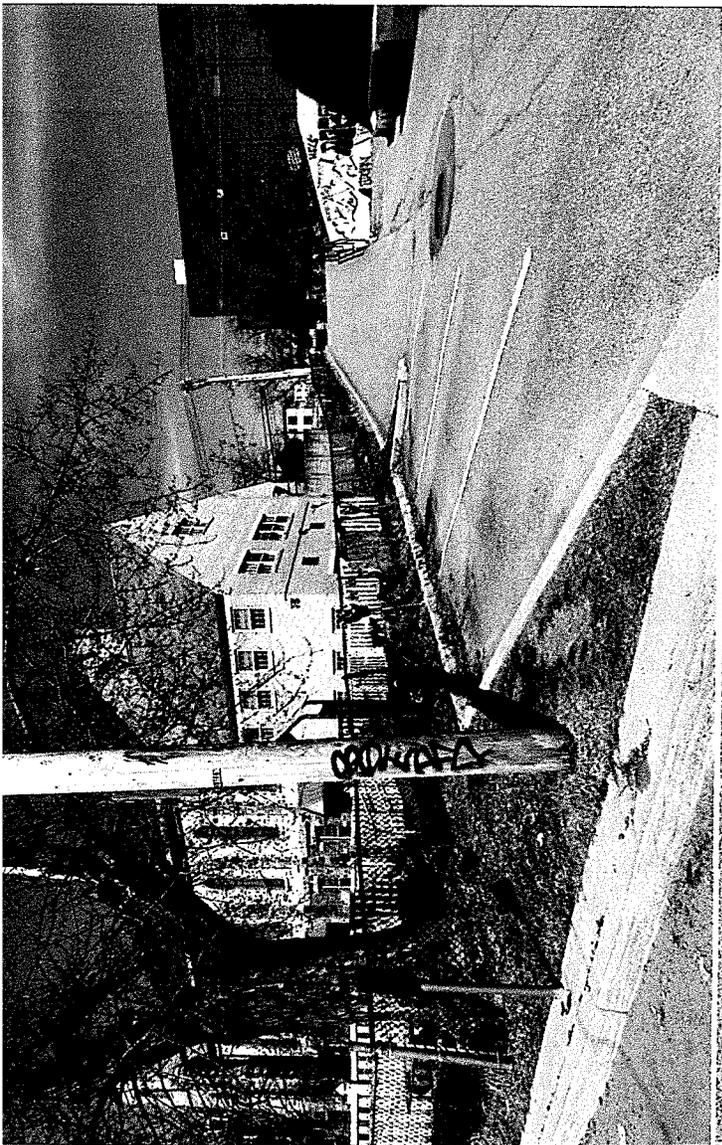
- Does your project involve new construction, addition, alteration, renovation, or repair to a structure that is heated or cooled? Yes No
- (If yes, the Vermont Residential/Commercial Building Energy Standards (VRBES/VCBES) apply. Please visit the following links for more information: http://publicservice.vermont.gov/energy_efficiency/rbes or http://publicservice.vermont.gov/energy_efficiency/cbes)
- Will 400 sq ft or more of land be disturbed, exposed and/or developed? Yes No
- (If yes, you will need to submit the 'Erosion Prevention and Sediment Control Plan' questionnaire, with a site plan)
- For Single Family & Duplex, will total impervious area be 2500 sq ft or more? Yes No
- (If yes, you will need to submit the 'Stormwater Management Plan' questionnaire, with a site plan)
- Are you proposing any work within, below, or above the public right of way? Yes No
- (If yes, you will need to receive prior approval from the Department of Public Works) Memorial
- Are you proposing any onsite food or beverage production/manufacturing? Yes No
- (If yes, you will need to consult with Water Resources Division at the Department of Public Works: 863-4501)

Estimated Construction Cost (value)*: \$ 22,960

(*Estimated cost a typical contractor would charge for all materials and labor, regardless of who physically completes the work)

Within 30 days of submission, the permit application will be reviewed for completeness, and, if complete, will be processed administratively or referred to a board for review. All permit approvals or denials are subject to an appeal period (15 days for administrative permit; 30 days for board permit). A building (and/or electrical, mechanical, plumbing, curb cut) permit will also be required. Contact the Department of Public Works at 802-863-9094 to inquire. Please ask for assistance if you have any questions about filling out this form. Call the Zoning Division at 802-865-7188, or visit the office in the lower level of City Hall, 149 Church Street.

Office Use Only: Zone: _____ Eligible for Design Review? _____ Age of House _____ Lot Size _____
 Type: SN ___ AW ___ FC ___ BA ___ COA 1 ___ COA 2 ___ COA 3 ___ CU ___ MA ___ VR ___ HO ___ SP ___ DT ___ MP ___
 Check No. _____ Amount Paid _____ Zoning Permit # _____



PROJECT CONCEPT ESTIMATE
 DATE: 3/6/2020
 BY J.A. Morrissey, Inc.
 Ph. : (802) 863-1717

PROJECT: CSCC- New Parking Lot Exit to Memorial Side
 Phase I Work Only
 OWNER: CSCC

DIVISION: 02000 SITE WORK

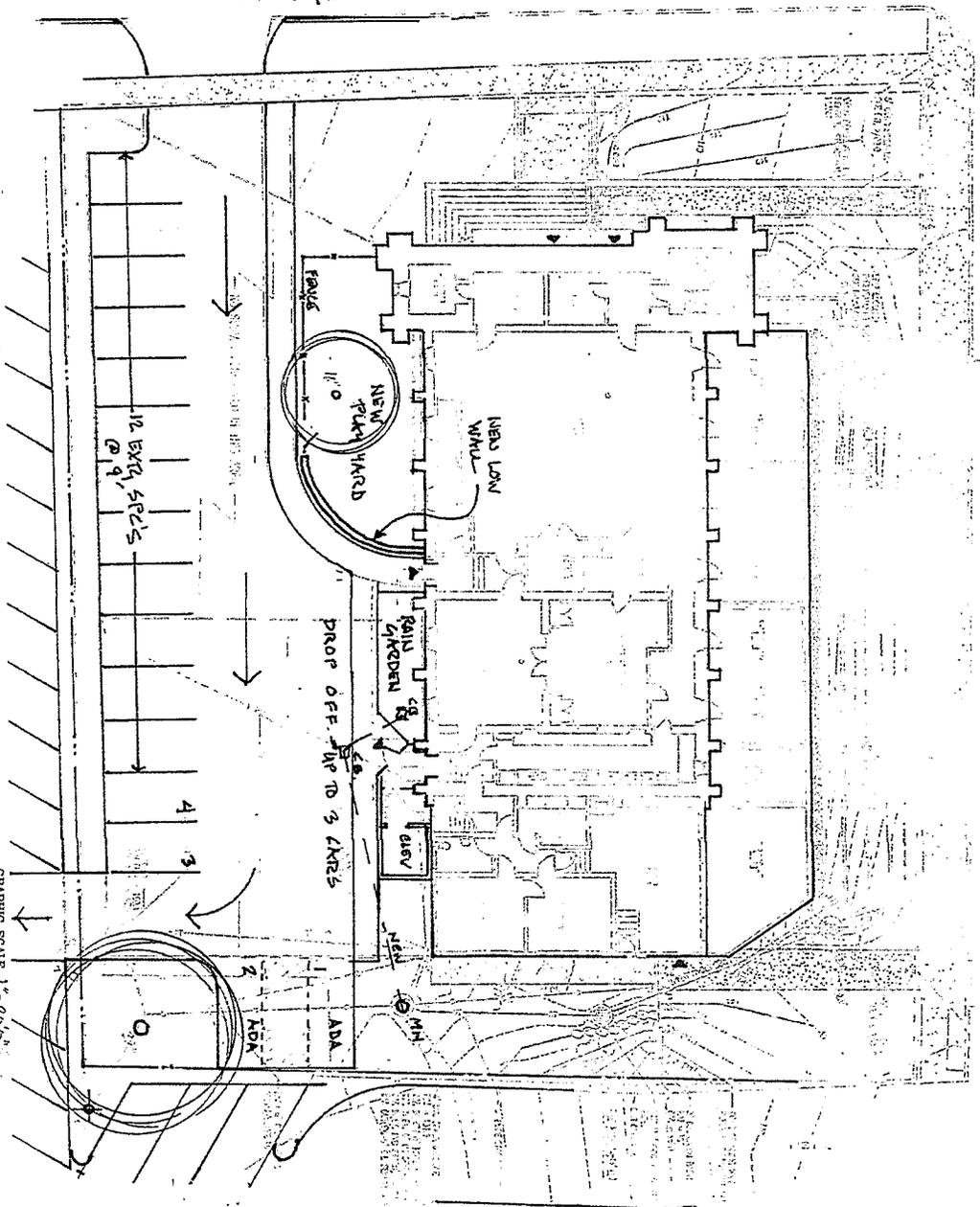
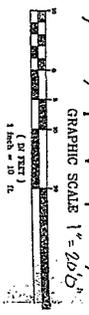
DESCRIPTION	QUANTITY	UNIT	LABOR HOURS	PER HOUR	TOTAL LABOR	UNIT COST	MATERIAL TOTAL	EQUIP. TOTAL	SUB TRADES	TOTAL COST
Permits/Admin	1	ls	24	65	\$1,560		\$250			\$1,810
Mobilization	1	ls							\$1,500	\$1,500
Temporary fencing and protection	1	ls							\$750	\$750
Demo Existing Lawn, Curbs, Pavement	1	ls							\$1,000	\$1,000
Sawcut tie ins									\$750	\$750
Form, Pour and Strip Radius curbs	1	ls							\$1,750	\$1,750
Excavate/Gravels/ 3" New Pavement and Tie- ins	1	ls							\$9,500	\$9,500
New Parking Lot Striping	1	ls							\$500	\$500
Misc Clean up, Seed Mulch and Demobilize	1	ls							\$2,000	\$2,000
Relocate Playground by Owner										
SUBTOTAL					\$1,560		\$250	\$0	\$17,750	\$19,560
Mark-Up										\$3,400
TOTAL					\$1,560		\$250	\$0	\$17,750	\$22,960

Notes:
 No Utility Relocations known or included

GRADE SHEET

COLLEGE ST.

College St. Church - Evaporative Study B
A.V.N. ARCHITECTS
SEP 2019





Department of Permitting and Inspections

645 Pine Street
 Burlington, VT 05401-8415
 Phone: (802) 865-7188
 Fax: (802) 865-7195

www.burlingtonvt.gov/dpi

Zoning Permit Application

Use this form for ALL zoning permit applications. See the relevant checklist for specific requirements.

PROJECT LOCATION ADDRESS: <u>Memorial Auditorium & College St. Church.</u>	
PROPERTY OWNER*: <u>City of Burlington</u> <small>*If condominium unit, written approval from the Association is also required</small>	APPLICANT: <u>College St Church</u>
POSTAL ADDRESS: <u>City Hall - CEDO</u>	POSTAL ADDRESS: <u>265 College St.</u>
CITY, ST, ZIP: _____	CITY, ST, ZIP: <u>Burlington VT 05401</u>
DAY PHONE: _____	DAY PHONE: <u>Andrea Rogers 804-6003</u>
EMAIL: <u>1mcgowan@burlingtonvt.gov</u>	EMAIL: <u>andrea@burlingtonvt.org</u>
SIGNATURE: <u>Lukas McGowan</u> <small>DocuSigned by: I am the owner. In addition, I duly authorize the applicant (if noted) to act on my behalf for all matters pertaining to this zoning permit application.</small>	SIGNATURE: <u>Andrea B. Rogers</u>

Description of Proposed Project: Extending church driveway thru Memorial Driveway taking the top space on the North side of Memorial and providing egress through Memorial drive ways - to alleviate danger & congestion for church driveway & n.c. drive

Existing Use of Property: Single Family Multi Family: # ___ Units Other: _____

Proposed Use of Property: Single Family Multi Family: # ___ Units Other: no change

• **Does your project involve new construction, addition, alteration, renovation, or repair to a structure that is heated or cooled?** Yes No

(If yes, the Vermont Residential/Commercial Building Energy Standards (VRBES/VCBES) apply. Please visit the following links for more information: http://publicservice.vermont.gov/energy_efficiency/rbes or http://publicservice.vermont.gov/energy_efficiency/cbes)

• **Will 400 sq ft or more of land be disturbed, exposed and/or developed?** not on city side Yes No

• **For Single Family & Duplex, will total impervious area be 2500 sq ft or more?** Yes No

• **Are you proposing any work within, below, or above the public right of way?** Yes No

• **Are you proposing any onsite food or beverage production/manufacturing?** Yes No

