



City Council Meeting

Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Please click the link below to join the webinar:

<https://zoom.us/j/91408253963>

Or Telephone: +1 305 224 1968 US

Webinar ID: 914 0825 3963

****CCTV link: https://www.youtube.com/playlist?list=PLIjLFn4BZd2PwCge7lNoKug676jIf_iUA ****

To participate in Public Forum in person, sign up at the meeting.

To participate in Public Forum via ZOOM sign up here:

<https://www.burlingtonvt.gov/citycouncil/publicforum>

******ONLINE closes one hour prior to the beginning of public forum******

Do not sign up in person and via Zoom - select one only

1. Agenda

Subject	1.1. Motion to amend/adopt agenda
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	1. Agenda
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to amend/adopt agenda as follows: add to the consent agenda item 6.9. Communication: Amy Leigh Malinowski, re: In Continued Support of Tyeastia Green; add to the consent agenda item 6.10. Communication: Stephen Chisa, re: In Continued Support of Tyeastia Green; remove from the deliberative agenda item 7.7. Resolution: March 4, 2025 Annual City Meeting - Charter Change Re: Public Safety Tax Rate (Councilor Bergman)(per City Council President Traverse)

2. Public Forum: Time Certain: 6:05 pm **See above for signup instructions**

Subject	2.1. Verbal Comments
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	2. Public Forum: Time Certain: 6:05 pm **See above for signup instructions**
Department	Council and Board
Type	Information

3. Burlington Water Resources Capital Planning Proposed March 2025 Bond Requests Work Session **6:30 pm - 7:30 pm**

Subject	3.1. Burlington Water Resources Capital Planning Proposed March 2025 Bond Requests Work Session
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	3. Burlington Water Resources Capital Planning Proposed March 2025 Bond Requests Work Session **6:30 pm - 7:30 pm**
Department	Public Works Department - Water Resources
Type	Discussion Information Presentation

4. Mayor - General City Affairs (to include Climate and Public Health & Safety Emergency Updates: up to 10 mins.)

Subject	4.1. Verbal reports
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	4. Mayor - General City Affairs (to include Climate and Public Health & Safety Emergency Updates: up to 10 mins.)
Department	Council and Board
Type	Information

5. City Council - General City Affairs (to include Climate and Public Health & Safety Emergency Updates: up to 5 mins. per City Councilor)

Subject	5.1. Verbal reports
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. City Council - General City Affairs (to include Climate and Public Health & Safety Emergency Updates: up to 5 mins. per City Councilor)
Department	Council and Board
Type	Information

6. Consent Agenda

Subject	6.1. Motion to adopt the consent agenda (as amended) and take the actions indicated
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Consent Agenda
Department	Council and Board
Type	Action (Consent) Procedural
Recommended Action	Motion to adopt the consent agenda (as amended) and take the actions indicated
Subject	6.2. Accountability List - C/T
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Information Communication
Recommended Action	waive the reading, accept the communication and place it on file
Subject	6.3. B.E.D.'s Property/Boiler and Machinery (B&M) 2024-2025 Insurance renewal - BED
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Consent Agenda
Department	Burlington Electric Department
Type	Action (Consent)
Recommended Action	to authorize the General Manager of the Burlington Electric Department or their designee, to execute the Property, Boiler & Machinery insurance coverage renewal contract with AIG/ZURICH/STARR TECH/AEGIS for the policy period 11/20/2024 through 11/20/2024 with a not to exceed premium of \$715,989, as outlined in this memo, subject to review and approval of the City Attorney's Office and the Board of Finance
Subject	6.4. Lease of Space at Old North End Community Center, 20 Allen Street - BPRW
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Consent Agenda

Department	Parks, Recreation, & Waterfront
Type	Action (Consent)
Recommended Action	to approve and authorize the leasing of certain space in the Old North End Community Center, as identified in the attached lease agreement, for an initial one-year term, with the option to renew for five additional and subsequent one-year terms, from Champlain Housing Trust on the terms provided in and substantially in conformance with the attached lease including an annual rent amount of \$138,168 subject to a year over year increase not to exceed 3% per year, for a total authorized expenditure not to exceed \$893,727, subject to City Council annual budgetary appropriation, and to authorize the Director of Parks, Recreation and Waterfront to execute the lease and any related documents needed to carry out the lease agreement, subject to the review of the City Attorney's Office
Subject	6.5. Replies to Councilor feedback on 9/23/24 SECORD Work Session - CEDO
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Consent Agenda
Department	Community & Economic Development Office (CEDO)
Type	Action (Consent) Information Communication
Recommended Action	waive the reading and place the communication on file
Subject	6.6. Communication: Emma Wall Kouri, PhD, Ward 6, re: On Tyestia Green, REIB, and Safety in Burlington: an open letter
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication
Recommended Action	waive the reading and place the communication on file
Subject	6.7. BCA Reorganization - BCA/HR
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Consent Agenda
Department	City Arts
Type	Action (Consent)
Recommended Action	To approve and authorize the: ☐ Elimination of the Administrative Assistant Position

