

**BURLINGTON CITY COUNCIL
CITY HALL, CONTOIS AUDITORIUM *OR*
REMOTE MEETING WITH CALL-IN
BURLINGTON, VERMONT
MINUTES OF MEETING
June 10, 2024
DRAFT**

MEMBERS PRESENT:

Joan Shannon
Sarah E Carpenter
Mark Barlow
Gene Bergman
Ben Traverse
Tim Doherty
Melo Grant (Zoom, then in person at 6:21 PM)
Carter Neubieser
Joe Kane
Becca Brown McKnight
Evan Litwin
Marek Broderick

OTHERS PRESENT:

Emma Mulvaney-Stanak
Erin Jacobsen
Katherine Schad
Erik Ramakrishnan
Kim Sturtevant
Lori Olberg
Kara Alnasrawi
Chapin Spencer
Corey Mims
Laura Wheelock
Julia Ursaki
Sarah Russell
Hayley McClenahan
Lacey Smith

1. CALL TO ORDER and AGENDA

The meeting was called to order by City Council President Traverse at 6:04 PM.

MOTION by Councilor Doherty, SECOND by Councilor Bergman, to amend and adopt the agenda as follows:

- **Remove from the consent agenda item 5.6. Use of Vendor Space at A-Dog Skatepark – BPRW (per BPRW);**

- **Add to the consent agenda item 5.11 Ordinance: Restaurant, hotel, amusements and admissions taxes BCO Sec. 21-31 (Councilor Shannon);**
- **Remove from the consent agenda item 5.11 (per City Council President Traverse).**

VOTING: unanimous; motion carries.

2. PUBLIC FORUM: TIME CERTAIN: 6:15 PM

2.1. Verbal Comments

Forum opened at 6:17 PM.

COMMENTS:

Burlington residents (in person):

- Jake Schumann began with a moment of silence to recognize the suffering in Gaza and the West Bank. He said that the City has been discussing how to reform its Police Department for five years and that two articles about egregious behavior at the Police Department have come out in the last week. He said that the City does not have the luxury of time and must act with urgency to ensure that the community has speedy, reasonable, and fair justice.
- Troy Headrick spoke about the joint apology from the Burlington Police Department and Burlington School District on the events of June 5, 2024. He said that the use of passive voice in the apology shifts the ownership of the actions from the BPD to the students who witnessed the event, and was crafted in a way to blame the victims. He said that BPD designed and implemented the training event and that BPD leadership does not have the sense to understand why this sort of training was grossly inappropriate. He said that there is a crisis of trust with the Police Department and this incident is yet another example of how that mistrust developed. He said that there needs to be conversation about the lack of capacity in BPD leadership for good decision-making and repairing the harm that was caused.
- Susanne Sugar spoke about item 6.5, the encampments within the community. She said it is surprising that the City is spending \$50,000 for services at encampments. She said that this feels like the opposite of making Burlington feel safer. She said that the public has lost Church Street, the parking garages, and the parks, as they no longer feel safe. She said that this would now take the waterfront away from the public. She urged the Council to relook at this proposal. She also spoke against safe injection sites, saying that they aren't proven to make a community safer.
- Colin Hilliard and Alex Umber spoke about the Burlington/Kuyalnyck Sister City Program and provided an update to the Council on the upcoming visit to Kuyalnyck, Ukraine. He said that they will be attending the City's Borsch festival and Constitution Day, as well as attend a conference on regional development in the Odessa Oblast. They asked the Mayor to sign a Burlington City flag to deliver it to Kuyalnyck as part of the delegation.
- Erhard Mahnke spoke as an Applicant for a seat on the Planning Commission about his interest in serving on that commission and his qualifications.
- Leif Taranta said that the assertion that the City is losing its public spaces to the unhoused is absurd, that those are members of the community and the fact that they are unhoused is a disgrace to the entire community. He urged the Council to support providing services to the encampments as the least the City can do. He spoke about an incident where 8 police cruisers responded to an incident where a man had a toy rifle, and spoke against the recent BPD training event where they traumatized students.
- Julie Macuga spoke about how Burlington is in the national news again, for traumatizing kids. She said that there is a long list of extremely preventable missteps by the BPD. She spoke about the last five years of personnel changes and spoke about questionable behavior on the part of BPD leadership. She said that they still have not seen positive change in the department, and asked when the City will acknowledge their incompetence and make changes.

- Cheryl Boutilier spoke about the homelessness issue that has gone on for too long and that the police have not been helpful in some circumstances. She asked why the City won't turn abandoned or empty buildings into temporary shelters.

Burlington residents (via Zoom):

- Sharon Bushor spoke about the divided opinion on encampments. She said she is glad that Burlington is addressing this, but that homelessness is a national issue, and she hopes that one thing that comes of this discussion is a meeting attended by cities in Vermont such as Rutland, St. Albans, Burlington, Brattleboro, and Montpelier. She said that the actions taken by the Vermont legislature have exacerbated the homelessness issue, given that they are ending the motel voucher program and leaving communities to address the issue without any funding. She said that both long-term and short-term solutions are needed to support communities that are trying to help these people.