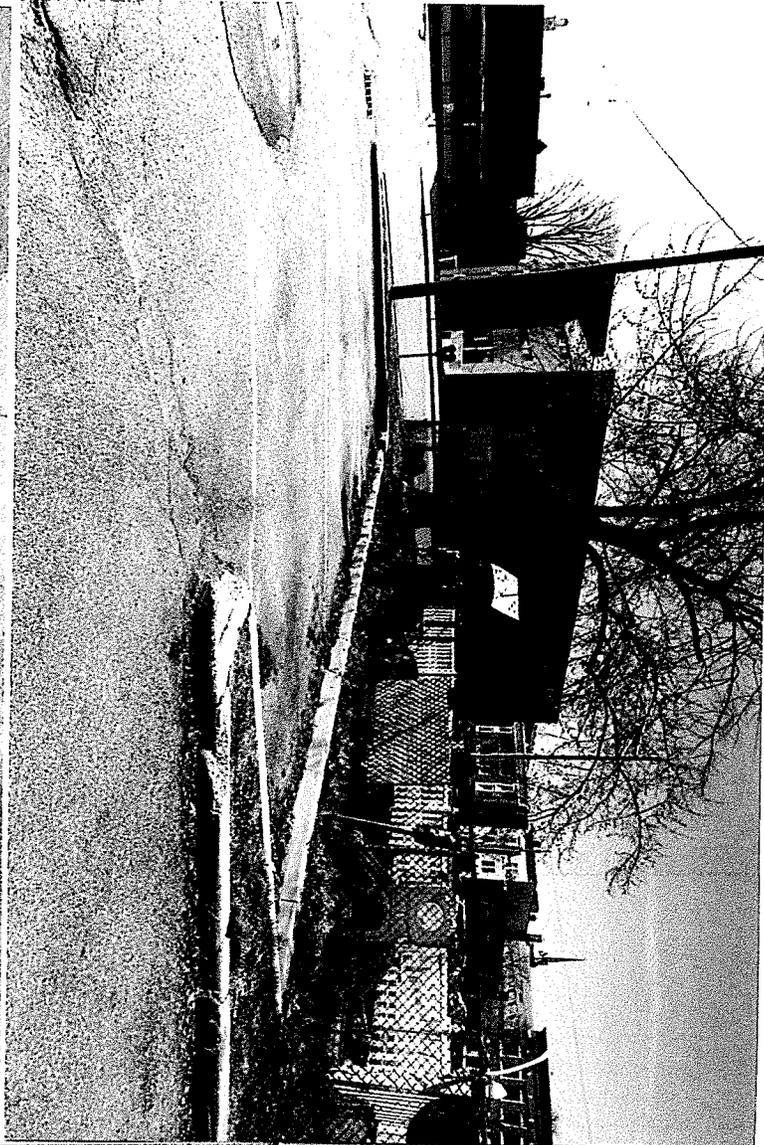
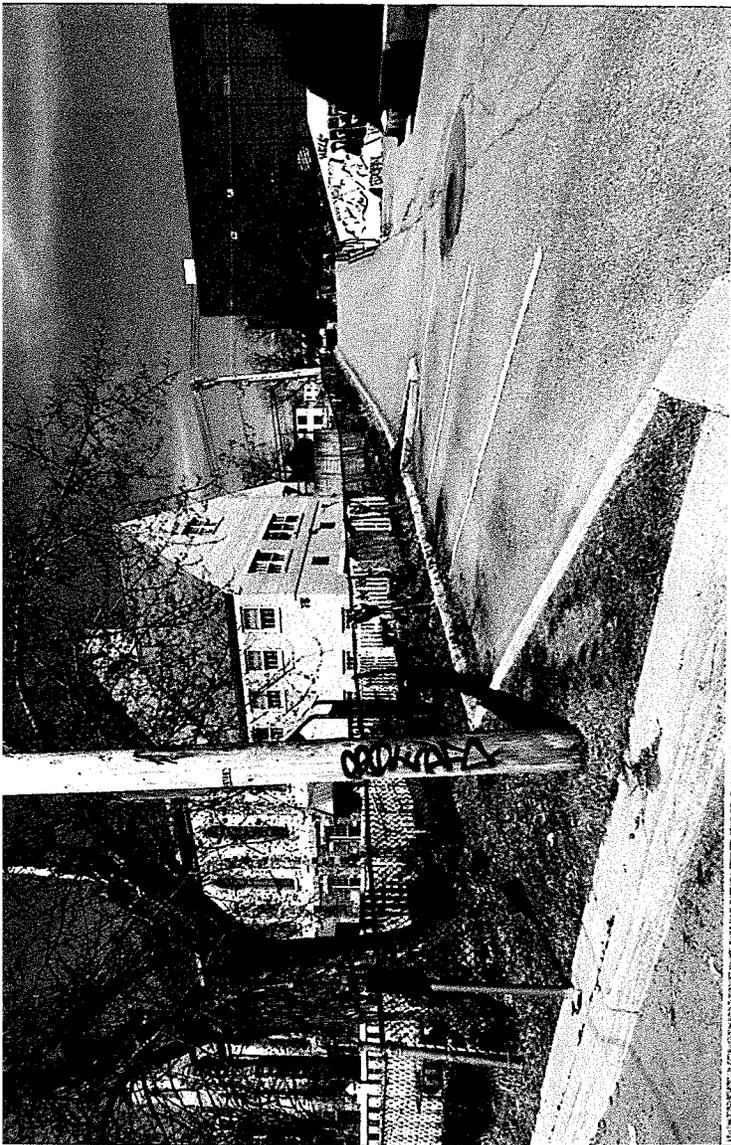
Estimated Construction Cost (value)*: \$ 22,960 Total Project - most on church side
*Estimated cost a typical contractor would charge for all materials and labor, regardless of who physically completes the work

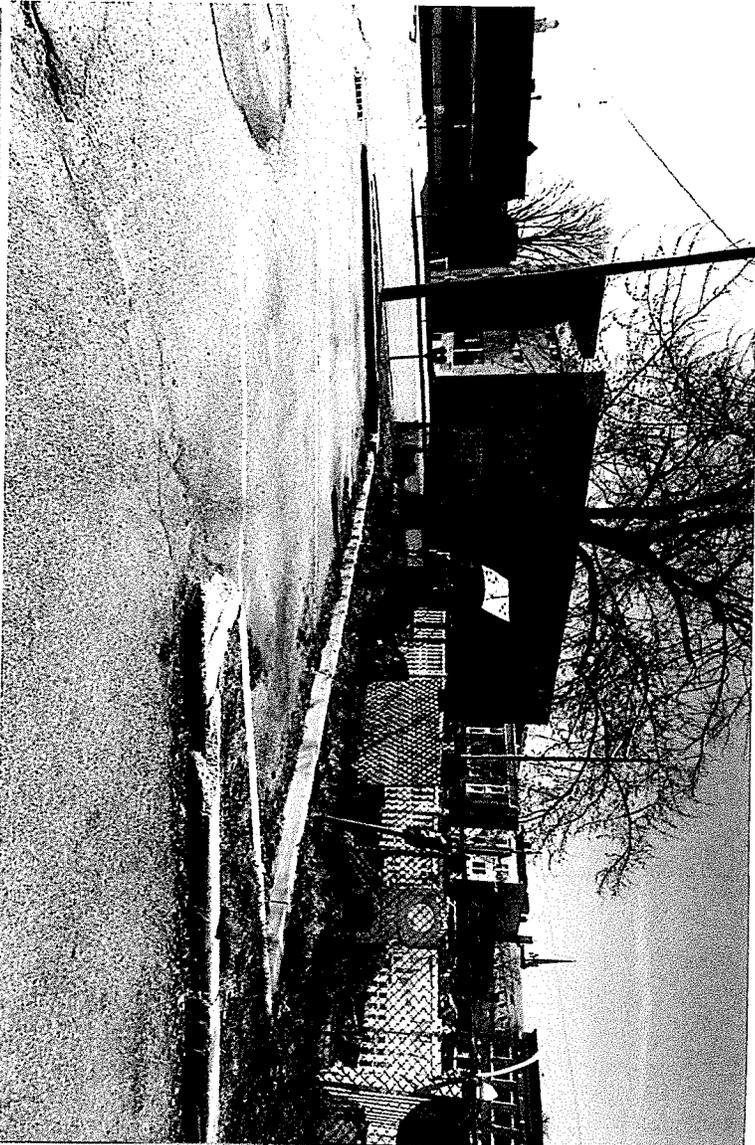
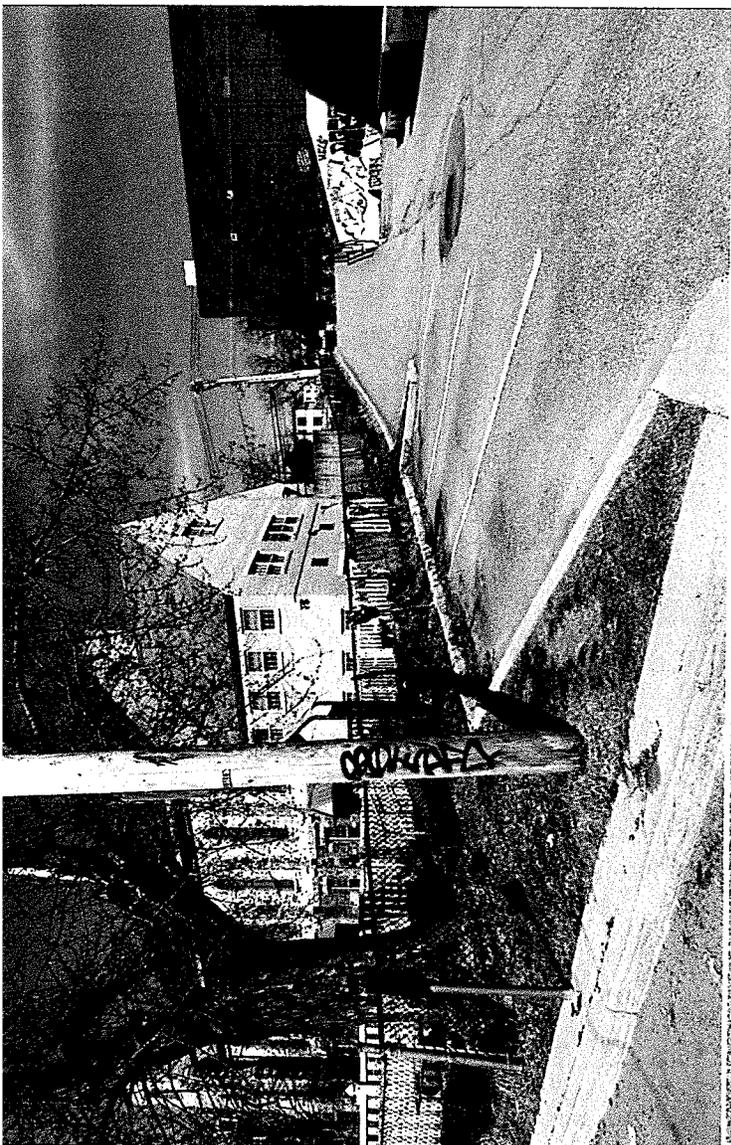
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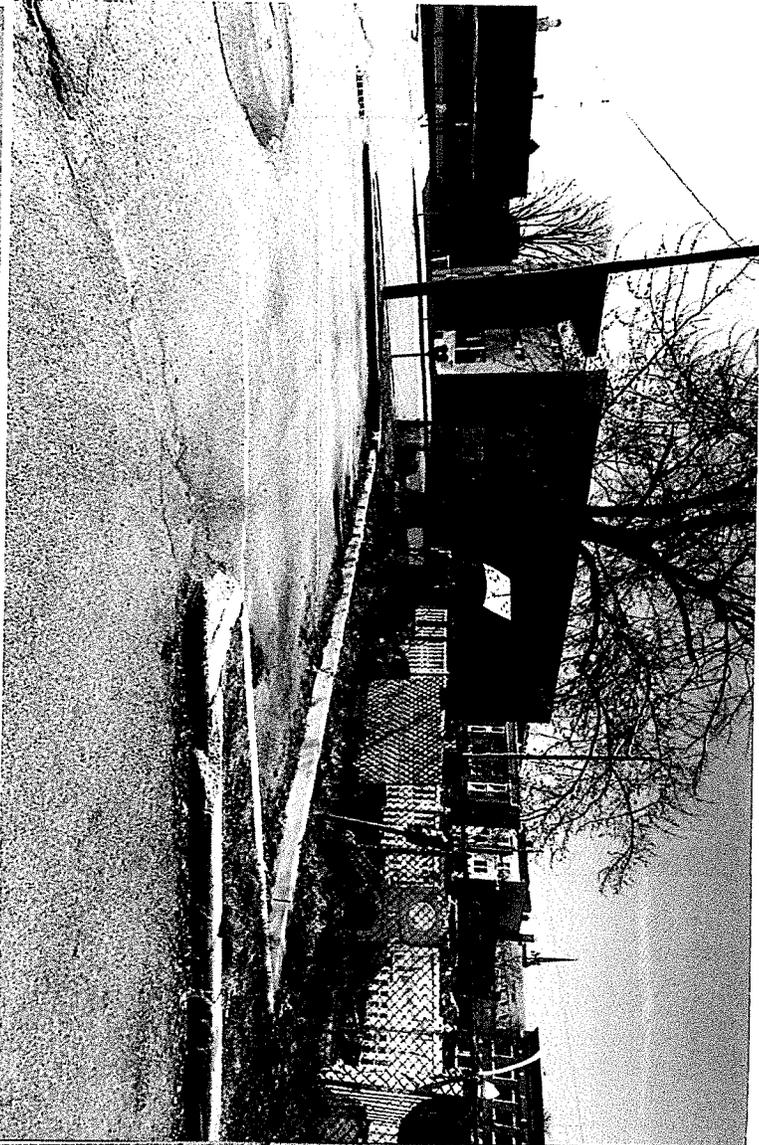
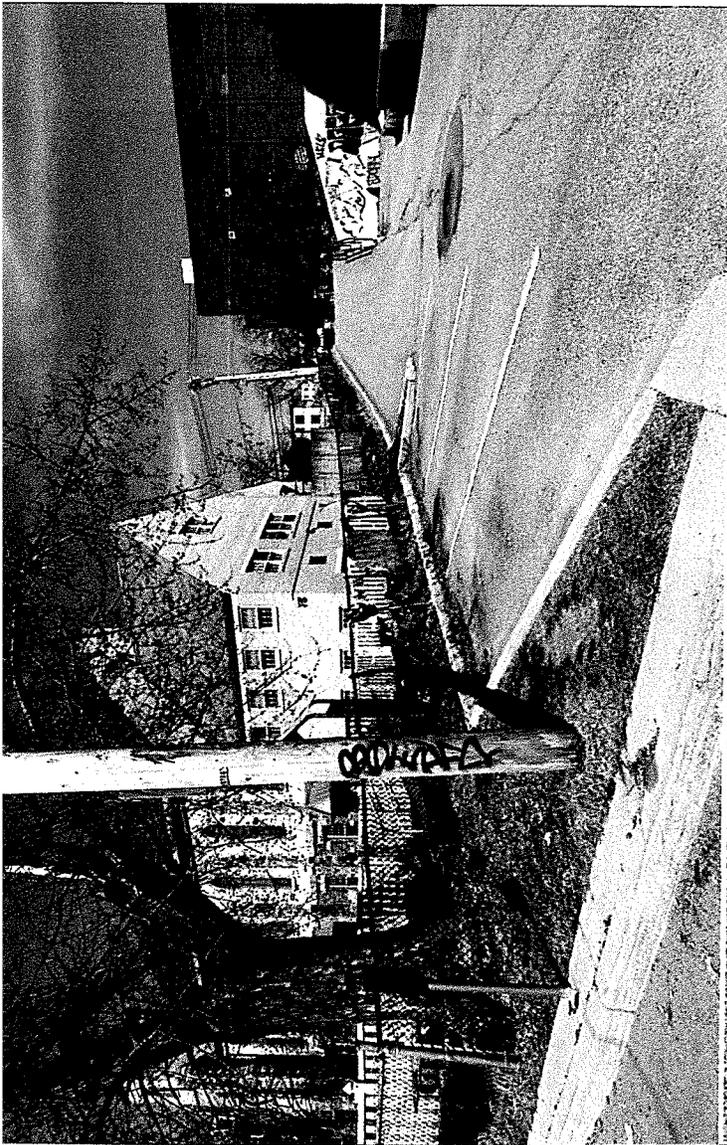
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Type: SN ___ AW ___ FC ___ BA ___ COA 1 ___ COA 2 ___ COA 3 ___ CU ___ MA ___ VR ___ HO ___ SP ___ DT ___ MP ___

