

Agenda
Joint Finance & Executive
Committee
Wednesday, May 6, 2020 – 5:45 p.m.

Remote Access Meeting Only



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When participating remotely, please wait until you are recognized by the Chair before you speak. For each agenda item, the Chair will make sure to ask if anyone participating remotely would like to speak.

- a. Use the "chat" feature or raise your hand if on video, or ask the Chair to request to speak.
- b. To ensure everyone is heard, only one person should speak at a time.
- c. When recognized by the Chair, introduce yourself each time.
- d. Speak up so everyone in person and on the phone can hear clearly.
- e. When participating remotely, take steps to avoid background noise, and make sure your microphone/phone is muted when you are not speaking.

1. Call to Order, Attendance
2. Changes to the Agenda, Members' Items (Action)
3. Approval of April 1, 2020 Joint Finance and Executive Committee Minutes* (Action)
4. Act 250 & Section 248 Applications - none
 a. * (Action)
5. Approve Quarterly Journal Entries (Jan-Mar 2020) *(to be sent by Tuesday)* (Action)
6. Review Financial Reports – FY20 (Jul 2019- Mar 2020) *(to be sent by Tuesday)* (Discussion)
 a. Balance Sheet
 b. Income Statement
 c. Cash position
7. FY2021 UPWP and Budget Recommendation to Board* (Action)
8. Clean Water Service Provider Draft Proposal (new deadline is 5/29/20)* (Action)
9. Chair/Executive Director Report (Discussion)
 a. Annual Meeting – move gathering to September?
 b. Public meetings with municipalities and the public
 c. Legislative Update
10. CCRPC May 20, 2020 Agenda review* (Discussion)
11. Other Business (Discussion)
12. Executive Session for personnel review of the Executive Director (Action)
13. Adjournment (Action)

*Attachments

NEXT MEETING – Executive Committee – Wed. June 3, 2020; 5:45 p.m.

*In accordance with provisions of the Americans with Disabilities Act (ADA) of 1990, the CCRPC will ensure public meeting sites are accessible to all people. Requests for free interpretive or translation services, assistive devices, or other requested accommodations, should be made to Emma Vaughn, CCRPC Title VI Coordinator, at 802-846-4490 ext. *21 or evaughn@ccrpcvt.org, no later than 3 business days prior to the meeting for which services are requested.*

1 CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
2 JOINT EXECUTIVE & FINANCE COMMITTEE MEETING MINUTES
3 DRAFT
4

5 DATE: Wednesday, April 1, 2020
6 TIME: 5:45 p.m.
7 PLACE: REMOTE ATTENDANCE VIA GOTOMEETING
8 PRESENT: Mike O'Brien, Chair Catherine McMains, Vice Chair
9 Chris Roy, Immediate Past Chair Chris Shaw, At Large >5000
10 John Zicconi, Treasurer Barbara Elliott, At Large <5000
11 Jeff Carr, Finance Committee Member
12 ABSENT: None
13 STAFF: Charlie Baker, Executive Director Regina Mahony, Planning Mgr.
14 Forest Cohen, Senior Business Mgr. Eleni Churchill, Transportation Program Mgr.
15 Amy Irvin Witham, Business Office Associate
16

- 17 1. Call to Order, Attendance. The meeting was called to order and attendance was taken at 5:48 p.m.
18 by the Chair, Mike O'Brien.
19
20 2. Changes to the Agenda, Members' Items. Item number 6, the FY21 UPWP and Budget moved up the
21 agenda to item number 4.
22

- 23 3. Approval of March 4, 2020 Joint Finance & Executive Committee Minutes.

24 JEFF CARR MADE A MOTION, SECONDED BY CATHERINE MCMAINS, TO APPROVE THE MINUTES
25 WITH EDITS. MOTION CARRIED WITH ABSTENTIONS FROM JOHN ZICCONI AND BARBARA ELLIOTT
26 The following edits were requested:

- 27 • Update PG 2 Line 20: Remove the words 'of time' from the phrase 'period of time'.
28 • Update PG 3 Line 26: Replace the 'e' with an 'a' before the word State.
29

30 Per the Chair, the meeting will begin with the Finance portion, item 6. FY21 UPWP and Budget

- 31 4. Warn Public Hearing for the FY21 UPWP and Budget

32 Charlie referred members to the Draft FY21 UPWP and Budget document. He explained the result
33 came in with approximately \$1.4 million in new consultant tasks. Eleni stated all Transportation
34 projects with PL eligible funds remained, however, there were a couple of projects eliminated
35 because they were not PL (federal MPO funding program) eligible. Regarding the budget, Charlie
36 explained the \$5.6 million figure was split between \$2.3 million in staff and \$3.3 million for
37 consultants. He said in FY21 there could be very different due to COVID-19 fiscal impacts, and there
38 will likely be a significant budget change. Jeff Carr stated, depending on what comes through the
39 COVID-19 Bill, there may be new opportunities for entities to borrow funds. He said the government
40 has never turned the economy off like this and we have entered an entirely new financial territory.
41 Charlie said we will include a financial topic at every Executive Committee meeting and will
42 continually monitor the situation. He feels the Transportation budget will continue, but has
43 concerns about ACCD funding. Jeff Carr feels we may be eligible for payroll and rent support with
44 the Corona Virus Relief Fund because a portion of that is designed for local government. Member
45 discussion regarding the current budget and future financial impacts of COVID-19 ensued. Charlie
46 moved on to the expense side of the budget. He explained the salary line was previously at 4.9%.
47 however, since the typical salary line for our towns is around 3.6%, the salary line was adjusted

1 down to 3.9% with 3% as the base raise and dealing with some promotions, etc. Charlie noted this
2 budget came in with a higher excess revenue amount of 24K due to an increase in the indirect rate.
3 In order to work to control the swinging of the indirect rate, it was decided to request a slightly
4 lower than we are allowed indirect rate of 83% for FY21; doing so will hopefully eliminate the 8 to
5 10% swings we had been experiencing previously.

