CITY OF MONTPELIER
MONTPELIER, VERMONT

Agenda for City Council Meeting
Wednesday,
November 14, 2012
06:30 P.M.

1) Call to Order by the Mayor

2) 12-276. General Business and Appearances

3) 12-277. Consideration of the Consent Agenda:

a) Consideration of Minutes from the September 26th, October 10th, and October 24th, 2012 City Council Meetings.

b) Accept the bid in the amount of $49,600.00 (base bid less trade allowances) submitted by Gateway Motors of White River Junction, Vermont, for two (2) latest model Cabs & Chassis for the Public Works Department, and authorize the City Manager to make this purchase.

c) Accept the bid submitted by Iroquois Manufacturing Company of Hinesburg, Vermont, for two new Dump Bodies, two (2) Fisher MC 9-foot Plows, one (1) Tailgate Spreader, and one (1) 3-4 CY V-box Spreader for the Public Works Department, and authorize the City Manager to make this purchase in the amount of $47,294.00.

d) Accept the low bid of $24,476.00 (base bid less municipal discounts and trade allowance, plus 5-year base care warranty and 3-bar aluminum ladder rack) submitted by Gateway Motors of White River Junction, Vermont, for the replacement of a Cargo Van for the Public Works Department, and authorize the City Manager to make this purchase.

e) Accept the low bid submitted by Donovan Equipment Company of

Londonderry, New Hampshire, for the purchase of a Dump Truck Body, Tarp, and related hydraulics for the Public Works Department, and authorize the City Manager to make this purchase in the amount of $18,375.00.

f) Approve updates to The City of Montpelier Title VI and Disadvantage Business Enterprise (DBE) plan and policy.

1) The City of Montpelier Title VI and DBE plan and policy were adopted by City Council on April 13, 2005, as a requirement of FTA funds earmarked for the Carr Lot Project, specifically Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1978.

2) The City of Montpelier is required to periodically update its policies to reflect changes in federal legislation. The current policy update includes planning and provisions and strategies of inclusive public participation of minority, low income, and Limited English Proficiency (LEP) populations. Compliance is required in order to limit possible drawdown restrictions on FTA funds.

g) Payroll and Bills

4) 12-278. Briefing on the proposal for a marijuana dispensary.

a) Recommendation: Discussion and direction to staff.

5) 12-279. Department Report

a) As outlined in the City of Montpelier's FY ?14 Budget Schedule (July 1, 2013 - June 30, 2014), Reports from City Departments are scheduled to be heard this evening.

b) The department presenting at this meeting will be Public Works.

c) Recommendation: Receive reports; possible direction to staff.

6) 12-280. Discussion of the Infrastructure Goal: Maintain all city streets, bridges, sidewalks and other infrastructure (tennis courts, parks, rec paths, etc.) in (at

minimum) fair or good condition as per appropriate rating indices.

a) Mayor Hollar has requested updates, throughout the year, on the goals that Council adopted in June, 2012. The last progress report was received on October 24th, 2012.

b) The steps to achieve this particular goal were listed as follows:

1) Capital Improvements Committee to recommend a funding plan to improve streets and sidewalks to a reasonable level within five years.

2) Develop comprehensive inventory of infrastructure needs and associated costs.

3) Take steps to remove all dual utility poles in Montpelier.

c) Recommendation: Receive update; discussion; possible direction to staff.

7) 12-281. Reports by City Council

8) 12-282. Mayor's Report

9) 12-283. Report by the City Clerk

10) 12-284. Status Reports by the City Manager

11) 12-285. Agenda Reports by the City Manager

Adjournment

Adjournment

City Of Montpelier
Department of Public Works
Memorandum

To: **William J. Fraser, City Manager**

From: **Todd C. Law, PE, Director**

Date: **November 6, 2012**

Subject: **Trucks #7 and #25 Cabs & Chassis**

On October 16, 2012, we opened the single bid received for two (2) new GVW 19,500 lb Cabs & Chassis for the Public Works Department. After review, we recommend that the bid submitted by Gateway Motors of White River Junction, VT, in the amount of **$49,600** be accepted. The budgeted amount for this purchase is $120,000.

We request that this item be placed on the Consent Agenda for the upcoming Council meeting. Suggested wording for the Agenda follows:

> *To accept the bid in the amount of **$49,600.00** (base bid less trade allowances) submitted by Gateway Motors of White River Junction, Vermont, for two (2) latest model Cabs & Chassis for the Public Works Department, and to authorize the City Manager to make this purchase.*

If you would like further information, or if you would like to review the file, please feel free to contact my office.

Attachment
C: Eric Ladd, Equipment Supervisor

City Of Montpelier
Department of Public Works
Memorandum

To: **William J. Fraser, City Manager**

From: **Todd C. Law, PE, Director**

Date: **November 6, 2012**

Subject: **Trucks #7 and #25**

On November 6, 2012, we opened bids received for two (2) new Dump Bodies, two (2) Fisher MC 9' Plows, one (1) Tailgate Spreader, and an optional 3-4 CY V-box Spreader for the Public Works Department. Five bids were received; the tabulation is attached. After review of these bids, we recommend that the low bid, submitted by Iroquois Manufacturing Co., in the amount of $41,107.00 plus $6,187 for the V-box spreader. The budgeted amount remaining for this purchase is $70,400.00

We request that this item be placed on the Consent Agenda for the upcoming Council meeting. Suggested wording for the Agenda follows:

> *To accept the bid submitted by Iroquois Mfg. Co, of Hinesburg, Vermont., for two new Dump Bodies, two (2) Fisher MC 9' Plows, one (1) Tailgate Spreader, and one (1) 3-4 CY V-box Spreader for the Public Works Department, and to authorize the City Manager to make this purchase in the amount of* ***$47,294.00.***

If you would like further information, or if you would like to review the file on these bids, please feel free to contact my office.

Attachment
C: Eric Ladd, Equipment Supervisor

TABULATION OF BIDS

#7 & #25 Dump Bodies, Plows, Spreader

PURCHASE NO. 109400.83.01

DATE OF OPENING 11/06/2012

DEPARTMENT Public Works 10:00 AM

ITEM	BRIEF DESCRIPTION	TENCO UNIT PRICE	HP FAIRFIELD UNIT PRICE	VIKING CIVES UNIT PRICE	IROQUOIS MFG UNIT PRICE	LUCK'S TRAILER SALES UNIT PRICE			AMOUNT OF ITEM AWARD
1.	Two (2) New Dump Bodies, two (2) Fisher Plows, one (1) Spreader	28498 —	47185 —	44310 —	41107 —	51173 —			
	Option: One (1) 3-4 CY V-box Spreader	2902 —	6635 —	5610 —	6187 —	6372 —			
	Estimated Delivery Date	50 days	60 days	60 days	45 days	60 days			

PREPARED BY:

AWARDED BY:

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CITY of MONTPELIER
DEPARTMENT of PUBLIC WORKS

M E M O R A N D U M

TO: **William J. Fraser, City Manager**

FROM: **Todd C. Law, PE, Director**

DATE: **November 7, 2012**

SUBJECT: **#42 Cargo Van for Water/Sewer Division**

On October 16, 2012, we opened the bids received for a replacement cargo van for the Public Works Department. After staff review, we recommend that the bid from Gateway Motors of White River Junction, VT, in the amount **$24,476.00** be accepted. $30,000 is included in the FY2013 budget for this purchase.

Attached is the Bid Tabulation for your review. I request that you seek Council authorization on the next available Consent Agenda to order this truck, suggested wording as follows:

> *To accept the low bid of **$24,476.00** (Base bid less municipal discounts and trade allowance, plus 5-year base care warranty and 3-bar aluminum ladder rack) submitted by Gateway Motors of White River Junction, VT, for the replacement of a Cargo Van for the Public Works Department, and authorize the City Manager to make this purchase.*

If you would like to review any of the bids received, please feel free to request the file from our office.

attachment
Eric Ladd, Equipment Supervisor

TABULATION OF BIDS

#42 1-ton Cargo Van

PURCHASE NO.	DATE OF OPENING
116200.83.01	10/16/2012

DEPARTMENT: Public works

ITEM	BRIEF DESCRIPTION	Cody Chevrolet — UNIT PRICE	Gateway Motors (Ford) — UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	AMOUNT OF ITEM AWARD
1	1-Ton Cargo Van w/NO Trade	26,903 -	24,999 -						
	1-Ton Cargo Van with Trade	25,403 -	22,999 -						
	OPTION: 60 month/60,000 mile	1,550 -	940 -						
	" " Extended Warranty $0 deductible		Because $100 deductible						

PREPARED BY:

AWARDED BY:

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CITY of MONTPELIER
DEPARTMENT of PUBLIC WORKS

M E M O R A N D U M

TO: **William J. Fraser, City Manager**

FROM: **Todd C. Law, PE, Director**

DATE: **November 6, 2012**

SUBJECT: **Dump Truck Body and Related Hydraulics**

On November 6, 2012, we opened bids for a Dump Body and all related Hydraulics for the Public Works Department. Bids were requested from eight dealers, with five responses received. After reviewing the bids submitted, we recommend that the bid from Donovan Equipment Co., of Londonderry, NH, be accepted. The budgeted amount remaining for this purchase is $18,977.82.

Attached is a tabulation of the bids. I request that you seek Council authorization on the next available Consent Agenda to order this equipment, suggested wording as follows:

> *To accept the low bid submitted by Donovan Equipment Co. of Londonderry, New Hampshire, for the purchase of a dump truck body, tarp, and related hydraulics for the Public Works Department, and authorize the City Manager to make this purchase in the amount of* ***$18,375.00.***

If you would like to review any of the specifications or bids received, please feel free to request the file from our office.

attachment
c. Eric Ladd, Equipment Supervisor

TABULATION OF BIDS

Truck #47 Body & Hydraulics

PURCHASE NO.	DATE OF OPENING
109400.83.01	11/06/2012

DEPARTMENT: Public Works

ITEM	BRIEF DESCRIPTION	TENCO UNIT PRICE	HP FAIRFIELD UNIT PRICE	VIKING CIVES UNIT PRICE	LUCKY'S TRAILER SALES UNIT PRICE	DONOVAN EQUIPMENT UNIT PRICE	UNIT PRICE	UNIT PRICE	AMOUNT OF ITEM AWARD
1.	New Dump Body & Hydraulics	21894 —	18650 —	18490 —	20930 —	18375 —			
	Estimated Delivery Date	90 days	60 days	45 days —	60 days	30 days			

PREPARED BY:

AWARDED BY:

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CITY OF MONTPELIER
MONTPELIER, VERMONT

Agenda for City Council Meeting
City Council Chambers, City Hall
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6:30 P.M.

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a) Mayor Hollar has requested updates, throughout the year, on the goals that Council adopted in June, 2012. The last progress report was received on October 24th, 2012.

b) The steps to achieve this particular goal were listed as follows:

   1) Capital Improvements Committee to recommend a funding plan to improve streets and sidewalks to a reasonable level within five years.

   2) Develop comprehensive inventory of infrastructure needs and associated costs.

   3) Take steps to remove all dual utility poles in Montpelier.

c) Recommendation: Receive update; discussion; possible direction to staff.

7) 12-281. Reports by City Council
8) 12-282. Mayor's Report
9) 12-283. Report by the City Clerk
10) 12-284. Status Reports by the City Manager
11) 12-285. Agenda Reports by the City Manager

Adjournment

Minutes of the Montpelier City Council Meeting
October 10, 2012
City Council Chambers, Montpelier City Hall

In attendance: Mayor John Hollar (presiding), City Councilors Andy Hooper, Thierry Guerlain, Alan Weiss, Angela Timpone (arrived late), Anne Watson, and Tom Golonka. City Clerk John Odum acted as Secretary of the Meeting.

The meeting was called to order by Mayor Hollar at 6:30. Councilor Timpone and City Manager Fraser were not present.

12-246. At 6:32, Deborah Lamb of C-Span addressed the Council, briefing them and the audience on C-Span3's recent filming for its special weekend profile on Montpelier. She named some of the citizens she had worked with and expressed her gratitude to the city.

12-247. Council Weiss moved the Consent Agenda be approved, with the addition of three Liquor License approvals and absent the approval for the purchase of a new dump truck (removed at the request of Councilor Golonka) and the minutes from the previous meeting. Councilor Hooper seconded. At 6:37, the motion passed unanimously.

12-248. The Council took up the vacancy on the Montpelier Housing Authority Board. Member Christine Zern's term is expiring, and she addressed the Council asking for reappointment. Councilor Golonka asked how long Zern had served and invited her to comment on the pros and cons of having members serve for multiple terms. Zern believed it was positive for this Board.

At 6:42, Councilor Timpone joined the meeting.

Warren Vail also spoke to the Council to express his interest in the appointment. He indicated he was interested out of a sense of civic duty. The Mayor indicated the Council would make its decision in executive session at the end of the meeting.

12-249. Megan Wingate, who has served as the youth representative on the Planning and the Conservation Commissions, shared her desire to stay involved. Councilor Watson moved her reappointment to the Conservation Commission. Councilor Guerlain seconded, the motion passed unanimously at 6:46.

Councilor Guerlain moved the Council approve Thomas Nowlan as a youth member of the city Planning Commission. Councilor Watson seconded. The motion was unanimously approved at 6:47.

12-251. John Snell, co-chair of tree board along with Sarah Hoffmeyer, addressed the Council with a status report. He acknowledged the volunteers who were present, and noted there would soon be candidates for the two open Board positions. He reviewed the work and responsibilities, as well as

broader goals, of the Board, and praised Tree Warden Geoff Beyer, with whom Snell often works closely. Snell shared his desire to plant 100 new trees in the next couple years, and reviewed the preparations for the likely arrival of the emerald ash beetle to the area. He referenced his working in partnership with the Public Works Department, detailed volunteer activities, and indicated he was talking to possible new Board members.

12-252. After an introduction by the Mayor, Carl Johnson (the Budget Committee Chair) presented the committee's report at 6:58, noting that the committee dissolved itself at the close of its last meeting. He identified other budget committee members present (Justin Turcotte, Rob Kasow, Phil Dodd, Jean Olson, Harris Webster, Bob Gross, David Beatty, Toni Hartrich, Sue Zeller, Jeffrey Francis, Nolan Langwell, Mike Barranco, and Larry Myers.) Johnson noted that the committee worked through ten subcommittees to generate its report.

Councilor Guerlain asked for clarification on some of the terms used in the public safety portion of the report. At the Mayor's request, Gross explained why the group focused on the Fire Department rather than the Police Department (which was largely addressed already in the Matrix report). Councilor Guerlain engaged the group on whether or not there were more savings and efficiencies to be found in public safety.