Non-Burlington residents (in person):

- Jeff Nick spoke as a long-time Church Street Marketplace Commissioner, saying that the Marketplace is in critical decline and something needs to be done. He spoke about how retail theft has skyrocketed. He noted that the City has as much at stake here as the retailers and restaurants that do business on the street, since the Marketplace is one of the City's biggest economic engines. He spoke about how tenants are looking to not renew leases or are looking at short-term renewals, about how a national tenant pulled out of a space due to security concerns, and that the Marketplace has a reputation now for retail theft. He said that there needs to be a sense of urgency, and that there needs to be more funding for police street patrols.

Forum closed at 6:42 PM.

3. CLIMATE EMERGENCY REPORTS

3.1 Verbal Reports

None.

4. PUBLIC HEALTH & SAFETY EMERGENCY UPDATES

4.1 Verbal Reports

Mayor Mulvaney-Stanak provided updates from the City staff on work related to community safety. She said that they have begun to identify hot spots or areas of increased negative behavior in the City, the first of which is the library. She said that she convened cross-departmental meetings to identify immediate actions that can be taken to decrease this negative behavior, including fully fencing in Memorial Auditorium and working with the Police Department more closely on drug tips and more targeted enforcement of that area. She said that they have temporarily removed the bus stop in front of the library, given that much of the behavior was occurring in that area. She said that there has been improvement in activity at the library, and that the City will work to better utilize CSOs during after-hours periods of time. She noted that they are turning their focus to hot spots in the City's parking garages and are developing new approaches to be proactive in the spaces, to increase visibility, and to increase safety, by holding individuals accountable who are harming the City. She also spoke about the meetings of the community safety advisors, who have identified immediate actions the City can take to improve safety, including better communication on who to call and cross-department coordination and communication. She noted that she is working to strengthen the relationship between the City and State's Attorney's Office. She noted again the Governor's vetoing of H.72, which would set up an overdose prevention pilot location in Burlington, and spoke about working with Burlington's delegation to support overriding that veto.

Councilor Doherty noted that on June 6, the U.S. Attorney's Office for the District of Vermont issued a press release detailing an example of collaboration between federal and local law enforcement, culminating in a federal search warrant being executed at an apartment on St. Paul Street and the confiscation of significant quantities of illegal controlled substances, handguns, and cash, as well as the arrest of one of the alleged suspects in South Burlington. He said that this collaboration also demonstrates accountability for those who come to the community to do harm.

Councilor Grant said that she hasn't received the statistics from the State Attorney's Office for the last month yet, but plans to provide them and review them at the Public Safety Committee meeting next week. She reminded the public that they must get an incident number for any incident reported, for tracking cases.

5. CONSENT AGENDA

5.1 Motion to adopt the consent agenda (as amended) and take the actions indicated

5.2 Communication: C/T Office, re: Accountability List – waive the reading, accept the communication and place it on file.

5.3 Housing Board of Review Annual Report for 2023 – waive the reading, accept the report, and place it on file.

5.4 Communication: John Guilmotte, re: trimming the trees around the Greenmount Cemetery – waive the reading and place the communication on file.

5.5 Communication: Crystal R. Lafferty, re: Tina verbally assaulted a minor – waive the reading and place the communication on file.

5.6 Use of Vendor Space at A-Dog Skatepark – BPRW - **AGENDA ITEM REMOVED**

5.7 Microsoft Licensing Agreement – BED – approve and authorize the BED General Manager or their designee to execute the three-year licensing agreement between BED and Microsoft commencing on July 15, 2024, subject to final review and approval of the City Attorney's Office.

5.8 Open Space Plan Contract – DPI - approve and authorize the DPI Director or their designee, subject to final review and approval by the City Attorney's Office, to execute the contract with Agency Landscape + Planning for a comprehensive rewrite of the Open Space Plan.

5.9 FIO Documents – for information only.

5.10 Special Event Indoor Entertainment Permit Application (three days only): Paradiso Hi-Fi, 388 Pine Street, Suite 2 – approve the three day only special event indoor entertainment permit application for Paradiso Hi-Fi, 388 Pine Street, Suite 2

5.11 Ordinance: Restaurant, hotel, amusements and admission taxes BCO Sec. 21-31 (Councilor Shannon) - **AGENDA ITEM REMOVED**

MOTION by Councilor Shannon, SECOND by Councilor Broderick, to approve the consent agenda as amended and take the actions indicated for items 5.1-5.11.

VOTING: unanimous; motion carries.

6. DELIBERATIVE AGENDA

6.1 2024 Boards and Commissions Appointments

MOTION by Councilor Barlow, SECOND by Councilor Grant, to approve the 2024 Boards and Commissions appointments as listed. The slate is as follows: Chittenden Solid Waste District – full seat – Lee Perry, Chittenden Solid Waste District – alternate seat – Matt Kobzik, Church Street Marketplace Commission – Sarah Beal, Church Street Marketplace Commission – Cara Tobin, Fence Viewer – Shay Totten, Housing Board of Review – Don Sligh, Winooski Valley Park District – Andrew Jonah Gregg

VOTING: unanimous; motion carries.

6.2 Public Hearing Regarding Setting Common Area Fees FY25
City Council President Traverse opened the public hearing.
There were no public comments.

City Council President Traverse closed the public hearing.

