



**Tuesday, October 1, 2024, 5:30 PM, Queen City Conference Room 3rd Floor, City Hall
OR REMOTELY via ZOOM**

**When: Oct 1, 2024 05:30 PM Eastern Time (US and Canada)
Topic: Charter Change Committee Meeting**

Please click the link below to join the webinar:

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1. Agenda

1.1. Motion to amend/adopt agenda

2. Adopt Draft Minutes

Subject	2.1. Adopt Draft Minutes from August 14
Meeting	October 1, 2024 - Charter Change Committee Meeting - Tuesday, October 1, 2024, 5:30 PM, Queen City Conference Room 3rd Floor, City Hall OR REMOTELY via ZOOM
Category	2. Adopt Draft Minutes
Department	Council and Board

Type

Recommended Action

3. Public Forum

Subject

3.1. Verbal Comments

Meeting

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Category

3. Public Forum

Department

Council and Board

Type

4. Voter Approval of Local Redistricting

Subject

4.1. Voter Approval of Local Redistricting

Meeting

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Category

4. Voter Approval of Local Redistricting

Department

Council and Board

Type

Recommended Action

5. Residential Rental Notice Requirements

Subject

5.1. Residential Rental Notice Requirements

Meeting

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Category

5. Residential Rental Notice Requirements

Department

Council and Board

Type

Recommended Action

6. Any Other Committee Business

Subject

6.1. Any Other Committee Business

Meeting

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Category

6. Any Other Committee Business

Department

Council and Board

Type

Recommended Action

7. Adjournment

Subject	7.1. Motion to adjourn
Meeting	October 1, 2024 - Charter Change Committee Meeting - Tuesday, October 1, 2024, 5:30 PM, Queen City Conference Room 3rd Floor, City Hall OR REMOTELY via ZOOM
Category	7. Adjournment
Department	Council and Board
Type	
Recommended Action	

Charter Change Committee
Wednesday, August 14, 2024
Public Works Front Conference Room at 645 Pine and Remote
DRAFT MINUTES

Members Present: Councilor Bergman (Chair), Councilor Carpenter, Councilor Doherty

Staff Present: Kimberlee Sturtevant (Assistant City Attorney)

Public Present: Evan Litwin, Mark Barlow

Meeting called to order at 5:34 PM.

1. Agenda

1.01 Motion to amend/adopt agenda

Motion to Adopt Agenda as is.

Motion by Councilor Doherty, Seconded by Councilor Carpenter

Final Resolution: Motion Passes

Yes: Unanimous

2. Adopt Draft Minutes from 7/1

2.01 Adopt Draft Minutes from 7/1

Motion to Adopt Draft Minutes from July 1.

Motion by Councilor Doherty, Seconded by Councilor Carpenter

Final Resolution: Motion Passes

Yes: Unanimous

3. Public Forum

No members of the public wanted to speak for this item.

4. Councilor Compensation

Councilor Carpenter recalled that this issue was raised back in 2021. She said she is unsure if there is motivation for the Council to move forward on this given the current budget issues.

Councilor Doherty agreed and said the Committee should gauge the interest in this change with the whole Council and if there is not a strong interest then the Committee should use its time on other items.

Councilor Bergman said that over the last few decades the City has had many years of budget gaps. He said this issue should be brought up with other councilors and thought about more generally.

Evan Litwin (City Councilor): I think the Dante Seguino research is a good start. I think some other metrics need to be identified and compared for the different comparable cities and towns. Brookline, MA is one of the wealthiest towns in the Northeast and they currently pay their councilors less than Burlington.

Councilor Bergman said adding a median income to the comparison chart for comparable cities would be helpful.

Councilor Doherty said it might be good to have a sense of the number of hours or meetings that comparable cities' councilors regularly work.

Councilor Bergman said he would coordinate with Councilor Brown McKnight to survey what the largest impediments are to councilor service and ways to mitigate them.