Francis noted that the City is well-served by its public safety operations, but there can always be more savings - and that managers should be trained to identify them. Francis also praised the quality of the committee's work.

Councilor Weiss wondered about Montpelier's debt burden per capita as compared to other municipalities. Hatrick responded that the city was on the high side, but that comparisons were difficult. Kasow added that he absolutely believed the debt was high, and that the city was on course to build a level of indebtedness beyond the council's policy. Councilor Guerlain wondered if other municipalities have debt payment years where payments apply only to the debt service, rather than the principle. The committee indicated they had not examined that question. A discussion of the nature of bonds followed.

Councilor Guerlain expressed concern that the public may not be sufficiently prioritizing infrastructure needs.

Councilor Golonka expressed disappointment that the report did not specifically address equipment budgets, which concern him.

The Mayor engaged several on the committee about the organizational structure in regards to the Recreation Department (whether it should remain under the school system, whether it should be brought into the city and managed with the Senior Center, what other cities have done, etc.).

Several members of the committee indicated they would remain available to work with the Council, despite the recent dissolution of the committee. Councilors Watson and Golonka praised the committee.

Councilor Guerlain probed the committee on why the planning and development budget had increased 36% in recent years, but their payroll hadn't. The committee had no firm answer, and Guerlain expanded his line of questioning to ask whether the department had become too expansive in its activities. Olson cited the Matrix report's concerns about planning department core functions, and its recommendation that core functions be defined. Mayor Hollar expressed concerns that there could be mission conflicts within the department. Guerlain also questioned the cost efficiency of the department's planning software.

Councilor Weiss moved that the City Council receive the report with its commendation to the committee. Councilor Guerlain seconded. The motion passed unanimously at 7:55.

12-253. The Council took a brief recess before reconvening at 8:04, when Paul Carnahan provided an update on the City Hall sign project. He reported on the reasoning behind the Design Review Committee's rejection of the sign (objections to the color, the need to drill into the building face, and concerns that the sign was contrary to the original intent behind the building design). He presented a second proposal for a sign in the area currently used by Lost Nation Theater for its banners. Councilors generally expressed preference for the rejected proposal.

Councilors Guerlain and Timpone expressed their desire that the City Hall have a sign, and had anecdotal evidence that the public's identification of the building as the City Hall was lacking, and problematic. Guerlain wondered about the possibility of affixing letters with adhesive, rather than drilling.

Councilor Golonka quoted from ordinances he indicated gave the Council sole authority over identification signage, and suggested the Council proceed with the sign regardless of the design review vote. Mayor Hollar suggested that members of the committee be invited in to explain their decision before the Council takes further action.

Councilor Golonka moved that the city move forward with the proposal over the objections of the Design Review Committee. Councilor Weiss seconded. During the discussion, Councilor Guerlain indicated the city should go forward with an adhesive option. At 8:20, the motion was approved 5-0, with Councilor Watson abstaining.

12-254. The Council was addressed by members of the Montpelier Community Fund Board, who had modifications to their proposed procedures. Bernie Lambek passed out a final edit which differed from the one provided to the Council before the meeting. The new proposals included absorbing all the arts grant funding into the fund process. Lambek responded to Councilor Golonka that the Fund Board would not return to the Council

with its specific application form. The Mayor felt that requiring Council approval on the application form would be cumbersome, but asked that the Board run the final form by the Council when it was available.

Councilor Weiss asked about the Board's staffing needs and supervision. The Mayor indicated there would be staff support through the City Manager's office, and that the Board would report directly to the Council.

Councilor Hooper moved that the Council approved the revised guidelines, and specify that $10,000 of the fund be set aside for arts grants. Councilor Golonka seconded. The motion passed unanimously at 8:35.

12-255. The final disposition of the Hebert Road transmitter was discussed, with residents Lara Merchant and Jim Hutton returning before the Council. Councilor Golonka moved the issue be taken off the table, with Councilor Timpone seconding. The motion passed unanimously at 8:38.

Councilor Golonka reviewed the history of the issue and the work of the Board subcommittee put together to address it. He felt the City had done what they could to mitigate the issue, and repeated his preference that the neighborhood reference work out a cost share with the city to cover a full transition to a hardwired warning system (which the resident indicated was still their desired outcome). The Mayor described the issue as a difficult one.

Councilor Guerlain suggested that if the Council acceded to the neighborhoods request, it would be comparable to demanding that police stop using radios and that all cell phones be banned from schools. He was concerned about the political message a decision to replace the system would send in regards to radio frequencies and claims of their effect on human health which he believed ran contrary to science. Councilor Timpone suggested it was not an issue of science, but of making accommodations for residents at their request. Councilor Weiss suggested it was a negligible expenditure to replace the system as the residents requested, and that not every expenditure of the city has to serve every citizen.

Councilors Timpone, Weiss and Golonka discussed how a motion to replace the system could be worded that would not be used as political fodder by activists working to limit radio frequency radiation for health reasons. Councilor Guerlain and Mayor Hollar suggested there was no adequate wording.

Daniel Stein of Plainfield (the ORCA technician, who indicated his views were his alone, and did not reflect the views of ORCA), said that a decision to replace the system at the citizens' request should be a point of pride. He expressed concern about the health effects as presented by the citizens.

Councilor Weiss moved that the Council "approve the expenditure of $5000 to hardwire the instrument on Hebert Road." Councilor Timpone seconded. The motion passed 4-1 at 9:14, with Councilors Weiss, Timpone, Golonka and Watson voting aye, Councilor Guerlain voting nay, and Councilor Hooper abstaining.

12-248. Councilor Guerlain moved that the Council go into executive session to discuss the Housing Review Board appointment. Councilor Watson seconded. The motion was approved unanimously at 9:15.

At 9:18, Councilor Hooper moved that the Council return to open session. Councilor Watson seconded. The motion passed unanimously at 9:18.

Councilor Hooper moved that Christine Zern be reappointed to the Housing Review Board. Councilor Timpone seconded the motion, which passed unanimously at 9:19.

12-247.c. The Council returned to the question, originally on the consent agenda, as to whether to approve the purchase of a dump truck. Councilor Golonka indicated he had pulled the item - and intended to vote nay - in an effort to force a discussion on escalating equipment purchases that he felt had not received adequate attention. Todd Law indicated that the Public Works Department had provided the Council with a plan in the past, but Golonka felt his action would incentivize a more thorough accounting and discussion within the Council.

Councilor Hooper moved the Council approve the truck purchase. Councilor Timpone seconded. The motion passed 5-1, with Councilor Golonka voting nay.

12-256. Councilor Weiss reported on the open house at the Community College of Vermont and spoke highly of the new location. He praised the City for supporting several diverse colleges. He also reminded Councilors to provide him with recommendations for the Charter Review Committee to act on.

Councilor Watson reported that the Energy Committee would like to have an energy fair before town meeting day. She also indicated there would be a state weatherization challenge which would not cost the City, but would mean weatherization crews on site.

Councilor Golonka indicated he would not make the upcoming regional services meeting, and expressed concern about the direction the group was moving. Councilor Weiss assured him that he would attend, and reviewed the challenge faced by the group. Councilor Timpone suggested a fuller discussion of the matter be a future agenda item (the Mayor concurred). Councilor Golonka added that the City should promote the regionalization of emergency dispatch functions and briefly touched on the challenges to creating a fair system. The Mayor agreed that it could be pursued on behalf of the Council.

Mayor Hollar indicated he would like to spend time next meeting creating an overall budget target and clarifying budgetary priorities. He asked Councilors to do the necessary work before then to insure the matter can be discussed comprehensively and authoritatively, as he intends to do. Councilor Timpone suggested individual councilors email the entire group when they receive answers to their questions to maximize efficiency.

The Mayor related his experience at the Vermont League of Cities and Towns Meeting. He noted a motion he presented (which passed) that removed what he perceived as disincentivizing language for renewable energy projects from a proposed VLCT policy motion.

Hollar announced a November 7th, 7:00-9:00 “bike summit” (to discuss the promotion of Montpelier as a location for biking enthusiasts) would be held at Noble Hall. He also had breakfast with the Irish ambassador recently.

The Mayor echoed Councilor Weiss’s praise of the Community College of Vermont’s open house.

Finally, Mayor Hollar passed on an announcement from Ed Larson of the Vermont Granite Association that a public meeting about how to move forward on the Granite Museum was to be held the following evening.

Councilor Guerlain moved for adjournment, and was seconded by Councilor Timpone. The motion carried unanimously at 9:39.Guerlain seconded.

Minutes of the Montpelier City Council Meeting
September 26, 2012
City Council Chambers, Montpelier City Hall

In attendance: Mayor John Hollar (presiding), City Manager Bill Fraser, City Councilors Andy Hooper, Thierry Guerlain, Alan Weiss, Angela Timpone, Anne Watson, and Tom Golonka. City Clerk John Odum acted as Secretary of the Meeting.

The meeting was called to order by Mayor Hollar at 6:30.

12-232. Under general business, Nate Smead rose with questions about the Berlin Pond access issue. Mayor Hollar indicated that there was no plan for a Council discussion, and that the matter was on hold until a vote in Berlin.

12-233. After Councilor Guerlain requested and received clarification on a content issue, Councilor Guerlain moved for passage of the Consent Agenda. The motion was seconded by Councilor Golonka and passed unanimously at 6:39PM.

12-234. The Council then discussed reconsidering the appointments made to the Design Review Committee at the previous meeting. Tim Senter addressed the Council, expressing his desire to be appointed. Seth Mitchell then spoke, suggesting that James Duggan should not be automatically reappointed, and noting that he serves on another committee (and that this appointment represented an opportunity for other citizens to participate).

Councilor Golonka moved that James Duggan be appointed to the regular position on the committee, and Liz Pritchett, Seth Mitchell and Tim Senter be appointed as alternates. Councilor Guerlain seconded. The motion passed unanimously at 6:45.

12-235. Councilor Timpone moved that the two candidates for the two open positions on the Historic Preservation Commission – James Duggan and Eric Gilbertson - be reappointed to the vacancies. Councilor Guerlain seconded. The motion passed unanimously at 6:46.

12-236. The Council moved to consider proposed policy for the Montpelier Community Fund. Board members Julie Hendrickson, Bernie Lambek, and Warren Vail presented the proposed changes to the policy-in-progress recommended by the full Board. A list of outside agencies funded by city, and a community fund draft organizational document was reviewed. Lambek indicated that the proposals were meant to incentivized outside agency participation in the fund. The recommended changes were moving the timeline for application and award back to before Town Meeting, and to expand the fund to encompass other historical city grants to more community enhancement organizations and arts organizations (increasing the fund to about $115,000). City Manager

Fraser noted that arts funding was largely event-driven, and was a combination of individual and organizational grants.

Mayor Hollar and Councilor Golonka expressed reservations, particularly around the proposed change in timing and its possible conflation with the budget process.

Councilor Weiss expressed concerns about the adequacy of the planned reporting process for Fund participants, while City Manager Fraser noted that event-driven arts grants might not be a clean fit into the fund. Councilor Golonka expressed his opinion that the proposed modifications were significant enough that the matter should be continued to the next meeting. Councilor Weiss also referred to the fact that an individual would not be bound by any agreement not to place a funding request on a ballot on behalf of an outside agency that had agreed not to engage in the ballot process themselves.

Councilor Weiss moved that the Council accept the report including the changes. The motion died for lack of a second at 7:26.

After some discussion of the current process of awarding city arts grants, Councilor Hooper moved that the issue be tabled at 7:31. At 7:32, Hooper withdrew his motion. The Council decided not to take action, and to revisit the matter at the next meeting.

12-238. The Council moved to agenda item 8. Gwen Hallsmith & Casey introduced a proposal for a Community and Economic Development Committee. The idea was introduced by the City Manager, and expanded on by Hallsmith.

Councilor Timpone spoke positively of the idea, but expressed concern that the committee could meander and/or be unfocused.

Mayor Hollar was concerned that the committee's work would prove an unproductive parallel to the work of the City Council. Fraser responded by suggesting the Committee could work to implement the Council's broader goals, by working to particularize those goals into specific action proposals.

The Mayor indicated he was dubious about the proposal. Councilor Watson noted her concern about the size of the committee, but was warm to the general idea. Councilor Golonka was also concerned that the committee would be unwieldy and be overly burdensome to staff.

Councilor Weiss shared his thoughts on the approach such a committee could take, but also expressed concerns with expanding a committee-style dynamic to issues inappropriately or needlessly. Councilor Guerlain was concerned that the committee could end up generating further work for the council, rather than taking burdens away. Fraser agreed that such a result would be contrary to the committee's goals and would constitute a failure on its part.

Councilor Weiss suggested the group refine its proposal and return. The Council did not act on the recommendation.

12-237. For Item 7, Gwen Hallsmith was joined by Clancy DeSmet and Jon Anderson to discuss the ongoing redevelopment of the zoning ordinances. Mayor Hollar invited the group to bring potentially controversial elements of their work to the Council as they arise, rather than simply holding off until the entire process was complete. Councilor Golonka strongly agreed, noting the potential for deviations from state guidelines on wetlands classifications, and waxing cautious about the possible implications for both city staff, as well as potential developers.

Golonka and Hallsmith engaged in a lengthy back and forth on the topic, as well as a discussion on what the demands of the City Master Plan are. Mayor Hollar noted that the decisions of previous City Councils would not necessarily bind this Council, noting that there are significant political controversies that could come into play. Councilors repeated the Mayor's desire that potential points of controversy be brought before the Council as the process develops, rather than at the conclusion of the process.

12-241. The Mayor directed the Council to take up item 11. Finance Director Sandra Gallup reviewed the City's debt policy, including a report on the current debt levels. There was some confusion over the charts before Councilor Golonka wondered if the revenue projections presented were too optimistic. Gallup believed it was sound, and based on historical trending. The level of pension debt, as well as the payment schedule was scrutinized by Councilor Guerlain, with particular notice paid to the fact that the city is not currently paying on the principle.

Councilor Guerlain applauded the report, but was concerned about financial flexibility while the City was near its self-imposed debt limit. Councilor Weiss noted the citizen Budget Committee was also looking at city indebtedness and would address it in its upcoming report. After significant discussion, City Manager Fraser defended the budgetary approach to capital improvements in the context of the discussion, noting that financial conditions are tipping back to an increased flexibility which should allow the city to focus more resources on roads.

12-239. At 9:19, Councilor Weiss moved approval of the proposed time, date and location for the General Election and Special City Meeting (7:00AM-7:00PM, November 6th, City Hall auditorium). Councilor Timpone seconded. The motion passed unanimously at 9:20.