6.2 Resolution: Allocation Method and Standards for Common Area Fee Formula, and Establishment of Common Area Fees for the Church Street Marketplace for Fiscal Year 2025 (Board of Finance)

Executive Director Alnasrawi began by noting that the City is required by charter to review the Church Street Marketplace Common Area Fees annually, and that the Church Street Marketplace Commission makes a recommendation around fees to the Board of Finance and City Council for their consideration. She said that the recommendation for FY25 is to leave the fees unchanged from FY24 levels. She noted that the fees are \$3.02 per ground floor square foot abutting the Church Street Marketplace, which totals approximately \$730,000 (out of the entire \$1 million Church Street Marketplace budget). She noted that the fees were raised from FY23 to FY24 by about 5%, and it was the first time the fees had been increased in five years. She noted that this was unanimously approved by the Board of Finance earlier tonight.

MOTION by Councilor Neubieser, SECOND by Councilor Barlow, to waive the reading and adopt the resolution.

VOTING: unanimous; motion carries (Councilor Broderick absent for vote).

6.3 Champlain Parkway Project – Update and Final Construction Contract – DPW

Director Spencer said that this update is in anticipation of putting this project out to bid later this week and coming back to the Council in August to execute the construction contract for this phase of the Champlain Parkway Project. He summarized the Phase 1 construction. He said that this next phase (Phase 2) has a southern section by I-189 and a section north of Kilburn Street to Main Street. He spoke about the benefits of phasing the project into a first and second phase. He said that by splitting the project into two phases, DPW was able to get online a large portion of the project before the entire project is complete, which range from environmental benefits to reducing the amount of phosphorous entering Lake Champlain to opening new miles of shared use path and another South End city street.

Director Spencer then summarized the final construction contract (for the Phase 2 work). He said that it will occur in a southern section (I-189 to Home Avenue) and a northern section (Kilburn Street to Main Street). He noted that the cost, by the latest engineer's estimate, is \$24.5 million, and the duration will be from Summer 2024 to Summer 2026.

Director Spencer spoke about reinvestment activities in the King and Maple Neighborhood that occurred in order to prepare for this project. These activities began in 2014 and were completed in 2020, and consist of more than \$5 million in capital reinvestment. They include crosswalks, infrastructure improvements, traffic calming, repaving, signal upgrades, and rehabilitation of St. Paul Street to Great Street standards. He noted that while there will be a projected 9% increase in traffic in the neighborhood, there are corresponding improvements that will mitigate these impacts and make traffic and operations safer than they are today.

Senior Engineer Mims outlined the financing of the Champlain Parkway project. He said that the total project cost is approximately \$90 million across phases, with a split between pre-construction, initial construction, and final construction phases of \$14 million/\$40 million/\$36.5 million, respectively. He noted that the federal share is 95% of participating costs, state share is 3% of participating costs, and the local

match is 2% of participating costs (around \$1.7 million). He said that non-participating costs of around \$6.8 million. He noted that the City's total contribution to the project is \$7.2 million.

Senior Engineer Mims then spoke about the stages of public engagement from 2009 to 2021, and public meetings specifically focused on the King/Maple Neighborhood in 2019-2020.

Senior Engineer Mims then spoke about how the Champlain Parkway project fits into the South End Coordinated Redevelopment work, and how they influence traffic impacts. He said that based on traffic counts and modeling, there is an excess capacity of about 2,000 vehicle trips that could be accommodated, based on updated numbers between the 2009 and 2022 traffic analyses. He said that they are not seeing the initial phase of development causing any significant issues to the capacity of Pine Street following the completion of the Champlain Parkway project. He summarized other South End construction projects and timelines, including the Railyard Enterprise Project, Main Streets Great Streets project, and the BTC public improvements.

Director Spencer highlighted that DPW will be conducting data collection and monitoring through this project, noting that there are permit conditions that require monitoring of several intersections in the South End, as well as conducting traffic counts, speed counts, and other operational monitoring activities for the King/Maple Neighborhood.

Mayor Mulvaney-Stanak expressed support for this project and the intentionality of engaging the public, particularly in the King/Maple Neighborhood. She expressed support for the public improvements in the King/Maple Neighborhood. She also noted that the Railyard Enterprise project is a crucial piece of this and is part of the City's ongoing long view of what it needs in terms of increasing density.

Councilor Shannon asked if there is a turning lane at the Maple/Pine intersection, saying that the traffic light should be installed at that intersection prior to increasing the traffic on Pine Street. She asked about the non-participating costs and whether the contaminated soils are being covered by the Petroleum Cleanup Fund. She asked about the landscaping. She asked about the traffic calming measures and whether they will improve the flow of traffic (that area does not need calming, but needs increased flow to prevent so many idling cars at those intersections). Director Spencer said that there is no turning lane planned at the intersection of Pine and Maple Streets, noting that projections of that intersection functioning better today are based on not having a turning lane. He said that if there is undue congestion, there are other tools the City can use to improve that. He said that they will explore putting in the traffic light prior to the connection to the interstate. He said that yes, the City is on the hook for the additional soils money not covered by the Petroleum Cleanup Fund, and that this is a required cost. He said that they can provide Councilor Shannon with the landscaping plan and costs. He noted that in terms of traffic calming, there are side streets that are interested in traffic calming similar to the bump outs at intersections on King Street.

Councilor Litwin asked about the road from Home Avenue and whether residents have requested a sound buffer, given that their proximity to the street will be close. He also noted that there is a gap of time between Q3 2026 and Q3 2027 when the Railyard Enterprise project can break ground, and asked that the City to do everything in its power to reduce that time gap and break ground more quickly. He asked that the community be outreached to as productively as possible. Senior Engineer Mims noted that homeowners have mixed feelings about the traffic increase along Home Avenue, but said that they don't anticipate traffic noise being much more than on any other 25 mile-per-hour street. He said that DPW is working diligently to try and close the time gap for breaking ground on the Railyard Enterprise project.