Check No. _____ Amount Paid _____ Zoning Permit # _____







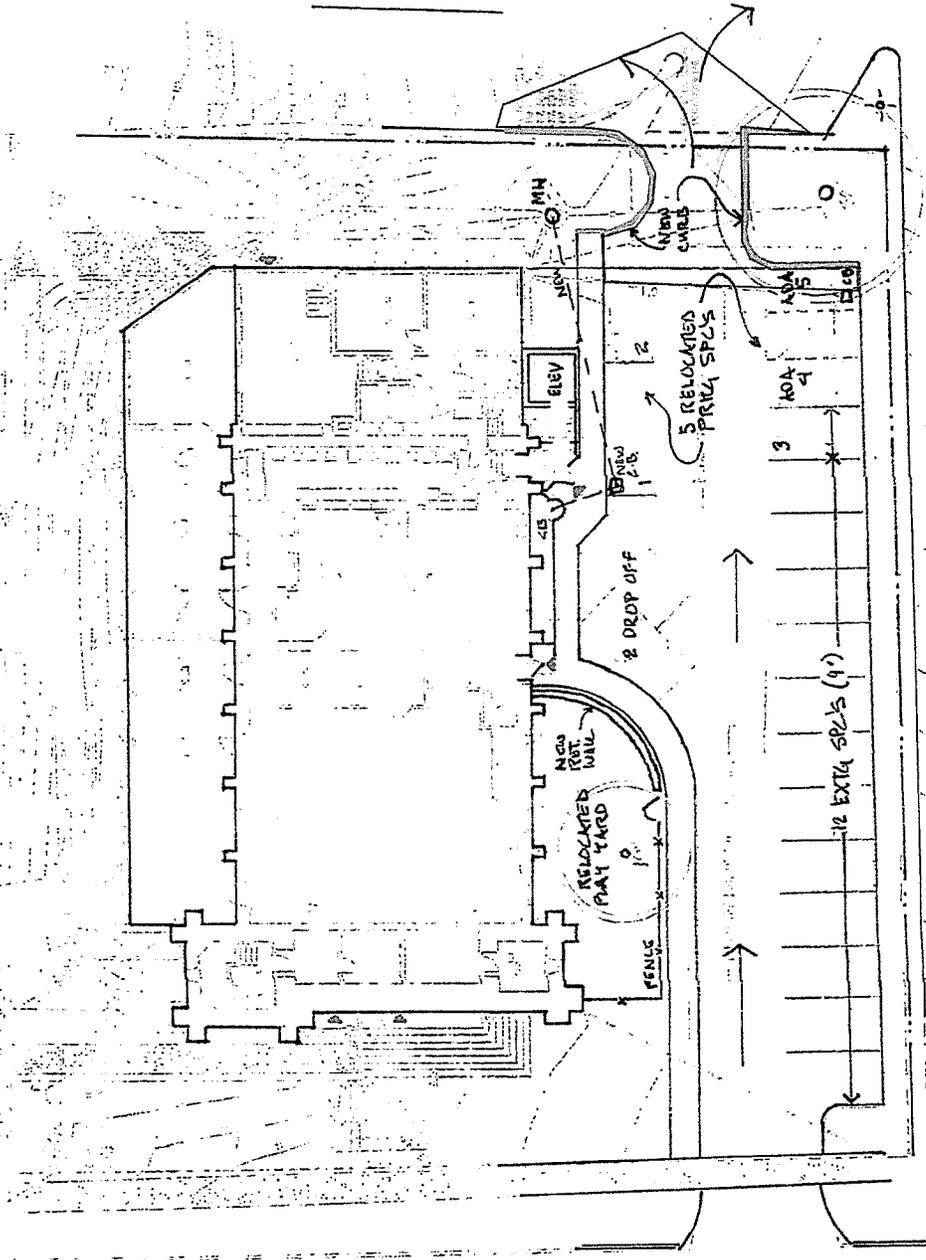
PROJECT CONCEPT ESTIMATE
 DATE: 3/6/2020
 BY J.A. Morrissey, Inc.
 Ph. : (802) 863-1717

PROJECT: CSCC- New Parking Lot Exit to Memorial Side
Phase I Work Only
OWNER: CSCC

DIVISION: 02000 SITE WORK

DESCRIPTION	QUANTITY	UNIT	LABOR HOURS	PER HOUR	TOTAL LABOR	UNIT COST	MATERIAL TOTAL	EQUIP. TOTAL	SUB TRADES	TOTAL COST
Permits/Admin	1	ls	24	65	\$1,560		\$250			\$1,810
Mobilization	1	ls							\$1,500	\$1,500
Temporary fencing and protection	1	ls							\$750	\$750
Demo Existing Lawn, Curbs, Pavement	1	ls							\$1,000	\$1,000
Sawcut tie ins									\$750	\$750
Form, Pour and Strip Radius curbs	1	ls							\$1,750	\$1,750
Excavate/Gravels/ 3" New Pavement and Tie- ins	1	ls							\$9,500	\$9,500
New Parking Lot Striping	1	ls							\$500	\$500
Misc Clean up, Seed Mulch and Demobilize	1	ls							\$2,000	\$2,000
Relocate Playground by Owner										
SUBTOTAL					\$1,560		\$250	\$0	\$17,750	\$19,560
Mark-Up										\$3,400
TOTAL					\$1,560		\$250	\$0	\$17,750	\$22,900

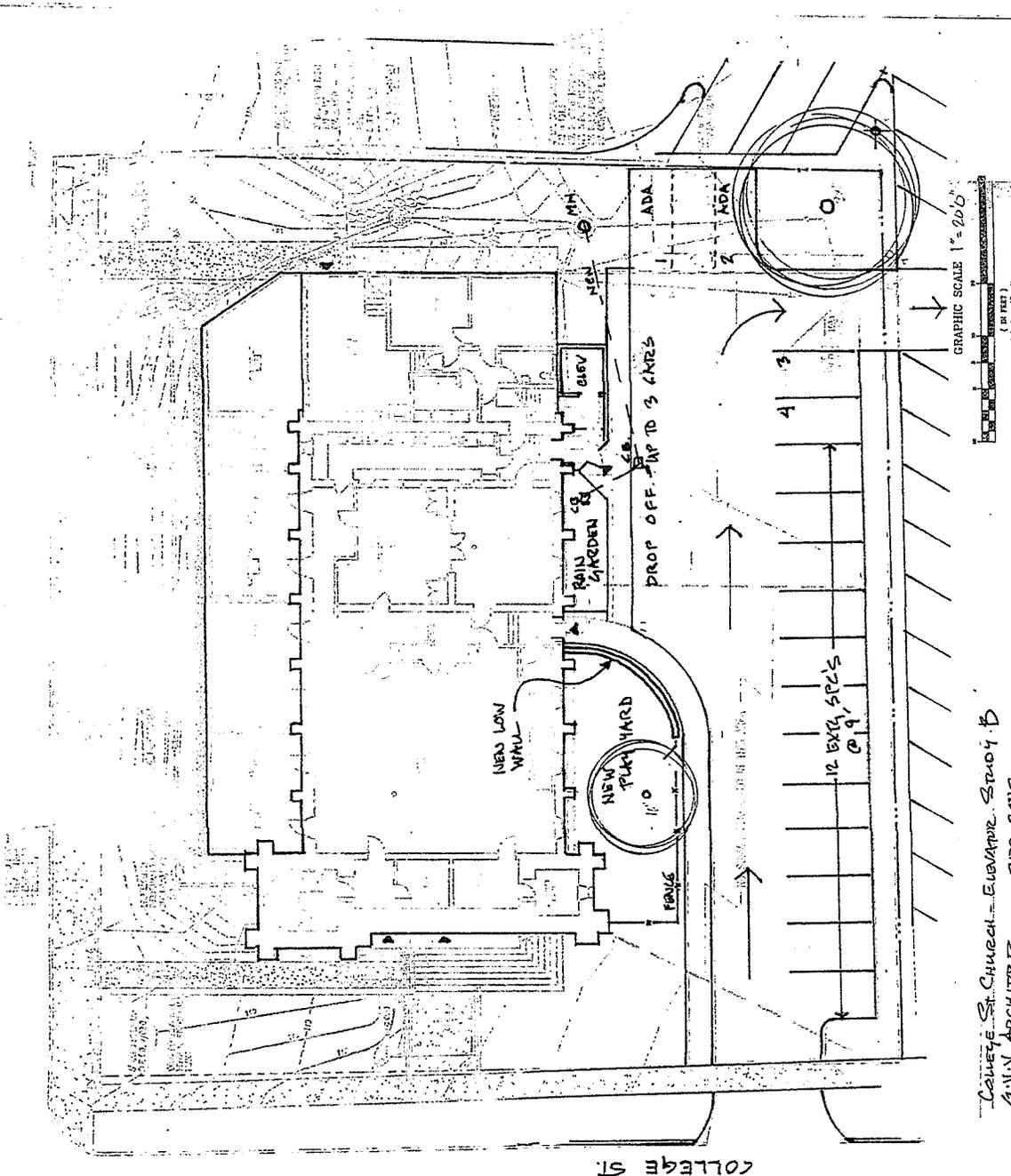
Notes:
 No Utility Relocations known or included



Convent St. Church - Euclid, Study A
G.V.V. ARCHITECTS SEP 2019

□ New Curb = +/- 95ft

□ New pavement = +/- 1050sf



Calvary St. Church - Elevation Study B
 G.V.N. ARCHITECTS SEP 2019

COLLEGE ST



Permitting and Inspections Department

645A Pine St, PO Box 849

Burlington, VT 05402-0849

VOICE (802) 863-0442

FAX: (802) 652-4221

To: Public Works Commission
From: William Ward/Director of Permitting and Inspections
Date: June 11, 2020
Property Address: 83 Faith Street
Appellant: Sean Vance/G.W. Savage
Date of Appeal: June 2, 2020
Subject of Appeal: After the fact fee for work being done prior to issuance of a permit

Ordinance Section subject to appeal

8-28 Fees (f)

When the building inspector enforces the provisions of this chapter and a building permit is required as a result, there shall be an administrative processing fee added to the fee set by subsection (a) to recoup the administrative costs associated with enforcement. This processing fee shall be thirty dollars (\$30.00) where the estimated cost of construction is less than or equal to three thousand dollars (\$3,000.00). When the estimated cost of construction is three thousand dollars (\$3,000.00) or greater, this processing fee shall be equal to one (1) percent of the estimated cost of construction. No processing fee shall be added to the permit when a permit is required to abate a condition deemed an emergency by the building inspector if the inspector determines that the owner is not responsible for the circumstances that led to the emergency.

Timeline of Activity

October 28, 2019 Building Official Kim Ianelli issued a building permit for demolition of fire damaged materials at 83 Faith Street.

March 19-2020 – W Ward received a request from Sean Vance of GW Savage requesting assistance with expediting a permit that was scheduled to be issued on April 1, 2020. That permit was to complete the renovation of the property and included renovation to exterior; replacement asphalt shingle roof, siding, and windows. Mr. Vance explained that he was hoping to start the project prior to April 1, 2020 in order to keep from laying off staff members during the Covid-19 outbreak. He asked if there was any way the work could be done prior to the release of the Zoning Permit.

March 20, 2020 – W Ward spoke with Mr. Vance on the phone to explain that the reason the zoning permit could not be released until April 1, 2020 was that there is a statutory requirement for a 15-day appeal period for zoning permits and the first date the city could issue the zoning permit was April 1, 2020, then a building permit could be issued. Mr. Vance was told that the work to replace the roof was considered an in-kind replacement since it was an existing asphalt shingle roof and would be replaced with the same materials. W Ward informed Mr. Vance that the building official would be notified of this understanding and the roof replacement should be able to continue without a zoning permit.



Permitting and Inspections Department

645A Pine St, PO Box 849

Burlington, VT 05402-0849

VOICE (802) 863-0442

FAX: (802) 652-4221

March 23, 2020 – W Ward sent an e-mail to Mr. Vance and told him the building official was aware of the circumstances and he could begin the in-kind replacement of the roof.