6
7 Charlie noted the UPWP Committee and CCRPC staff are asking members to warn a Public Hearing
8 for the May 20, 2020 Board Meeting for the draft FY21 UPWP and Budget. BARBARA ELLIOTT MADE
9 A MOTION, SECONDED BY CATHERINE MCMAINS, TO WARN A PUBLIC HEARING FOR THE FY21
10 UPWP AND BUDGET FOR THE MAY 20, 2020 MEETING AT 6PM. MOTION CARRIED UNANIMOUSLY.

11
12 5. Financial Statement review.

13 Forest Cohen provided a financial overview for the period covering July 2019 through February
14 2020. He referred members to his screen presentation of the FY20 Income Statement. Forest
15 reminded members this document, as well as a Cash Flow sheet, were sent out earlier, through e-
16 mail.

17
18 Forest stated both January and February were positive months. Although we still have a way to go,
19 if we continue at this pace through the month of June, we can make our goal. If staff can continue
20 billing at this rate, we will finish in the black. Jeff Carr asked if we feel comfortable managing
21 consultants in this period of social distancing. Eleni explained, yes, projects are currently moving
22 forward, and our consultants are working with us. The challenge is public input; since we need to
23 ensure engagement continues through virtual meetings.

24
25 Forest referred members to the cash flow sheet. He explained statements have been reconciled
26 through February. We recently received the VTRANS deposit for the January invoice, so the
27 payables are slightly inflated as we currently have a decent amount of bills to pay. Forest stated we
28 should be fine, as he does not anticipate we will have to go through \$150K in reserves. Jeff Carr
29 asked if there has been any discussion of contingency planning in case we have to downsize? Charlie
30 responded, noting that no cuts from the State have yet occurred and if anything like that does
31 happen, we will move forward with decisions as they need to be made.

32
33 The financial portion of the meeting concluded; Jeff Carr excused himself at 6:25 p.m.

34
35 6. Act 250 & Section 248 Applications

36 a. Act 250 Application, Champlain Apartments, LLC (Holiday Inn); South Burlington; #4C1149
37 Regina said this letter was sent out via e-mail. The project was downgraded from a major
38 application to a minor. The project location is at 1068 Williston Road in South Burlington, Vermont.
39 The city of South Burlington's Development Review Board has approved the project. Regina pointed
40 out there is an ongoing study of the interstate (I-89 2050 Study) that is looking at possible future
41 improvements to the interstate. Exit 14 will be assessed as a part of this study and may or may not
42 result in proposed future improvements and changes in the general vicinity of the project area.
43 CCRPC staff does not have any concerns regarding the proposed project or find any anticipated
44 traffic impacts. Regina stated, although the new building is close to the property line, the CCRPC
45 finds the proposed project complies with Criterion 9(L) and the project to be in conformance with
46 the Planning Areas of the 2018 Chittenden County Regional Plan.

47

1 Mike O'Brien expressed concern if there is a need for more right of way, should this be addressed
2 now, rather than after the project begins? Regina stated no, because we are so early in the I-89
3 study process, it isn't relevant. Eleni explained any major improvements and changes will likely take
4 a very long time; we don't have anything tangible that we could use to get more right of way.

5
6 JOHN ZICCONI MADE A MOTION, SECONDED BY CHRIS ROY TO APPROVE THE LETTER TO RACHEL
7 LOMONACO, DISTRICT COORDINATOR. MOTION CARRIED UNANIMOUSLY

8
9 7. Charge to Board Development Committee

10 Mike O'Brien extended a congratulations to the members of the Board Development Committee,
11 Chris Roy, Catherine McMains, Jeff Carr, and Dan Kerin. Mike requested they develop a slate of
12 Officers and Executive Committee members to be presented at the May 20, 2020 CCRPC Board
13 Meeting. Chris Roy stated he is resigning from the commission at the end of June 2020 and the
14 CCRPC Board will be without an immediate past chair. Members discussed the possibility of asking
15 Andy Montroll to take on the position.

16
17 8. Admin Policy Update – Disaster Recovery/Continuity of Operations.

18 Forest reviewed proposed amendments to Administrative Policies and Procedures and the CCRPC
19 Disaster Recovery Plan provided with the agenda. He explained the updates included new language
20 and outlines how staff will follow State and Federal laws. The Executive Committee is charged with
21 approving the changes. In this case, the current public health emergency has prompted necessary
22 edits and updates. The first being to the Disaster Recovery Plan. The plan was written from the
23 perspective of the office being damaged or destroyed. We needed a section to address continuity of
24 operations during a situation such as the one we are currently experiencing, where staff have
25 limited or no access to the office and must work remotely. The second update relates to the
26 financial controls in place while remote working. The updates are necessary now, but also make
27 sense moving forward to become more efficient. The final set of updates were prompted by
28 outdated MPO financial procedures. CCRPC staff asks the committee to recognize there are
29 incidental and non-substantive edits that will occur once the changes are made, including page
30 numbering, updates to dates and changes in the table of contents, and to include those changes in
31 their motion to approve the substantive changes. John Zicconi stated there is a lot of language
32 specific to individual people and suggested this be written in the abstract, to allow flexibility. Charlie
33 explained some of the specificity is based on our Auditors recommendation. Members discussed
34 the changes and the impact of staff working remotely. Forest pointed out that most of the changes
35 reflect the need to find a balance between being productive and keeping approvals and procedures
36 in place that allow us to maintain good financial controls.