Councilor Grant said that the situation at the King/Pine intersection has greatly improved. She noted that traffic backs up at peak commute times and that at other times drivers do tend to go through the intersection quickly, so she still sees a potential need for traffic calming in future. She said that there may be a need for a left-hand turn or arrow. She also advocated for installing a traffic light.

Councilor Bergman said he hasn't been supportive of this project for decades, and that without the Railyard Enterprise project coming online in tandem to siphon traffic, this puts him in a difficult position. He acknowledged many improvements, though. He asked for more information on whether the CityPlace development was incorporated into traffic projections. He asked about the traffic volume increases from the present on Maple/Pine and King/Pine intersections. He said he would also like to see update memos on future engagement with the public to deal with traffic congestion and bicycle and pedestrian safety. He said he would like to see a more detailed schedule of issues around the timeline for the Railyard Enterprise project. He expressed concern about bike traffic at the King/Pine and Maple/Pine intersections and asked for more information about bike lanes. Senior Engineer Mims described the proposed bike lane configuration. Councilor Bergman asked for a more detailed written description of the bicycle lane configuration, with an emphasis on safety.

Councilor Shannon asked for more information on the impact to neighbors who can no longer park on Pine Street and how they were notified of the change. She also asked for further clarification on why the City has to pay for 100% of cleaning up contamination and what the implications are of refusing to pay, and Director Spencer said that they will provide further clarification in writing.

6.4 Reconnecting Bank and Cherry Concept Presentation – DPW

Public Works Engineer Ursaki began by noting that this is an informational presentation on the concept of reconnecting Bank and Cherry Streets, which will give the Council time to take in the information and ask questions prior to DPW coming to the Council on June 24th to formally ask for concept approval. She began by providing a history of the project, beginning with voter approval in 2016 of the Tax Increment Financing (TIF) funding for the public improvements and rebuilding Bank and Cherry Streets. She said that the original concept was approved in 2018. She noted that the City was awarded \$15 million of Congressionally-directed spending from Senator Leahy in 2023, and a \$22 million RAISE grant, also in 2023.

Public Works Engineer Ursaki noted that the basis of the design concept for reconnecting Bank and Cherry Streets comes from two foundational documents, the Plan BTV WalkBike and the Great Streets BTV plans. She noted that the Great Streets BTV plan in particular has an extensive list of street types, how those are defined, and for what uses. She noted that the Plan BTV WalkBike identifies Main Street and Pearl Street as two major East-West bikeways through the city and Battery Street and Winooski Avenue as the North-South connectors.

Public Works Engineer Ursaki then outlined the proposed improvements for Cherry Street and Bank Street. She showed proposed configurations for Cherry Street that include 66 feet of right-of-way and 36 feet of roadway, with uses on the street, for pedestrians, for cyclists, for parking, deliveries, cars, trucks, and buses. She noted another configuration that also includes amenities such as stormwater treatment, bike parking, and public seating in some areas close to businesses. She also noted that there would be a new, 7-foot-wide sidewalk throughout the corridor. She then provided similar configurations for Bank Street, noting that the design allows for Bank Street to become a festival street for special events.

Public Works Engineer Ursaki then spoke about next steps for the concept. These include public meetings at the Church Street Commission and Public Works Commission in June, with approval from the City Council at its meeting on June 24. She noted that design development will occur in June-October 2024, an environmental review is anticipated from October 2024-April 2025, design, permitting, and right-of-way in April 2025-May 2026, and construction for Cherry Street beginning in 2026 and Bank/Pine/St. Paul Streets in 2027.

Councilor Kane asked why the travel lanes wouldn't all be ten feet given the low travel speed, and Public Works Engineer Ursaki replied that it is due to the proximity of the downtown transit center, and there was an extra foot added for bus access. Councilor Kane noted that of the three options proposed for Bank Street in 2017, this option seems less ambitious, and asked if there were considerations for raising the street

to the sidewalk level, including special pavement, and having a 10 mile-per-hour limit. Public Works Engineer Ursaki replied that speeds cannot be set below 20 miles-per-hour per state statute and that it is at sidewalk level and is designed to be a slow space with many uses. She noted that asphalt is used for paving, given that there are so many utilities under Bank Street. Councilor Kane asked about the parking being net neutral and not reduced. Public Works Engineer Ursaki replied that they are removing spaces for different amenities and adding some spaces on the new blocks of Pine and St. Paul Streets. She noted that businesses have said that parking is very important. She noted options for pedestrian plazas in the place of parking spaces. Councilor Kane asked about the feasibility of having one or more streets be pedestrian only, and Senior Engineer Wheelock replied that they looked into this but that it wasn't feasible.

Councilor Grant said she would like to see more consideration for shared use paths and bicycle lanes, particularly on Cherry Street. Director Spencer replied that DPW is interested in creating a network of bicycle lanes and said that Pearl Street will connect to Battery Street bicycle facilities. He said that PlanBTV BikeWalk helped to determine which streets are the most strategic for enhanced bicycle infrastructure.