April 8, 2020 - No zoning or building permits had been issued when Building Official Brad Biggie reported that he checked 83 Faith Street and found that the work had gone beyond the scope of roof replacement and continued with the removal of all siding, replacement of windows and new exterior trim that was being installed. He sent Mr. Vance an e-mail as an order to stop work as this project currently is unpermitted and new permits are only being issued for emergencies and essential projects related to the COVID-19 response according the VT Governor's order.

April 17, 2020 Mr. Vance wrote an e-mail to W Ward stating:

Considering the governor recently allowed construction work to start again (two workers maximum and observing existing social distancing) effective 4/20/2020, I am curious when we can expect to receive the building permit that was submitted towards the end of February for 83 Faith Street.

April 20, 2020 – Mr. Ward e-mailed Mr. Vance a copy of the pending zoning permit and pre-release conditions required before the Zoning Division could release the permit to him and we would be able to issue a building permit.

May 27, 2020 - The zoning permit conditions were met and the zoning permit was picked up this date.

June 1, 20220 – The building permit was issued with a description “Complying with the Governors work restrictions: Specific to VT Fire & Building Safety Code: Remodel fire damaged duplex to include all new finishes, windows, roofing, siding.” The project work had an estimated value of \$140,908.31 and the after the fact fee was calculated according to the ordinance as \$1,409.08 added to the permit fee of 1,197.72.

June 2, 2020 – Mr. Vance filed a written appeal to asking to reverse the after the fact fee as excessive and asked the commission to reverse the decision.

Requested action from the Public Works Commission

Uphold the staff decision that the after the fact fee was applied according to the ordinance



City of Burlington
Department of Public Works
Division of Parking and Traffic
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Chapin Spencer
DIRECTOR OF PUBLIC WORKS

Jeffrey A. Padgett, MBA
ASSISTANT DIRECTOR for PARKING & TRAFFIC
(Interim)

Date: June 17, 2020
To: Public Works Commission
From: Jeffrey A. Padgett, MBA
Assistant Director for Parking and Traffic (Interim)
C.C. Chapin Spencer, Director of Public Works
Subject: Garage Rate Structure and Policy Adjustment Request

As you know, parking rates are set in Appendix C of the Burlington Code of Ordinances (BCO) and are under the authority of the Public Works Commission (ref. Charter § 48(58)(B)). Specifically, rates for the garages are set in BCO Appx. C, Chapter 19(b)(8), (9), and (10). As we review these policies, it has become clear that a number of adjustments need to be made in order to:

- 1) Reflect proposed FY'21 proposed Downtown Improvement District assessment reduction;
- 2) Account for special Holiday rates; and
- 3) Provide more flexibility to operational staff to meet customer needs.

Therefore we request the Public Works Commission adopt the following motion:

Adopt the attached update to Burlington Code of Ordinances, Appendix C, Chapter 19 Parking Rates, Sections (b) and (d) of the Ordinance that reflects the following (please also see attached regulation amendment):

1) Rates

*Beginning July 1, 2020 implement the following **updated rate structure**:*

Up to " ____ " Hour	Current		Proposed				
	MPG	CSG/LVG	MPG	% Change	CSG/LVG	% Change	
1	\$0.00	\$0.00	\$1.00	n/a	0	0	Covered By DID Assessment Funds
2	\$0.00	\$0.00	\$2.00	n/a	0	0	
2.5	\$3.00	\$2.00	\$3.00			50%	
3	\$4.00	\$3.00	\$4.00	0%	3	0%	
3.5	\$5.00	\$4.00	\$5.00			0%	
4	\$6.00	\$5.00	\$6.00	0%	4	-20%	
5	\$7.00	\$6.00	\$7.00	0%	5	-17%	
6	\$8.00	\$7.00	\$8.00	0%	6	-14%	
7	\$9.00	\$8.00	\$9.00	0%	7	-13%	
8	\$10.00	\$8.00	\$10.00	0%	8	0%	Max Daily Rate per 24 Hours

Free Parking on Sundays.

2) Holidays

Beginning July 1, 2020 adopt the following **holiday rates**:

Free Parking during the below City holidays:

*New Year's Day
Martin Luther King Day
Presidents' Day
July 4th
Town Meeting Day
Labor Day
Memorial Day
Bennington Battle Day
Columbus Day (Indigenous Peoples Day)
Veteran's Day
Thanksgiving Day
Christmas Day*

The Director of the Department of Public Works may adjust the garage rates for parking July 3rd to a flat rate or flat rates of his or her determination for the purpose supporting the safe and efficient ingress and egress of vehicles from the garages.

3) Policy Update

Beginning July 1, 2020 adopt the following policies:

- 1) Delegate authority to set temporary rates to the Director of the Department of Public Works for special events or promotions for periods up to one month, with two weeks' notice to the members of the Public Works Commission.*
- 2) Delegate authority to create a special "bulk-rate" product packages to the Director of the Department of Public Works, subject to approval of the Public Works Commission.*
- 3) Set the "Lost Ticket" rate at \$20 and allow garage staff the authority to apply on a case-by-case basis.*
- 4) Allow garage staff to refund, rebate, or otherwise waive parking fees on a case-by-case basis when public safety and/or is necessary to provide good customer service. Garage Staff shall provide adequate documentation of any refund, rebate, or waiver of parking fee, and justification for doing so.*
- 5) Allow for free overnight parking, as defined by the Director of Department of Public Works or his or her designee, in City Garages during declared City-wide parking restrictions. For example: Snow Bans and Operation Clean Sweep.*
- 6) Delegate authority to pro-rate monthly permit fees at sale or termination to the Director of Department of Public Works or his or her designee.*
- 7) Expand the "6 Day Permit" for an additional day, replacing it with "7 Day Permit" with all of the same terms and conditions, excepting the duration.*
- 8) Define "5 Day" permit as "Monday through Friday."*
- 9) Provide for the sale of permits to City employees for \$20 per month for a 5 day permit when paid by other City departments*
- 10) Restrict future permits offered at the Marketplace Lower garage to only "7 Day permits." Monthly permits will no longer be issued; existing monthly permits will not be affected, but will not be renewed.*

11) Update the ordinance to reflect that the Lakeview Garage, College Street Garage and Westlake Garages operate as a single facility.

Goals of the Changes:

We appreciate that this represents a significant change to policy governing the garages. However, we believe that these changes achieve 3 critical garage management goals:

1) Clear and Logical Rate Definition

Align the rate structure with the subsidy provide by the Downtown Improvement District assessment, simplifies the rate calculation, recognizes the value of parking at the Marketplace Garage and incentivizes parking at the Lakeview/College Street Garage.

2) Formalize Legacy Operations

Formalize policy with operations that have been in place for decades and identify flexibility within these operations.

3) Provide Management with Support and Flexibility

Provide garage management with new tools and the flexibility to address the needs of the market and community in a more responsive way.

Community Impact

Removal of 2 Hours Free at the Marketplace Garage is the most high profile change proposed. This is a direct result of the reduction of the DID tax assessment by the Church Street Marketplace Commission, reducing the tax burden on downtown businesses. Additionally, during normal operations the garage is over capacity 2-3 times a day, 3-5 days a week. This is not acceptable level of performance. Especially when 80% of the transactions at the garage are less than two hours and thus free. This garage is clearly in high demand. Conversely, the LVG/CSG/WLG is vastly under-utilized. The expectation is that the removal of 2 Hours Free at MPG will encourage a measurable percentage of parkers to seek out the LVG/CSG/WLG for 2 Hour Free and relieve the pressure on the Marketplace Garage.

Simplification of the rate structure should also be welcomed by the public. At the MPG the 2 Hours free is replaced with \$1/hour for the first two hours. Then, the current ½ hour break point remains to encourage turnover. This results in no change to the rate structure except for the removal of 2 Hour Free. Conversely, at the LVG/CSG/WLG the rate has been set at \$1 an hour (removing ½ hour rate breaks), with 2 hours free and the maximum day rate held at \$8 per 24 hours. The result is a less expensive parking experience for all rate periods, except for the ‘3 hour parker’ who, due to the simplification of removing the ½ hour rate break, will pay \$3 vs. \$2.

The ability to run pilot programs to support downtown businesses and community events would be a significant improvement in service to the community. The garages are a significant asset and having the ability to provide flexible, pilot rate structures and/or parking products to respond to community needs will improve the usage and image of the garages.

Garage Impact

Generally, taken as a whole, the proposed changes will positively impact both the day-to-day operations of the garages and improve the garage’s financial performance. The flexibility will allow for use to better serve our customers and the increase in revenues will help us to plan for significant capital repairs and operational needs.

We believe that the change in rates structure alone could generate an additional \$500,000 to \$1,000,000 (FY21 budget uses \$300,000 to be conservative). This improved revenue will help us to recover from the impacts of Covid-19 (losses expected up to \$1M) and creates a financial structure for the garages that is more sustainable going forward.

Additionally, the recent reduction of the DID assessment made it clear that changes were necessary to ensure the financial health of the garages. The DID tax is expected to generate approximately \$150,000 and requires that this money be used to fund a parking program that includes 2 Hours Free. The cost for 2 Hours Free at both garages, however, is approximately \$700,000. Clearly, the DID funding will not cover a program of this scale. However, we estimate that the cost of 2 Hours Free at *only* LVG/CSG/WLG is somewhere between \$150,000 and \$200,000, thus we believe we can satisfy the DID funding requirements for 2 Hours Free and cover our financial obligations with the \$150,000 DID funding. If conditions change and we need to modify or restrict the 2 Hours Free offer to meet our financial needs, we will institute a pilot program (if approved in this request) to modify the 2 Hour Free and return to the Public Works Commission to address the situation in a permanent fashion.

It is also important to note that the concept of removal of 2 Hours Free in general was recommended by the Downtown Parking and Transportation Management Plan (DPTM) in 2015 as part of the proposed financial model for garage.

Conclusion

Again, these are significant and complex updates and modifications to the regulation and operation of the garages; they have been months in the making, are not taken lightly and are generally consistent with the DPTM Plan. They have important and we believe positive impacts on the public, the business community and the garages themselves. We believe that these changes will significantly improve the operations of the garages and provide the platform for a more flexible, sustainable and customer oriented garage operation.

Attachment:

Regulation Amendment for BCO Appendix C, Chapter 19, Sections (b) and (d).

CITY OF BURLINGTON

In the Year Two Thousand Twenty

Regulation _____
Sponsor: Department of Public Works, Ordinance Committee
Action: _____
Date: _____
Published: _____
Effective: _____

A Regulation in Relation to

Rules and Regulations of the Traffic Commission—
Excavation and Obstruction Permits—
Public Health Emergencies; accommodating business

It is hereby Ordained by
the Public Works
Commission of the City of
Burlington as follows:

1 That Appendix C, Rule and Regulations of the Traffic Commission, Chapter 19, Parking Rates, of the Code
2 of Ordinances of the City of Burlington is hereby amended by amending Section (b), as follows:

3 **Chapter 19. Parking Rates.**

4 (a) As written.

5 (b)

6 (1)-(5) As written.

7 (8) ~~College Street Parking Garage: First two (2) hours free; one dollar (\$1.00) per one-half (1/2) hour~~
8 ~~after two (2) hours for next two (2) hours; one dollar (\$1.00) per hour after four (4) hours; maximum~~
9 ~~daily rate of eight dollars (\$8.00). Eighty dollars (\$80.00) for a five (5) day per week monthly lease and~~
10 ~~ninety-six dollars (\$96.00) for a six (6) day per week monthly lease.~~

11 College Street / Lakeview / Westlake Parking Garage Facility.

12 a. Hourly, Maximum Daily Rates. One dollar (\$1.00) per hour; first two (2) hours free;
13 maximum daily rate of eight dollars (\$8.00).

14 b. Parking is free on Sundays.

15 c. Monthly Permit Rates. Eighty dollars (\$80.00) for a five (5) day per week monthly
16 permit; the five days per week shall be Monday through Friday. Ninety-six dollars (\$96.00)
17 for a seven (7) day per week monthly permit. Twenty dollars (\$20) for a 5 day per week
18 monthly permit for City Employees when paid for by a City of Burlington department. The
19 Director of Department of Public Works or his or her designee may pro-rate monthly parking
20 permit fees at times of sale and termination.

21
22 (9) ~~Lakeview Parking Garage: First two (2) hours free; one dollar (\$1.00) per one-half (1/2) hour~~
23 ~~after two (2) hours for next two (2) hours; one dollar (\$1.00) per hour after four (4) hours; maximum~~
24 ~~daily rate of eight dollars (\$8.00). Eighty dollars (\$80.00) for a five (5) day per week monthly lease and~~
25 ~~ninety-six dollars (\$96.00) for a six (6) day per week monthly lease.~~

26 Marketplace Parking Garage:

27 a. Hourly, Maximum Daily Rates. One dollar (\$1.00) up to one (1) hour, two dollars
28 (\$2.00) up to two (2) hours; three dollars (\$3.00) up to two and one-half (2 1/2) hours; four
29 dollars (\$4.00) up to three (3) hours; five dollars (\$5.00) up to three and one half hours (3 1/2)
30 hours; six dollars (\$6.00) up to four (4) hours; seven dollars (\$7.00) up to five (5) hours; eight
31 dollars (\$8.00) up to six (6) hours; nine dollars (\$9.00) up to seven (7) hours; maximum day
32 rate of 10 dollars (\$10.00) after seven (7) hours.

33 b. Parking is free on Sundays.

34 c. Monthly Permit Rates: Ninety-six dollars (\$96.00) for a seven (7) day per week
35 monthly permit in the Marketplace Lower garage. No monthly permits available in the
36 Marketplace Upper garage, except maintenance of those in existence at the time of adoption
37 of this language. The Director of Department of Public Works or his or her designee may
38 pro-rate monthly parking permit fees at times of sale and termination.