12-240. Councilor Weiss expressed concerns about the wording of the Special City Meeting warning as it related to the redistricting ordinance as passed by the Council. City Clerk Odum acknowledged the appearance of a technical contradiction, but assured the Council that the wording had been reviewed by City Attorney Paul Guiliani. Councilor Weiss moved approval of the warning. Councilor Hooper seconded the motion, which passed unanimously at 9:26.

12-242. Under council updates, Councilor Guerlain asked the City Manager about an unspecified illegal use of city water. City Manager Fraser indicated it was being dealt with, that the alluded-to use had been terminated, and the city would respond. He noted the possibility of civil or criminal charges against the person responsible, and that the city would bill for water use. Guerlain also asked if there had been any more members added to the Charter Review Commission (Fraser indicated there was one).

Councilor Weiss indicated that the Charter Review Committee had met Monday, and that more citizens were likely interested in participating. He indicated the Council would be solicited by the committee for input (staffing was being handled by city Americorps workers).

Councilor Golonka noted the final meeting of the Budget Committee the following night, adding that there was also a meeting of the Regional Public Safety Committee. Golonka indicated he could not attend the latter, and Councilor Weiss indicated he was planning to attend. He noted that the committee was at a crucial point in its work.

Councilor Watson indicated she had been speaking with the City Manager about getting new speakers for the Council Chambers. She reported that the Energy Committee had discussed asking the Council to waive permit fees for pellet stoves, weatherization, and photovoltaics. Council feedback was encouraged.

Councilor Timpone reported that the Housing Task Force would like an opportunity to report directly to the Council.

12-243. The Mayor noted that he was meeting on October 2nd with citizens interested in bike issues and encouraged others to participate.

12-244. The City Clerk indicated that early voting was underway.

12-245. City Manager Fraser reported that his goal was to get the District Heat project out to bid on Friday. He also indicated he had nudged Fairpoint on dealing with the dual light poles, and that he was assured it would be dealt with.

The City Manager indicated the need to set up a Capital Projects Committee meeting, and suggested the dates be worked out outside the City Council meeting.

Fraser then asked if the Council intended to follow a similar budget schedule/consideration process (with regards to reporting by department heads) as last year. Councilor Timpone responded positively, calling the process helpful.

Mayor Hollar hoped the Council would set an overall budgetary target for departments to work towards (rather than work department by department as done in the past) by the second meeting in October.

Councilor Golonka wanted to insure that there would be comparative budgetary documents presented to the Council would be similar to the previous year's which he noted were helpful.

Councilor Guerlain moved the Council enter executive session to discuss the negotiation status on the Carr Lot process, and Berlin Water services. Councilor Golonka seconded. The motion passed unanimously at 9:39.

Councilor Guerlain moved the Council return to open session at 9:50, Councilor Timpone seconded. The motion passed unanimously. Councilor Weiss moved for adjournment at 9:51, Councilor Guerlain seconded. The motion passed unanimously.

Minutes of the Montpelier City Council Meeting
October 24, 2012
City Council Chambers, Montpelier City Hall

In attendance: Mayor John Hollar (presiding), City Manager Bill Fraser, City Councilors Andy Hooper, Thierry Guerlain, Alan Weiss, Angela Timpone, Anne Watson, and Tom Golonka. City Clerk John Odum acted as Secretary of the Meeting.

12-261. The Mayor called the meeting to order at 6:06PM, introducing the roundtable budget discussion that was first on the agenda.

The conversation ranged organically and widely. Councilor Guerlain directed the discussion towards tax bills, rather than tax rates – the former's percentage having risen higher than the latter's in recent years. He then compared both to the consumer price index and the median household income in Vermont. Councilor Timpone suggested that the median income in Montpelier would be a more appropriate point of comparison.

The Council agreed that more money should be targeted to infrastructure, even as they acknowledged there would be disagreements on program funding. Disagreements arose over whether bonding would be necessary, with Councilor Golonka disputing Finance Director Sandra Gallup's projections that indicated the City would remain under its debt policy limit (he believed the projections assumed tax increases, while the Mayor felt that the limit stayed unbreached even with lower revenue projections). Golonka added that the debt policy should be interpreted more broadly, and that its intent was to bring overall debt well below its defined upper limit. Mayor Hollar argued that the limit should be considered a ceiling that the Council could work under.

Councilor Weiss indicated he would not approve any further indebtedness, while Councilor Timpone wondered where major infrastructure improvement funds would come from if not bonding. Weiss cited his proposal from the Council surveys circulated and completed prior to the meeting to free up $600,000 for infrastructure improvements by cutting funding for many city programs and adding a three cent tax increase.

Councilor Golonka called for a review of the city's "core assets" such as the water treatment plant to see if any could be sold. Councilors Timpone and Weiss noted hidden and unique-to-Montpelier demands on city budgets that make fiscal sustainability challenging.

The Council then discussed what their personal budgetary increase ceilings might be for the next fiscal year. Mayor Hollar indicated he would be open to 0-2%. Councilor Guerlain indicated he was not open to any increase. Councilor Golonka said he'd like to see it held to the CPI adjustment value. Councilor Timpone asked Councilors if they were ready to cut jobs in the city to meet

these goals. Councilor Hooper also expressed a preference for increases ties to the Consumer Price Index. Councilor Watson concurred.

The Council returned to a discussion of the pros and cons of bonding before discussing staff levels and increases in recent years. Concerns over pension costs were also raised.

Mayor Hollar indicated that the topic of cuts would need to be tackled at the next meeting. Councilor Golonka indicated he preferred not to talk about specific cuts, but the Mayor countered that it would be necessary. City Manager Fraser indicated the Council would need to relate their spending priorities so he could make a budget that met expectations.

At 7:11PM, the Mayor called for a five minute recess.

12-262. At 7:18, the meeting reconvened. Under General Business, Jane Kast called on the Council to concern itself less with what specific programs voters want or don't want, saying that voters simply wanted budgets down, and it was their job to comply.

12-263. At 7:20, Councilor Timpone moved the approval of the Consent Agenda, minus items a and e. The motion passed unanimously.

12-264. At 7:21, Councilor Weiss made a motion that the Council appoint Elizabeth Dodge, Nancy Sherman and Page Guertin to the Charter Revision Committee. Councilor Hooper seconded and the motion was unanimously agreed to.

12-265. Conservation Commission candidate Jeanette Williams introduced herself and reviewed her qualifications for the position, and answered generally a question from Councilor Golonka on balancing the need for more housing. Councilor Watson moved her appointment, and was seconded by Councilor Guerlain. The motion passed unanimously at 7:24.

12-266. Planning and Development Director Gwen Hallsmith addressed the Council, reviewing the department's budget and activities (with accompanying materials) and engaging in a detailed question and answer period with the Council, focusing in particular on what the department's core mission was, and whether or not the city's zoning regulations were too burdensome. The Council also had extensive questions about staffing levels, and whether or not current levels were necessary for the department to perform its duties.

Director Hallsmith spoke in detail about the challenges presented by the historic district, about points of disagreements with the Matrix reports critique of the department, and about the role of the department in serving as a conduit for federal grants and loans.

Mayor Hollar expressed concerns about the number of city committees that departmental staff were attached to, characterizing the number as "excessive."

Hallsmith countered that many of the committees met infrequently or irregularly, and that the economic development committee she had proposed at the previous meeting could consolidate some of those functions. Hollar expressed concerns that such a committee might generate policy, and would further complicate the Council's policy responsibilities.

Councilor Guerlain and Golonka engaged with Director Hallsmith on zoning regulations, with the Councilors arguing that the regulatory environment inhibited development. Hallsmith countered that regulations had not stopped development, and that citizen mobilization had often halted such projects (such as in the case of Sabin's Pasture) and was at the heart of the city's reputation in that regard. Councilor Guerlain suggested that individual councilor members should consider getting involved in such citizen movements and promote worthwhile projects.

The Council members and Hallsmith generally agreed that "community development" and "economic development" were different things, and that the Council (and staff) should approach them differently when priorities are being set.

12-267. Director Hallsmith continued to address the Council, addressing the goal of promoting and encouraging single and multi-family residential growth.

Hallsmith indicated that the recently attained growth center designation from the state was a big step by changing Act 250 triggers and enabling "tax increment financing" district designation which would aid in expanding city infrastructure to support new growth.

Hallsmith and Golonka debated the merits of "in-fill housing," with Golonka seeing larger scale development as preferable, and Hallsmith citing the Sabin's Pasture debate as evidence that the Montpelier citizenry may not accept it, hence her push for in-fill. Councilor Guerlain noted that increased density would allow for larger scale commercial developments in the limited available land.

The sprinkler ordinance was briefly touched on; with Hallsmith pointing out that it presents a challenge for single to multifamily conversions, rather than new housing. The Mayor indicated that the topic was expected to be discussed further in the future.

12-268. Hallsmith provided a list of actions she had identified that could help promote business growth, as per the Council's stated goal, focusing specifically on promoting the "creative economy." Councilor Weiss expressed his view that the value of the city's colleges was being overlooked in promoting business. He also expressed frustration that business development was overly focused on downtown, and his frustration was echoed by Councilor Guerlain. The limits of Montpelier's downtown business organization, Montpelier Alive, were touched on in this context.

An expansion of the business loan program was touched upon, as was targeting specific sectors such as the insurance industry. Councilor Weiss that state workers temporarily housed in the city should be targeted for city promotion.

Budget Committee member Jane Kast rose again to indicate she was concerned at what she perceived as the conflation of community and economic development. A difference of opinion between the Mayor and Councilor Guerlain as to which category the bike path fell into followed.

12-269. The city's application for a $35,000 FEMA grant to help community resilience. Efforts and emergency preparedness for different crises was reviewed. Councilor Weiss moved the Council authorize the staff to move forward on the grant application process and Councilor Timpone seconded. The motion was approved unanimously at 9:04.

The Mayor called for a five minute recess. At 9:11, the meeting was reconvened.

12-269. City Manager Fraser reviewed the history of the discussion surrounding the Recreation Department budget, and the pros and cons of having it under the School Board's budgetary jurisdiction, rather than the City's. He indicated that the working group had determined that there were no compelling reasons why it should be changed relating to the function of the department, but that its appropriate placement as a matter of organizational principle was clearly a different matter. He indicated that it wouldn't be an easy transition, but that that wasn't a reason not to pursue it. The potential transition was likened to the similar process with the Senior Center.

Councilor Timpone suggested that if the Council was going to make substantial cuts to core services, then the only way to do that is to have the Rec Department under the city, citing its $800,000 budget.

Councilor Weiss moved that the Council receive the report from the City Manager and the Superintendent. Councilor Hooper seconded. The motion passed unanimously at 9:17.

Councilor Weiss moved that the Council authorize the City Manager to call a meeting with the school board and the recreation board to discuss options for authorizing a transition. The motion died for lack of a second.
Councilor Golonka indicated he was a proponent of the city taking over the recreation budget. He also noted that the city would need control over the building so it can be part of the capitol improvement plan. Mayor Hollar worried about the timing of the additional work pursuing such reorganization would put on staff. Councilor Guerlain shared the concern. He also noted that the recreation department had lowered its budget.

Councilor Timpone questioned the value of the budget decrease against the commensurate rate increase for services, while Councilor Guerlain felt that this represented a laudable cost shift on to users of the services.

City Manager Fraser apologized to the Council for not getting them this report sooner, so that it would not compete for staff time with budget discussions. Councilor Golonka expressed his preference that the topic be pursued as soon as possible, as it had been pending for some time. Mayor Hollar indicated he did not see it as an immediate priority.

After some discussion of the appropriate wording of a motion, Councilor Guerlain ultimately moved "That the City Manager develop a preliminary feasibility study with a due date of the second City Council meeting in March with the goal of actively considering the transition of the recreation department to the city budget in order to achieve efficiencies with Parks, Cemetery, Trees, and possibly the Justice Center." Councilor Timpone seconded. The motion passed unanimously at 9:46PM.

12-271. Councilor Golonka noted (and expressed his concerns) about the upcoming meeting on the regionalization of emergency services among nearby towns. (November 15, 7:00PM).

Councilor Guerlain congratulated the City of Barre on its new Main Street. He then inquired about the new vendor cart in the Montpelier downtown. The City Clerk responded that he was having some challenges getting the vendor to follow the guidelines laid out for vendors, but that he expected it to be worked out shortly.

Guerlain briefly recited his discussion from the beginning of the meeting comparing tax bill increases to Vermont median income rates, and argued that the comparison was relevant insofar as it gauged the potential for Vermonters from outside Montpelier to be able to afford to move into the city.

Councilor Weiss wondered if the city should provide more information to the public on the upcoming redistricting vote. City Manager Fraser indicated he would do so.

12-272. Mayor Hollar presented City Manager Fraser with a plaque from the international city manager's professional association in recognition of "significant contributions and achievements in the field. The Mayor then made note of the upcoming November 7th meeting on the bike summit.

12-273. The City Clerk indicated that early voting for the November General Election was robust.

12-274. The City Manager indicated he was working hard on the city's ongoing projects, such as the bike path and district heat. He restated his need for clear direction on budget priorities.

Councilor Guerlain indicated that library authorities want to know who to talk to about district heat. The City Manager directed them to the Planning and Development Department staff.

Councilor Weiss moved that the Council table the minutes from the previous two meetings until the first meeting in November. Councilor Hooper seconded. The motion passed unanimously at 9:55.

Councilor Timpone moved for adjournment at 9:56. Councilor Hooper seconded the motion, which passed unanimously at 9:56.PM.

City of Montpelier
Department of Public Works
Memorandum

To: **For the Record**

From: **Todd C. Law, P.E., Director**

Date: **November 9, 2012**

Subject: **Budget Discussion for DPW**

Administration:
The public works administration includes the director, assistant director, administrative assistant, project engineer and engineering technician. The administration performs engineering, oversight, assistance and general supervision for the streets, water/ sewer divisions and the two treatment plants as well as technical guidance and review for other City departments. This includes monitoring, inspection and reporting for regulatory compliance for CSO elimination, stormwater permits and water/ wastewater permits and regulations. Staff performs design and construction oversight for the numerous projects that are performed each year for city infrastructure to include 9 road projects that ranged from overlays to drainage replacement to subbase stabilization with geotextiles. Adding an engineering technician has allowed public works to perform additional design and construction projects in house, that normally/ typically would have been performed by a consultant at a much greater cost. As we continue with additional infrastructure work, the staffing must remain at the current level so that projects can be managed without hindering quality control and overextending staff.

Building Maintenance:
The building maintenance person does cleaning and maintenance of City Hall as well as the Police Department building. He has also undertaken additional duties of running and managing some building related projects called out in the capital needs assessment with some oversight from the building assessor and the public works department.

This year's projects have improved ADA accessibility to City Hall and we are also investigating some energy efficiency improvements with storm windows and additional insulation in the attic.