37
38 BARBARA ELLIOTT MADE A MOTION, SECONDED BY JOHN ZICCONI TO APPROVE THE AMENDMENTS
39 TO THE ADMINISTRATIVE POLICIES AND PROCEDURES AS PROPOSED. MOTION CARRIED
40 UNANIMOUSLY.

41
42 9. Chair/Executive Director Report.

43 a. Legislative Update: Charlie noted the CCRPC has been helping towns share what they are doing
44 during the public health crisis pertaining to COVID-19. He said we developed a flyer for
45 Colchester residents that outlines guidelines for dealing with COVID-19. Charlie stated the
46 legislature is currently focused on the budget and how the current situation will affect
47 programs. The legislature typically shuts down this time of the year but will likely continue to
48 hold meetings virtually in order to continue important discussions. He said he anticipates Act

1 250 will be picked up again once there is some sense of normalcy and stabilization. The overall
2 climate is changing rapidly, we are in a transition phase and we need to wait and see where it
3 goes. John Zicconi stated people in general are struggling to focus and instead are tuning out.
4 He feels it is important to make sure we pause and be mindful before pushing forward with
5 items since everyone is in a different mindset now.
6

7 10. Review Agenda for April 15, 2020 CCRPC Board Meeting. Charlie referred members to the April
8 Board meeting draft agenda document. Members discussed the difference between holding a
9 workshop versus a formal meeting. Charlie explained the main issue is with the timing of the Clean
10 Water Service Provider application, which would need to be an action item, since it has a due date
11 of May 8, 2020. Members asked if there might be an extension to the due date. Charlie said the
12 Department of Environmental Conservation (DEC) wants to get back to normal as soon as possible,
13 although at this point, they are not sure they will have funding. After discussion, it was agreed that
14 the meeting would be advertised as a workshop meeting only with no business items.
15

16 11. Other Business: There was no other business.
17

18 12. Executive Session: There was none needed.
19

20 13. Adjournment: CHRIS ROY MADE A MOTION, SECONDED BY BARBARA ELLIOTT TO ADJOURN THE
21 MEETING AT 6:57 P.M. MOTION CARRIED UNANIMOUSLY.
22

23 Respectfully submitted,
24 Amy Irvin Witham

RFP: Selection of Clean Water Service Provider for Seven Vermont Watershed Basins, Per Act 76 of 2019

Proposal by: Chittenden County Regional Planning Commission
110 West Canal Street, Suite 202, Winooski, VT 05404

April 30, 2020 draft for Clean Water Advisory Cmtee and Executive Cmtee Review

SCOPE OF WORK

(c) (1) A detailed scope of work, no more than 10 pages in length, describing how the deliverables will be met. The plan shall include at a minimum:

A proposal for how the entity will implement the items listed in the Scope of Work section, above, including how the applicant will oversee identification, prioritization, development, construction, verification, inspection, operation, and maintenance of clean water projects.

The CCRPC is seeking to serve as the Clean Water Service Provider (CWSP) for the Northern Lake Champlain Direct Drainages Basin (herein after “Basin 5”). The Chittenden County Regional Planning Commission (CCRPC) will comply with the forthcoming final rules and guidance, as a condition of grants issued under Act 76.

Our Vision:

Our Vision is to couple CCRPC’s well-honed skills in group facilitation, grant administration, and program management to support the on-the-ground expertise of partner organizations and municipalities in developing and implementing non-regulatory water pollution control projects. We will be assisted by the Northwest Regional Planning Commission (NRPC) with establishing relationships outside our RPC region. In coordination with the Vermont Department of Environmental Conservation (DEC), the Northern Lake Champlain Direct Drainages Basin Water Quality Council and assisted by numerous partner organizations and municipalities, the CCRPC will implement a systematic and open process to bring cost-effective projects from concept through development to installation to annual ongoing operation and maintenance.

Project Identification and Prioritization:

Start-up activities:

Upon designation by the State of Vermont and issuance of a contract or grant agreement, the CCRPC will first set up a dedicated webpage at www.ccrpcvt.org to host all relevant content related to acting as the Clean Water Service Provider for Basin 5. Secondly, the CCRPC, with the assistance of NRPC, will organize three separate informational meetings, one each in Chittenden, Franklin and Grand Isle counties so that the CCRPC, can meet with water quality partners and the public so that everyone is brought up to speed about the anticipated and planned

operations of the CCRPC as the CWSP for Basin 5. Finally, the CCRPC will formally begin tracking CWSP-related expenses and activities so as to be able to meet any financial or programmatic requirements established by the DEC.

Formation of Basin Water Quality Council:

Upon designation as a CWSP, our first step will be to form the Basin Water Quality Council (BWQC) for Basin 5. This BWQC will be made up of nine members and formed in accordance with applicable statute, rules and guidance. The CCRPC, with the assistance of NRPC, will invite three different groups to select their Council member consistent with Act 76, as follows:

- to select two (2) persons representing NRCs from the following: Franklin County, Grand Isle County and Winooski Natural Resource Conservation Districts (NRCs) and Vermont Association of Conservation Districts;
- to select two (2) persons representing RPCs from the following: Addison County, Chittenden County and Northwest Regional Planning Commissions (RPC); and
- to select two (2) persons representing local watershed protection organizations from the following Addison County River Watch Collaborative, Friends of Northern Lake Champlain, Lake Champlain Committee, Lake Champlain International, Lake Iroquois Association, Lewis Creek Association, St. Albans Area Watershed Association, Watersheds United Vermont (WUV), and any other similar organizations that may self-identify or be identified by Watersheds United Vermont.