5. Property Tax Revenue Neutrality and Income Sensitivity

Councilor Bergman recalled the circumstances of the passage of Section 98a of the City Charter. There was to be a large reappraisal in the 1980s and the property taxes for the Old North End would have gone up considerably, leading to potential displacement. Section 98a was passed to maintain budget neutrality in an attempt to limit this new burden.

Councilor Bergman said that the Mayor's administration is working on this as well and he wants the Committee to work in concert as needed.

Councilor Carpenter said that a lot of the data necessary to work on this question will come from the State Tax Department and the City as an entity will have to request that data as opposed to individual councilors.

Mark Barlow (City Councilor): The Education Fund has a lot of mechanisms for revenue. The main concern is how income sensitivity would actually work and how it would affect those that would be paying more and those that would pay less.

6. Report on Department Head Charter Change Priorities

Attorney Sturtevant said there was a meeting of department heads and that the Mayor's Office has collected the notes from that meeting and is drafting a legislative agenda that will be delivered to the City Council in the fall.

Motion to ask the Mayor's Office to let the Committee know the charter change priorities as soon as possible to have any changes ready by early December.

Motion by Councilor Bergman, without objection.

7. Any Other Committee Business

Councilor Carpenter explained the history of attempted charter changes that would move the power of redistricting away from the legislature. She said that the City of Montpelier changed

the process to redistrict to only require a vote by the voters and not require a bill in the legislature.

The next meeting is set for October 1st at 5:30, location pending.

8. Adjournment

8.01 Adjournment

Motion to adjourn.

Motion by Councilor Bergman, without objection.

The meeting was adjourned at 6:51 PM.

DRAFT

Resolution Relating to

RESOLUTION _____

MARCH 4, 2025 ANNUAL CITY MEETING
PROPOSED CHARTER CHANGE REGARDING
REDISTRICTING BY CITY COUNCIL

Sponsor(s): _____
Introduced: _____
Referred to: _____

Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Twenty-Four.....

Resolved by the City Council of the City of Burlington, as follows:

1 That WHEREAS, the City of Burlington’s charter currently describes City Districts and Wards in
2 explicit enumerated and geographical terms in Article 2 (City Election Areas Defined), Section 2 (Election
3 Boundaries);

4 WHEREAS, as the charter is currently written, to alter the number or geography of City Districts and
5 Wards a charter change must be enacted, a process consisting, among other procedural steps, of the review,
6 possible further amendment, and confirmation by the Vermont State Legislature;

7 WHEREAS, this process involving by the Vermont State Legislature has the practical effect of slowing
8 the City’s redistricting process at the local level;

9 WHEREAS, it is the goal of the City to accelerate any redistricting processes, while maintaining fair,
10 equitable, and reasonable processes for redistricting;

11 WHEREAS, the City aims to achieve this goal by removing the descriptions of the number and
12 geography of City Districts and Wards in Article 2 (City Election Areas Defined), Section 2 (Election
13 Boundaries) and replacing this with a procedure equipping the City to unilaterally preform redistricting without
14 needing further charter changes and involvement by the Vermont State Legislature;

15 WHEREAS, the charters of other Vermont municipalities, including Montpelier, are written as to not
16 require a charter change to effectuate an alteration to the number or geography of city districts and wards;

17 WHEREAS, the Charter Change Committee held meetings on _____ received public
18 comment, considered the referred proposed charter language, and amended this language; and

19 WHEREAS, on _____, the Committee voted to refer the charter change language back to the Council
20 to be placed on the March 4, 2025 ballot;

21 NOW, THEREFORE, BE IT RESOLVED that the City Council approves the amendments to the city
22 charter recommended by the Charter Change Committee and requests the Mayor to place the following question
23 on the ballot of the Annual City Meeting to be held on March 4, 2025 and the City Clerk to set public hearings
24 on this question in accordance with Charter §303 and 17 V.S.A. §2645:
25

26 “Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended be further amended to
27 amend Section 2 to Article 2 as follows:

28
29 **ARTICLE 2. CITY ELECTION AREAS DEFINED**

30 **§2. Election boundaries.**

31 ~~(a) City Districts Described. For the annual meeting of 2015 and all City elections thereafter, the City of~~
32 ~~Burlington is divided into four electoral districts, constituted as follows:~~