Streets:
The streets division has a supervisor and 11 full time employees. During the winter, the cemetery maintenance position is transferred to the streets division to assist with winter operations, as well as water/ sewer employees. Current staffing allows for three sidewalk routes and allows us to have just enough employees for plowing. The current plow routes take 3½ -4½ hours to complete, which is a little higher than the recommended. When there is a need to perform snow removal, we have to typically utilize water/ sewer employees to ensure street division personnel are not "burned out".

Summer maintenance consists of road maintenance, street sweeping, line striping and storm drain maintenance as the primary scheduled functions. The division also provides support to the community and downtown by putting out and taking in the flags, trash and recycle bins and benches.

In this last year, the streets division was heavily involved in storm damage repairs and also

performed a great deal of preparatory work for the street paving projects such as subbase stabilization, drainage replacement and final work and clean up. There was also a great deal of pavement patching performed with a noticeable amount on a couple of the higher volume roads such as Berlin Hill and Northfield Street. Catch basin and storm drain repairs have become a large part of the summer construction as storm systems are nearing the end of their life spans.

We have started the inventory of the storm system, which is a vital portion of asset management that was started by mapping and doing an assessment of our sanitary sewer system. Having an inventory would enable an annual inspection and assessment of the storm system and provide a means to establish a work plan to guide the division, which were portions of the Matrix report and the Citizens report.

Currently, the division does not have the time or labor necessary to perform an annual inspection of the storm system and begin a proactive approach to catch basin cleaning and maintenance. The desire is to hire an intern(s) to perform this work and establish an annual inspection program to assist in this endeavor.

Fleet Operations and Buildings:
Our staff in the Equipment division includes the equipment supervisor, 2 mechanics and a stock records clerk; provide support to all City vehicles and equipment. The division provides gasoline, diesel and repairs to equipment and vehicles for internal and external customers and provides monthly billings. The supervisor works with the other division supervisors and the director to establish a fleet management plan and in specifying and purchasing the vehicles and equipment on the equipment plan. The division provides administrative support and emergency dispatching for the water/ sewer and streets divisions to include answering phones and entering payroll as well as providing stump dump permits to the residents of the City.

The equipment division also provides technical assistance to the department for radio and communications for equipment and pump stations and the Supervisory Control and Data Acquisition (SCADA), as well as assisting in performing CCTV camera inspections of sanitary and stormwater pipes. This year a Homeland Security Grant for $11,931 was applied for and received to replace the old wide band radios found in the trucks and equipment with narrow band compliant radios to meet the new FCC regulations

The use of the Manager Plus program provides a schedule for maintenance and tracks repairs to all equipment maintained. It has proven to be a vital part of the fleet management for the City and ensures our vehicles and equipment are safe and reliable and establishes a preventative maintenance schedule necessary for the fleet. The mechanics also perform work for the machinery and equipment at the treatment plants as needed to supplement the staff at the plants. As a result of the Matrix study, our Manager Plus program was expanded to include work order creation and tracking. The program has been expanded to the streets and water/ sewer divisions and is continuing to the wastewater plant with the water plant to follow when the “bugs” are worked out and time allows for data entry and oversight. It has taken a great deal of data entry and work on the part of the stock records clerk and supervisors, but will allow a better tracking and maintenance scheduling for the plants that was more institutional than program driven. This has proven to improve upon providing information on projects and repairs performed and costs attributed to each. As the program becomes more familiar to our employees, we are certain it will provide us with more beneficial information in the future.

Water/Sewer Division

A Supervisor and 7 Person Crew are responsible for maintenance of the Montpelier water distribution (16 miles) and sanitary sewer systems (13.3 miles) and the Berlin Fire District #1 water system (2.4 miles) as a contiguous system.

Daily responsibilities include required water and sewer pump station checks and maintenance, hydrant maintenance (summer repair and winter shoveling and pumping to prevent freezing), meter final readings, meter repairs, water/sewer mark-outs for construction, manhole repair, sewer main line cleaning, plan review, hydrant flushing, water shut-offs at homeowner request, CSO overflow monitoring and water service repairs.

With our current work force, some essential maintenance does not occur because of lack of staffing/time. Some of these items are: sanitary sewer and manhole inspections, water service tie updates, valve replacement and valve exercising. Valves are a critical component to the water system. In the event of a leak, a valve is expected to close sufficiently to isolate the leak. Without annual valve exercising and replacement, valves fail to isolate leaks and require additional valves be closed and further disruption (water outages for customers). An annual valve exercising program helps to insure proper operation during emergency situations and establishes where replacements are needed. The crew size is such that, during a major water leak, there are just enough employees to make the repair while meeting all the necessary safety requirements.

Anticipated work for the Water/Sewer Division include CSO Nine Minimum Controls, which include additional sewer cleaning, overflow structure evaluation, and assessments for sanitary sewer discharges to the storm sewer and reporting; assisting with catch basin cleaning as a requirement of future anticipated stormwater regulations and closed-circuit television inspection of the sanitary sewer system as part of new legislation. Another CSO Elimination assessment is currently underway to determine the frequency of overflows with rainfall intensity being a factor to establish if our past efforts have eliminated enough inflow to meet the requirements of the CSO policy. If not, we will have to evaluate the system and determine what steps will be taken to ensure the policy is met. The River Street Sewer is in dire need of replacement from the discharge manhole between Formula Ford and the GMP substation and Scribner Street as there have been 2 failures of the pipe section and the Agency of Natural Resources has put the City "on notice" that it must be replaced to ensure no further discharges of untreated wastewater to the rivers of the State.

The division also provides assistance to the Water and Wastewater Treatment plants as needed and also works with the street division for winter operations as an integral part of snow removal and some salting/ plowing operations.

Water Treatment:

The Water treatment division consists of a chief operator (supervisor) and 2 operators to run the 4 million gallon per day water treatment plant. Daily routines include mandatory labwork to sample and test the water quality at different stages to ensure the best quality water is made as well as weekly and monthly samples to ensure the water quality meets federal and state requirements. Staff also performs daily inspections of Berlin Pond and also protects the pond as outlined in the Source Water Protection plan. This includes inspection of on-site wastewater disposal systems in the area, as well as trash removal to ensure the source is not contaminated. The past few years, we have expanded the protection to include posting the City property

surrounding the pond to limit the exposure and use of the pond and in turn limiting the chance for contamination from recreational use.

The staff also performs building and process maintenance to include annual repair and rehabilitation of filter valves, cleaning the process water storage cells. This past year, 2 of the 5 chemical storage tanks were in need of replacement, which included removing a wall and replacement with an overhead door to allow for future tank replacements at significantly lower costs. The system water pumps were also in need of rehabilitation, as the bushings and shafts were nearing their life cycles. Our staff worked with a contractor to remove 2 of the 4 pumps, which were re-bushed and replaced with the tasks of making the necessary repairs on the other 2 pumps. The backup generator also had a major failure when the engine threw a lifter and needed extensive repairs. Our staff worked with the generator contractor and the electrician to install a replacement rental generator until the new one was fixed.

Wastewater Treatment:

Wastewater Treatment staff include the Chief Operator (supervisor), Assistant Chief Operator and 2 operators (both brand new employees) who run the wastewater treatment plant. Daily routines include labs, wastewater sampling and primary sludge pumping (7 days), sludge pressing and machine maintenance (5 days). There are many pumps, valves and process equipment in constant need of maintenance and monitoring while the plant is running. We are also required to submit daily wastewater sample information, before and after treatment to the state on a monthly basis. Our process needs to ensure that the plant requirements are met and if not, the state notified and the situation resolved.

The staff has made great strides to make the plant as efficient and effective as possible with the assistance of Efficiency Vermont and our mechanics. There have been some changes in the process and building situations that have allowed savings to occur with little investment. The plant processes were in need of a significant amount of maintenance to ensure the plant runs correctly. Some of the major projects worked on this year were a major overhaul to the methane boiler and burners. The boiler burns the methane produced by the digesters and heats the press and garage building. This allowed a significant decrease in the fuel oil previously used to heat these buildings. The Huber influent stepscreen was in need of maintenance as it was not working effectively and the belt filter press was in need of normal and preventative maintenance to ensure the presses were working correctly to allow the receipt of septage to increase revenues.

The wastewater staff is also working with the equipment maintenance division to convert the maintenance schedule and work order generation into the Manager Plus program. This will allow for a smoother transition with the retirement of long time employees and will allow others to pick up the maintenance function in the absence of operators.

Page 1 - Steady State Comparison

FY13	Current	Steady State with New Bond (s)	Difference	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	Avg.
Existing Debt Service	*$618,061*			*$661,435*	*$661,789*	*$622,501*	*$604,934*	*$582,479*	*$496,339*	*$436,646*	*$419,297*	*$308,811*	*$281,097*	$507,533
Street Maintenance	$134,558	$125,000	-$9,558											
Street Reconstruction	$91,167	$750,000	$658,833											
Bridges	$0	$100,000	$100,000											
Traffic	$10,000	$10,000	$0											
Retaining Walls	$0	$7,500	$7,500											
Sidewalks	$115,000	$50,000	-$65,000											
Storm Drains/Culverts	$0	$10,000	$10,000											
Buildings/Grounds	$0	$108,000	$108,000											
Downtown	$10,000	$10,000	$0											
Project Mgmnt	$65,033	$71,400	$6,367											
Parks	$13,935	$6,075	-$7,860											
Cemetery	$22,000	$18,875	-$3,125											
Annual Funds	**$461,693**	**$1,266,850**	**$805,157**											
Annual Equipment Funds	**$492,650**	$500,000	$7,350											
Total Annual	**$954,343**	**$1,766,850**	**$812,507**	$855,881	$856,235	$816,947	$799,380	$776,925	$690,785	$631,092	$613,743	$503,257	$475,543	$701,979
TOTAL	**$1,572,404**			$2,428,285	$2,428,639	$2,389,351	$2,371,784	$2,349,329	$2,263,189	$2,203,496	$2,186,147	$2,075,661	$2,047,947	$2,274,383

Page 2 - Possible Bonding				FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	Avg.
Street Reconstruction	$187,833													
Sidewalks	$0	**$600,000**												
Retaining Walls	$140,000	**$525,000**												
Storm Drains/Culverts	$50,000	**$1,000,000**												
Buildings and Grounds	$284,667													
New Bonded work	$662,500	**$2,125,000**												
New Debt Service			$708,300 FY1	*$19,610*	*$59,919*	*$59,495*	*$58,948*	*$58,277*	*$57,482*	*$56,577*	*$55,577*	*$54,481*	*$53,289*	
			$708,300 FY1	*$0*	*$0*	*$0*	*$19,610*	*$59,919*	*$59,495*	*$58,948*	*$58,277*	*$57,482*	*$56,577*	
			$708,400 FY2	*$0*	*$0*	*$0*	*$0*	*$0*	*$0*	*$19,613*	*$59,927*	*$59,504*	*$58,957*	
New Debt Service				$19,610	$59,919	$59,495	$78,559	$118,196	$116,978	$135,139	$173,781	$171,467	$168,823	
Revised Debt Total				$681,045	$721,708	$681,996	$683,493	$700,675	$613,317	$571,785	$593,078	$480,278	$449,920	
Annual increase with new bonds				$875,491	$916,154	$876,442	$877,939	$895,121	$807,763	$766,231	$787,524	$674,724	$644,366	$812,175
Annual total with new bonds				$2,447,895	$2,488,558	$2,448,846	$2,450,343	$2,467,525	$2,380,167	$2,338,635	$2,359,928	$2,247,128	$2,216,770	$2,384,579

Page 3 - No Bond alternative

FY13	Current	Steady State with no new Bond(s)	Difference	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	Avg.
Street Maintenance	$134,558	$125,000	-$9,558											
Street Reconstruction	$91,167	$750,000	$658,833											
Bridges	$0	$100,000	$100,000											
Traffic	$10,000	$10,000	$0											
Retaining Walls	$0	$60,000	$60,000											
Sidewalks	$115,000	$100,000	-$15,000											
Storm Drains/Culverts	$0	$100,000	$100,000											
Buildings/Grounds	$0	$108,000	$108,000											
Downtown	$10,000	$10,000	$0											
Project Mgmnt	$65,033	$71,400	$6,367											
Parks	$13,935	$6,075	-$7,860											
Cemetery	$22,000	$18,875	-$3,125											
Annual Funds	**$461,693**	**$1,459,350**	**$997,657**											
Annual Equipment Funds	**$492,650**	$500,000	$7,350											
Total Annual	**$954,343**	**$1,959,350**	**$1,005,007**	$1,048,381	$1,048,735	$1,009,447	$991,880	$969,425	$883,285	$823,592	$806,243	$695,757	$668,043	$894,479
				$2,620,785	$2,621,139	$2,581,851	$2,564,284	$2,541,829	$2,455,689	$2,395,996	$2,378,647	$2,268,161	$2,240,447	$2,466,883

Does not include Flood mitigation, cemetery structure, rec building or other new projects

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	Approved Capital Budgets					Possible Capital Budget with Bonding										
	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	Avg
Debt Service	$600,749	$612,389	$647,691	$647,651	$618,061	$681,045	$721,708	$681,996	$683,493	$700,675	$613,317	$571,785	$593,078	$480,278	$449,920	$617,729
Annual Capital	$405,251	$485,610	$434,509	$515,849	$461,693	$557,659	$683,296	$889,308	$1,054,111	$1,203,229	$1,290,587	$1,332,119	$1,310,826	$1,423,626	$1,453,984	$1,119,875
Equipment	$233,735	$250,847	$308,275	$408,904	$492,650	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000
Total BUDGET	**$1,239,735**	**$1,348,846**	**$1,390,475**	**$1,572,404**	**$1,572,404**	**$1,738,704**	**$1,905,004**	**$2,071,304**	**$2,237,604**	**$2,403,904**	**$2,403,904**	**$2,403,904**	**$2,403,904**	**$2,403,904**	**$2,403,904**	**$2,237,604**
Change from prior year		$109,111	$41,629	$181,929	$0	$166,300	$166,300	$166,300	$166,300	$166,300	$0	$0	$0	$0	$0	
		8.80%	3.09%	13.08%	0.00%	10.58%	9.56%	8.73%	8.03%	7.43%	0.00%	0.00%	0.00%	0.00%	0.00%	
Bonds Issued		$715,000			$837,000	$708,300	$0	$0	$708,300	$0	$0	$708,400	$0	$0	$0	$212,500
TOTAL $ SPENT	**$638,986**	**$1,451,457**	**$742,784**	**$924,753**	**$1,791,343**	**$1,765,959**	**$1,183,296**	**$1,389,308**	**$2,262,411**	**$1,703,229**	**$1,790,587**	**$2,540,519**	**$1,810,826**	**$1,923,626**	**$1,953,984**	**$1,832,375**