- ☐ Reclassification and retitling of the Member and Donor Relations Coordinator, a Regular, Full-time, Non-exempt ASFCME Grade 13 to Development and Administrative Coordinator, a Regular, Fulltime, Non-exempt, AFSCME Grade 15
- ☐ Reclassification and retitling of the Marketing and Sponsorship Support Specialist, a Regular, Fulltime, Non-exempt, ASFCME Grade 15 position reporting to the Development Director and Communications Director to an Assistant Development Director, a Regular, Full-time, ASFCME Grade 17 position reporting to the Development Director
- ☐ .Reclassification of the Youth & Family Program Coordinator, a Regular, Full-time, Non-exempt ASFCME Grade 15 to a Regular, Full-time, Non-exempt ASFCME Grade 16
- ☐ Reclassification and retitling of the Program Coordinator, a Regular, Full-time, Non-exempt, ASFCME Grade 15 to Adult Programs Coordinator a Regular, Full-time, Non-exempt, ASFCME Grade 16
- ☐ Reclassification and retitling of the Clay and Print Studio Manager, a Regular, Full-time, Non-exempt, ASFCME Grade 15 to Clay Studio Coordinator, a Regular, Full-time, Non-exempt, ASFCME Grade 16
- ☐ Reclassification and retitling of the Artist Coordinator, a Regular, Full-time, Non-exempt, ASFCME Grade 14 to Art Services Coordinator a Regular, Full-time, Non-exempt, AFSCME Grade 15
- ☐ Reclassification and retitling of the Art Director, a Regular, Full-time, Exempt Non-union Grade 16 to Design Director, a Regular, Full-time, Non-exempt, Non-union Grade 17
- ☐ Reclassification of the Education Director, a Regular, Full-time, Exempt Non-union Grade 18 to a Regular, Full-time, Non-exempt, Non-union Grade 20

Subject

6.8. FIO Documents

Meeting November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 6. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Communication

Recommended Action for information only

Subject

6.9. Communication: Amy Leigh Malinowski, re: In Continued Support of Tyeastia Green

Meeting November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 6. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication

Recommended Action waive the reading and place the communication on file

Subject

6.10. Communication: Stephen Chisa, re: In Continued Support of Tyeastia Green

Meeting November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category	6. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication
Recommended Action	waive the reading and place the communication on file

7. Deliberative Agenda

Subject	7.1. Assistant City Attorney Appointment (10 mins.)
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Deliberative Agenda
Department	Mayor's Office
Type	Action
Recommended Action	move to approve the appointment of Emmett Wood, Esq. as Assistant City Attorney
Subject	7.2. Resolution: Declaration Of November As Family Caregiver Month For Burlington (Councilor Carpenter)(10 mins.)
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Deliberative Agenda
Department	Council and Board
Type	Action Resolution
Recommended Action	waive the reading and adopt the resolution
Subject	7.3. Ordinance: Technical Amendments to Article VI of Chapter 21 of the Burlington Code of Ordinances, Commencing at Section 21-80, Livable Wages, to Streamline Enforcement and Other Processes (Councilor Traverse)(15 mins.)
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Deliberative Agenda
Department	Council and Board
Type	Action Ordinance - Second Reading
Recommended Action	to waive the second reading of the proposed Ordinance Amending Livable Wage Ordinance, B.C.O., Ch. 21, Art. VI, and approve the reading

Subject **7.4. Ordinance: Ordinance Amending B.C.O. Sections 1-9 & 21-29 Re: defacement of property and ordinance violations targeting individuals on the bases of protected classifications (Ordinance Committee)(20 mins.)**

Meeting November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Deliberative Agenda

Department Council and Board

Type Action
Ordinance - Second Reading

Recommended Action to waive the reading of the proposed ordinance amending B.C.O. § 1-9 & 21-29 (Re: defacement of property and ordinance violations targeting individuals on the bases of protected classifications), and to adopt the second reading of the ordinance

Subject **7.5. Resolution: March 4, 2025 Annual City Meeting -- Charter Change Re: City Council Authority To Regulate Rental Notifications And Notification Periods (CDNR, Charter Change Committee)(20 mins.)**