Councilor McKnight challenged the idea that car-free streets are bad for business. She encouraged the City to think innovatively about what it means to have a downtown and move away from car-centric configurations. Senior Engineer Wheelock noted that CityPlace is required to develop their project with doors and storefronts all around their development. She also noted that St. Paul Street is a key vehicular road for Green Mountain Transit, and that these roads are vehicle driveways and significant loading dock access for CityPlace. Councilor McKnight encouraged the City to think more about Pine Street and think about how to replicate Church Street in other areas. Director Spencer noted that one advantage of having a curbside Bank Street is that it can be configured in a number of different ways (including as a pedestrian street), so they can see what works and what doesn't.

Councilor Litwin asked whether DPW had explored making one-way streets. He also noted that much of the focus is on safety as it relates to travel, but said that the current public safety situation in the downtown makes it unlikely that people will want to take advantage of the amenities in this concept. He said he would like to see a satellite or kiosk for security or police to be potentially staffed to ensure that people feel physically safe and go downtown to enjoy these amenities. Senior Engineer Wheelock said that they hadn't thought about public safety kiosks specifically, but they had thought about public restrooms and drinking fountains. She said that they can site them and can review what uses can be put into them.

Councilor Carpenter spoke about key businesses on Cherry Street, which include the elder-care facility at Cathedral Square, and that it doesn't have its own site parking but has a lot of staff and visitors, the courthouse, and old State office building on Cherry Street. She said that those businesses should be kept in mind.

Councilor Neubieser echoed Councilor McKnight's comments around the desire for a totally walkable downtown.

6.5 Seasonal Health Response to Encampments Working Session

Mayor Mulvaney-Stanak noted that this is a proactive plan that addresses the chronic issues the City has seen with encampments over the last several years, as well as a health and safety issues around the unhoused. She said that this is less of a policy change and more of a working session on how to respond to the challenges that are present. She said that the City is enforcing its parks ordinance in terms of parks and rights-of-way, and working on a public lands ordinance. She also expressed concern about what is on the horizon in terms of changes in funding and programming that the State administers, particularly because they tend to have disparately large impacts on Burlington as the largest city in the state. She said that this plan is adaptive, responsive, and temporary as part of the City's approach to the seasonal issue around camping. She noted that her staff conduct a weekly internal review and look at the conditions of the encampments at those times.

Special Assistant Russell said that this presentation and work session are an opportunity to provide the Council with an update from staff on how they are approaching and coordinating the response to the increasing unsheltered population within the City and across Chittenden County. She began by providing an update on homeless data from across Chittenden County, noting that 684 households were involved in Coordinated Entry in April, and that the May unsheltered census was 288 individuals. She noted that 260 households were housed during FY24. She noted that around 60-80 individuals were unhoused in 2022, which increased to 140-160 during 2023, and was at 192 in January 2024. She spoke about the need for expanding emergency shelter capacity and other mechanisms to address the growing population of unsheltered individuals. She provided an overview of current shelter capacity in Chittenden County for low, medium, and high-barrier shelters. She noted that out of the 11 shelters in Chittenden County, only 2 of them are outside of Burlington. She spoke about exercises to analyze the data from the Coordinated Entry program to determine what types of shelter capacity are needed for different sub-populations, in order to more adequately address needs. She noted that the total additional shelter capacity needed is 400 beds/rooms. She said that this requires additional physical space, as well as partnership and funding from the State Agency of Human Services (AHS), as well as engagement from the Designated Agencies to provide mental health and substance use disorder services.

Special Assistant Russell then spoke about proposed resources and strategies to support response efforts. These include identifying resources that could be strategically placed to help meet basic needs and mitigate health and environmental concerns, community engagement strategies with other stakeholders, and proactive planning to expand shelter capacity. She noted that with respect to identifying resources to help meet basic needs, these include the provision of portable toilets and handwashing stations, dumpsters for waste management, potable water, lighting, and sharps receptacles. She noted that this strategy is not intended to encourage encampments, but to respond to evolving challenges of unsheltered homelessness in a way that is human-centered. She spoke about the City's efforts to determine the best locations for these supports and resources, saying that they are targeted the areas with current encampments that have a lack of available sanitation resources while taking into account the health and safety of City staff, campers, and the broader community, as well as impacts to water quality and ecology. She noted that the City is not establishing sanctioned camping areas, but is providing temporary seasonal sanitation resources to mitigate negative health and environmental impacts. She spoke about the City's camping on public lands policy, saying that there is no change to enforcement or removal activities from FY24, that camps in parks and programmed areas are noticed for removal, but that the City will exercise tolerance of camps on public lands and will continuously monitor and evaluate them for safety, resources, conflict management, and may remove them as necessary. She then spoke about strategies around community engagement, which include engaging partners to coordinate outreach efforts, coordinating cross-department communication to increase collaboration, proactively mitigating conflict, and maintaining trauma-informed practices. She then spoke about strategies around proactive planning to expand shelter capacity. She said that this includes identifying necessary capacity, communicating and coordinating with partner agencies that provide shelter, monitoring the General Assistance Emergency Housing Program and its changes, engaging neighboring town and city leadership, and determining what Burlington's role is in shelter expansion. She emphasized that emergency shelter is not a solution to homelessness, and that true affordable housing is. She noted that the State has issued an RFP with significant investment in the state of up to \$10 million to expand shelter capacity either for the winter season or on an ongoing basis.