Page 5	Approved Capital Expenses					Possible Capital Expenses with Bonding										
Annual Funds	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	Avg.
Streets - Maint	$128,539	$78,347	$66,690	$203,000	$134,558	$150,000	$150,000	$150,000	$150,000	$150,000	$100,000	$100,000	$100,000	$100,000	$100,000	$125,000
Streets - R & R					$91,167	$307,609	$414,346	$440,958	$603,861	$603,579	$707,537	$750,000	$750,000	$750,000	$750,000	$607,789
Bridges	$0	$0	$0	$0	$0	$0	$0	$125,000	$125,000	$125,000	$125,000	$125,000	$125,000	$125,000	$125,000	$100,000
Traffic	$0	$76,901	$0	$15,000	$10,000	$0	$0	$12,500	$12,500	$12,500	$12,500	$12,500	$12,500	$12,500	$12,500	$10,000
Retaining Walls	$20,000	$10,000	$80,000	$73,000	$0	$0	$7,500	$8,000	$8,500	$8,500	$8,500	$8,500	$8,500	$8,500	$8,500	$7,500
Sidewalks	$60,000	$80,000	$0	$15,000	$115,000	$0	$0	$40,000	$40,000	$10,000	$40,000	$40,000	$26,000	$102,000	$102,000	$40,000
Drains & Culverts	$20,000	$58,000	$30,000	$62,000	$0	$0	$10,000	$10,000	$10,000	$10,000	$12,000	$12,000	$12,000	$12,000	$12,000	$10,000
Bldgs & Grds	$20,000	$0	$55,000	$10,000	$0	$0	$0	$0	$0	$178,000	$178,000	$175,000	$166,000	$185,500	$185,500	$106,800
Flood Mitigation	$100,000	$100,000	$150,000	$90,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Downtown	$10,000	$10,000	$5,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000
Miscellaneous	$21,700	$34,000	$15,000	$0	$0	$0	$0	$0	$0	$0	$0	$669	$976	$16,876	$45,834	$6,436
Proj Mgmt	$19,012	$22,362	$20,819	$24,349	$65,033	$65,100	$66,500	$67,900	$69,300	$70,700	$72,100	$73,500	$74,900	$76,300	$77,700	$71,400
Cemetery	$0	$6,000	$6,000	$10,000	$22,000	$18,875	$18,875	$18,875	$18,875	$18,875	$18,875	$18,875	$18,875	$18,875	$18,875	$18,875
Parks	$6,000	$10,000	$6,000	$3,500	$13,935	$6,075	$6,075	$6,075	$6,075	$6,075	$6,075	$6,075	$6,075	$6,075	$6,075	$6,075
Capital Sub Total	$405,251	$485,610	$434,509	$515,849	$461,693	$557,659	$683,296	$889,308	$1,054,111	$1,203,229	$1,290,587	$1,332,119	$1,310,826	$1,423,626	$1,453,984	$1,119,875
Equipment	$233,735	$250,847	$308,275	$408,904	$492,650	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000
TOTAL Annual	**$638,986**	**$736,457**	**$742,784**	**$924,753**	**$954,343**	**$1,057,659**	**$1,183,296**	**$1,389,308**	**$1,554,111**	**$1,703,229**	**$1,790,587**	**$1,832,119**	**$1,810,826**	**$1,923,626**	**$1,953,984**	**$1,619,875**
Streets					$187,833											
Bridges		$300,000														
Retaining Walls		$415,000			$140,000	$174,992			$174,992			$175,016				$52,500
Sidewalks						$199,991			$199,991			$200,019				$60,000
Storm Drains Culverts					$50,000	$333,318			$333,318			$333,365				$100,000
Buildings and Grounds					$284,667											
Equipment					$174,500											
Bond Sub Total		$715,000			$837,000	$708,300			$708,300			$708,400				$212,500
TOTAL $ Spent	**$638,986**	**$1,451,457**	**$742,784**	**$924,753**	**$1,791,343**	**$1,765,959**	**$1,183,296**	**$1,389,308**	**$2,262,411**	**$1,703,229**	**$1,790,587**	**$2,540,519**	**$1,810,826**	**$1,923,626**	**$1,953,984**	**$1,832,375**

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	Approved Capital Budgets					Possible Capital Budget without bond										
	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	Avg
Debt Service	$600,749	$612,389	$647,691	$647,651	$618,061	$661,435	$663,290	$622,501	$604,934	$582,479	$496,339	$436,646	$419,297	$308,811	$281,097	$507,683
Annual Capital	$405,251	$485,610	$434,509	$515,849	$461,693	$598,060	$783,296	$1,011,176	$1,215,834	$1,404,589	$1,490,729	$1,550,422	$1,567,771	$1,678,257	$1,705,971	$1,300,611
Equipment	$233,735	$250,847	$308,275	$408,904	$492,650	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000
Total BUDGET	**$1,239,735**	**$1,348,846**	**$1,390,475**	**$1,572,404**	**$1,572,404**	**$1,759,495**	**$1,946,586**	**$2,133,677**	**$2,320,768**	**$2,487,068**	**$2,487,068**	**$2,487,068**	**$2,487,068**	**$2,487,068**	**$2,487,068**	$2,308,293
Change from prior year		$109,111	$41,629	$181,929	$0	$187,091	$187,091	$187,091	$187,091	$166,300	$0	$0	$0	$0	$0	
		8.80%	3.09%	13.08%	0.00%	11.90%	10.63%	9.61%	8.77%	7.17%	0.00%	0.00%	0.00%	0.00%	0.00%	
Bonds Issued		$715,000			$837,000	$0			$0			$0				
TOTAL $ SPENT	**$638,986**	**$1,451,457**	**$742,784**	**$924,753**	**$1,791,343**	**$1,098,060**	**$1,283,296**	**$1,511,176**	**$1,715,834**	**$1,904,589**	**$1,990,729**	**$2,050,422**	**$2,067,771**	**$2,178,257**	**$2,205,971**	

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Annual Funds	Approved Capital Expenses FY09	FY10	FY11	FY12	FY13	Possible Capital Expenses without bond FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	Avg
Streets - Maint	$128,539	$78,347	$66,690	$203,000	$134,558	$150,000	$150,000	$150,000	$150,000	$150,000	$100,000	$100,000	$100,000	$100,000	$100,000	$125,000
Streets - R & R					$91,167	$308,010	$374,346	$422,826	$564,084	$583,439	$708,179	$711,472	$749,421	$750,000	$750,000	$592,178
Bridges	$0	$0	$0	$0	$0	$0	$0	$125,000	$125,000	$125,000	$125,000	$125,000	$125,000	$125,000	$125,000	$100,000
Traffic	$0	$76,901	$0	$15,000	$10,000	$0	$0	$12,500	$12,500	$12,500	$12,500	$12,500	$12,500	$12,500	$12,500	$10,000
Retaining Walls	$20,000	$10,000	$80,000	$73,000	$0	$0	$7,500	$48,000	$60,000	$60,000	$60,000	$66,000	$75,000	$104,000	$119,500	$60,000
Sidewalks	$60,000	$80,000	$0	$15,000	$115,000	$40,000	$70,000	$90,000	$110,000	$85,000	$90,000	$106,000	$115,000	$144,000	$150,000	$100,000
Drains & Culverts	$20,000	$58,000	$30,000	$62,000	$0	$0	$80,000	$60,000	$90,000	$105,000	$110,000	$146,000	$115,000	$144,000	$150,000	$100,000
Bldgs & Grds	$20,000	$0	$55,000	$10,000	$0	$0	$0	$0	$0	$178,000	$178,000	$175,000	$166,000	$185,500	$185,500	$106,800
Flood Mitigation	$100,000	$100,000	$150,000	$90,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Downtown	$10,000	$10,000	$5,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000
Miscellaneous	$21,700	$34,000	$15,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$2,007	$821	$283
Proj Mgmt	$19,012	$22,362	$20,819	$24,349	$65,033	$65,100	$66,500	$67,900	$69,300	$70,700	$72,100	$73,500	$74,900	$76,300	$77,700	$71,400
Cemetery	$0	$6,000	$6,000	$10,000	$22,000	$18,875	$18,875	$18,875	$18,875	$18,875	$18,875	$18,875	$18,875	$18,875	$18,875	$18,875
Parks	$6,000	$10,000	$6,000	$3,500	$13,935	$6,075	$6,075	$6,075	$6,075	$6,075	$6,075	$6,075	$6,075	$6,075	$6,075	$6,075
Capital Sub Total	$405,251	$485,610	$434,509	$515,849	$461,693	$598,060	$783,296	$1,011,176	$1,215,834	$1,404,589	$1,490,729	$1,550,422	$1,567,771	$1,678,257	$1,705,971	$1,300,611
Equipment	$233,735	$250,847	$308,275	$408,904	$492,650	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000
TOTAL Annual	**$638,986**	**$736,457**	**$742,784**	**$924,753**	**$954,343**	**$1,098,060**	**$1,283,296**	**$1,511,176**	**$1,715,834**	**$1,904,589**	**$1,990,729**	**$2,050,422**	**$2,067,771**	**$2,178,257**	**$2,205,971**	**$1,800,611**
Streets					$187,833											
Bridges		$300,000														
Retaining Walls		$415,000			$140,000	$0			$0			$0				$0
Sidewalks						$0			$0			$0				$0
Storm Drains Culverts					$50,000	$0			$0			$0				$0
Buildings and Grounds					$284,667											
Equipment					$174,500											
Bond Sub Total		$715,000			$837,000	$0			$0			$0				$0
TOTAL $ Spent	**$638,986**	**$1,451,457**	**$742,784**	**$924,753**	**$1,791,343**	**$1,098,060**	**$1,283,296**	**$1,511,176**	**$1,715,834**	**$1,904,589**	**$1,990,729**	**$2,050,422**	**$2,067,771**	**$2,178,257**	**$2,205,971**	**$1,800,611**

City of Montpelier, Vermont

Disadvantaged Business Enterprise Program

Policy Statement

The City of Montpelier, Vermont has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The City of Montpelier has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the City has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the City of Montpelier (City) to ensure that DBEs, as defined in part 26, have an equal opportunity to receive and participate in DOT assisted contracts. It is also our policy:

- To ensure nondiscrimination in the award and administration of DOT assisted contracts;
- To create a level playing field on which DBEs can compete fairly for DOT assisted contracts;
- To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
- To help remove barriers to the participation of DBEs in DOT assisted contracts; and
- To assist the development of firms that can compete successfully in the market place outside the DBE Program.

The department head of the Public Works Department and the department head of the Planning and Community Development Department have been delegated as the DBE Liaison Officer. In that capacity, they are responsible for implementing all aspects of the DBE program.

Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the City in its financial assistance agreements with the Department of Transportation.

The City of Montpelier will disseminate this policy statement to the Montpelier City Council and all the components of our organization. We will distribute this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts via direct mail to certified DBEs and potential DBEs utilized by the City of Montpelier in recent years.

Definitions of Terms

The terms used in this program have the meanings defined in 49 CFR 26.5.

Nondiscrimination

The City of Montpelier will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, gender, sexual orientation, or national origin.

In administering its DBE program, the City will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, gender, sexual orientation, or national origin.

DBE Program Updates

We will continue to carry out this program until all funds from DOT financial assistance have been expended. We will provide to DOT updates representing significant changes in the program.

Quotas

We do not use quotas in any way in the administration of this DBE program.

DBE Liaison Officer (DBELO)

We have designated the following individuals as our DBE Liaison Officer:

Gwendolyn Hallsmith, Director
Department of Planning & Community Development
City of Montpelier
39 Main Street, City Hall
Montpelier, VT 05602
(802) 223-9506
ghallsmith@montpelier-vt.org

Todd Law, Director
Department of Public Works
City of Montpelier
39 Main Street, City Hall
Montpelier, VT 05602
(802) 262-6274
tlaw@montpelier-vt.org

In that capacity, Ms. Hallsmith and Mr. Law are responsible for implementing all aspects of the DBE program as it relates to projects administered through their respective departments and ensuring that the City of Montpelier complies with all provisions of 49 CFR Part 26. As department heads, they have direct, independent access to the City Manager concerning DBE program matters. The City provides procurement guidance through its Finance Department with support of DBE and W/MBE-specific activities through the city's Department of Planning and Community Development.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination other appropriate officials. Duties and responsibilities include the following:

Project Managers

- Gather and report statistical data and other information as required by DOT.
- Reviews third party contracts and purchase requisitions for compliance with this program.

Liaison Officer

- Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
- Identifies contracts and procurement so that DBE goals are included in solicitations (both race-neutral methods and contract specific goals) and monitors results.
- Participates in pre-bid meetings.
- Plans and participates in DBE training seminars.
- Certifies DBEs according to the criteria set by DOT and acts as liaison to the Uniform Certification Process in Vermont.

Planning & Community Development Department

- Analyzes the City of Montpelier's progress toward goal attainment and identifies ways to improve progress.
- Advises the City Manager and City Council on DBE matters and achievement.
- Participates with the legal counsel and project manager to determine contractor compliance with good faith efforts.
- Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
- Provides outreach to DBEs and community organizations to advise them of opportunities
- Refers DBEs to the state's directory and provides assistance with the registration process.
- Will develop and maintain a government contracting link on the City's Web site <http://www.montpelier-vt.org> that lists various DBE registries and includes information on how DBEs can access government contracting information.

Federal Financial Assistance Agreement Assurance

The City has signed the following assurance, applicable to all DOT-assisted contracts and their administration and includes this language in financial assistance agreements with sub-recipients:

> *The City of Montpelier shall not discriminate on the basis of race, color, national origin, or gender, sexual orientation in the award and performance of any DOT assisted contract or in the administration of its DBE Program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts. The recipient's DBE Program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the City of Montpelier of its failure to carry out its approved program, the Department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).*

DBE Financial Institutions

To the extent that there may be DBE financial institutions operating in the state of Vermont, the City of Montpelier will solicit bids for service. No such financial institution currently exists in Vermont.

Directory

The State of Vermont Agency of Transportation (VTrans) maintains a directory identifying all firms eligible to participate as DBEs. The City of Montpelier relies on this directory to identify firms eligible to participate as DBEs. The directory lists the firm's name, address, phone number, date of most recent certification, and the type of work the firm has been certified to perform as a DBE. VTrans publishes quarterly updates to the directory and distributes it widely. The Directory is available from the VTrans Office of Civil Rights and Labor, 133 State Street, Montpelier, VT 05633, 802-828-2717 and is being listed on their recently launched Civil Rights Web site. A recent version of the Directory may be found in Attachment B to this program document.