The CCRPC, with the assistance of NRPC, will also make a request to two other groups to make a recommendation to CCRPC as to whom their Council member should be, as follows:

- to recommend to CCRPC one (1) representative from the local and state land conservation organizations such as: Charlotte Land Trust, Hinesburg Land Trust, Richmond Land Trust, South Burlington Land Trust and; statewide land conservation organizations such as Lake Champlain Land Trust, New England Forestry Foundation, Northeast Wilderness Trust, The Nature Conservancy of Vermont, Trust for Public Lands, Vermont Housing & Conservation Board, Vermont Land Trust and the Vermont River Conservancy and any other similar organizations that may be identified.
- to recommend to CCRPC two (2) municipal representatives from the municipalities in Basin 5. We propose that CCRPC and NRPC use their existing clean water advisory committees to each select their municipal representative. There may be one of these representing MS-4 communities and one representing the other municipalities as to be determined by the municipalities.

The CCRPC will provide staff support to the BWQC and help them in establishing Council Rules of Procedure such as member terms and their responsibilities including, but not limited to, project identification and prioritization. These rules, including conflict of interest provisions, will be consistent with the rules and guidance now under development. We hope that the DEC will provide adequate funding to support robust Council member participation either through the basin planning grants or as part of this formula grant. Based upon conversations with our partners, we expect that the level of participation may be about 20 to 40 hours per year.

Inventory of possible projects and project tracking:

In order to be able to assist the BWQC with project identification and project prioritization, upon commencement of an agreement with the Vermont DEC, the CCRPC, with the assistance of NRPC, will first meet with the Vermont DEC Watershed Planner for Basin 5, Karen Bates, to collect information on previously identified non-regulatory projects in the Basin. The primary source for these projects will be the DEC Watershed Projects Database, <https://anrweb.vt.gov/DEC/cleanWaterDashboard/WPDSearch.aspx>.

We will then review the initial list of projects with BWQC members and all other partners in the basin to identify additional projects that are not yet in the database or that will need project identification/development funding to be further scoped for consideration. These project ideas might include, for example, stream reaches that may never have been formally assessed for fluvial erosion hazards or for floodplain restoration opportunities. Often project ideas are received organically through phone calls, emails, field work, stakeholder, outreach and these projects at any given point in time may not be in the state database. It will also be important to solicit the input of municipal conservation commissions. The CCRPC will make sure to add these “new” projects during the identification phase and on an ongoing basis.

We will likely separate the potential project list into two broad categories, consistent with the rules and guidance to be issued by DEC: first, problems/projects that need further Identification & Development and second, those projects ready for Final Design & Implementation. We anticipate asking the BWQC to allocate a sufficient percentage of available project funding towards the Identification & Development phase.

One option which offers good potential for displaying the project priorities will be the utilization of an ArcGIS Dashboard if it is not possible to use the DEC database for this purpose. CCRPC already uses this option to assist its municipalities with identification and tracking of each town’s progress in meeting the requirements of the Municipal Roads General Permit, see: <http://map.ccrpcvt.org/reidashboard>. The CCRPC and NRPC therefore will work together to develop a single online Basin 5 Non-Regulatory Project Dashboard to easily identify eligible projects and share with the BWQC and partners for prioritization. Data on projects will be imported into this dashboard from the watershed project database and/or Clean Water Project Explorer as well as entered into the dashboard directly by CCRPC, NRPC and partners. This ArcGIS online dashboard will be used to display information on project status, eligibility determinations, projected phosphorus reduction, cost (both project and Operations and Maintenance), and feasibility factors (landowner willingness, etc.). Additionally, any projects that are currently in the watershed database that are deemed “ineligible” by the DEC will be recorded as such and an explanation included in order to track that information. Through regular communication with DEC, we will work to ensure that our Basin 5 Non-Regulatory Project Dashboard and the DEC Watershed Projects Database are mutually updated on an ongoing basis. Finally, it is our intent that the database be fully accessible to Council members and partners/subgrantees recruited as described below.

The CCRPC will ensure that applicable data from the ArcGIS Dashboard will be easily extracted and translated to any DEC-developed IT solution for tracking and reporting. The Dashboard as

proposed is not intended to be duplicative of the WPD or the Clean Water Project Explorer; this tool would provide similar transparency in conveying information and tracking indicators on eligible non-regulatory projects for the purposes of project identification, prioritization and progress reporting.

Prioritization of Projects:

As prescribed in Act 76, the responsibility for prioritization of projects rests with the BWQC. After the BWQC is formally convened, the CCRPC will act in an administrative and technical support capacity to assist the BWQC with developing the best mechanisms to present and analyze the potential projects to make for the most efficient process for the BWQC to prioritize investments in Basin 5 to meet the assigned phosphorus reduction target.

This prioritization process will also be informed by and consistent with the 2020 update to the Basin 5 Tactical Basin Plan which should be completed this summer. The BWQC and CCRPC will also use DEC's Clean Water Project Explorer <https://anrweb.vt.gov/DEC/cleanWaterDashboard/ProjectExplorer.aspx> as well as DEC's Clean Water Roadmap: <https://anrweb.vt.gov/DEC/CWR/CWR-tool> to inform this process.