39 (10) ~~Marketplace Parking Garage: First two (2) hours free; three dollars (\$3.00) per next one-half~~
40 ~~(1/2) hour after two (2) hours; one dollar (\$1.00) per one-half (1/2) hour for next one and one-half (1~~
41 ~~1/2) hours; one dollar (\$1.00) per hour after four (4) hours; maximum daily rate of ten dollars (\$10.00).~~
42 ~~Eighty dollars (\$80.00) for a five (5) day per week monthly lease and ninety-six dollars (\$96.00) for a~~
43 ~~six (6) day per week monthly lease.~~

44 Reserved.

45 (11)-(16) As written.

46 (c) As written.

47 (d) ~~Reserved.~~

48 Special Rates for City-owned or Operated Garages.

49 (1) Holidays. Hourly transient parking rates shall be suspended on City-recognized holidays,
50 including: New Year's Day, Martin Luther King Day, Presidents' Day, July 4th, Town Meeting Day,
51 Labor Day, Memorial Day, Bennington Battle Day, Columbus Day (Indigenous Peoples Day),
52 Veteran's Day, Thanksgiving Day, and Christmas Day.

53 a. The Director of the Department of Public Works may adjust the garage rates for
54 parking July 3rd to a flat rate or flat rates of his or her determination for the purpose
55 supporting the safe and efficient ingress and egress of vehicles from the garages.

56 (3) Special Events. The Director of the Department of Public Works may set temporary rates for
57 special events or promotions for periods up to one month after providing the Public Works
58 Commission two weeks’ notice.

59 (4) Bulk-rate Parking Product Packages. The Director of the Department of Public Works may
60 create special bulk-rate parking product packages, subject to approval of the Public Works
61 Commission.

62 (5) Lost Ticket Rate. The “Lost Ticket” rate is \$20. Garage staff may apply this fee on a case-
63 by-case basis.

64 (6) Parking Garage Fee Refunds, Rebates, and Waivers. Garage staff to refund, rebate, or
65 otherwise waive parking fees on a case-by-case basis when public safety and/or is necessary to
66 provide good customer service. Garage Staff shall provide adequate documentation of any refund,
67 rebate, or waiver of parking fee, and justification for doing so.

68 (7) City-wide Parking Restrictions, Fees. Overnight parking in City Garages during declared
69 City-wide parking restrictions, as defined by the Director of Department of Public Works or his or
70 her designee, will be free. To include snow bans and “Operation Clean Sweep.”

71 (e) As written.

72 (f) As written.

73

74

75 ** Material stricken out deleted.

76 *** Material underlined added.

77

78 TD: BCO Appx.C, Ch 19, Sec. (b)

79 6/17/20



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

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Chapin Spencer
DIRECTOR OF PUBLIC WORKS

Lee Perry
*ASSISTANT DIRECTOR
DPW MIANTENANCE DIVISION*

MEMORANDUM

To: City Council
Public Works Commission

From: Chapin Spencer, Director
Lee Perry, Assistant Director DPW Maintenance
Rob Goulding, Public Information Manager

Date: June 11, 2020

Re: Proposed FY21 Solid Waste Generation Tax Increase and Residential Consolidated Collection Study Update

There are two timely solid waste and recycling items for which the Department wants to brief City Councilors and Public Works Commissioners. Below please find updates on the Solid Waste Generation Tax and the City's Consolidated Collection Study including our upcoming public engagement plan.

Proposed FY'21 Solid Waste Generation Tax Increase

Included in DPW's proposed FY'21 General Fund budget is a proposed increase of the City of Burlington Solid Waste Generation Tax fee starting July 1, 2020 from \$4.20 to \$4.84 per residential unit (RDU) to fund the City's residential Recycling Program. The adjustment of the tax requires City Council approval and has been traditionally considered as part of the City's annual budgeting process.

The proposed increase is due to two factors:

1. Increase of the tipping fees charged by Chittenden Solid Waste District (CSWD) for recyclables brought to their Materials Recovery Facility (MRF) – driving a \$0.29 increase in the tax rate
2. Need to urgently replace one of the City's four recycling vehicles – driving a \$0.35 increase in the tax rate

The \$0.64 increase to the monthly Solid Waste Generation Tax would translate to an annual increase of \$7.68 per residential dwelling unit from \$50.40 to \$58.08.

An Equal Opportunity Employer
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I. SOLID WASTE GENERATION TAX

Tipping Fees: The Chittenden Solid Waste District funds the operation of their Material Recovery Facility through the sale of sorted recyclable material and a 'tip fee' charged to haulers who deliver recyclables to the MRF. In the past, and as recently as 2013, the market for the sorted recyclable material was so strong that the sales covered all MRF costs and there was no tip fee charged to haulers. Over the last six years due to several factors including China's rising standards in taking recyclables, the CSWD MRF tip fee has steadily risen and has driven multiple increase in the City's Solid Waste Generation Tax to cover these costs.

On March 4, 2020, Chittenden Solid Waste District raised the fee for disposal of recyclables brought to their Materials Recovery Facility for disposal to \$80.00/ton. This was a \$15.00/ton increase to the disposal fee. Their reasoning for the increase was a decline in commodities such as plastics, and fiber (paper, cardboard), coupled with China raising their standards for "clean" material purchased.

On average, the City of Burlington generates approximately 2,880 tons of recycled material annually that is disposed of at the MRF. The resulting tip fee increase will generate an additional cost to the City of Burlington of \$43,200 annually – necessitating the \$0.29 Solid Waste Generation Tax increase for the approximately 12,400 residential dwelling units (RDUs) in the City that have residential trash collection services. The Solid Waste Generation Tax is included in the fee for those residents to bring their trash to the CSWD Drop Off Center if they do not pay for a trash hauling service.

Recent conversations with CSWD indicate that the commodities market is relatively stable and they do not anticipate an increase in tip fees during FY21. That said, they too are monitoring the current situation with COVID-19 and markets for sorted recyclable materials could change significantly.

New Recycling Truck: Fleet Maintenance has identified the need to replace one of four recycling trucks that makes up the Recycling Program's fleet. The truck that is scheduled to be replaced is a 2010 International that the City of Burlington purchased as diesel powered and had an aftermarket conversion installed to change it to compressed natural gas (CNG) powered. The company that provided the conversion has since gone out of business making it virtually impossible to find repair parts related to the conversion. This vehicle is beyond its useful life, and is currently out of service having the engine totally rebuilt. DPW's Equipment Maintenance team has spent \$157,108.84 maintaining this vehicle over its life on preventative maintenance and many mechanical failures – reiterating the need for its replacement.

The cost of a new diesel recycling truck is \$236,900 and the cost of a new CNG recycling truck is \$347,110. There is not currently a viable electric vehicle for the Recycling Program's needed specifications. The \$0.35 increase to the Solid Waste Generation Tax would cover the annual lease payment of the new recycling truck. We have sought to delay new truck purchases in hopes that we would be transitioning to a new consolidated collection model of collecting trash, recycling and organics but this truck must be replaced now.

II. CONSOLIDATED COLLECTION STUDY

The City is evaluating more environmentally sustainable and cost effective option for collecting trash, recycling and organics. The City Council passed a resolution on April 30, 2018 directing DPW to undertake a study for the potential benefits of a residential consolidated collection model. On

January 30, 2019 Chittenden Solid Waste District (CSWD), the City of Burlington, and the City of South Burlington entered into a 1-year contract for services with Gershman, Brickner & Bratton, Inc. (GBB) to conduct a feasibility study.

The contract expired on December 31, 2019 due to multiple version reviews and City staff balancing a number of competing priorities. Due to the request for additional analysis by DPW staff and the Council's Transportation, Energy and Utilities Committee to ensure a robust, comprehensive study, the contract had to be amended. An extension to the contract was approved by the BOF and City Council in January of 2020. The additional analysis includes evaluation of small hauler protections, billing costs, service level options and enhanced costs estimates.

Key report findings:

-) Consolidated residential curbside collection provided by a municipality, or a private hauler under contract with a municipality, is a standard service method in the United States.
-) Reduced environmental impacts by reducing the number of trucks collecting waste in the City of Burlington.
-) Reduced impacts to City infrastructure by reducing the number of trucks collecting waste in the City of Burlington.
-) Increased safety and noise reduction by reducing the number of trucks collecting waste in the City of Burlington.
-) Increased diversion by using consolidated collection as the most cost effective mechanism to add the collection of food scraps.
-) Reduced collection costs through optimizing routes, and having one hauler service all the households within an assigned section(s) of Burlington.
-) Multiple collection scenarios to accommodate residents that have varying needs.
-) Small hauler participation achieved through different scenarios such as:
 1. Restricting how many districts/customers can be awarded to a single contractor.
 2. Restrict bidding on certain districts to small haulers.
 3. Allow specialty services to be provided separately such as bulky waste, backdoor pickup, and food scraps.

Public Engagement:

The draft report has been distributed via Front Porch Forum and a media release – in March and again in June. Here are ways for residents to learn more about this study and engage

-) Website – active as of March 2020: <https://www.burlingtonvt.gov/dpw/Maintenance/Consolidated>
-) June 4 Citywide Front Porch Forum. This follows a similar FPF post and media release in March.
-) June email to area haulers
-) First public meeting via Zoom – June 25 at 7pm. This date does not coincide with any other City meetings. (NPA, Commission)
-) Tentatively, a second public meeting via Zoom – July 28 at 5:30pm at the Transportation, Energy and Utilities Committee meeting. This would give GBB time to address any comments from the previous public meeting, and edit the study. We will consider asking for a motion to City Council.
-) Council presentation via Zoom - August 10. If we feel there was not sufficient time between the July TEUC meeting for review, comments, and edits as well as the committee's direction

on this matter, then we can aim to schedule for the next scheduled September Council meeting. As of now there are no dates listed for September.

) Comments and questions can be sent to DPWCommunications@burlingtonvt.gov

Don't hesitate to reach out to Lee Perry at lperry@burlingtonvt.gov with any questions. We look forward to speaking with you about these items at your upcoming meetings.

Burlington Department of Public Works Commission Meeting
Draft Minutes, March 18, 2020
645 Pine St. – Main Conference Room

Commissioners Present: Tiki Archambeau (Chair); Brendan Hogan (Vice Chair, phone); Solveig Overby (phone); Peggy O’Neill-Vivanco (phone); Pablo Bose (phone); Jim Barr (phone)

Commissioners Absent: Pablo Bose

Staff: Director Chapin Spencer, Division Director – Water Resources Megan Moir (phone), Public Information Manager Rob Goulding (phone)

Public: City Councilor Sharon Bushor; Jonathan (Local Motion), Thomas Melloni

Item 1 – Call to Order – Welcome – Chair Comments

Chair Archambeau calls meeting to order at 6:40 pm and made opening comments. Chair appreciated everyone’s accommodations to address timely Commission business while keeping safely distanced during the Covid-19 pandemic.

Item 2 – Agenda

ACTION: To focus the Commissions efforts on the time-sensitive item, Commissioner Barr moves to adopt the agenda with Items 4, 6, 7 & 8 removed from the agenda. Commissioner Hogan seconds. Motion passes unanimously thru roll-call.

Item 3 - Public Forum

- Jonathan, Local Motion: Spoke about closure of southern portion of the Burlington Greenway. It will be a big disruption, and while we are supportive of the rehabilitation, we are concerned about the interim accommodations. Detour route must be safe. Working with Parks & DPW and doing outreach to businesses and Farmers Market.

Item 4 - Removed

Item 5 – Water and Wastewater Bond Approvals

Staff Presentation

- Division Director Megan Moir and bond counsel Thomas Melloni presented on the proposed Water and Wastewater borrowing and the associated resolutions in front of the Commission. They referred to the materials in the Commission packet (pages 21-43) in the packet. The proposed capital projects will improve the resiliency of the City’s water and wastewater systems. Timing is important as the process with State Revolving Fund monies takes considerable time and staff is eager to address upgrades to aging wastewater systems that failed during the summer of 2018 (disinfection system and the programmable logic controller). The two proposed bonds:

- \$1,094,000 Water Bond
 - Replacement and relining of water mains
- \$7,700,000 Wastewater Bond
 - Disinfection and wastewater infrastructure improvements at all 3 treatment plants
 - Remote wastewater infrastructure improvements – rebuild of two high-risk pump stations
 - Supervisory Control and Data Acquisition/Programmable Logic Control (SCADA/PLC)
 - Replacement and relining of the collection system
- Director Spencer, Division Director Moir and bond counsel Melloni explained the process and terms of the borrowing including the numerous benefits of putting the extra effort to go through the State Revolving Fund programs (lower admin/interest rates, don't start payments until a year after completion, potential extended terms and possible loan forgiveness). Division Director Moir corrected the loan principal forgiveness on the last chart on the last page of her memo is \$233,910, not \$465,408.

Commissioner Questions:

- Commissioner Barr thanked Megan for good presentation and had no questions.
- Commissioner Gillman said information was good.
- Commissioner O'Neill-Vivanco asked whether the Water Rate Study effort that the Commission will be reviewing later will impact any of what is being discussed today? Division Director Moir said they are interrelated. Bonding will require rate increases to cover the debt service but the water rate study provides options for how the burden of those payments are spread. There is the possibility to gradually increase rates if we go through the SRF program as initial payments would not begin until FY 22 at the earliest.
- Commissioner Hogan sought to clarify that the Commission and Council is authorizing a maximum amount to borrow, but staff is continually assessing and prioritizing based on real world financial conditions, correct? Megan confirms this is the case. Staff will evaluate the state of the economy and we don't have to borrow all the funds. The highest priority projects to advance are the SCADA & disinfection upgrades. SRF allows us to apply for loans individually as well so investments and associated borrowing can be phased.
- Commissioner Overby states support for projects and at the same time wants additional information as she has concerns that she wants answered regarding the terms, the option to use private bonding without additional public review, and making sure the details are clear as the City's recent audit management letter identified areas of improvement for borrowing. She referenced the communication she submitted prior to the meeting with a number of questions (see attached).
- - What are the comparative projected administrative and interest costs to the City for borrowing between using the state's revolving Drinking Water and Clean Water funds versus selling bonds through a private financial institution? Division Director Moir provided the following estimated combined administrative and interest costs.
 - See table last page.