Over concentration

The City of Montpelier has not identified an over-concentration of DBEs in any particular field. If an over-concentration is identified, the City will work closely with the VTrans to reach out to business development agencies to assist in moving DBEs into additional areas of work.

Required Contract Clauses

Contract Assurance

We will ensure that the following clause is placed in every DOT-assisted contract and subcontract:

> *The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, gender, or sexual orientation in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.*

Prompt Payment

We will include the following clause in each DOT-assisted prime contract:

> *The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than seven days from the receipt of each payment the prime contractor receives from the City of Montpelier. The prime contractor*

agrees further to return retainage payments to each subcontractor within 30 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the City of Montpelier. This clause applies to both DBE and non-DBE subcontractors.

The City requires prime contractors to provide evidence of compliance with prompt payment provisions if requested. Evidence may include providing copies of invoices and payment vouchers. Failure to comply with the prompt payment provisions may result in contract termination. Whenever possible, The City will provide the contractor with an opportunity to remedy the error or negotiate a fair remedial agreement.

Monitoring and Enforcement Mechanisms

Prime contractors shall be required to submit detailed invoices that include a tally of payments actually made to all subcontractors, including DBE contractors. Prior to approval for payment, the project manager will review invoices for the extent to which performance has matched promises.

The City will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 26.109. We also will consider similar action under our own legal authorities, including responsibility determinations in future contracts.

Overall Goals

Amount of Goal

The City of Montpelier does not expect to award $250,000 or more in FTA funds in prime contracts in FY 2005, and so was not required to develop overall goals for that year. However, the City elected to follow its already-established DBE policies in the procurement of all professional services funded all or in part with federal funds.

In FY 2006, the City of Montpelier intends to expend 4.2% of the Federal financial assistance received under the Department of Transportation with small business concerns owned and controlled by socially and economically disadvantaged individuals (DBEs). The City intends this expenditure be obtained through a race and gender neutral program and will exclude FTA funds used for the purchase of transit vehicles.

Process

The City of Montpelier has availed itself of a variety of techniques and models to comply with the goal setting provisions for participation by disadvantaged business enterprises (DBEs) in its DOT-assisted contracting program, as required by Section 26.45 of the DBE Regulations.

The City of Montpelier will submit its overall goal to DOT on August 1 of each year.

Before establishing the overall goal each year, the City will consult with VTrans to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses. The City will review its efforts to establish a level playing field for the participation of DBEs and will solicit ideas and suggestions for developing and implementing overall goals from the VTrans Office of Civil Rights and Labor Compliance, which has invited input from the women, minority and general contracting community. Information concerning the purpose and elements of the DBE Program were widely disseminated by the Office of Civil Rights and Labor Compliance in writing, and through a series of presentations to a diverse range of individuals and organizations, including our currently certified DBEs, the Associated General Contractors of Vermont, the American Council of Engineering Consultants, the Vermont Technical Assistance Providers Association, the Governor's Commission on Women, the Vermont Government Contracting Coalition, the Vermont Commerce and Community Development Agency, and Northern New England Tradeswomen.

We will publish a notice of the proposed overall goal, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at our principal office for 30 days following the date of the notice, and informing the public that we and DOT will accept comments on the goals for 45 days from the date of the notice. The notice will be published in the local daily newspaper *The Time-Argus* or the weekly *Seven Days.* Normally, we will issue this notice by June 1 of each year.

Our overall goal submission to DOT will include a summary of information and comments received during this public participation process and our responses.

We will begin using our overall goal on October 1 of each year, unless we have received other instructions from DOT.

Methodology

The City of Montpelier has employed the two step process outlined in Section 26.45. First, a baseline figure was created reflecting the relative availability of ready, willing and able DBEs in our marketplace. Then, all relevant evidence was examined, including past DBE participation, to determine what adjustments, if any, are needed to arrive at our overall goal. While the City of Montpelier has affirmed its commitment to meeting the maximum feasible portion of our overall goal using race-neutral means, we have also provided the requisite projection of a breakout of participation derived from both race-neutral and race-conscious measures, as specified in Section 26.51.

Step 1: Base Figure for the Relative Availability of DBEs

As specified in Section 26.45(c) of the DBE Regulations, the method used to calculate the relative availability of DBEs ("base figure") for Step 1 of the goal setting process is a percentage figure calculated by dividing a number representing available DBEs by a number representing all available firms. The City of Montpelier employed the use of VTrans DBE directory and Census

Bureau Data(Example #1) for calculating a base figure. We obtained our data and calculated the relativeavailability percentage in the following manner:

• We determined the number of ready, willing and able DBEs in our market from our DBE directory. Then, using the Census Bureau's County Business Pattern (CBP) database, we determined the number of all ready, willing and able businesses available in our market that perform work in the same North American Industry Classification System (NAICS) codes.

• For the purpose of setting an overall DBE goal for funds received from FTA, it was determined that our market or service area was Statewide. Data from the CBP database was filtered for the State of Vermont, and for the following twenty-eight (28) NAICS code categories, which were determined to be applicable for contracting opportunities on our public transit and rail projects:

NAICS Code Number: NAICS Code Description:

237990 All other heavy and civil engineering construction (incl. Mass transit)
238-ALL Special trade contractors
447190 Other gasoline stations
485310 Taxi service
485410 School and employee bus transportation
485999 All other transit & ground passenger trans.
541310 Architectural services
541320 Landscape architectural services
541330 Engineering services
541340 Drafting services
541350 Building inspection services
541370 Surveying, mapping (exc. geophysical) services
541430 Graphic design services
541512 Computer systems design services
541519 Other computer related services
541611 Admin & gen management consulting services
541613 Marketing consulting services
541618 Other management consulting services
541620 Environmental consulting services
541810 Advertising agencies
541820 Public relations agencies
541850 Display advertising
541860 Direct mail advertising
541890 Other services related to advertising
541922 Commercial photography
541930 Translation and interpretation services
541990 Other professional, scientific, and technical services, including planning
621511 Medical laboratories (incl D & A testing)

• The CBP database identified a total of 2,867 businesses ready, willing and able to perform

work in the above-listed 28 NAICS code categories in Vermont. A total of 117 certified DBEs are listed in our directory that are ready, willing and able to perform work in these same 28 NAICS code categories. We divided the number of DBEs by the number of all businesses, to determine the relative availability of DBEs in our marketplace:

Ready, willing and able DBEs (117)
All ready, willing and able businesses (2867)

Relative Availability of DBEs in the Marketplace (117 of 2867) 4.08%

Step 2: Adjustment to Base Figure:
As specified in Section 26.45, once the relative availability of ready, willing and able DBEs in our marketplace has been determined, it is necessary to examine additional evidence and, if appropriate, make adjustments to the base figure, to ensure that our goal truly and accurately reflects the level of DBE participation we would expect absent the effects of discrimination.

Accordingly, The City of Montpelier has gone beyond the formulaic measurement of current availability in Step 1, to consider and account for other evidence of conditions affecting DBEs, including past participation and trends, as well as the anticipated effect that changes in the DBE program may produce in DBE participation levels in the coming year.

The City of Montpelier has determined that no adjustment to the Step 1 Base Figure of 4.08% is warranted, after consideration of all relevant data and criteria, including the current capacity of DBEs to perform work in our FTA-assisted contracting program, as measured by the volume of work DBEs have performed in recent years.

After careful consideration of all the relevant data, evidence and criteria affecting DBE participation levels, The City of Montpelier has determined that no adjustment to the Step 1 Base Figure of 4.08% is warranted; we have, therefore, arrived at the proposed overall goal of 4.08% for FY 2012 – 2014 for our FTA-assisted contracts.

Breakout of Estimated Race-Neutral and Race-Conscious Participation
The City of Montpelier will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. The City of Montpelier uses the following race-neutral means to increase DBE participation**:**

- Providing technical assistance and other services to DBEs, directly and via consultants, seminars, partnerships with technical assistance providers and academic institutions;

- Administering a business development program, the Vermont Business Development Program (VBDP), for certified DBEs that provides one-on-one business counseling and needs assessments, business and marketing plan development, and training and networking opportunities.

- Carrying out information and communications programs on contracting procedures and specific contract opportunities;

• Producing and distributing free How to Do Business with the Agency of Transportation Guide and other resource materials;

• Providing formal and informal training and presentations to DBEs and other Contractors

• Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs;

• Providing frequent updates to our DBEs on all bidding and subcontracting pportunities;

• Conducting periodic user surveys and needs assessments to better determine DBE needs (e.g., training, financing, etc.) and to obtain better contact info;

• Producing and distributing an electronic newsletter that showcases successful DBEs, introduces new DBEs, provides a calendar of events, and many web links to contracting and business development resources.

• Ensuring distribution of our DBE Directory, through print and electronic means, to the widest feasible universe of potential prime contractors, including mail distribution to all potential prime bidders, and widespread distribution at conferences, expos, and seminars;

• Developing and delivering small business training and networking opportunities, including the annual Government Contracting Conference, the annual Women's Economic Opportunity Conference, matchmaker events, etc.;

• Assisting DBEs to develop their capability to utilize emerging technology and conduct business through electronic media, and utilizing our website to disseminate information, including our Directory, bid opportunities, updated information on Part 26, and useful links;

• Providing services to help DBEs improve long-term development, increase opportunities to participate in a variety of different kinds of work, handle increasingly significant projects, successfully compete as prime contractors, and achieve eventual self-sufficiency;

• Serving on the Advisory Council of the Vermont Women's Business Center (VWBC), and supporting the VWBC's mission through collaborative efforts and sponsorship of training programs;

• Providing assistance in overcoming limitations such as an inability to obtain bonding or financing, and identify and eliminate other barriers to contracting with the VT Agency of Transportation;

• Networking with local, state and federal agencies, non-profits, academic and business communities to obtain maximum partnering opportunities and resources, and develop comprehensive resource and referral network with technical assistance and service providers;

• Coordinating with other state DBE Liaison Officers, to ensure certification reciprocity and to maximize interstate contracting opportunities; and

• Assisting DBEs to establish prequalification status.

In addition to the above-described race-neutral means that The City of Montpelier already employs to increase DBE participation, we propose implementing and expanding our efforts in the following ways:

• Establishing a program to assist new, start-up firms, particularly in fields in which DBE participation has historically been low. We propose working within our organization and with the transportation industry to identify new and/or emerging businesses, with a particular focus on areas which will be critical to the industry in the next decade. We will then actively pursue the creation of businesses that can perform and develop expertise in these emerging areas.

• Providing more one-on-one business counseling services to our DBEs;

• Ensuring that our prime contractors consider the use of DBEs in all possible work categories, by providing quick reference guides detailing the expertise and capacities of our DBEs;

• Providing frequent updates to our DBEs on all bidding and subcontracting opportunities;
And

• Providing more effective outreach with minority businesses.

Breakout of Estimated Race-Neutral and Race-Conscious Participation: FTA-Assisted Contracting Program:
On our FTA-assisted contracts, The City of Montpelier estimates that we will meet our entire overall goal of 4.08% through race-neutral participation, and that we will not have to resort to race conscious measures. The recent level of DBE participation on FTA- assisted contracts supports our estimated breakout

Contract Goals

The City of Montpelier anticipates being able to meet our overall goal using only race-neutral means. If the City of Montpelier is unable to meet the overall goal using race-neutral means we will employ contract goals to meet the overall goal. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion

of our overall goal that is not projected to be met through the use of race-neutral means. We will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. We need not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract, such as the type and location of work, or the availability of DBEs to perform the particular type of work. We will express our contract goals as a percentage of the total amount of a DOT-assisted contract.

Good Faith Efforts

Information to be submitted

The City of Montpelier treats bidder/offerors' compliance with good faith efforts requirements as a matter of responsiveness. Each solicitation for which a contract goal has been established will require the bidders/offerors to submit the following information under sealed bid procedures:

1. The names and addresses of DBE firms that will participate in the contract;
2. A description of the work that each DBE will perform;
3. The dollar amount of the participation of each DBE firm's participation;
4. Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractor's commitment; and
6. If the contract goal is not met, evidence of good faith efforts.

Demonstration of good faith efforts

The obligation of the bidder/offeror is to make good faith efforts. The bidder/offeror can demonstrate that it has done so either by meeting the contract goal or documenting good faith efforts. Examples of good faith efforts are found in Appendix A to part 26.

The project manager and the DBELO are responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsive.

The City will ensure that all information is complete and accurate and adequately documents the bidder/offeror's good faith efforts before we commit to the performance of the contract by the bidder/offeror.

Administrative reconsideration

Within 5 days of being informed by the City of Montpelier that it is not responsive because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. Bidder/offerors should make this request in writing to the following reconsideration official:

William J. Fraser, City Manager

Montpelier City Manager's Office
39 Main Street, City Hall
Montpelier, VT 05602
Phone: 802-223-9506
Fax: (802) 223-9519

The reconsideration official will not have played any role in the original determination that the bidder/offeror did not make document sufficient good faith efforts. As part of this reconsideration, the bidder/offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to meet in person with our reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do. We will send the bidder/offeror a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so. The result of the reconsideration process is not administratively appealable to the Department of Transportation.

Good Faith Efforts When a DBE is Replaced on a Contract

The City of Montpelier will require a contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal. We will require the prime contractor to notify the DBE Liaison Officer immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation.

In this situation, we will require the prime contractor to obtain our prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts. If the contractor fails or refuses to comply in the time specified, our contracting office will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, and after consulting with the FTA and/or FHWA, the contracting officer may issue a termination for default proceeding or may initiate any other remedy which is deemed appropriate.

Counting DBE Participation

We will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55.

Certification

The City of Montpelier defers to the Vermont Agency of Transportation (VTrans) Office of Civil Rights for the certification of DBEs. VTrans will employ the certification standards of Subpart D of part 26 and the certification procedures of Subpart E of part 26 to determine the eligibility of firms to participate as DBEs in DOT-assisted contracts. To be certified as a DBE, a firm must meet all certification eligibility standards. The VTrans Office of Civil Rights will make its certification decisions decision based on the facts as a whole.

Information Collection and Reporting

Bidders List

As part of the goal refining process, VTrans will create a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on DOT-assisted contracts. The purpose of this requirement is to allow use of the bidders list approach to calculating overall goals. The bidders list will include the name, address, DBE/non-DBE status, age, and annual gross receipts of firms.

Monitoring Payments to DBEs

The City of Montpelier will require prime contractors to maintain records and documents of payments to DBEs for three years following the performance of the contract. Any authorized representative of the City, VTrans, or DOT will make these records available for inspection upon request. This reporting requirement also extends to any certified DBE subcontractor.

We will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award.

We will perform interim audits of contract payments to DBEs. The audit will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts stated in the schedule of DBE participation.