Meeting November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Deliberative Agenda

Department Council and Board

Type Action
Resolution

Recommended Action waive the reading and adopt the resolution

Subject **7.6. March 4, 2025 Annual City Meeting -- Proposed Charter Change Regarding Redistricting By City Council (Charter Change Committee)(15 mins.)**

Meeting November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Deliberative Agenda

Department Council and Board

Type Action
Resolution

Recommended Action waive the reading and adopt the resolution

Subject **7.7. Resolution: March 4, 2025 Annual City Meeting - Charter Change Re: Public Safety Tax Rate (Councilor Bergman)(20 mins.) **AGENDA ITEM REMOVED****

Meeting November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Deliberative Agenda

Department Mayor's Office

Type	Action Resolution
Recommended Action	to refer the proposed Charter amendment re the public safety tax rate to the Charter Change Committee for report back no later than in time for the City Council's December 9, 2024 meeting
Subject	7.8. March 4, 2025 Annual City Meeting -- Charter Change Re: City Council Authority To Pledge Credit Of The City (Councilor Bergman) (20 mins.)
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Deliberative Agenda
Department	Clerk/Treasurer's Office
Type	Action Resolution
Recommended Action	to refer the proposed Charter amendment re City Council Authority to Pledge Credit of the City to the Charter Change Committee for report back no later than in time for the City Council's December 9, 2024 meeting
Subject	7.9. Ordinance: VACANT BUILDINGS BCO Chapter 8, Art. III (Councilor Traverse)(15 mins.)
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Deliberative Agenda
Department	Council and Board
Type	Action Ordinance - First Reading
Recommended Action	first reading, waive the reading and refer to Ordinance Committee

8. Committee Reports

Subject	8.1. Verbal reports
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	8. Committee Reports
Department	Council and Board
Type	Information

9. City Council President - Council Updates (up to 5 mins.)

Subject	9.1. Verbal reports
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category	9. City Council President - Council Updates (up to 5 mins.)
Department	Council and Board
Type	Information

10. Adjournment

Subject	10.1. Motion to adjourn
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	10. Adjournment
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to adjourn

11. Informational and Non-Discrimination Statements

Subject	11.1. This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (802-865-7136)(TTY 802-865-7142). Persons with disabilities who require assistance or special arrangements to participate are encouraged to contact 802-865-7000 (voice) or 802-865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will also air on Town Meeting TV the Wednesday after the meeting, starting at 8:00 pm and repeating at 1:00 am and 7:00 am the following day. The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information.
Meeting	November 12, 2024 - Regular City Council Meeting - Tuesday, November 12, 2024, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	11. Informational and Non-Discrimination Statements
Department	Council and Board
Type	Information

Burlington Water Resources Capital Planning

Proposed March 2025 Bond Requests

This is the extended slide deck for a preview of the materials we will cover on November 12. The presentation will be slightly more abbreviated to leave time for questions.