33 ~~(1) East District. The East District shall include all that part of said City lying easterly and~~
34 ~~northerly of the following described boundaries: Beginning at the common boundary between the~~
35 ~~Cities of Burlington and Winooski in the Winooski River beneath the Central Vermont Railway~~
36 ~~bridge downstream of the Lower Winooski Falls and Salmon Hole; thence westerly in the~~
37 ~~centerline of said railroad tracks, crossing Intervale Road, to a point where the centerline of Hyde~~
38 ~~Street extended northeasterly intersects said railroad track centerline (approximately -73.2045~~
39 ~~longitude, 44.4912 latitude); thence southerly along the extension of the centerline of Hyde Street,~~
40 ~~continuing on the centerline of Hyde Street to the intersection of the centerline of North Willard~~
41 ~~Street; thence southerly along the centerline of North Willard Street to the intersection of the~~
42 ~~centerline of Pearl Street; thence westerly along the centerline of Pearl Street to the intersection of~~
43 ~~the centerline of South Winooski Avenue; thence southerly along the centerline of South Winooski~~
44 ~~Avenue to the intersection of the centerline of Main Street; thence easterly along the centerline of~~
45 ~~Main Street to the intersection of the western property line of 525 Main Street extended, containing~~
46 ~~the Main Street Water Reservoir (approximately -73.1992 longitude, 44.4763 latitude); thence~~
47 ~~southerly along the western property boundary of 525 Main Street to its southwestern corner~~
48 ~~approximately -73.1991 longitude, 44.4746 latitude); thence easterly along the southern property~~
49 ~~boundary of 525 Main Street to its southeastern corner (approximately -73.1984 longitude, 44.4746~~
50 ~~latitude); thence southwesterly along the western property boundaries of 49, 55, and 59 University~~
51 ~~Terrace to the southwestern corner of 59 University Terrace (approximately -73.1987 longitude,~~
52 ~~44.4742 latitude); thence southeasterly along the southern property boundaries of 59 University~~
53 ~~Terrace and 60 University Terrace, extended to the centerline of University Heights Road~~
54 ~~(approximately -73.1964 longitude, 44.4732 latitude); thence southerly along the centerline of~~
55 ~~University Heights Road 1,314 feet to its intersection with the extended centerline of the walkway~~
56 ~~serving the University of Vermont Southwick Hall and the Music Building from the Redstone~~
57 ~~Campus loop road (approximately -73.1968 longitude, 44.4698 latitude); thence westerly along the~~
58 ~~extended walkway and walkway centerline, with the Music Building to the north and Southwick~~
59 ~~Hall to the south, 367 feet to its intersection with the centerline of the Redstone Campus loop road~~
60 ~~(approximately -73.1982 longitude, 44.4698 latitude); thence northerly and then westerly along the~~
61 ~~centerline of the Redstone Campus loop road to its intersection with the centerline of South~~
62 ~~Prospect Street; thence southerly along the centerline of South Prospect Street to its intersection~~
63 ~~with the centerline of the Davis Road; thence northeasterly along the centerline of Davis Road to~~
64 ~~its intersection with University Heights Road, continuing easterly along the centerline of Davis~~
65 ~~Road to its intersection with the common boundary between the Cities of Burlington and South~~
66 ~~Burlington.~~