We expect that, consistent with draft guidance under development by DEC, potential projects for Implementation will first receive a technical score established by DEC to evaluate pollution reduction and related water quality benefits vs. costs (e.g. \$ per lbs. phosphorus reduced). Secondly, the project will then receive a co-benefit score established by the Council. CCRPC will develop a first draft of this co-benefit scoring methodology with the other CWSPs which will identify potential co-benefits (e.g., readiness, matching funds, hazard mitigation, habitat, socio-economic, educational benefit, etc.) and their proposed weighting. The BWQC will then determine the final version of the co-benefit scoring process.

Given the importance of this step, we intend to invite all partners in the basin to participate in this discussion and provide input to the BWQC as they make decisions first about the final co-benefits methodology and secondly as they "score" individual projects on an ongoing basis.

It is expected that the investment of CWSP funds for Identification & Development of projects will go through a similar process but that it will be based more on prioritizing the problems as identified in the Tactical Basin Plan rather than a discrete project solution at this stage. It may be that investments in partner organizations & municipalities for Identification & Development work are made in more of a funding program style rather than per project. For an example, a subgrant to investigate floodplain restoration project opportunities in a given sub-watershed.

Subgrantee Selection and Payment: Development of formal partnerships with water quality partners:

We anticipate that the vast majority of funding flowing through the CCRPC would be invested in partners to identify, develop, design, build, operate, and maintain the prioritized projects. Therefore, CCRPC proposes to, and needs to, enlist many partners in the basin to help us carry out these tasks. Consistent with rules and guidance developed by DEC, and in consultation with

the BWQC, we anticipate the use of a request for qualifications (RFQ) process to solicit, identify and develop formal relationships (aka master agreements) with needed sub-grantees such as watershed associations, watershed groups, natural resource conservation districts, land trusts, land managers, municipalities and conservation organizations along with needed professionals and businesses. We have already identified many of those (see list of BWQC invitees above) but we also need to find out if there are emergent groups or individuals that might be able to assist as well. We will also use the RFQ process to identify and develop agreements with entities with technical and scientific expertise in water quality project design, operations and maintenance as well as entities with experience in construction of water quality projects to assist project partners.

The CCRPC already has several RFQ templates in place which it uses every few years to select firms for, for example, in the fields of Transportation Planning, Public Participation, Water Quality Project Design & Construction Management, Land Use Planning, and Brownfields Site Assessment. Note that the intent of this RFQ process is not to select just a few partners. Rather, the purpose is to be inclusive and welcoming and to find out the different capabilities of organizations, municipalities and businesses in each of the various key tasks required of the CWSP. Respondents to the RFQ shall be asked to provide information on the following criteria: personnel, relevant experience, billing rates, etc. Establishing a pre-qualified list will allow for rapid deployment of funds to bring pollution control projects from concept to completion and facilitate efficient payment to project partners. A comprehensive master agreement would be made between the CCRPC and each selected partner organization, municipality or business after which simple short task orders would then be issued as projects are given authorization. The CCRPC will ensure that DEC contracting requirements are passed through to all sub-grantees and sub-contractors.

The RFQ will solicit organizations, municipalities, firms and individuals with expertise in one or more of the following:

- Project Identification and Development
- Project Design & Permitting
- Implementation:
- Verification and Inspection
- Operations & Maintenance

CCRPC anticipates that the BWQC will both authorize a package of projects for construction for each construction season and authorize projects on an ongoing basis for development and/or design. Once projects have been determined to be ready for either final development, design work, permitting, construction, inspection & verification or operations & maintenance, task orders would then be issued by CCRPC to the partners that originally proposed the project. All necessary funds would be awarded to the same partner to manage the development, design or construction project and oversee and pay any needed subcontractors such as engineers and construction firms as well as cover the costs of any administrative tasks such as accounting, financial reporting, progress reporting, documentation, etc. A process (including criteria) will be developed with, and approved by, the BWQC so that minor changes in scope or cost of these task orders may be handled administratively by the CCRPC. In general, CCRPC will provide direct oversight of the task orders it issues for work throughout the Basin. However, should the

workload prove too great or it makes for a smoother relationship, the CCRPC may subgrant funds to NRPC to oversee a project with a partner on a case-by-case basis.

Identification & Development: Partners will be sought to help identify projects that are not yet known, or not yet ready to move forward. This developmental/scoping work will include work with landowners, development of project alternatives, identification of possible constraints and permitting issues, and development of conceptual solutions. The criteria for reviewing these projects include problem identification, expected pollution reduction, and other criteria that may be developed by the BWQC and/or DEC.

Design & Permitting: Respondents will have direct experience with development of conceptual or final designs, final cost estimate and bid documents, completion of applications for required permits and/or easements, access agreements. It is anticipated that the BWQC would review and select professionals for this work based upon qualifications no more than once per year and maybe for two- or three-year terms. Entities selected for this work could either: 1) be under subcontract with a partner organization or municipality who would oversee their work and also be responsible for overall management of a project or 2) be under contract with the CCRPC and be available to provide ad hoc consulting assistance to partners for smaller projects.