Special Assistant Russell then spoke about next steps. These include finalizing and approving the FY25 Community Safety Budget of \$50,000 for community resources, conducting a feasibility assessment of the City's role in expanding shelter capacity, continuing advocacy efforts for increased support and leadership from AHS and partners at the State, and ensuring clear and transparent communication with community partners, the City Council, and members of the public.

Councilor Litwin asked about the urban reserve area and how camping is prohibited there, and it is signed as such. He said that this appears to be a point of contention, given that there are some tents in that area. He asked whether there are exceptions to this rule from legacy encampments or areas that are not impeding recreational use of the waterfront. Special Assistant Russell replied that the City is exercising

tolerance and that they are trying to steer clear of allowing encampments in conservation areas of the urban reserve. Assistant City Attorney McClenahan added that even in spaces where camping is prohibited by ordinance or posting, the City's policy is an outreach approach to engaging with individuals in those public spaces, followed by enforcement if necessary. She said that although there are spaces where it is prohibited to camp, the City is focusing on outreach and then enforcement, but not a lack of enforcement.

Councilor Neubieser said that there are concerns among constituents that if the City provides resources that mitigate negative externalities and impacts on the houseless community that it will attract more unhoused individuals to come to Burlington. He asked whether there is data to support this. Special Assistant Russell replied that this is a misconception and that when they began tracking data in 2021, they found that in the motel program, only 32 households statewide had come from out-of-state, out of 2,500 that were housed in the motel program. She said that the largest population of people who are coming from out-of-state are households that are fleeing from domestic violence. Councilor Neubieser asked whether there has been a change in camping policy from last summer, and Special Assistant Russell replied that there hasn't been a change in policy or enforcement.

Councilor Doherty asked for confirmation that out of 183 year-round beds in Chittenden County, only 28 of them are outside of Burlington. Special Assistant Russell confirmed this. Councilor Doherty said that he has heard comments that Burlington isn't doing enough, but it seems like Burlington is doing almost everything. He said that this is a problem that is not reasonable or remotely possible for Burlington to address on its own. He asked how many of the 288 currently unsheltered individuals are in Burlington versus South Burlington or Essex, and what assessments have been conducted to determine whether existing policies are encouraging individuals to camp in Burlington, and further asked whether any discussions have occurred about accountability on behalf of those individuals living in encampments. Special Assistant Russell replied that because Vermont does not have county-level leadership, it has likely played a role in its lack of success with engaging neighboring towns on this issue. She said that with regards to accountability, the City needs to offer the stability of shelter and encourage individuals to work on goals that are housing focused, saying that no one wants to be unhoused. She said that it is also unfair to compare one shelter's outcomes to another, given that they are likely treating diverse populations and have various levels of barriers to access. Mayor Mulvaney-Stanak said that she is engaging with the Chittenden County Regional Planning Commission (CCRPC), given that this is the only quasi-governmental county-level structure that the State has, and is trying to build relationships and assemble a coalition of community partners on this issue.

Councilor Grant thanked Special Assistant Russell for providing clarity on this topic, given the level of misinformation in the community. She said that the Burlington community cannot ignore this issue. She thanked Special Assistant Russell for clarifying that the majority of the people in unhoused situations are from in-state. She said that Burlington sees the highest proportion of these individuals because Burlington has the most services, even though there is a lack of housing. She said that the community needs to learn from the Sears Lane experience, which involved an encampment that was established and entrenched and that the City was not proactive about it. She said that the City needs to deal with the hard reality that there is physical space needed for these people and that sanitary issues need to be addressed with dignity. She also said that there are hidden costs associated with managing the unhoused situation in Burlington, given that staff across departments (such as Parks) are spending hours dealing with various issues around this issue, rather than doing their regular jobs. She said she supports being proactive, real, and humane about this issue.

Councilor Barlow said that \$50,000 seems woefully inadequate to address the problem. He asked whether there will be some detailed planning about how many resources \$50,000 will buy and for how long. He said that he suspects this funding will not last very long. He also said that there will likely be costs associated with how to remediate campsites once they are abandoned. Special Assistant Russell spoke about how this is a pilot and a temporary response, and that it is also being supplemented by collaboration from other City staff, such as the Police and Fire Departments.

Councilor Bergman expressed support for providing basic health and safety supports for the unhoused individuals in the City. He requested that any changes either to the policy or the implementation of the policy (such as more involvement from the CSOs or CSLs) be documented and dated, so that the City can track that. He also asked for case studies in how the City has approached existing encampments and the efforts around them. He said that there needs to be real community engagement with the people who live in Manhattan Drive, Louis, and Walnut Streets, given that there is potentially going to be an encampment sited near there. He said that there may be unintended consequences of putting facilities down in the dump area past Manhattan Drive, if it isn't going to be patrolled regularly by the Parks Department, Fire Department, or Police Department.

Councilor Shannon spoke about the comments regarding whether the City was proactive or reactive to Sears Lane, and said that what the City is doing right now is reactive, in that it is reacting to where people are camping. She said that a similar approach was taken at Sears Lane, and is concerned that the outcome will be the same. She asked about the Elmwood Avenue Shelter and its status. She agreed about most of the unhoused being from in-state, based on her engagement with individuals in the Sears Lane encampment, but noted that she has not encountered anyone from Burlington, but that they were from other parts of Vermont. She expressed hope that the Mayor can help engage other municipalities to come to some level of shared responsibility. She asked about the City's seasonality with respect to its sheltering needs. She asked if all individuals in the urban reserve encampment have been noticed. Special Assistant Russell said that from her perspective, the City is being more proactive around these encampments than at Sears Lane, as they are providing support prior to many of these encampments being formed. She said that the goal for the Elmwood Shelter is that it transition to permanent supportive housing, but that the City is intending for it to remain a shelter for now, given the shelter capacity needed in the City.