- Why consider private bonding? Division Director Moir responded that all proposed projects are fully eligible for SRF. Private bond option is included as an option if we get to a place where some reason SRF doesn't work out, the department will have a backup option. That said, there is no intention today to abandon SRF process.
- Can you confirm where administrative and interest payments go? Why combined, not separated? Division Director Moir responded that the administrative rate and interest rate function as the same – an interest rate for the loan. As to why they are called different things and whether they go to different entities, she was not sure but promised to follow up on that. Commissioner Overby expressed interest to know where the money is going. A lot of money. Wants clear explanation of how the bonds will work, how the market works. Important to protect taxpayer money.
- Concerned with the language about ability for City staff to decide to go to private bond market, giving CAO power to make decision. Can objective criteria be added to this to allow CAO to move to private market versus state? Tom replied that City Council action has authority to approve, but given DPW is responsible for operations and implementation of water and wastewater systems, we like to have this come before the Commission. Reason we add in flexibility because there is a chance the SRF loan might not be available, whether it is unfunded or there is some hold on funds.
- Commissioner Overby said she is fine with a Plan B, but concerned there is no oversight and staff's decision is subjective. No ill will toward anyone, but specific criteria is necessary. Director Spencer states that the Department would be willing to offer an amendment for the bond resolutions that would require the City to come back and get further approval from the Commission if the City doesn't go through the SRF / Vermont Municipal Bond Bank. He read and emailed the following amendment to Commissioners: "If the Series 2020 Bonds are to be issued through a public offering and not through the Vermont Municipal Bond Bank or the State Revolving Loan Fund, then such issuance of the Series 2020 Bonds shall be subject to further approval by the Board." Commissioner Overby is supportive of the amendment.
- Regarding the proposed extra 10% Water Infrastructure Sponsorship Program (WISPr) portion of the bond borrowing, does DPW have a wish list for natural resources projects? A proposal for how you publicize this? Director Spencer says that we work with the State to find a good match for a natural resource in the region, but isn't exactly certain how the match is selected and can get more information if requested.

Public Comment:

- Councilor Bushor wanted to follow up on the linkages between these bonds and the Water Rate Study and what the annual payment will be. As a Board of Finance member, she would appreciate having that brought to Monday's meeting. Director Spencer said staff would come on Monday with that information, but for an order of magnitude understanding, a \$1,094,000 20-year water bond would have approximately a \$72K annual payment at 3% or approximately \$83K annual payment at 4.5%. A \$7,700,000 20-year wastewater bond would have approximately a \$467K annual payment at 2% or approximately a \$584K annual payment at 4.5%.

- Councilor Bushor stated that the total loan forgiveness needs clarity as she doesn't understand two different lines under the charts, what they reference and whether they should be combined. Chair Archambeau suggested staff get those answers and bring them to the Board of Finance.
- Councilor Bushor stated that she wanted to weigh in on private bond options. She agrees that it makes sense to go back to Commission to re-look at total package if the capital work cannot be financed through the SRF / Vermont Municipal Bond Bank. Councilor Bushor said she wants to reassure Commission that the Board of Finance also has their eye on this.

Commission Action:

- Commission Barr made the following motion to approve:
 1. The DPW Commission Supplemental Bond Resolution for Issuance of Water System Revenue Bonds, Series 2020, up to \$1,094,000 with the following amendment "If the Series 2020 Bonds are to be issued through a public offering and not through the Vermont Municipal Bond Bank or the State Revolving Loan Fund, then such issuance of the Series 2020 Bonds shall be subject to further approval by the Commission," and
 2. The DPW Commission Supplemental Bond Resolution for Issuance of Wastewater System Revenue Bonds, Series 2020, up to \$7,700,000 with the following amendment "If the Series 2020 Bonds are to be issued through a public offering and not through the Vermont Municipal Bond Bank or the State Revolving Loan Fund, then such issuance of the Series 2020 Bonds shall be subject to further approval by the Commission."
- Seconded by Commissioner O'Neill-Vivanco. Chair Archambeau conducted a roll call vote and the motion passed unanimously (6-0).

Items 6, 7 & 8 – Removed

Item 9 – Adjournment

- Commissioner Barr made a motion to adjourn, seconded by Commissioner Gillman. Chair Archambeau conducted a roll call vote and the motion passed unanimously. The meeting ended at 8:07PM

Payment and Borrowing Cost estimates different loan rates
 March 2020 Water and Wastewater borrowing approval

	Principal Loan Amount	20 year, 2 % (CWSRF rate and possible DWSRF rate)		20 year, 2.5% (possible DWSRF rate)		20 year, 3 % (Max DWSRF rate)		20 year, 4.5%	
		Estimated Annual Payment	total borrowing costs	Estimated Annual Payment	total borrowing costs	Estimated Annual Payment	total borrowing costs	Estimated Annual Payment	total borrowing costs
Wastewater Borrowing ¹	\$ 7,039,456	\$430,510	\$1,570,745					\$541,166	\$3,783,869
Water Borrowing	\$ 1,094,000	\$66,905	\$244,109	\$70,177	\$309,539	\$73,534	\$376,680	\$84,103	\$588,050

Note: The principal loan amount is conservative as it does not include the expected approximate \$516K reduction in principal due to loan forgiveness subsidy. It also does NOT include the extra WISPr sponsorsip loan amounts as the WISPr program (estimated to be \$660,544 at this time) ensures that the sponsorship amount does not impact our borrowing costs and in fact reduces them by 0.1%.

Burlington Department of Public Works Commission Meeting
Draft Minutes, May 20, 2020
645 Pine St. – Main Conference Room

Meeting video link: <https://www.cctv.org/watch-tv/programs/burlington-public-works-commission-152>

Commissioners Present: Tiki Archambeau (Chair); Brendan Hogan (Vice Chair); Chris Gillman; Solveig Overby; Peggy O’Neill-Vivanco; Pablo Bose; Jim Barr

Item 1 – Call to Order – Welcome – Chair Comments

Chair Archambeau calls meeting to order at 6:38 p.m. and made opening comments.

Item 2 – Agenda

Director Spencer asked if we could switch Item #7 and 8 as the relevant staff member and bond counsel are not available until 8:00 p.m.

ACTION: Commissioner Barr made a motion to accept the agenda with Director Spencer’s recommendation. Commissioner Hogan seconded. Unanimous approval.

Item 3 – Public Forum – There was no one to talk to public forum

Commissioner Archambeau stated he did receive an e-mail from a citizen in Burlington stating that the traffic calming devices are poorly maintained and covered with graffiti.

Item 4 – Consent Agenda

- A Paving Complete Streets Reporting
- B Additions of Speed Limits Section to Appendix C
- C Speed Limit for the Route 127 Ramp Approaching Manhattan Drive

Commissioner Overby stated that she talked with DPW Engineer Corey Mims about the addition of a sidewalk on Archibald Street because so many people are walking there but Mr. Mims stated that a sidewalk would not be installed at this time prior to paving as the whole street would have to be realigned to put in the sidewalks within the public ROW. Commissioner Overby spoke in support of consolidating speed limits in ordinance and the Route 127 speed limit reductions.

ACTION: Commissioner made a motion Barr to accept the Consent Agenda. Commissioner O’Neill-Vivanco seconded. Unanimous approval.

Item 5 – Temporary Parking Rate Suspension – J. Padgett

Interim Assistant Director Padgett stated that when COVID-19 hit and the Governor issued the Stay Home Stay Safe Order, we directed garage staff not to work on-site, and without staffed operation, we had to lift the gates and stop charging. They have been up

since March 17, 2020 and there has been no income from the garages since then. We have not billed our customers who are monthly pass holders for April and May. The garages have gone from over 2000 daily parkers to approximately 200. The garages typically earn \$200,000 of revenue each month. Staff is seeking Commission support to authorize the temporary suspension of rates through no longer than October 1st and authorize the Director to end the suspension when they determine it is appropriate to do so.

Commissioner Overby stated that the loss of income would still have been severe had garage rates still have been charged as parking demand plummeted. Commissioner O’Neill suggested that the motion reference COVID-19 and Governor’s Stay Home Order. Director Spencer suggested the motion could be revised to say:

“Due to COVID-19 pandemic, the Governor’s Stay Home, Stay Safe Order and the resulting lack of parking demand, ____ moves to:

- 1) Suspend all hourly and monthly parking fees in the City-owned garages as defined in Section 19 of Appendix C from March 25, 2020 until October 1, 2020 or until such time as it is deemed safe to resume normal garage operations by the Director of Public Works based on guidance from the State of Vermont and City Administration.
- 2) If it does not appear that normal garage operations are viable by October 1, 2020 due to ongoing Covid-19 limitations, staff will report to the Public Works Commission at the September meeting with a recommendation related to possible extension.”

ACTION: Commissioner Barr made the motion described above. Commissioner Bose seconded. Unanimous approval.

Item 6 – Making Space for Restaurant & Retail Recovery – N. Baldwin, N. Losch

Director Spencer stated that the City was launching three initiatives to provide space in the public ROW to assist with the recovery of the local economy. Senior Planner Nicole Losch stated that Staff is looking to have the Commission delegate authority to Staff to establish temporary short-term parking zones for curbside pick-up at loading zones, taxi stands and some 15 minute parking spaces and assign up to 20 additional spaces outside the above mentioned spaces. This temporary delegation, if approved, would take place through October. Staff is recommending the Commission approve:

1. Issue the following emergency, temporary regulation pursuant to 20 V.S.A. § 16, to be effective starting at 12:00a.m. on May 21, 2020 through the earlier of the expiration of Mayor’s Executive Order Declaring a Coronavirus Emergency or the effective date of Burlington Code of Ordinances, Appendix C, Section 31 “Temporary Regulations”:
 - a. The purpose of this regulation is to preserve the public health and safety and in particular to provide for safer dining, shopping, and recreational opportunities for Burlington residents.
 - b. The Director of Public Works or his or her designee is authorized to designate up to 20 parking spaces for temporary parking pick-up zones, except where accessible spaces are located.

- c. The following temporary alterations to Burlington Code of Ordinances, Appendix C “Rules and Regulations of the Traffic Commission” will be made:
 - i. Notwithstanding Section 9. “Fifteen-minute parking,” the Director of Public Works or his or her designee may allow fifteen-minute parking spaces to be reallocated as Temporary Parking Pick-up Zones for up to 15 minutes. Proper temporary signage will be posted.
 - ii. Notwithstanding Section 12-1. “No parking except vehicles loading or unloading,” the Director of Public Works or his or her designee may allow vehicle loading zone parking spaces to be reallocated as Temporary Parking Pick-up Zones for up to 15 minutes between the hours of 4:00 p.m. and 9:00 p.m. Proper temporary signage will be posted.
 - iii. Notwithstanding Section 13. “No parking any time except trucks loading or unloading,” the Director of Public Works or his or her designee may allow truck loading zone parking spaces to be reallocated as Temporary Parking Pick-up Zones for up to 15 minutes between the hours of 4:00 p.m. and 9:00 p.m. Proper temporary signage will be posted.
 - iv. Notwithstanding Section 25. “Taxicab Stands,” the Director of Public Works or his or her designee may allow taxicab parking spaces to be reallocated as Temporary Parking Pick-up Zones for up to 15 minutes between the hours of 4:00 p.m. and 9:00 p.m. Proper temporary signage will be posted.

- 2. Promulgate the following non-emergency, temporary regulation to be added to Burlington Code of Ordinances, Appendix C “Rules and Regulations of the Traffic Commission”:

For the duration of this ordinance’s effective date through October 31, 2020, that Appendix C “Rules and Regulations of the Traffic Commission” of the Code of Ordinances of the City of Burlington be and hereby is amended as follows:

Section 31. Temporary Regulations.

- a. Notwithstanding Appendix C, Sections 9, 12-1, 13, and 25, the following changes shall be made:
 - (1) The Director of Public Works or his or her designee, may allow fifteen-minute parking spaces described in Appendix C to be reallocated as Temporary Parking Pick-up Zones for up to 15 minutes. Proper temporary signage will be posted.
 - (2) The Director of Public Works or his or her designee, may allow vehicle loading zone parking spaces described in Appendix C to be reallocated as Temporary Parking Pick-up Zones for up to 15 minutes between the hours of 4:00 p.m. and 9:00 p.m. Proper temporary signage will be posted.
 - (3) The Director of Public Works or his or her designee, may allow truck loading zone parking spaces described in Appendix C to be reallocated as Temporary Parking Pick-up Zones for up to 15 minutes between the hours of 4:00

p.m. and 9:00 p.m. Proper temporary signage will be posted.

- (4) The Director of Public Works or his or her designee, may allow taxicab parking spaces described in Appendix C to be reallocated as Temporary Parking Pick-up Zones for up to 15 minutes between the hours of 4:00 p.m. and 9:00 p.m. Proper temporary signage will be posted.

(b) Sunset Provision. The provisions set forth in Section 31 shall terminate on November 1, 2020. The text of Section 31 shall be replaced at such time with: “[Reserved.]”. The authority of the Secretary to carry out this chapter shall terminate September 30, 2019.

Commissioner Archambeau you are looking for us to grant the Director power for a short term parking conflicts. Director Spencer stated we are looking to expedite the process. Downtown is a high parking demand location and we want to limit what we grant, a couple spaces. Type of uses for expanded sidewalk and we will make contact with the adjacent businesses for their opinions.

ACTION: Commissioner Barr made a motion to accept staff’s recommendation. Commissioner Gilman seconded. Unanimous approval.