Implementation: Respondents will have direct experience with actual physical implementation of projects or with the management of construction firms performing same. Respondents will have experience with the completion of progress and financial reporting and maintaining adequate records of same. Each project funded by the CCRPC as CWSP would be managed by a partner organization or municipality who is responsible for overall successful implementation of the project. If cash flow requirements and challenges make this desirable, the construction firms assisting a project partner/implementor could be paid directly by the CWSP. Before any project will be approved for construction, the CCRPC will ensure that the project implementer has secured any required permits

Verification and Inspection: As the CWSP, CCRPC will either develop the expertise in-house or hire firms, individuals, municipalities or organizations with experience in inspection of water quality projects to verify that they constructed in accordance with the Final Design and Project Specifications, and any DEC, federal or municipal rules and/or permits, Dan Albrecht has received certificates from the American Stormwater Center as both a Certified Stormwater Inspector and as a MS4 Low-Impact Development / Green Stormwater Infrastructure Inspector and could handle inspections/verifications not requiring an engineer's certification but consistent with DEC requirements. The proposed RFQ process will likely garner both engineering firms as well as other qualified individuals and organizations who can assist the CCRPC in these efforts. Each selected entity would have an agreement with the CCRPC, and work would be assigned via task orders. The CWSP/BWQC will establish performance criteria for inspection and verification consistent with DEC requirements. It is anticipated that this task will be completed using the mobile application, "Survey 123," currently used by the DEC Stormwater Program. This will ensure that verification, inspection, and recommendations for maintenance is conducted in a consistent manner across projects in the region.

Operations and Maintenance: Entities selected for this task will be expected to have experience

in operations and maintenance of non-regulatory water pollution control projects as well as experience with record-keeping and reporting on same. As the CWSP, CCRPC expects to work with the BWQC on how to best invest in partners to operate and maintain installed projects and practices. The amounts of these investments are not known at this time, but we expect them to be some percentage of the cost of implementation or a flat annual fee, depending on the type of project. The party responsible for Operations & Maintenance determined by the project sponsor earlier in the process and any necessary easements and/or agreements will be secured prior to implementation and consistent with DEC rules and guidance. The first and preferred option would be for the partner to enter into a contract with the CWSP to provide these services for the design life of the implemented practice. If that is not desired by the partner or by the landowner, the CWSP in consultation with the BWQC would contract with a third party to perform these annual services. The responsibility and liability would reside with the entity paid to provide this service through the funding agreement consistent with DEC rules and guidance.

In summary, the CCRPC will be responsible for ensuring projects meet set standards as they progress from design to construction with the assigned project implementer. Design projects will need to demonstrate that they have been screened for natural resource constraints and determined necessary permits. Implementation projects will need to obtain necessary permits and agreements for operations and maintenance of the practice prior to construction.

(c) (2) A description of support systems – systems currently in use or proposed by the applicant to support their IT and financial systems, and, and a statement committing to use DEC-developed IT solutions for project tracking and reporting.

CCRPC has well-developed IT and financial systems. Our IT system consists of a file server, 20+ laptops, 3 printers, a Network Attached Storage back-up system as well as an off-site back-up system. The back-up system runs hourly onsite and at the off-site location. Pam Brangan, CCRPC GIS Data & IT Manager helps troubleshoot minor IT issues as needed. CCRPC is also assisted by The Tech Group, an on-call tech support consulting firm based in South Burlington. The firm monitors the computer system (server and user laptops) 24x7 in an effort to minimize issues. Lastly, our email system is routed through a 3rd party SPAM/virus software to reduce the chances of virus or phishing programs infiltrating our system.

CCRPC has well established and proven accounting systems that meet all federal and state standards for managing federal and state awards. CCRPC currently manages around \$5 to \$6 million dollars a year in federal, state, local and non-profit grants. CCRPC uses QuickBooks accounting software, which is backed up on the file server and can be accessed in the office or remotely. Financial systems and procedures have been developed and updated periodically in CCRPC's Administrative and Operating Policies and Procedures (*see attachment X*) as approved by the CCRPC Executive Committee and are available upon request. CCRPC is audited each fiscal year by an independent Certified Public Accounting firm and has been free of any significant findings for at least the last ten years. CCRPC expends more than the current threshold, \$750,000 in a fiscal year, of federal funds and therefore undergoes a Federal Single Audit each year. CCRPC's financial systems have consistently demonstrated the ability to manage state and federal funds and is considered a low risk auditee.

The CCRPC commits to using DEC-developed IT solutions for project tracking and reporting and the proposed dashboard described above would be consistent with and not supplant the DEC-developed solution. The CCRPC will submit interim reports and an annual report to the BWQC and DEC that will show progress made towards project identification, implementation, inspection, maintenance, and meeting phosphorus reduction targets. CCRPC routinely invoices programs and contracts quarterly and would also provide regular reporting on the disbursement of funds. CCRPC will regularly communicate with partners assigned tasks and request reporting on the status of tasks to align with defined reporting timelines of the BWQC and DEC.

(c) (3) A description of current and proposed staffing and partnerships to meet CWSP obligations

Dan Albrecht, CCRPC Senior Planner will be the overall CWSP Program Manager and have oversight of individual projects in Chittenden County. Dan has been with the CCRPC since 2003 and has managed several relevant projects. Dan holds an M.S. in Natural Resources Planning from the University of Vermont and an M.A. in Anthropology from McGill University. Through a subgrant to the Northwest Regional Planning Commission, Amanda Holland, NRPC Regional Planner, will assist the CCRPC as the primary liaison with NRPC region partners. At this time, neither CCRPC nor NRPC plans to hire new staff as part of this administrative and managerial effort. However, should the workload grow, consideration may be given to hiring persons with the needed expertise.

CCRPC, assisted by NRPC staff as needed, will also meet regularly with the DEC and the Basin 5 Water Quality Council to continually update the list of potential projects for identification and prioritization as well track ongoing projects as they move from development to prioritization to construction to operation.