City Council Work Session
November 12, 2024

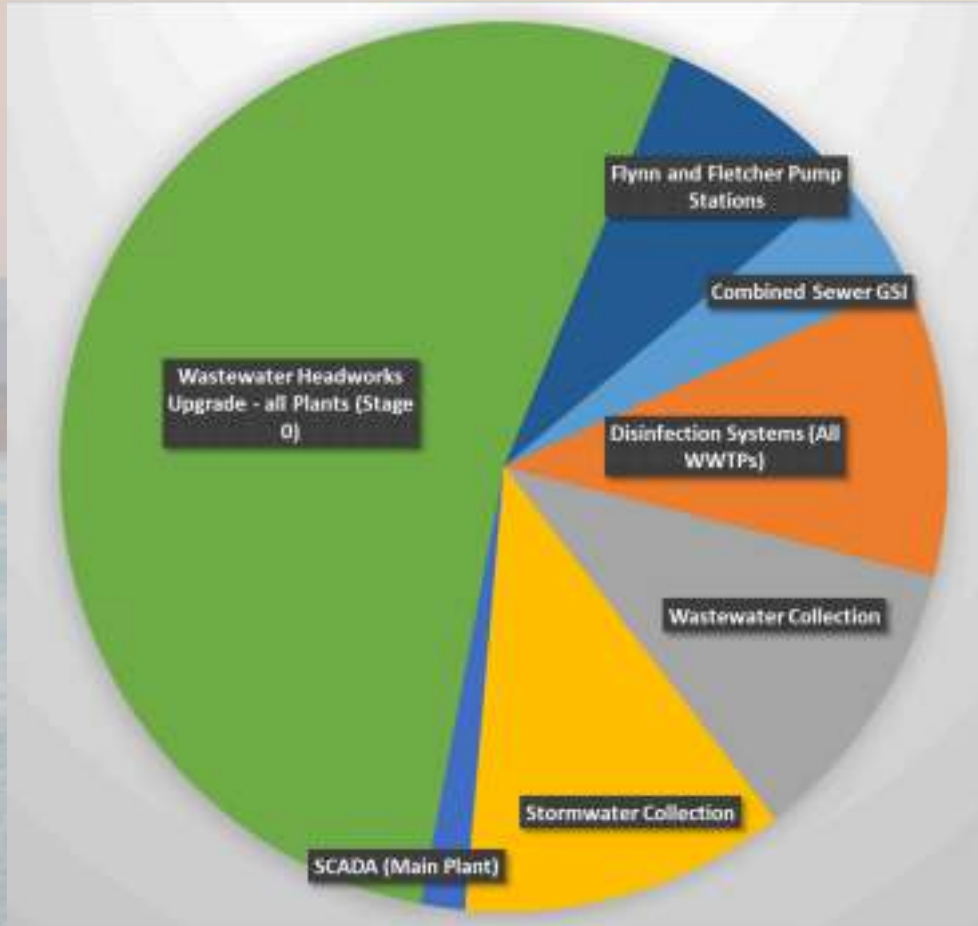


2016: \$8.34 M WATER BOND WATER WORK COMPLETED

Water Main Work	Miles
Replaced	2.21
Relined	7.08
Total	9.29



2018 CLEAN WATER BOND WATER WORK COMPLETED/UNDERWAY



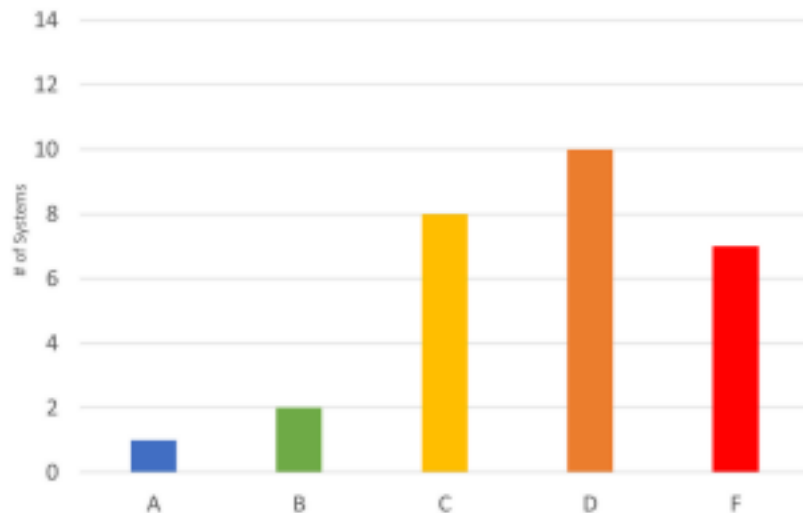
- Clean Water Resiliency Bond
 - \$29.958 M (92% approval)
- \$24.21 M investment
- \$8.98 M of bond authorization remaining due to \$3.23 M in grants and subsidy awards
- Remainder earmarked for large CSO tank and stormwater outfalls