~~(2) — Central District. The Central District shall include all that part of the City bounded as follows: On the east, beginning at the common boundary between the City of Burlington and Town of Colchester in the Winooski River at the intersection of the centerline of Institute Road extended northeasterly (approximately 73.2139 longitude, 44.5077 latitude); thence southerly along the common boundary between the City of Burlington and Town of Colchester in the Winooski River to a point beneath the Central Vermont Railway bridge downstream of the Lower Winooski Falls and Salmon Hole; thence southerly along the East District western boundary to its intersection with the centerline of Main Street; continuing southerly along the centerline of South Winooski Avenue to its intersection with the centerline of King Street; on the south along the centerline of King Street extended westerly to Lake Champlain; on the west by Lake Champlain; on the north, beginning at the intersection of the common property boundary between 87 North Avenue and 9 Lakeview Terrace extended westerly to Lake Champlain (approximately 73.2252 longitude, 44.4832 latitude); thence northeasterly along the extended property boundary between 87 North Avenue and 9 Lakeview Terrace to its intersection with the centerline of the Central Vermont Railway railroad track (approximately 73.2239 longitude, 44.4837 latitude); thence northerly and easterly along the centerline of the Central Vermont Railway railroad track, crossing North Avenue and the Burlington Beltline, to its intersection with the centerline of Spring Street extended northwesterly (approximately 73.2183 longitude, 44.4912 latitude); thence northwesterly along the extension of the centerline of Spring Street to its intersection with the centerline of Institute Road extended northeasterly (approximately 73.2281 longitude, 44.4995 latitude); thence northeasterly along the extension of the centerline of Institute Road extended to its intersection with the common boundary between the City of Burlington and Town of Colchester in the Winooski River (approximately 73.2139 longitude, 44.5077 latitude).~~

~~(3) — South District. The South District shall include all that part of the City south of the southern boundaries of the East and Central Districts.~~

~~(4) — North District. The North District shall include all that part of the City north of the northern boundary of the Central District.~~

~~(b) — Wards Described. Each of the City of Burlington’s four electoral districts set forth in subsection (a) of this section hereby comprises two wards, each of which is constituted as follows:~~

~~(1) — East District — Ward 1 and Ward 8.~~

~~(A) — The East District is divided into two wards by the following boundary: Beginning at the center of the intersection of Pearl Street and South Willard Street; thence southerly along the centerline of South Willard Street to the intersection of the centerline of College Street; thence easterly along the centerline of College Street extended to the intersection of the centerline of University Place; thence southerly along the centerline of University Place to the intersection of the centerline of Main Street; thence easterly along the centerline of Main Street to the common boundary between the Cities of Burlington and South Burlington.~~

~~(B) — Ward 1 lies to the north and east of the boundary described in subdivision (A) of this subdivision (1), and Ward 8 lies to the south and west.~~

~~(2) — Central District — Ward 2 and Ward 3.~~

107 (A) The Central District is divided into two wards by the following boundary: Beginning at the
108 centerline of the Central Vermont Railway railroad track at the intersection of the centerline of
109 Spring Street extended northwesterly (approximately -73.2183 longitude, 44.4912 latitude); thence
110 southerly along the centerline of Spring Street extended northwesterly, continuing along the
111 centerline of Spring Street to its intersection with the centerline of Elmwood Avenue; thence
112 southerly along the centerline of Elmwood Avenue to its intersection with the centerline of Pearl
113 Street; thence easterly along the centerline of Pearl Street to the intersection of the centerlines of
114 North and South Winooski Avenue.

115 (B) Ward 2 lies to the east of the boundary described in subdivision (A) of this subdivision (2);
116 and Ward 3 lies to the west.

117 (3) South District – Ward 5 and Ward 6.

118 (A) The South District is divided into two wards by the following boundary: Beginning at the
119 intersection of the centerlines of King Street and Saint Paul Street; thence southerly along the
120 centerline of Saint Paul Street to its intersection with the centerline of Shelburne Street; thence
121 southerly along the centerline of Shelburne Street to its intersection with the centerline of Flynn
122 Avenue; thence easterly along the centerline of Flynn Avenue extended easterly to the common
123 boundary between the Cities of Burlington and South Burlington.

124 (B) Ward 5 lies to the west of the boundary described in subdivision (A) of this subdivision (3);
125 and Ward 6 lies to the east.

126 (4) North District – Ward 4 and Ward 7.