Other CCRPC staff will assist Mr. Albrecht on an ad hoc basis. GIS staff (Pam Brangan, Melanie Needle and Chris Dubin) will assist in maintenance of a project tracking database and an accompanying GIS dashboard. Forest Cohen CCRPC's Senior Business Manager will have responsibility for overall financial reporting and compliance. Charlie Baker and Regina Mahony, CCRPC Executive Director and Planning Program Manager will exercise overall program and staff oversight to assure compliance with state rules and guidance.

As described above, the CCRPC will subgrant with existing and new water quality partners to be the primary entities to carry out project development, construction, inspection, verification, operations and maintenance of water quality projects.

(c) (4) A description of current or proposed operating policies, including internal controls, personnel, procurement, accounts payable, accounts receivable, fixed assets, reconciliation, governing board oversight (for corporate/corporate non-profit entities), records, implementation of Vermont Open Meetings laws, and payroll. Documented policies may replace descriptions as appropriate.

CCRPC has a formal “*Administrative and Operating Policies and Procedures*” manual (*see Attachment X*) which has been updated on a regular basis including most recently on April 1, 2020. The document addresses in detail the required elements noted in the RFP as follows.

Part 1 – Personnel Policy Manual, pages xx-xx.

Part 2 – Procurement Policy, pages 71–79. To achieve transparent and competitive sub-granting and procurement, these policies and procedures have been developed in accordance with 2 *Code of Federal Regulations (CFR) § 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, and *Vermont Agency of Administration Bulletin 3.5 – Procurement and Contracting Procedures*, and *Vermont Agency of Administration Bulletin 5 – Policy for Grant Issuance and Monitoring*. CCRPC staff and all selected contractors will observe and comply with all relevant federal, state, and municipal laws, bylaws, ordinances, and regulations.

Part 3 – Accounting & Internal Controls Policies & Procedures. The CCRPC takes a zero-tolerance approach to fraud or any financial maleficence at any level of the organization. The CCRPC develops, implements, monitors, and enforces policies that prevent fraud and abuse and uphold the standards of the organization. Internal controls are interwoven into all financial operations of the CCRPC. Segregation of duties, multi-step approval processes, layers of oversight, and other proven controls are built into CCRPC daily operations. CCRPC develops, implements, and practices accounting and internal controls and procedures according to 2 *Code of Federal Regulations (CFR) § 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, and *Vermont Agency of Administration Bulletin 5 – Policy for Grant Issuance and Monitoring*. CCRPC undergoes a Federal Single Audit each fiscal year by a Certified Public Accounting Firm to assure practices and policies are in compliance with Generally Accepted Accounting Procedures. More detail can be found as listed below referencing pages in our *Administrative and Operating Policies and Procedures*.

- Internal Controls, page 83.
- Fraud Prevention Policy, page 92.
- Record Retention Policy, pages 96-98.
- Appendix C – Financials Procedures, pages 99-115, covering:
 - Accounts Payable
 - Accounts Receivable
 - Fixed Assets
 - Reconciliation
 - Payroll
 - Federal Awards Management

The CCRPC is governed by the CCRPC Board and CCRPC Executive Committee with the guidance of the Executive Director. The CCRPC Board has general authority over all planning documents, external policy positions, and the annual budget and work program. The Executive Committee oversees the *Administrative and Operating Policies and Procedures* and supervision of the Executive Director. The Executive Director has the responsibility of ensuring compliance with all relevant federal and state laws, supervision of staff and budget oversight. (*See attached CCRPC Bylaws for more detail.*)

CCRPC will examine the risks involved in serving as a CWSP and determine what kinds of additional insurance and liability protection will be needed.

As a subdivision of the State, CCRPC has always been required to follow the Vermont Open Meetings Law. The CCRPC has established a dedicated webpage for its Commission and its numerous committees and posts agenda packets and minutes in compliance with the Open Meetings Law. We also have conducted numerous public engagement efforts around draft planning documents. We expect that we will use our experience in this area to post draft policies or priorities of the BWQC for review and comment by the public. We will compile comments and propose suggestion to address the comments to the BWQC as applicable.

(c) (5) Identify staff and organization experience with facilitation, consensus building, water quality projects, and project management.

With regards to facilitation and consensus building and bringing diverse stakeholders to agreement, the CCRPC is well-suited to this role as it continually engages in this type of work on an ongoing basis across the 19 communities of Chittenden County to develop and reach consensus on a variety of regional plans and topic-based plans. Most notably are the 2018 ECOS Plan (Ecology, Community, Opportunity, Sustainability) which includes the Regional Plan, the Metropolitan Transportation Plan and the Comprehensive Economic Development Strategy for the County and the Annual Unified Planning Work Program outlining CCRPC's planned projects totaling over \$5 Million. Mr. Baker and Ms. Mahony are heavily involved in both of these efforts. They work not only with representatives of the county's 19 municipalities but also with 20+ partner organizations in health, human services, energy, transportation, natural resources and academia.

Other major plans which we update every few years include the Chittenden County Multi-Jurisdictional All-Hazards Mitigation Plan, the CCRC Public Participation Plan, the Active Transportation Plan, and the County Energy Plan. In addition to monthly Commission meetings, CCRPC staff also facilitate and organize regular meetings of its Brownfields, Clean Water, MS4, Planning, and Transportation Advisory Committees. With their expertise in facilitating high-level multi-partner planning processes, Mr. Baker and Ms. Mahony will assist the BWQC in their work to prioritize CWSP-administered funds for water quality projects.