Councilor Broderick asked how the City is helping transition individuals to housing once it shuts down an encampment. Special Assistant Russell that the sheltering on public lands policy contains provisions for outreach and connection to services and ensuring that individuals are not uprooted without doing due diligence to make sure that they're connected to resources.

Councilor Carpenter expressed frustration about the lack of engagement from other municipalities around the state. She also noted that there are individuals in line waiting to get a caseworker, which is a massive part of the systemic problem around rehousing people. She said that in terms of the policy itself, she asked about how accountability is enforced for individuals in encampments. She also spoke about the need for more CSOs, given that the City has capacity for 11 but that it only has 6.

Councilor McKnight said that encampments are going to be a reality for a number of years, given the number of individuals who have been left behind by the State. She said that encampments degrade the quality of life for everyone in the community but acknowledged that the City does not have the resources to accommodate all unsheltered individuals. She said that Burlingtonians are frustrated and feel unsafe about the encampments that are in Burlington and said that this needs to be reflected more in policies and plans. She said that a more proactive approach would be to determine where encampments are allowed and site services there, rather than bring services to already-established encampments. She also asked how long it will take for non-sanctioned areas such as the vestibule of a City business or the Library's front lawn to get cleaned up, since they are not technically parks but have been areas that have been affected by the unhoused. She also said that the City needs to provide more clear guidelines to the public on how they can report a new encampment or an issue with an encampment. She also asked how dangerous activity is being addressed in encampments.

Mayor Mulvaney-Stanak commended Special Assistant Russell, Assistant Director Smith, Assistant City Attorney McClenahan, and Deputy Chief of Staff McGee for the work they have put in for the City around this issue.

6.6 FY25 General Fund Budget Working Session

Chief Administrative Officer Schad began by briefly outlining the budget principles used as the framework for developing the FY25 budget (touched upon in numerous previous Board of Finance and City Council budget presentations). She provided an overview of the General Fund and how it has grown year-over-year, and that they are proposing a roughly \$7 million increase over FY24. She spoke about the \$13.1 million budget gap, which include increased expenses of \$6.6 million and unsustainable revenues to replace totaling \$6.5 million. She briefly summarized the major elements of the solution to close that gap, which include measures to increase tax revenue, increase user fees, strategically use one-time funding, use budget savings, and increase other revenues. She noted that previous municipal tax rate increases for FY25 included TIF parcels in the grand list, but has since learned that TIF parcels are not included in the grand list value used to set the tax rate. She said that this led to an increase in the projected FY25 municipal tax rate from 8.6% to 10.7%. She spoke about the total impact of increases from FY24 to FY25, which include the educational tax, municipal tax, electricity rate increases, water rate increases, and recycling rate increases, which result in an average monthly increase of \$64.99 on a \$300,000 home, \$101.53 on a \$500,000 home, and \$138.12 on a \$700,000 home.

Chief Administrative Officer Schad spoke in more detail about the correction to the grand list values. She said that this means \$1.1 million less in tax revenue than previously forecast, and that the City is proposing to make up the difference by increasing the gross receipts by \$525,000 from businesses that fell behind in paying in FY24, increasing financial services revenues by \$50,000, increasing bond premiums by \$200,000, increasing recording fees by \$50,000, reducing C/T consulting expenses by \$50,000, increasing the collection of deferred accounts by \$198,000, and removing an ambulance payment of \$115,000.

Chief Administrative Officer Schad then spoke about looking ahead to FY26. She noted that many of the budget challenges present for the FY25 budget build are likely to intensify in future years, so the City is implementing a number of measures and activities to proactively manage this. These include finalizing the operational efficiency analysis in June and beginning robust community discussions about rightsizing government to make it affordable, continuing to implement the findings of the user fee study, developing a Capital Financing Plan to meet the City's needs in the face of nonexistent bond capacity, actively investigating non-property tax sources of revenue including franchise fees and payments in lieu of taxes and fee-for-service agreements, and strictly monitoring expenses throughout the year to ensure a balanced budget. Mayor Mulvaney-Stanak noted that there are many practices in the City that can be improved in terms of financial responsibility, in terms of tracking policies, procedures, and documentation in order to ensure continuity of government.

Councilor Doherty asked about the increase in gross receipts revenue and how businesses had fallen behind on paying. Chief Administrative Officer Schad replied that the City was aware at the beginning of this year that there were certain businesses that were delinquent on gross receipts payments, as some of them have been long-standing establishments. She noted that the City does not require businesses to register when they come online, so the C/T Office has no formal way to know that a business has started and to notify them to begin submitting gross receipts. She noted that of 341 active gross receipts accounts, 21 of them are delinquent. She said that it also takes time to work with businesses and set up a payment plan with them. She said that this is part of a larger conversation around registration of businesses and enforcement of ordinances. Councilor Doherty asked how reliable the \$525,000 projection is. Chief Administrative Officer Schad replied that the projection is based on both a number of businesses who are on a payment plan, which is reliable, and a second group of businesses who weren't paying prior to FY25, but are now caught up and the City anticipates them continuing to pay gross receipts.