127 (A) The North District is divided into two wards by the following boundary: Beginning at the
128 intersection of the centerlines of North Avenue and the Central Vermont Railway railroad track;
129 thence northerly along the centerline of North Avenue to its intersection with the centerline of
130 Fairfield Drive; thence westerly along the centerline of Fairfield Drive to its intersection with the
131 western property boundary of 39 Westward Drive extended southerly; thence northerly along the
132 western property boundaries of 39 and 40 Westward Drive, continuing northerly along the western
133 property boundaries of properties fronting the west side of Hardy Avenue to the southern boundary
134 of 35 Derway Drive; thence westerly along the southern boundary of 35 Derway Drive, extended
135 to its intersection with the centerline of Derway Drive (approximately -73.2690 longitude, 44.5249
136 latitude); thence northeasterly along the centerline of Derway Drive to its intersection with the
137 centerline of Claire Pointe Drive; thence northerly along the centerline of Claire Pointe Drive
138 approximately 44 feet to its intersection with the southern property boundary of the Claire Pointe
139 condominium development; thence westerly along the southern property boundary of the Claire
140 Pointe condominium development to the Waterfront Bike Path right-of-way approximately 537
141 feet (approximately -73.2707 longitude, 44.5253 latitude), and then extended to Lake Champlain.

142 (B) Ward 4 lies to the west of the boundary described in subdivision (A) of this subdivision (4);
143 and Ward 7 lies to the east.

144 (5) Ward map reference. Reference is also made to a map entitled "Ward Redistricting, 8 Wards – 4
145 Districts, 12 Councilors, Referred to City Council by CC Committee (v.3), Map Date: December 2,

146 ~~2013" located in the Burlington Chief Administrative Officer's office in further aid of the description of~~
147 ~~the wards set forth in this subsection.~~

148 There shall be election areas for the City, which shall be defined and filed with the City Clerk. The City Council
149 may make changes from time to time to the boundaries of the election areas in order to provide an equal division
150 of population among them in accordance with data produced by the U.S. Census Bureau. Election areas changes
151 shall not be made more frequently than once in five years. Such changes shall be approved by the voters at an
152 annual or special meeting of the City and shall become effective immediately upon approval unless a later date
153 is established therein.

154

155 * Material underlined added.
156 ** Material stricken out deleted.

157

158 KS/Resolutions 2024/March 4, 2025, Annual City Meeting Proposed Charter Change Regarding Redistricting by City Council
159
160 September 30, 2024

ROUGH DRAFT Residential Rental Stability Charter Change

WHEREAS CLAUSES:

- Renters currently make up 70% of all Burlington residents.
- The 2023 Rental Vacancy Study produced by Allen, Brooks & Minor (ABM) procured by CEDO established the current rental vacancy rate for Burlington as 1% of the currently 10,994 available units in the city.
- Rent inflation in 2022 was 5.5%, which was more than twice the rate of rent inflation observed in 2021. Rent inflation for 2023 was 4.8%. In both instances, the rent inflation outpaced the average annual change in Consumer Price Index (CPI). *Refer to same study*
- Beginning in 2025 the estimated cumulative tax impact for the Future BHS/BTC school construction bond will begin at a rate of \$648 per \$370k assessed homestead value and will continue increasing to \$834 per \$370k in 2027, which will last 18 years until 2046. (FY25 BSD City Council Presentation July 2024)
- A significant number of households in the Burlington Housing Authority Section 8 program have been unable to secure housing during the customary 90-day lease-up period and have required additional 90-day extensions to find suitable housing.
- Over half of all Burlington renters are considered cost-burdened or severely cost-burdened by their housing expenses. 27% of Burlington renters pay between 30% and 49% of their income on rent and utilities, and 26% of Burlington renters pay more than 50% of their income towards rent and utilities. *Footnote: Households paying over 40% of income are considered cost-burdened and those paying more than 50% of income are severely cost-burdened.*
- A recent analysis done for City Planning determined that the cost of creating new rental housing cannot be justified even with extremely high rents for newly-built housing and that only projects that were approved and underway are moving forward at this time.