Throughout his 27-years in natural resources public policy, first in Alaska and second, here in Vermont (*see attached résumé*), Dan Albrecht has primarily functioned as a project/program manager. In recent years, he has managed or is managing the following broad-based programs for CCRPC including several related to water quality such as seven Clean Water Block Grants and two Design Implementation Block Grants, four ERP-funded Stormwater Master Plans, five DEC-funded Tactical Basin Planning outreach grants and fifteen years of stormwater outreach on behalf of the County's twelve MS4 permittees (*see details in Attachments section*).

REGULAR MEETING AGENDA

Wednesday, May 20, 2020 - **6:00 p.m.**



Remote Access Meeting Only

Please join the meeting by clicking <https://global.gotomeeting.com/join/221994725>.

For those who would prefer to join by phone or those without a microphone on your computer, please dial in using your phone. (For supported devices, tap a one-touch number below to join instantly.)

Call: +1 (872) 240-3311

Access Code: 221-994-725

- One-touch: [tel:+18722403311,,221994725#](tel:+18722403311,221994725#)

When participating remotely, please wait until you are recognized by the Chair before you speak. For each agenda item, the Chair will make sure to ask if anyone participating remotely would like to speak.

- a. *Use the "chat" feature, raise your hand if on video, or ask the Chair to request to speak. To ensure everyone is heard, only one person should speak at a time.*
- b. *When recognized by the Chair, introduce yourself each time.*
- c. *Speak up so everyone in person and on the phone can hear clearly.*
- d. *When participating remotely, take steps to avoid background noise, and make sure your microphone/phone is muted when you are not speaking.*

CONSENT AGENDA –

C.1 Minor TIP Amendment – **yes***

DELIBERATIVE AGENDA

1. Call to Order; Attendance; Changes to the Agenda (Action; 1 minute)
2. Public Comment Period on Items NOT on the Agenda (Discussion; 5 minutes)
3. Action on Consent Agenda (MPO Action, if needed; 1 minute)
4. Approve Minutes of March 18, 2020 Meeting* (Action; 1 minute)
5. FY21 UPWP and Budget*
 - a. Public Hearing (Action; 10 minutes)
 - b. Deliberation and Action (Action; 10 minutes)
6. Report of Board Development Committee re. slate of officers for FY21* (Discussion; 5 minutes)
7. Clean Water Service Provider Draft Proposal (new deadline is 5/29/20)* (Action; 20 minutes)
8. Draft Basin 5 – Direct to Lake Tactical Basin Plan - Draft Comment Letter* (Discussion/Possible Action; 10 minutes)
9. Chair/Executive Director Report (Discussion; 20 minutes)
 - a. Annual meeting – election in June, gathering in September
 - b. Legislative Update
 - c. COVID-19 Response and Recovery (<https://www.ccrpcvt.org/covid-19/>)
10. Committee/Liaison Activities & Reports * (Information, 2 minutes)
 - a. Executive Committee (minutes April 1, 2020 and draft minutes May 6, 2020)*
 - i. Act 250 Sec 248 letters

*In accordance with provisions of the Americans with Disabilities Act (ADA) of 1990, the CCRPC will ensure public meeting sites are accessible to all people. Requests for free interpretive or translation services, assistive devices, or other requested accommodations, should be made to Emma Vaughn, CCRPC Title VI Coordinator, at 802-846-4490 ext. *21 or evaughn@ccrpcvt.org, no later than 3 business days prior to the meeting for which services are requested.*

- b. Transportation Advisory Committee (draft minutes May 5, 2020)*
 - c. Clean Water Advisory Committee (minutes April 7, 2020 and draft minutes May 5, 2020)*
 - d. Clean Water Advisory Committee – MS4 Subcommittee (minutes April 7, 2020 and draft minutes May 5, 2020)*
 - e. Planning Advisory Committee (draft minutes April 8, 2020)*
11. Future Agenda Topics (Discussion; 10 minutes)
 12. Members’ Items, Other Business (Information, 5 minutes)
 13. Adjourn

The May 20, 2020 Chittenden County RPC streams LIVE on YouTube at https://www.youtube.com/playlist?list=PLjLFn4BZd2O0l4hJU_nJ9q0l3PdQR0Pp. The meeting will air Sunday, May 24, 2020 at 1 p.m. and is available on the web at <https://www.cctv.org/watch-tv/series/chittenden-county-regional-planning-commission>.

Upcoming Meetings - Unless otherwise noted, all meetings are held at our offices:

- Executive Committee – Wednesday, June 3, 2020, 5:45pm
- Transportation Advisory Committee – Tuesday, June 2, 2020, 9am
- Clean Water Advisory Committee - Tuesday, June 2, 2020, ~11am
- CWAC MS4 Subcommittee - Tuesday, June 2, 2020, ~12:30pm
- Planning Advisory Committee – Wednesday, June 10, 2020, 2:30pm
- CCRPC Annual Board Meeting - Wednesday, June 17, 2020 6:00pm

Tentative future Board agenda items:

June 17, 2020 Annual Meeting	Election of Officers and Executive Committee Members Warn FY21-23 TIP Hearing
July 15, 2020	FY21-23 TIP Hearing with fiscal constraint discussion Basin 5 – Direct to Lake Tactical Basin Plan Conformance
August	NO MEETING
September 16, 2020 <i>Sunset Ballroom, Comfort Suites, 1712 Shelburne Rd., South Burlington</i>	Annual gathering if possible

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