Item 7 – Cambrian Rise North Avenue – N. Baldwin, L. Wheelock, N. Losch

City Engineer Norm Baldwin, Senior Engineer Laura Wheelock and Senior Planner Nicole Losch provided a project briefing focusing on items that would require future Commission action. The street Cambrian Way, which is internal to the development, is proposed to be dedicated and accepted by the City. Additionally, the developer is proposing to advance, and pay for, modifications to the section of North Avenue that fronts the development. The Commission regulates traffic and parking in the public rights-of-way and relevant approvals related to this project will be brought to the Commission in the future. Staff used the Cambrian Rise presentation recently shared with the City Council to go over the components that would likely require future Commission action:

[https://go.boarddocs.com/vt/burlingtonvt/Board.nsf/files/BPLRZ4705BD4/\\$file/Cambrian%20Rise%20-%20presentation%20slides.pdf](https://go.boarddocs.com/vt/burlingtonvt/Board.nsf/files/BPLRZ4705BD4/$file/Cambrian%20Rise%20-%20presentation%20slides.pdf)

Commissioners Hogan, Archambeau and Overby asked questions about why a roundabout is not being advanced at North Avenue & Cambrian Way intersection, the proposed multi-modal accommodations on North Avenue, the proposed on-street parking policy, the traffic impact review and the overall timeline.

- Regarding the roundabout, staff responded that it was carefully evaluated and that the traffic volumes would have necessitated a large-diameter roundabout requiring significant private property acquisition and would have been challenging to site given the proximity of the homes to the east.
- Regarding the multi-modal accommodations, staff explained that the developer has committed to a many multi-modal policies and design features (heated bus stop, off-street bike lane, crosswalk improvements, share-use path connections to the waterfront, CarShare Vermont pod placement and incentives, unbundling

parking, etc.) and that through a good iterative process the developer and staff have come to a final design for North Avenue that has solid staff support. A floating bus stop was not considered and staff explained that GMT was OK with a pull-out at this location due to the large projected demand and therefore long dwell times.

- Regarding the on-street parking policy, staff stated that because the City Council and developer recently agreed to unbundle parking from residential leases, the Commission would likely need to enact parking regulations that would limit the long-term storage of private cars in the public ROW given some residents will likely seek to avoid paying for on-site parking.
- Regarding traffic impact review, staff reviewed the developer's traffic impact study and generally concurred with the findings. The study identified intersections that would have additional delay, but the delay was determined to be acceptable. The North Avenue, Washington Street and Berry Street intersection will require improvements and the development's impact fees and a State grant will cover most of the project costs.
- Regarding the timeline, the North Avenue streetscape work could start as early as this fall with the signals going into operation sometime in 2021.

ACTION: No action taken.

Item 8 – Loan Approvals for Stormwater Collection System – M. Moir, T. Melloni

Division Director Megan Moir stated that the purpose of the borrowing is to reinvest in the City's extensive stormwater collection system. With the proposed authorization to borrow \$2.56 million dollars, the City could reline about 5 miles of the City's approximately 40 miles of dedicated stormwater collection pipe. While some of the pipe is only a few decades old, the material used and its exposure to roadway salt has led to accelerated deterioration and failures. This proposed work was an element of the Clean Water Resiliency Plan approved by voters in November 2018. Bond Counsel Thomas Melloni explained the borrowing authorization process and the borrowing terms – similar to what the Commission reviewed and approved in March for the Water and Wastewater.

Commissioner Overby referred to the questions she asked Division Director Moir prior to the meeting and asked that they and staff's answers be attached to the meeting minutes. Commissioner Overby asked about the general bond resolution language and that it did not identify specific projects or a specific amount for approval. Mr. Melloni explained the process for how this goes through the proper channels for approval and that an overriding general bond resolution can last for several years. Chair Archambeau stated that open-ended general authorizations may be a liability should departmental leadership change. To this point, Chair Archambeau request that staff keep the Commission informed of its actions and work related to this bond authorization.

ACTION: Commissioner Barr made a motion to approve the DPW Commission Bond Resolution for Issuance of Stormwater System Revenue Bonds, Series 2020, up to \$2,560,000. Commissioner Gillman seconded. Unanimous approval.

Item 9 – 2020 Construction Preview – C. Spencer, R. Goulding

Director Spencer referred to the materials in the packet and would answer any questions during the Director's Report. Chair Archambeau stated that the Commission had heard concerns last year about prolonged construction impacts and wanted to know that the Department was doing this year to address those concerns. Staff responded that they had debriefed after last season and have modified their project management approach for this coming year. Some impacts last year were due to comprehensive full-depth reconstruction projects where unanticipated conditions stretched out the project timeline. There are not such intensive projects scheduled for this year.

Item 10 – Approval of Draft Minutes from 2-19-2020 & 3-18-2020

ACTION: Commissioner Barr made a motion to accept the minutes with the following changes:

- Correct spelling of “in-kind”
- Clarify that Commissioner Overby's comments regarding late plowing was for both on-street plowing and sidewalk plowing
- Clarify that Commissioner Overby's comments about removing two-hour time limits from North Winooski Avenue parking was related to a potential concern that Community Health Center commuters might take up the parking all day.

Commissioner O'Neill Vivanco seconded. Unanimous approval.

Approval of the March 18, 2020 Minutes was delayed to fill in missing numbers in the Water and Wastewater agenda item.

Item 11- Director's Report

Director Spencer referred to his written Director's Report in the packet. At the Chair's request, Director Spencer updated the Commission on the recent City Council resolution related to the removal of the Everyone Loves a Parade mural and the language stating that DPW could be involved in removal of the mural. Director Spencer stated that this time of year our field staff is concentrating on billable work and we are looking for a way the removal will not impact DPW's construction season activities. Director Spencer recognized staff for their ongoing commitment and flexibility during the COVID-19 pandemic.

Item 12 – Commissioner's Communication

Commissioner O'Neill supports the Shared Streets initiative and wants DPW to work with UVM TRC to collect data and feedback on the efficacy of the installations and whether any of the temporary accommodations should lead to permanent installations.

Commissioner Hogan recommended polling of staff on how everyone is doing during this difficult time.

Commissioner Barr stated that Ward 1 and the Old East End group are pleased with the Colchester Ave / Chase Lane cross walk that was installed and they are looking forward to the Colchester Ave shared use path construction.

Commissioner Overby stated she had heard from Jared Wood asking if the crosswalks could be zebra striped rather than the red brick. City Engineer Baldwin stated that there are different types of crosswalks, and staff can revisit our current designs as part of the engineering standards development.

Commission Chair Archambeau asked about timing for installing the lines and markings on the roadway as the season is short and many years the installation seems late. Director Spencer stated that we will get an update from our painting contractor and will update the Commission. Director Spencer noted that COVID-19 has set us back and we will not likely be able to afford seasonal staff this year which will further impact our painting production this season. Commissioner Archambeau wants the line and marking work to be done before Memorial Day. Chair Archambeau also asked for an update on the building along the 127 bike path by the old dump. Director Spencer will get the Commission an update for the next meeting.

Item 13 – Executive Session – Director & City Engineer Annual Reviews

Commissioner Archambeau asked about if we could adjourn the Commission meeting and reconvene for the sole purpose of discussing the annual reviews for the Director and City Engineer. Director Spencer stated that in previous discussions with the City Attorney this was acceptable.

Item 14 – Adjournment & Meeting June 17, 2020

ACTION: Commissioner Gillman made a motion to adjourn. Commissioner Barr seconded. Unanimous approval.

Meeting adjourned at 9:30 p.m.



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A
Burlington, VT 05401
802.863.9094 VOICE
802.863.0466 FAX
802.863.0450 TTY
www.burlingtonvt.gov/dpw

To: DPW Commissioners
Fr: Chapin Spencer, Director
Re: **DPW Director's Report**
Date: June 11, 2020

The June Public Works Commission meeting will be held online via Zoom.

COVID-19 OFFICE UPDATES:

Staff is working on a partial reopening plan for 645 Pine Street. We do not have a date yet, but will keep the Commission and the public informed. Currently for transactions that cannot be done online or over the phone, Pine Street Customer Service staff is going outside the building to assist customers. A special thank you to our Customer Service staff members at both Pine Street and Penny Lane as both teams are down a staff member and are working hard to continue their activities during the pandemic. Given the criticality of the water and wastewater plants, we will likely continue to restrict public access to those buildings. Contact: Chapin Spencer, cspencer@burlingtonvt.gov.

CONSTRUCTION SEASON:

As reported last month, through careful COVID-19 planning, updated contract provisions and modified safety policies, our 2020 construction season is fully underway. We have presented our construction season plans to the City Council, the Commission and currently to the NPAs. The public can always get information on our Construction Portal: <https://www.burlingtonvt.gov/construction>. Contact: Rob Goulding, rgoulding@burlingtonvt.gov.

PINE ST PARKING RESTRICTIONS:

During the 2018 construction season, a need to temporarily increase parking opportunities for local residents and business was established by staff due to the temporary loss of parking along Maple Street during construction. Staff collected data on several streets in the local area and recommended adding temporary parking on South Champlain Street and Pine Street to relieve pressure from the construction in the affected neighborhoods. The Commission approved the removal of the No Parking zone on the east side of Pine Street, from Maple Street to 226 Pine Street, between the hours of 6:00 a.m. to 6:00 p.m., Mondays through Fridays. The Commission also approved a sunset provision, that once construction activities were complete all traffic regulations will revert back to what existed prior to construction. Consequently, DPW Staff will be putting back the signage for the No Parking zone on the east side of Pine Street, from Maple Street to 226 Pine Street, between the hours of 6:00 a.m. to 6:00 p.m., Monday through Friday once the coned area for the bike path detour is removed. Contact Phillip Peterson, ppeterson@burlingtonvt.gov.

FRANKLIN SQUARE UPDATE:

Following our January 2020 meeting with the residents of Franklin Square, DPW and Burlington Housing Authority continue to work together towards the City's acceptance of Red Maple Lane and Franklin Square as public right-of-way. DPW Staff are working with Land Surveyors from Dubois & King to establish the boundary lines for Franklin Square and Red Maple Lane. The deed research is underway; preliminary field work is also underway, with more robust field work beginning next week. The boundary survey will help complete the dedication and acceptance of Red Maple Lane and

Franklin Square into the City of Burlington public right-of-way. We hope to be able to continue these efforts and recommend the City Council accept the new right-of-way this coming Fall. Contact: Phillip Peterson, ppeterson@burlingtonvt.gov.

RAILYARD ENTERPRISE PROJECT

The City and the CCRPC has completed the supplemental scoping for the Railyard Enterprise Project to see whether the project could be advanced with solely local and state funds. See the attached memo that was provided to the Council's Transportation Energy and Utilities Committee (TEUC).

The TEUC recommended the following:

-) The project should advance as a Federally-funded project
-) The project should begin preliminary engineering once the Champlain Parkway is constructed to take advantage of the 90% Federal and State / 10% City funding split.

This recommendation is slated to go to the June 29th City Council meeting. Contact: Susan Molzon: smolzon@burlingtonvt.gov.

FY'21 BUDGETS:

DPW FY'21 budgets have been prepared and are going to City Council for their consideration at their June 15 and June 29 meetings. It has been an especially challenging budgeting season as our assumptions changed dramatically starting in mid-March due to COVID-19. Highlights:

-) **DPW General Fund budget:** We have had to stretch to increase revenues and decrease expenses. On the revenue side, we have increased billable work (sidewalk construction, capital projects) which will mean that staff will be less available to respond to unbillable activities. . On the expense side, we are proposing to reduce seasonal workers which will constrain our capacity in Technical Services and Street Maintenance.
-) **GF Capital budget:** We have presented a balanced \$30M capital budget for FY'21, but projections are that we will have a large \$11M gap for FY'22.
-) **Water / Wastewater / Stormwater budgets:** We have achieved budgets that do not have any rate increases in these three enterprise budgets – but they are deficit budgets that rely on utilizing fund balance. The budget projects reductions in water usage for the first six months of the fiscal year due to COVID-19 related impacts. We will be monitoring usage and budget performance carefully. We may need to come to the Council for a mid-year rate adjustment if the upcoming UVM academic year is curtailed or other large users decrease their water use.
-) **Parking & Traffic budgets:** We have budgets that generally maintain service levels but have cut most all capital reinvestment activities in the garages for the year as we are projecting 10-20% reduction in parking revenues due to COVID-19. We are proposing using fund balance for a few key projects. The Church St Marketplace Commission has recommended the Downtown Improvement District assessment be reduced in half to help downtown businesses. This reduction in revenue for 2 hour free parking is leading us to recommend keeping 2 hour free parking at College St and Lakeview Garages, but removing it at Marketplace Garage – which will help counterbalance the COVID-19 revenue reductions in the Parking Facilities Fund.

CONSOLIDATED COLLECTION

The consultant for the joint South Burlington, Burlington and CSWD study has finalized the draft report for coordinated trash/recycling/organics collection and it is available for public review and feedback (<https://www.burlingtonvt.gov/dpw/Maintenance/Consolidated>). The study's findings were presented to the Council's Transportation Energy and Utilities Committee on May 26 and there will be an upcoming public meeting on June 25. DPW and CSWD staff will be prepared at the June Commission meeting to present our public engagement strategy. Contact: Lee Perry, lperry@burlingtonvt.gov.

5-29-20 STORM EVENT AND MAIN PLANT DISCHARGE

Chair Archambeau asked for an update on the May 29 discharge of treated but not disinfected wet weather flow. The press statement from the day after is attached and linked below. Staff has been

thoroughly investigating the issue and we have concluded that the failure was likely due to a malfunctioning pump in the disinfection system. The disinfection system is one of the critical systems that we are modernizing through the Clean Water Resiliency Plan and related capital work that was approved by voters in 2018. The construction contract for this work is slated to go to the City Council on June 29. The 5-30-20 press statement is here: <https://www.burlingtonvt.gov/Press/statement-on-may-29-2020-main-wastewater-treatment-plant-discharge-next-steps>. We can answer any Commissioners questions during the Director's Report. Contact: Megan Moir, mmoir@burlingtonvt.gov.