Councilor Litwin asked how the City is now identifying new businesses, given this gap in process. He asked about contingencies if the revenue from a portion of the gross receipts fails to materialize. Chief Administrative Officer Schad replied that the C/T Office is working with the Business and Workforce Development Office to identify the new businesses that come online and create a database for tracking purposes. She

added that the projected numbers for the gross receipts tax and other fees associated with revenue increases only assume a portion of what is outstanding is collected.

Councilor Grant asked about the root causes of not discovering new businesses and how they fell through the cracks. Chief Administrative Officer Schad replied that the City is trying to be proactive about it without creating undue administrative burden for businesses. She said that C/T and Business and Workforce Development staff are collaborating on this. Mayor Mulvaney-Stanak also noted that it is a legal requirement that businesses register with the Vermont Secretary of State.

Councilor Neubieser said that this budget helps to set the City up to address more challenges in the long-term and puts the City on a path to solving some of these issues in a pragmatic and sustainable way. He said that this budget demonstrates the way in which City staff and the Mayor's Office are putting an emphasis on transparency, open communication, and sharing information proactively.

City Council President Traverse said that he anticipates that there will be continued discussions around the public safety funding in this budget. He said that he appreciates the fact that when the City asked voters for an increase in the public safety tax, they committed to budgeting in FY25 for 77 sworn officers, which was confirmed by the Mayor's Office today. He said that he appreciates the Mayor's Office's commitment to hiring above that budgeted number of positions if more officers are able to be hired. He noted, however, that the number of CSOs that were committed to the public are not included in this budget, and that he anticipates that there will be discussion about whether additional resources are needed. He noted that the Police Department currently has 26 officers on patrol for the entire City, with 3-5 on day shifts and 2-3 on night shifts, and that the department no longer has a street crimes unit. He also noted that the Police Department's staffing plan projects that it will not be fully staffed until June 2027, and said that while much of that is outside the City's control, it should make efforts to try and accelerate that as much as possible.

Councilor Carpenter spoke about the lack of additional CSOs, saying that there have been discussions about how to increase recruitment efforts around CSOs in addition to sworn officers. She said that the City needs to be creative in how it tries to find the funding to increase funding for CSO positions.

Councilor Shannon said that the CSOs are critically important positions that can be hired for, and are able to respond to a lot of the calls that are currently not able to be responded to at the Police Department.

Councilor Barlow asked when a draft of the operational analysis will be available for the Council's review. Chief Administrative Officer Schad replied that it should be available within the next week.

Councilor Bergman said that increasing funding in order to hire more staff is laudable, but that if there are recruitment efforts that don't yield hires because no one is applying, the blame cannot be placed on the Administration. Additionally, he said that if there are progressive alternatives to the property tax that will raise funds for positions, he would enthusiastically support them.

7. COMMITTEE REPORTS

7.1. Verbal reports

Councilor Bergman noted that the Charter Change Committee will meet this Wednesday at 5:00 PM to begin conversations around the police oversight proposal that was brought forward by the Joint Committee and referred to the Police Commission, which has provided comments and feedback for the Charter Change Committee's review.

Councilor Shannon said that the Ordinance Committee will meet tomorrow morning at 10:30 AM to discuss the trespass and graffiti ordinance.

Councilor Barlow said that the Transportation, Energy, and Utilities Committee will meet tomorrow at 5:30 to discuss ordinance changes recommended by the Vehicle for Hire Licensing Board around taxis.

Councilor Grant said that the Public Safety Committee is meeting June 20th. She noted that there is no June meeting for the Racial Equity, Inclusion, and Belonging Committee, as they are working hard to put together this year's Juneteenth event (which will take place on June 15).

Councilor Neubieser said that the Community Development and Neighborhood Revitalization Committee is meeting tomorrow.

8. CITY COUNCIL – GENERAL AFFAIRS

8.1. Verbal reports

Councilor Grant thanked Councilor Bergman for his comments about disinformation and lack of understanding of current recruitment efforts in the Police Department. She said that although there is a good recruitment team in place in the department, there are tensions around retention in the department and ongoing, chronic turnover issues. She noted that the CSO positions have become a recruitment ground for sworn officers, which isn't necessarily a bad thing, but that this makes it difficult to staff up to 11 CSOs.

9. CITY COUNCIL PRESIDENT – COUNCIL UPDATES

9.1. Verbal reports

None.

10. MAYOR – GENERAL AFFAIRS

10.1. Verbal reports

Mayor Mulvaney-Stanak noted that she has appointed Phet Keomanyvanh as the interim director of the Racial Equity, Inclusion, and Belonging Department. She also encouraged the community to attend this year's Juneteenth celebrations on Saturday, June 15. She noted that City offices will be closed for the actual Juneteenth day on June 19. She noted the hiring of a new administrative staff in the Mayor's Office. She noted that DPW's City Engineer, Laura Wheelock, is the first woman to hold that role in the City. She spoke about her community engagement activities this week. She spoke about how the Burlington Police Department and Burlington School District struggled last week to serve the City's youth in its Yes Program, which included a curriculum in which a scenario was used that was not trauma-informed or age-appropriate. She said that she is holding an after-action review with the Police Department today to ensure that this does not occur again.

11. ADJOURNMENT

11.1 Motion to Adjourn

The meeting adjourned without objection at 10:44 PM.

RScty: AACoonrad