RESOLVE CLAUSES:

- Any property owner or agent thereof raises a tenant's rent by more than 5% in a single notice and lease period, they are required to provide the tenant a 180-day notice of the rental increase (representing an additional 90 days beyond Burlington's current notice period).
- That in the event a property owner or agent thereof does not provide the aforementioned notice within the ascribed timeline, the tenant may exercise the right to remain in the unit for 180 days beyond the date notice was provided at the pre-existing rent rate; OR the tenant may seek relief from the Burlington Housing Board of Review for reasonable costs associated with relocating to similar housing within Chittenden County, which may include the difference in rent paid from the existing unit to the new unit [if an increase

occurs], for a total period of time covered under the 180-day notice period not to exceed 3-times the current rate of rent of the expiring lease.

- Instructs the Office of the City Attorney and the Department of Permitting and Inspections to collaboratively mail written notice of these changes to all registered property owners at the address on file with the city as well as emailed if an e-mail address is on file with the city on or before XXXX DATE. The City will not be held liable if a property owner or agent thereof claims not to have received notice but the City should document the address and date notice was mailed and e-mailed and retain that documentation for a period of at least 2 years from this resolution's efficacy date.
- Instructs the Burlington Housing Board of Review to include in their annual report to the City Council any updates, positive or negative observations, and suggestions stemming from any cases brought before the Board stemming from this Resolution.

SUNSET LANGUAGE:

- This resolution will automatically sunset in the event that either of the two events happen:
 - o The Vermont Legislature successfully enacts legislation that permits municipalities to pass ordinances that allow for capping or controlling rent increases AND the Burlington City Council takes up and successfully passes such an ordinance; OR
 - o The rental vacancy rate reaches 5% as confirmed either by CEDO or Department of Permitting and Inspections.
- In the event that the sunset clause is triggered, all other city ordinances governing notice or renter's rights are to continue to be observed.

SIMPLIFIED OPTION:

City of Burlington Charter Change Resolution for Control Over Rental Notice Periods

Whereas, the City of Burlington, Vermont, has a significant population of renters, and ensuring fair, transparent, and equitable housing practices is essential to promoting stability and wellbeing within the community;

Whereas, under the current structure of the City Charter, the City of Burlington must seek legislative approval for the explicit authority to set local rental notice periods beyond what is prescribed, limiting the City's ability to address specific local rental issues and housing market conditions in a timely manner;

Whereas, the State of Vermont allows municipalities to request charter amendments to grant additional powers to cities and towns, including the ability to regulate rental notice periods as Burlington's is currently 90 days, whereas the State standard is 60 days.

Whereas, Burlington's ability to enact rental notice period regulations could enhance tenant stability, foster more transparent landlord-tenant relations, and mitigate negative impacts from sudden evictions or lease terminations, particularly for vulnerable populations;

Now, Therefore, Be It Resolved by the City Council of the City of Burlington that the City shall pursue a charter change to grant authority to the City of Burlington to establish rental notice periods via the ordinance process, as follows:

1. **Charter Amendment Authorization:** The City of Burlington shall have the authority, under its Charter, to enact ordinances governing rental notice periods for the renewal of leases and termination of tenancies, and other tenant-owner interactions concerning the timing of notices.
2. **Local Ordinance Power:** The City Council may, through its legislative process, adopt ordinances that establish rental notice periods, which may include but are not limited to:
 - Minimum notice periods for lease terminations initiated by landlords.
 - Minimum notice for tenants when terminating their leases.
 - Minimum notice required for rent increases or changes in lease terms.
 - Special notice periods for vulnerable populations, including elderly tenants, low-income tenants, and tenants with documented disabilities.
3. **Community Input and Stakeholder Engagement:** The City Council commits to a public and transparent process when drafting and adopting any ordinances under this authority. Input from renters, owners, housing advocates, and the broader community shall be solicited and considered to ensure the ordinances address the needs of all stakeholders and reflect the community's values.

Be It Further Resolved, the City Council directs the City Attorney to draft the necessary language for this charter change and to present it for approval by the voters of Burlington at the next general election.

Be It Further Resolved, upon approval by the voters, the City Council shall submit the charter change to the Vermont Legislature for consideration and enactment in accordance with state law.