Feel free to reach out with any questions prior to Wednesday's Commission meeting. Thank you.



City of Burlington
Department of Public Works

Technical Services Engineering Division
645 Pine Street, Suite A
Burlington, VT 05402
P 802-863-9094 / F 802-863-0466 / TTY 802-863-0450
www.burlingtonvt.gov/DPW

Memo

Date: May 22, 2020

To: Transportation, Energy and Utilities Committee of the Burlington City Council

From: Chapin Spencer, Director

CC: Norman Baldwin, P.E., Assistant Director/City Engineer
Susan Molzon, P.E., Senior Public Works Engineer
Eleni Churchill, Chittenden County Regional Planning Commission

Subject: Railyard Enterprise Project – Supplemental Scoping

The Railyard Enterprise Project (REP) is a proposed multi-modal transportation link connecting Pine Street to Battery Street. The purpose of the Railyard Enterprise Project is to develop a network of multimodal transportation infrastructure improvements in the Pine Street and Battery Street area which incorporate the principles of complete streets, and to: support economic development in the area; improve livability of the surrounding neighborhoods; enhance multimodal travel connectivity between the Pine Street corridor and Battery Street in the Burlington Waterfront South area; and improve intermodal connections to the Burlington Railyard, a National Highway System designated intermodal facility.

BACKGROUND

In October 2012, the City Council unanimously passed a resolution “express[ing] its full support for the new Railyard Enterprise Project and author[izing] the Mayor and CEDO staff to commence work with the Chittenden County Regional Planning Commission (CCRPC) on scoping for the project”. In partnership with the City, Vermont Agency of Transportation (VTrans), the Federal Highway Administration (FHWA) and CCRPC, an enhanced scoping process under the Every Day Counts/Planning and Environmental Linkages (EDC/PEL) FHWA initiative was completed.

The Steering Committee, comprised of members of City, State and local organizations, was formed to provide guidance and general project oversight recommended that the City Council support the advancement of three Phase 2 Alternatives into the National Environmental Policy Act (NEPA). Public input during the process, including public forum at City Council meetings, raised topics including concerns about impacts to existing buildings in the project area, a desire to have more local control, and interest in developing the project in a timely manner to reduce traffic impacts in the King St and Maple St neighborhoods as soon as possible. In December 2015, the City Council passed a resolution advancing three REP Phase 2 Alternatives, but the resolution also stated that the Council “strongly supports build alternatives...that connect Pine Street and Battery Street with the least impact to private property and existing business”. Of the three REP Phase 2 Alternatives,

City and VTrans staff determined that Alternative 1B would be the most viable as a local/state project because it impacts the fewest number of private properties, has the fewest lane miles of new roadways, and appeared to have the most support through the public process.

In November 2016, the City Council passed a resolution “express[ing] its support for conducting a supplemental scoping of REP Phase 2 Alternative 1B to evaluate whether a local/state approach that does not utilize federal funds is feasible”. The City Council also requested a thorough report upon completion of the supplemental scoping effort so that the Council can determine whether to proceed with advancing Alternative 1B as a local/state project without NEPA review or proceed with advancing the REP Phase 2 Alternatives 1B, 2 and 5B into a Federal Environmental Permitting Process (NEPA).

CURRENT STATUS

The supplemental scoping has now been completed and we are bringing forward the report to the TEUC for review and recommendation to the City Council. The supplemental scoping was very beneficial in conducting more detailed review of the historic, environmental and commercial considerations in the project area. The findings from the supplemental scoping will help inform upcoming project development work including any applicable Federal NEPA process.

Based on the supplemental scoping and the overall projected cost, City staff is recommending to advance the project as a Federally-funded project. We seek the TEUC’s support to accept the study and staff’s recommendation, and to forward to City Council.

PROJECT FUNDING

Additionally, we have attached two letters from VTrans offering two financial paths for advancing the project as a Federally-funded project. In summary, VTrans has committed to include funding for preliminary engineering for the REP in its capital program submittal to the Legislature for 80% of preliminary engineering costs if the City commits to the 20% local match. The alternative is VTrans has committed to providing federal and state funding for 90% of up to \$20M of actual project-eligible costs for federal participation after the construction of the Champlain Parkway project is completed and the City is willing to enter into a grant agreement with VTrans. Feel free to contact us to discuss any of this in further detail. We seek the TEUC’s feedback on how to move forward in consideration of these funding opportunities.

We look forward to discussing this in more detail at the TEUC meeting.

ATTACHMENTS:

April 18, 2019 Letter from VTrans to Mayor Miro Weinberger
August 5, 2019 Letter from VTrans to Chapin Spencer

State of Vermont
Office of the Secretary
219 North Main Street, Suite 201
Barre, VT 05641
vtrans.vermont.gov

[phone] 802-476-2690
[fax] 802-479-2210
[ttd] 802-253-0191

Agency of Transportation

April 18, 2019

Mayor Miro Weinberger
City of Burlington
City Hall, 149 Church Street
Burlington, VT 05401

Dear Mayor Weinberger:

As the initial scoping effort for a project commonly referred to as the Railyard Enterprise Project comes to an end, I would like to clarify the Agency of Transportation's (AOT) level of commitment to the project.

To date, planning funds from both the CCRPC and AOT have been used for the enhanced scoping project. This enhanced process, called Planning and Environment Linkages (PEL), provides for a collaborative and integrated approach to transportation decision making that considers environmental, community, and economic goals early in the transportation planning process, and then uses the information developed during planning to inform the environmental review process. We understand that the outcome of this process confirms that the desired project will be of such a scale financially that it will not be feasible to complete using local and state funds only.

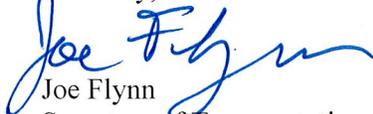
The AOT will honor the previous commitment to program a new project within the Roadway Program for the Railyard Enterprise Project. However, this action for starting the preliminary engineering phase, which includes review under the National Environmental Policy Act (NEPA), will not occur until after the construction of the Champlain Parkway is completed and only if the City is willing to enter into a grant agreement and advance the project through the Municipal Assistance Bureau. The Champlain Parkway utilizes a significant portion of available funding within the AOT Roadway Program over the next several years and until that is completed funding will not be available.

Specifically, AOT will commit to providing federal and state funding to the Railyard Enterprise Project as follows:

- 90% of up to \$20,000,000 of actual project-eligible costs for federal participation,
- federal and state funding capped at \$18,000,000, and
- eligible project costs above \$20,000,000 and/or costs found not to be eligible for federal or state participation will be the responsibility of the City of Burlington.

We look forward to working with the City of Burlington to advance this project at the appropriate time.

Sincerely,



Joe Flynn
Secretary of Transportation



State of Vermont
Highway Division
219 North Main Street
Barre, VT 05641
www.aot.state.vt.us

[phone] 802-917-1644
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Agency of Transportation

Wayne B. Symonds
Chief Engineer

Ann L. Gammell
Deputy Chief Engineer

August 5, 2019

Chapin Spencer
Public Works Director
City of Burlington
PO Box 849
Burlington, VT 05402-0849

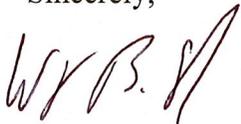
Dear Chapin,

As you are aware, Secretary Flynn sent Mayor Weinberger a letter on April 18, 2019 regarding VTrans' commitment and timeline for advancement of preliminary engineering for the City's proposed Railyard Enterprise Project. Recently you requested, on behalf of the City, that the agency reconsider its position relative to timing.

After some internal discussion, VTrans could commit to including funding for preliminary engineering for the Railyard Enterprise Project in its capital program submittal to the Legislature for SFY21 if the City will commit to providing the full 20% required matching funds for the preliminary engineering phase. This is a deviation from VTrans providing 90% funding for all project-eligible costs for federal participation as outlined by Secretary Flynn in his April 18, 2019 letter. With other priorities already committed to by VTrans, we are not able to provide any state matching funds at this time should the City want to pursue advancing the preliminary engineering phase before construction of the Champlain Parkway is completed.

We continue to look forward to working with the City to advance this project.

Sincerely,



Wayne B. Symonds, PE
Chief Engineer

Sincerely,



Michele Boomhower
Director of Policy, Planning & Intermodal Development

cc: J. Flynn, Secretary of Transportation
S. Scribner, Director, Municipal Assistance Bureau
C. Allen, Director, Asset Management Bureau



For immediate release:

May 30, 2020

For more information, contact:

Robert Goulding, DPW Public Information Manager
802-540-0846

Statement on May 29, 2020 Main Wastewater Treatment Plant Discharge, Next Steps

At 8:47 pm on Friday, May 29th there was a disinfection failure alarm at Burlington's Main Wastewater Treatment Plant. During about a 50 minute time span there was a lack of disinfection for approximately 1.4 million gallons of wet weather flow (stormwater runoff and treated, but not disinfected wastewater). While we are currently reviewing this event, it appears that the active disinfection tank ran out of sodium hypochlorite faster than it should have based on the dosage setting. Our operator who was on site during the entirety of the storm was able to switch supplies and restore disinfection for the remainder of the storm.

Due to this issue, for about 50 minutes, treated but not fully disinfected wet weather flow was released ½ mile into the Lake past the breakwater. The wet weather treatment process functioned properly by providing maximum separation of solids from the combined wet weather flow in the Vortex system and diverting them into the plant's full treatment and disinfection process. It was the remaining, screened wet weather flow that did not receive full disinfection before being discharged. This may lead to increased bacteria levels in nearby water. Therefore, we advise against swimming at Blanchard Beach, Oakledge Cove, Blodgett Access and Perkins Pier for 48 hours. In accordance with State Law, warning signs have been posted at each of these locations. Additionally, a VT Alert was posted to subscribers at 8:48 am this morning. Sign up for VT Alerts at: <https://www.burlingtonvt.gov/BTV-Alerts>.

Due to our enhanced staffing protocol during storm events, put in place after the plant issues in 2018, we had an operator on site throughout the entire duration of the storm to manage this significant storm event (over 2 inches in 12 hours). **Construction on upgrades to critical disinfection and SCADA equipment at the treatment plants is scheduled for this year, and the bid procurement is actively underway with bids for the disinfection system due back this coming Thursday.** Due to overwhelming support of Burlingtonians in November 2018, the City gained approval for the \$30 million dollar Clean Water Resiliency Plan. At the heart of this Plan was an effort to upgrade long-deferred projects at the wastewater treatment plants. Each of Burlington's WWTPs has a disinfection system that provides chemical treatment to ensure bacteria levels in the plant's effluent remain low. Some of this equipment dates back to the last major overhaul of the treatment plants in 1994 – when nearly 170M gallons of un-disinfected, untreated wastewater was still being emptied annually into Lake Champlain. We have advanced these projects through the State Revolving Fund which added time and extra steps, but kept costs down.

We will continue the progress of the last few years in upgrading aging infrastructure and building green stormwater into our streetscape. Beaches should never be closed in Burlington, but unlike a generation ago they are no longer closed for days, weeks or seasons at a time. We will continue this generation's stewardship and progress in advancing water quality. Projects like the raingardens on St. Paul Street and Mansfield Avenue; and the subsurface system installed on Allen St - all installed in 2019 -- go a long way to reducing storm flows and filtering out pollutants before they reach the Plant. While more intense storms have become the new normal with a changing climate, we will continue building resilient infrastructure and building on the undeniable progress Burlington has made. More information on the Clean Water Resiliency Plan are be found at: <https://www.burlingtonvt.gov/DPW/Water/CWRP>.

FURTHER BACKGROUND ON YESTERDAY'S EVENT

Our full investigation is underway, but it appears that active disinfection tank prematurely ran out of sodium hypochlorite (bleach). While still being investigated, it appears that the disinfection tank was pumping disinfectant at a higher rate than the dosage was set to, leading to the tank being drawn down much faster than it should have been. Even though the back-up disinfection system tank (designed for normal daily, not storm related flows) did activate properly, it was not designed to deliver a sufficient volume of hypochlorite which is needed to activate the fast acting bromine based disinfection of our substantial wet weather flows. As the plant had ample back up chemical disinfectant on hand, once the tank level issue was identified, the operator was able to switch supplies and disinfection was restored for the remainder of the storm.

Our computerized alarm system properly alerted the operator to the low disinfectant condition in our disinfection tank and the operator immediately started troubleshooting the disinfection system. However, the current 25-year-old disinfection system does not have tank level sensors or alarms that could have shortened the time it took to troubleshoot this issue. Based on earlier checks of the tank level and typical tank draw down rates, lack of chemical due to an empty tank was not checked until later in the trouble shooting process after other potential causes had been eliminated. Thus, about 20 minutes passed between the initial low disinfectant alarm in the contact tank and discovering that the cause was the empty tank. Once the operator switched the tank, given normal lag time, it took an additional 15 minutes for disinfection to be fully restored. In total, inadequate disinfection was occurring for about 50 minutes total, which includes the initial lag in the time it took for the disinfection tank to empty and for disinfectant levels to drop to alarm level in the contact tank.

An investigation will continue into what caused the tank to drawn down faster as well as to identify any other improvements which would have mitigated this incident. Many improvements are already included in the final design of the disinfection and SCADA upgrade which are headed for construction this season. Funding for these projects are part of the Clean Water Resiliency Plan, the \$30 M Wastewater and Stormwater Improvement bond approved by the voters in late 2018. These projects are being financed through the low interest Clean Water State Revolving Fund loan program to mitigate impacts to our rate payers. There are numerous additional steps and requirements for this funding, which has added some time to the overall project schedule. However, bids for the project are due this week in support of advancing the project this construction season.

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