Reporting to DOT

We will report DBE participation to DOT as follows:

The City of Montpelier will report DBE participation on a quarterly basis, using DOT Form 4630. These reports will reflect payments actually made to DBEs on DOT assisted contracts.

Confidentiality

The City of Montpelier will safeguard from disclosure to third parties information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law.

Montpelier Police Department

Memo

To: William Fraser, City Manager

From: Chief Anthony J. Facos

Date: November 9, 2012

Re: Proposed Marijuana Dispensary

On Wednesday November 7, 2012, I asked Kevin Casey about a proposed permit application for a possible medical marijuana dispensary. Both Kevin and Glenn Moore advised that there was a zoning permit, and on Thursday the 8th, Kevin brought over a copy of the permit.

On Thursday November 8, I spoke with U.S. Attorney Tristram Coffin about the prospect of a marijuana dispensary being in Montpelier, given the federal proscriptions for marijuana and the fact that MPD has a federal agent working out of this PD as part of a Project Safe Neighborhoods Task Force. There would be no adverse impact on our local/federal partnership since we are focused on diversion of prescription narcotics, heroin, crack cocaine, and of course guns. That being said, the property owner(s) who lease property for businesses that are technically violating federal law are exposing themselves to potential legal action at the federal level, not the state.

The State of Vermont has made such dispensaries legal (up to 4 statewide) and it is my opinion to consider a medical marijuana dispensary as similar to a pharmacy. Drug crime is the number one crime problem in Vermont and Montpelier is not immune. Therefore, my concerns regarding a marijuana dispensary revolve around facility security, worker safety, and the safety of those registered patients/caregivers that would use this facility for their marijuana needs.

On Friday morning (11/09/2012), I had a long and productive meeting with Stacy Grabowski, one of the board members of Patients First Inc. It should be noted that Ms. Grabowski contacted the PD a couple of days ago to arrange this meeting. We had a candid dialogue regarding the process and regulations for both the dispensary and patients (See **Rules Governing the Vermont Therapeutic Use of Cannabis Program** which can be found on the Vermont Department of Public Safety—Vermont Criminal Information Center website). The state's rules are quite restrictive, well organized and comprehensive. In addition to the state's regulatory process, we discussed site safety and security issues. At the conclusion of our discussion, I was satisfied with the security and safety measures that would be implemented if this medical marijuana dispensary were to come to fruition.

City of Montpelier, Vermont

Title VI, Environmental Justice, and Non-Discrimination Plan

I.Authorities

II. Definitions

III. Record of Title VI Investigations, Complaint or Lawsuits

IV. Administration Overview

V. Access to Services by Persons with Limited English Proficiency (LEP Plan)

- **A. Introduction**
- **B. Elements of an Effective LEP Policy**
- **C. Four Factor Analysis**

VI. INCLUSIVE PUBLIC PARTICIPATION

VII. Filing a Complaint

Appendix A: Complaint Form

Appendix B: Title VI Notification Form

I. Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21).

Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100259 [2.557] March 22, 1988).

Federal Aid Highway Act of 1973, 23 USC 324: No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.

Age Discrimination Act of 1975, 42 USC 6101: No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal financial assistance.

Americans With Disabilities Act of 1990 PL 101-336: No qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a state or a local government.

Section 504 of the Rehabilitation Act of 1973**:** No qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance.

USDOT Order 1050.2: Standard Title VI Assurances

EO 12250: Department of Justice Leadership and coordination of Non-discrimination Laws.

EO 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations; and

28 CFR 50.3: Guidelines for the enforcement of Title VI, Civil Rights Act of 1964.

EO 13166: Improving Access to Services for Persons with Limited English Proficiency

Additional Authorities and Citations Include:

Title VI of the Civil Rights Act of 1964, 42 United States Code 2000d to 2000-4; 42 United States Code 4601 to 4655; 23 United States Code 109(h).

II. Definitions

Adverse Effects -- The totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to:

a. bodily impairment, infirmity, illness or death;
b. air, noise, and water pollution and soil contamination;
c. destruction or disruption of man-made or natural resources;
d. destruction or diminution of aesthetic values;
e. destruction or disruption of community cohesion or a community's economic vitality
f. destruction or disruption of the availability of public and private facilities and services;
g. adverse employment effects;
h. displacement of persons, businesses, farms, or nonprofit organizations;
i. increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community; or
j. denial of, reduction in, or significant delay in the receipt of benefits of City of Montpelier programs, policies, or activities.

CDS -- Community Development Specialist, City of Montpelier.

Department – City of Montpelier, Department of Planning and Community Development.

Significant Adverse Effects on Minority and Low-Income Populations -- An adverse effect that:

a. is predominately borne by a minority population and/or a low-income population, or
b. will be suffered by the minority population and/or low-income population and is shown to be appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

Limited English Proficiency -- Individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit provided by the transportation provider.

Federal Assistance -- includes grants and loans of federal funds; the grant or donation of federal property and interests in property; the detail of federal personnel, federal property of any interest in such property without consideration or at a nominal consideration or at a consideration which is reduced for the purpose of assisting the City of Montpelier, or in recognition of the public interest to be served by such sale or lease to the City of Montpelier; and any federal agreement, arrangement, or other contract which has, as one of its purposes, the provision of assistance.

Low-Income -- A person whose median household income is at or below the Department of Housing and Urban Development poverty guidelines.

Low-Income Population -- Any readily identifiable group of low-income persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons who will be similarly affected by a proposed City of Montpelier program, policy or activity.

Minority -- A person who is:

a. Black -- a person having origins in any of the black racial groups of Africa;
b. Hispanic -- a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;
c. Asian American-- a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands; or
d. American Indian and Alaskan Native -- a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

Minority Population -- Any readily identifiable groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons who will be similarly affected by a proposed City of Montpelier program, policy, or activity.

Noncompliance – Recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all the requirements of Title VI/Environmental Justice and related statutes.

Persons -- Where designation of persons by race, color, or national origin is required, the following designations ordinarily may be used: "White not of Hispanic origin," "Black not of Hispanic origin," "Hispanic," "Asian or Pacific Islander," "American Indian or Alaskan Native." Additional subcategories based on national origin or primary language spoken may be used, where appropriate, on either a national or a regional basis.

Program -- Includes any multi-modal or bridge project including project planning, or any activity for the provision of services, financial aid, or other benefits to individuals. This includes education or training, work opportunities, health, welfare, rehabilitation, housing, or other services, whether provided directly by the City of Montpelier of federal financial assistance or provided by others through contracts or other arrangements with the City of Montpelier.

Recipient -- Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof, but does not include any ultimate beneficiary under any such program.

Sub-recipient -- An agency such as a council of governments, regional planning agency, educational institution, for example, that receives Federal Highway Administration (FHWA) funds through the State DOTs and not directly from the FHWA. Other agencies, local governments, contractors, consultants that receive these funds are all considered sub-recipients.

III. RECORD OF TITLE VI INVESTIGATIONS, COMPLAINTS, OR LAWSUITS

The City of Montpelier has no active lawsuits at this time, and has received no Title VI complaints or lawsuits in the past three years.

IV. Administration Overview

The City Manager is responsible for ensuring the implementation of the City's Title VI program. Project managers are responsible for implementing, monitoring, and ensuring the City's compliance with Title VI regulations for DOT funded projects. Under the direct supervision of the Planning and Community Development Director, the Community Development Specialist (CDS) will work with project managers to carry out the day-to-day administration of the program.

Elimination of Discrimination

The City will implement procedures to identify and eliminate discrimination when found to exist, related to Minority/Women/Disadvantaged Business Enterprises (DBE) contractors, public involvement, and property acquisition.

Data Collection

Statistical data on race, color, gender, age, disability or national origin of participants in and beneficiaries of federally funded transportation projects administered by the City as direct grantee (e.g., relocatees, affected citizens, and impacted communities) will be gathered and maintained by project managers, with assistance and coordination with the CDS. The gathering procedures will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI / Environmental Justice program.

Title VI Program Reviews

The City's Title VI program reviews will be performed by the Department of Planning and Community Development (Department) to assess the City's administrative procedures, staffing, and resources for Title VI compliance. In addition to day-to-day monitoring, the Department will conduct annual Title VI reviews of the project to determine the effectiveness of program activities at all levels and will prepare a yearly report of the Title VI accomplishments and goals, as required. The CDS will coordinate efforts with project managers to ensure their equal participation in all programs and activities at all levels and will conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid transportation contracts administered through the City.

Annual Reports

The Department will prepare an annual report as required which summarizes the Title VI accomplishments achieved during the year. In addition to reporting on accomplishments and adjustments that may have been made during the year, the report will also include goals and objectives for the coming year. The report will be published in the City's Annual Report and on the City's Web site.

Training Program

Training about the Title VI program and other related statutes will be made available on a regular basis and as needed to employees, contractors, sub-recipients, project managers, and other recipients of federal transportation funds. The training will provide information about the Title VI provisions, their applicability to program operations, and identification of Title VI issues and the resolution of complaints. A summary of the training conducted will be reported in the annual update.

Operational Guidelines

All operational guidelines to contractors, sub-recipients, and special emphasis program areas will be reviewed annually to include Title VI language and provisions and related requirements, where applicable.

Public Dissemination

The Department will coordinate with project managers to disseminate Title VI program information to City employees, sub-recipients, contractors, and beneficiaries, as well as to the general public. Public dissemination will include, at a minimum, the posting of public statements, inclusion of Title VI language in contracts, and annually publishing the Title VI Policy Statement on the City's Web site at **http:www/montpelier-vt.org**. Information and notices will also be submitted to minority publications and to non-profit organizations that provide services to minority or disadvantaged citizens.

Posters will be displayed at City Hall and at the Transit Center site (when built) which state that the City operates programs subject to nondiscrimination requirements under Title VI; summarize the requirements; explain the availability of the Title VI information from the City; briefly explain the procedures for filing a complaint; and reference other publications containing Title VI information. (*See Appendix B)

Post-Grant Reviews

The City will conduct post-grant approval reviews of City projects and applicants (e.g., transportation facility location, design and relocation, and persons seeking contracts with the City), to ensure compliance with Title VI requirements.

Complaints

If any individual believes that s/he or any program beneficiaries have been the object of unequal treatment or discrimination as the receipt of benefits and/or services on the grounds of race, color, national origin, gender, age, handicap, or sexual orientation, s/he may exercise their right to file a complaint with the City of Montpelier. An application form is attached to this Plan and will available to be downloaded from the City's Web site. Every effort will be made to resolve complaints informally at the City and the contractor level. If necessary, the City Attorney will assist in resolving a complaint.

Remedial Action

The City will actively pursue the prevention of Title VI deficiencies and violations, should they occur, and will take the necessary steps to ensure compliance with all program administrative requirements. When irregularities occur in the administration of the program's operation, corrective action will be taken to the Title VI issues and a written summary of the remedial action agreed upon will be produced within 90 days.

1) Sub-recipients placed in a deficiency status will be given a reasonable time, (not to exceed 90 days after receipt of the deficiency letter), to voluntarily correct deficiencies.

2) The City will seek the cooperation of the sub-recipient in correcting deficiencies found during the review. The City will also provide the technical assistance and guidance needed to aid the sub-recipient to comply voluntarily.

3) When a sub-recipient fails or refuses to voluntarily comply with requirements within the time frame allotted, the City will submit to the FTA, the FHWA, or the appropriate state agency two copies of the case file and a recommendation that the sub-recipient be found in noncompliance.

4) A follow-up review will be conducted within 180 days of the initial review to ensure that the sub-recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified.

V. Access to Services by Persons with Limited English Proficiency (LEP Plan)

A. Introduction

On Aug. 11, 2000, President Clinton signed Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency, to clarify Title VI of the Civil Rights Act of 1964. The executive order was issued to ensure accessibility to programs and services to otherwise eligible individuals not proficient in the English language. The executive order stated that individuals with a limited ability to read, write, speak and understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter. These individuals are referred to as being limited in their ability to speak, read, write, or understand English, hence the designation, "LEP," or Limited English Proficient. The USDOT published "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficiency" in the Dec. 14, 2005, Federal Register. The guidance explicitly identifies transit operations such as The City of Montpelier as organizations required to follow Executive Order 13166.The guidance applies to all DOT funding recipients, which include state departments of transportation, state motor vehicle administrations, airport operators, metropolitan planning organizations, and regional, state, and local transit operators, among many others. Coverage extends to a recipient's entire program or activity; i.e., to all parts of a recipient's operations. To meet Title VI and LEP requirements of the FTA, The City of Montpelier will evaluate, on a continuing basis, activities that would be appropriate for compliance with LEP requirements.

B. Elements of an Effective LEP Policy

This LEP program has four main components to aid in identifying LEP persons so that they are provided meaningful access to THE CITY OF MONTPELIER services and activities that may affect their quality of life.

For the purposes of this plan, only those individuals who were identified in the 2006-2010 American Community Survey (ACS) 5-year data as having their ability to speak English as "less than very well" are being considered as LEP. The four components are as follows:

> **1. Identifying LEP persons who need language assistance**. According to the 2010 ACS, 90 citizens of the City of Montpelier and 794 citizens of Washington County overall ages 5 or older spoke English less than "very well". The largest language among these LEP persons was Spanish, followed by Other Indo-European Languages and Asian Languages. This total number represents just 1.2% of the population ages 5 or older as of the 2010 Census in Montpelier and 1.8% of the population of Washington County. efforts to identify LEP persons besides the use of Census data are described below.
>
> **2. Identifying ways in which language assistance will be provided**. THE CITY OF MONTPELIER provides oral and written translation; written interpretation and translation; and sign language, as
> requested, or as a result of an LEP analysis on any given project or projected program. THE CITY OF MONTPELIER monitors its contact or the possibility of contact with LEP individuals on an ongoing basis; and the frequency of contact and the services where LEP individuals are likely to access a program, service, or activity, on an annual basis, or as needed.

3. **Training staff and others.** All THE CITY OF MONTPELIER staff involved in public outreach and public involvement will receive training on identifying LEP populations and providing LEP translation and interpretation.

4. **Providing notice to LEP persons.** After LEP populations have been identified, strategies will be developed to provide notice of a program, service, or activity, using appropriate media, including brochures (also in languages other than English). Community groups serving LEP populations are contacted, as well as schools, church groups, chambers of commerce, and other relevant entities.

C. Four Factor Analysis

The DOT guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons:

1. The number and proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.

2. The frequency with which LEP individuals come in contact with the program.

3. The nature and importance of the program, activity, or service provided by the recipient to the LEP community.

4. The resources available to VTrans and overall cost.

Factor 1 - Prevalence of LEP Persons

The City of Montpelier has a very low percentage of people who speak English less than "very well". In the 2010 Census, the figure was 1.2%

The analysis below will look at these numbers in more detail, but the LEP Guidance from DOT recommends that "[r]ecipients should first examine their prior experiences with LEP individuals and determine the breadth and scope of language services that are needed.

"Where a significant number of citizens eligible to be served require service or information in a language other than English to participate in UMTA-assisted programs, the City will make every reasonable step to provide information in appropriate languages.

According to the 2010 U.S. Census, 1.2 percent of Montpelier's population over 5 years citizens did not speak English well at that time. Within Washington County, that figure is 1.8 percent.

	Montpelier	Washington County
Language other than English	351 (4.7%)	2,591 (6.1%)
English less than "very well"	90 (1.2%)	794(1.8%)
Spanish	54(0.7%)	552 (1.1%)
English less than "very well"	0(0.0%)	109 (0.2%)

Other Indo-European languages	230 (3.1%)	1,671 (3.0%)
English less than "very well"	57 (0.8%)	548 (1.0%)
Asian	56 (0.7%)	304 (0.5%)
English less than "very well"	33 (0.4%)	82 (0.1%)
Other Languages	11(0.1%)	64 (0.1%)

Factor 2: Frequency with which LEP individuals come in contact with the program

LEP individuals, in general, will depend much more on public transportation than those who are English proficient, thus the need for LEP individuals to use services on a daily basis is frequent. Many of the social service agencies that serve immigrants and refugees-who are will most likely be LEP-help LEP individuals and refugees in their navigation of transit center when built. The City of Montpelier will coordinate with those agencies that are in contact with LEP individuals as well transportation providers, The State of Vermont, and social service agencies prior to, during, and after constructions to ensure appropriate access to services.

Factor 3 - Importance to LEP Persons of Program, Activities and Services
The importance of providing transportation services to the LEP population is lower than providing some other services to this population, such as emergency medical services or legal services to a person who has been arrested. Nevertheless, providing public transportation access to LEP persons is critical. An LEP person's inability to effectively utilize public transportation may adversely affect his or her ability to obtain health care, or education, or access to employment.

Factor 4- Resources Available and Cost:
Due to the very low incidence of LEP persons in Vermont, the cost to accommodate is not anticipated to be burdensome. The City of Montpelier will evaluate the need to provide additional resources after construction of the Transit and Welcome Center is complete and operational

V. INCLUSIVE PUBLIC PARTICIPATION

Measures to Ensure Minority, Low-Income and LEP Participation

Public participation is an essential component of the planning process. From short-term service changes to long-range vision documents and investment strategies, input from the public about policies and services that affect them is critical to their successful implementation. The City of Montpelier conducts public outreach efforts and public hearings on planning efforts, service changes, and policy issues through its City Council or Council appointed committees.

As public transportation is perhaps disproportionately relevant to the daily lives of Title VI protected groups and low-income Vermonters, The City of Montpelier will ensure that groups that represent these populations are included in these outreach efforts and that representatives of these Organizations are invited to participate in project steering committees. All public meetings held as part of this public involvement process will be properly noticed in accordance with the requirements of Title VI of the civil rights act of 1964 and the Vermont public meeting law (Vermont Title 1, section 310 et seq., as annotated), including public announcement of all meetings at least 24 hours before the meeting. Notes are taken at all meetings so that members of the public are not required to submit written comments in order to have their opinions recorded.

The City of Montpelier maintains contact with organizations that represent the interests of low-income, immigrant, and minority groups and notify them of upcoming public outreach activities Meeting times and locations are designed to maximize accessibility for low-income and minority groups. A mix of daytime and early evening meetings will be scheduled and access to the meeting is guaranteed.

In terms of meeting locations, The City of Montpelier, as the focus of Title VI-protected groups, will always host public meetings/hearings in compliance with Title VI regulations and the Americans with Disabilities Act. In 2012 and beyond, The City of Montpelier will take additional steps to increase the participation of Title VI protected groups in public outreach activities.

Notices for public meetings will include a statement in Spanish and French those translation services languages are available upon request and a telephone number for more information about the meeting. The City of Montpelier will contact these organizations that represent Title VI-protected groups in their service area in advance of any public meetings or hearings being held regarding service changes, or other planning efforts.

The City of Montpelier will discuss with these groups means of encouraging participation in these meetings and will offer accommodations when appropriate to facilitate participation.

Prior to discussing the means of engaging minority and low income communities in these activities, a brief demographic profile of Montpelier is presented in order to identify the number and concentration of minority and low-income residents.

Demographic Profile

Existing Conditions -Vermont and US Census data is the primary source of information for establishing minority and low-income populations in Montpelier.

Minorities

Race	Montpelier	Washington County
White	93.72%	96.06%
Hispanic/Latino	2.11%	1.67%
Asian	2.18%	0.84%
Black/African American	1.00%	0.74%
American Indian/Alaskan Native	0.29%	0.25%
Native Hawaiian/Pacific Islander	0.02%	0.02%
Other Race	0.43%	0.31%
Multi-Racial	2.34%	1.77%

Poverty Status	Montpelier	Washington County
Poverty Rate (Individuals)	12.7%	10.5%
Poverty Rate (Families)	6.6%	5.9%
Child Poverty Rate (< 18 years)	14.8%	13.8%
Elderly Poverty Rate (> 65 years)	3.4%	7.5%

Socioeconomic Impacts:

The proposed project is consistent with the varied planning documents that outline the goals for future development of the region. These documents include the *Central Vermont Regional Plan*, the *City of Montpelier Master Plan* (2010), and the *Capital District Master Plan* (2000).

Montpelier, as the capital city, has a large elderly, disabled, and low-income population. The transit facility will facilitate access to and between different modes of public transportation and assist area elderly and low-income population segments to better access area services and activities. It will provide much needed amenities for transit patrons.

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, provides that no federally funded project should be implemented in such a way as to result in disproportionately high and adverse effects on minority and low-income populations.

Impact Analysis*:* The primary purpose of the project is to connect pedestrian, rail, and bus transportation for commuters as well as comfort facilities and information for visitors and other travelers. The facility will be built on a site that is currently used as a gravel surface parking lot and Vermont Transit bus depot. The existing bus depot is a temporary trailer that does not meet the needs of the operator or the travelers and is considered by some to be blight on Montpelier's gateway. Uses in the immediate vicinity of the site are parking lots, a rail line, and the Winooski River and the North Branch River. With Green Mountain Transit operating from the Transit Center, it will be a coordinated hub for inter and intra-city transit, pedestrian facilities, and the potential for future rail.

While some ambient increases in noise, air emissions, and traffic may be noticeable to residents and commercial uses in the downtown, these effects are anticipated to dissipate rapidly beyond the immediate facility. Noise during and after construction will be expected to comply with Montpelier's noise ordinance.

The project is expected to have a predominantly positive impact on area residents by offering increased transportation access and choices to services, recreation, and employment. There are no known existing minority-owned businesses or residences that will be impacted by this project.

Because a high proportion of low-income, minority and mobility-limited or self-care-limited persons reside in the area, the project may be particularly beneficial offering new ADA-compliant transportation facilities and greater access to jobs.

VI. Filing A Complaint

Introduction

The Title VI/Environmental Justice and related statutes complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding the City of Montpelier's programs, activities and services as required by statute.

Purpose

The purpose of the discrimination complaint procedures is to describe the process used by City of Montpelier for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

Roles and Responsibilities

The City Manager has overall responsibility for the discrimination complaint process and procedures. The City Manager may, at her/his discretion, assign a capable person within City of Montpelier to investigate the complaint.

The designated investigator will conduct an impartial and objective investigation, collect factual information and prepare a fact-finding report based upon the information obtained from the investigation.

In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant and/or by the complainant's representative.

The complainant shall make him- or herself reasonably available to the designated investigator, to ensure completion of the investigation within the timeframes set forth.

Applicability. The complaint procedures apply to the beneficiaries of City of Montpelier's programs, activities, and services, including but not limited to the public, contractors, subcontractors, consultants and other sub-recipient of federal and state funds.

Eligibility. Any person who believes that s/he has been excluded from participation in, denied benefits or services of any program or activity administered by City of Montpelier or its sub-recipients, consultants, and contractors on the basis of race, color, national origin (including Limited English Proficiency), sex, age, or disability may bring forth a complaint of discrimination under Title VI/EJ and Related Statutes.

Time Limitation and Filing Options

Title VI/EJ complaints of discrimination may be filed with:

- City of Montpelier
- VTrans
- The Federal Highway Administration
- Federal Transit Administration
- The U.S. Department of Transportation

In all situations, City of Montpelier employees must contact the City Manager, or his/her designee, immediately upon receipt of a Title VI/EJ complaint.

Complaints must be filed no later than 180 days after:

- The date of the alleged act of discrimination; or
- The date the person became aware of the alleged discrimination; or
- Where there has been a continuing course of discriminatory conduct, the date on which the conduct was discontinued.

Complaints must be in writing, and must be signed by the complainant and/or the complainant's representative. The complaint must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event a person makes a verbal complaint of discrimination to a City of Montpelier employee, or other person authorized to receive complaints on behalf of the City of Montpelier, the City Manager, or his/her designee, shall interview the person. If necessary, the authorized person will assist the person in writing the complaint for the person or the person's representative to sign.

*Use of the Complaint Form is not necessary for the complainant. Rather, it is intended to help the complainant provide enough information to begin processing the complaint.

Complaint Review Process

The City Manager, or her/his designee, will review the complaint upon receipt to ensure that relevant information is provided, the complaint is timely, and meets jurisdiction.

The complaint shall be investigated, unless:

- The complaint is withdrawn;
- The complainant fails to provide required information;
- The complaint is filed beyond the 180-day timeframe;
- The complainant is not part of a protected group; or
- The complaint is determined to be more appropriately reviewed under a jurisdiction other than City of Montpelier. If this is the case, the complainant will be directed to the appropriate agency.

Upon determination that the complaint warrants a City of Montpelier investigation, the complainant is sent a letter, acknowledging receipt of the complaint, and giving the name of the investigator.

The respondent – the person alleged to have committed the discrimination -- is notified by mail that s/he has been named in a complaint. The letter also includes the investigator's name and informs the respondent that s/he will be contacted for an interview.

Investigation Plan

The investigator shall prepare a written plan, which includes, but is not limited to the following:

- Names of the complainant(s) and respondent(s);
- Basis for the complaint;
- Issues, events or circumstances that caused the person to believe that s/he has been discriminated against;
- Information needed to address the issue;
- Criteria, sources necessary to obtain the information;

- Identification of key people;
- Estimated investigation time line;
- Remedy sought by the complainant(s).

Conducting the Investigation

- The investigation will address only those issues relevant to the allegations in the complaint.
- Confidentiality will be maintained as much as possible.
- Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case.
- A chronological contact sheet will be maintained in the case file throughout the investigation.

Investigation Reporting Process

Within 40 days of receiving the complaint, the investigator will prepare an investigative report and submit the report and supporting documentation to the City Manager or her/his designee, for review.
The City Manager or designee will review the file and investigative report and make a final determination of "probable cause" or "no probable cause" and prepare the final decision letter.

Reporting Requirements to an External Agency

A copy of the complaint, together with a copy of the investigation report and the City Manager's final decision letter is forwarded to the appropriate agency within 60 days of the date the complaint was received.

Records

All records and investigative working files will be maintained in a confidential area. Records will be kept for three years.

APPENDIX A

City of Montpelier, Vermont
COMPLAINT FORM
Title VI/Environmental Justice and Related Statutes

1. Name: _____

2. Address: _____

_____

3. Telephone Number: _____

4. Name of person charged with discrimination: _____

_____

5. Date of alleged discriminatory act: _____

6. Type of discrimination: _____

_____

7. Please write a summary of the facts supporting your complaint (use additional pages as necessary): _____

_____

_____

_____

8. Names of witnesses to the alleged discriminatory act: _____

_____

9. What do you want as a remedy for the alleged discrimination? _____

_____

_____

Signed: _____

Date: _____

Please return to:

City of Montpelier
Dept. of Planning & Community Development.
39 Main Street, City Hall
Montpelier, VT 05602-2950
Phone: (802) 223-9506
Fax: (802) 223-9524

APPENDIX B

NOTIFYING BENEFICIARIES OF THEIR RIGHTS UNDER TITLE VI

The City of Montpelier maintains the following notifications on its website, and printed materials for the public:

The City of Montpelier operates its programs and services without regard to race, color, and national origin as stipulated in Title VI of the Civil Rights Act of1964. If you feel you have been discriminated against based on your race, color, or National origin, you may file a complaint with The City of Montpelier by calling 802-223-9502 or by calling the Vermont Agency of Transportation, Office of Civil Rights at 802-828-6651 and stating that you would like to make a Title VI complaint. If you would like more information about your Title VI rights, you may call the Vermont Agency of Transportation, Office of Civil Rights and request it be provided to you.

9 V.S.A. § 4502 (a) Public accommodations states an owner or operator of a place of public accommodation or an agent or employee of such owner or operator shall not, because of the race, creed, color, national origin, marital status, sex, sexual orientation, or gender identity of any person, refuse, withhold from, or deny to that person any of the accommodations, advantages, facilities, and privileges of the place of public accommodation.

If you feel you have been discriminated against, you may file a complaint with The City of Montpelier 802-223-9502 or with the **Vermont Human Rights Commission by calling 1-800-416-2010 or by e-mail athuman.rights@state.vt.us**

Si usted siente que ha sido discriminado, puede presentar una queja con The City of Montpelier 802-223-9502 or **Vermont Human Rights Commission by calling 1-800-416-2010 or by e-mail athuman.rights@state.vt.us**

Si vous sentez que vous avez été victime de discrimination, vous pouvez déposer une plainte avec la ville de Montpellier 802-223-9502 ou avec la Commission des droits de l'homme au Vermont en appelant le 1-800-416-2010 ou par courriel athuman.rights@state.vt.us

Public Dissemination

The Department will coordinate with project managers to disseminate Title VI program information to City employees, sub-recipients, contractors, and beneficiaries, as well as to the general public. Public dissemination will include, at a minimum, the posting of public statements, inclusion of Title VI language in contracts, and annually publishing the Title VI Policy Statement on the City's Web site at **http:www/montpelier-vt.org**. Information and notices will also be submitted to minority publications and to non-profit organizations that provide services to minority or disadvantaged citizens.

Posters will be displayed at City Hall and at the Transit Center site (when built) which state that the City operates programs subject to nondiscrimination requirements under Title VI; summarize the requirements; explain the availability of the Title VI information from the City; briefly explain the procedures for filing a complaint; and reference other publications containing Title VI information. (*See Appendix B)

Where a significant number of citizens eligible to be served require service or information in a language other than English, the City will make every reasonable step to provide information in appropriate languages.