CLEAN WATER WORK: MAKING A DIFFERENCE

Sewer & Storm Main	Miles
Replaced	0.68
Relined	7.97
Total	8.64

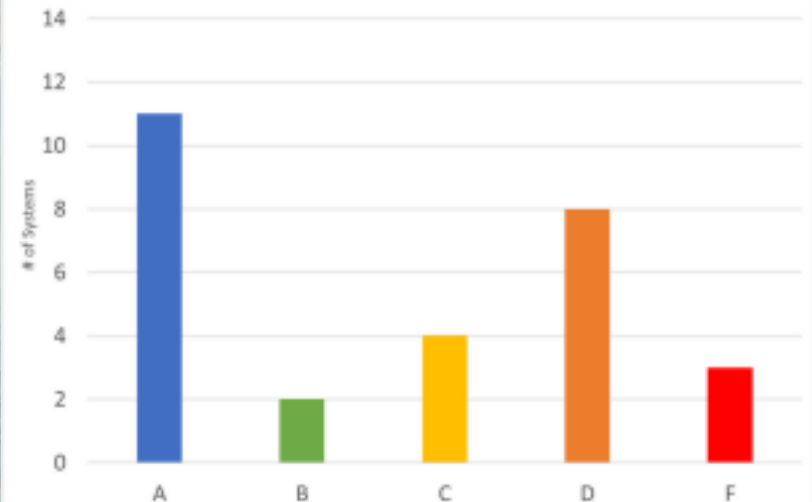


Burlington WWTF Systems Risk Scores 2018



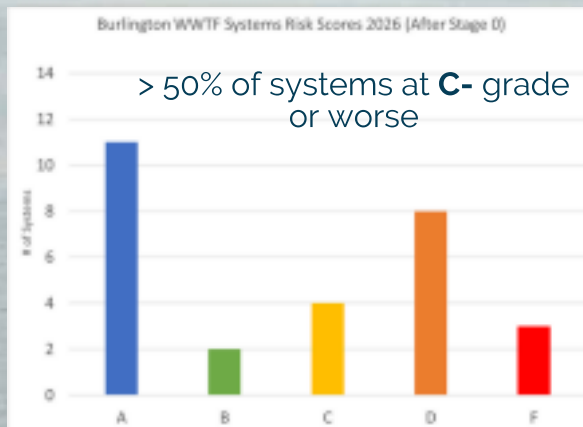
\$15.9 M

Burlington WWTF Systems Risk Scores 2026 (After Stage 0)



WHY IS MORE INVESTMENT NEEDED?

- To provide reliable and sustainable drinking water, wastewater and stormwater services to the **current** and **future** Burlington
 - Replace aged infrastructure that is at significant risk of failure
 - Ensure that there is sufficient treatment capacity for the housing/commercial growth
 - Improve resiliency against climate change
 - Address safety/code upgrades to protect and retain workers



WHY IS MORE INVESTMENT NEEDED?

- To protect the Lake by meeting/exceeding our water quality improvement requirements
 - Infrastructure resiliency and redundancy = meeting water quality standards = avoid preventable beach closures
 - Reduce phosphorus discharges from Burlington
 - Continue to reduce combined sewer overflows



THE BIG WHY: AVOIDING PREVENTABLE BEACH CLOSURES

"BURLINGTON ORDERS CLOSE OF TWO BEACHES AFTER WASTEWATER RELEASES..."



VTDIGGER | JUNE 2018

"[A] combination of equipment malfunction and heavy rains late Tuesday night caused the release of millions of gallons of partially disinfected wastewater into Lake Champlain from Burlington's wastewater treatment plant. Again."

VTDIGGER | JULY 2018

DRINKING WATER INFRASTRUCTURE NEEDS (2025-2030)



- **Drinking Reservoir Improvements Project**
- Water Treatment Plant Improvements (near and mid-term)
- City Emergency Water Supply Contingency (Inter-municipal connections)
- Risk Based Water Main System Investment (Replace - Renew - Upgrade)
 - On City Transportation Related Projects
 - Throughout City

WASTEWATER INFRASTRUCTURE NEEDS (2025-2030)



- **Wastewater Treatment Plants Improvements Project**
 - **Stage 1: Main Plant Renewal, Capacity Expansion and Phosphorus Improvements; North Plant Critical Systems Renewal**
 - **Stage 2: East Plant Consolidation to Main Plant**
 - Stage 3: Remainder of Renewal Needs at Main and North WWTPs
- **North Plant River Siphon Replacement**
- **Satellite Pump Station Improvements**
- **Risk Based Sewer Main System Investment (Replace - Renew - Upgrade)**
 - On City Transportation Related Projects
 - Throughout City

STORMWATER INFRASTRUCTURE NEEDS (2025-2030)



- Combined Sewer Overflow Reduction Projects
 - Calahan CSO Storage Tank
 - Small Scale
- Outfall Rehabilitation
- Risk Based Storm Sewer Main System Investment (Replace - Renew - Upgrade)
 - On City Transportation Related Projects
 - Throughout City

2025-2028: HOW MUCH \$?

System	Estimated Need	Final Cost Determination
Drinking Water	\$16-22 M	Determination of other funding for City transportation projects
Wastewater	\$192 - \$210 M	Final due diligence on WWTP costs; FEMA eligibility for River Siphon; Determination of other funding for City Transportation Projects
Stormwater	\$15 - 18 M	Final size of Calahan CSO tank; Determination of other funding for City transportation projects

* Also monitoring inflation data on recent projects

WHY NOW?

- **Likelihood of failure** for certain critical assets has become **too high** to ensure reliable, sustainable service
 - Assets are well-beyond their useful life
 - Further delay will cost ratepayers more (emergency repairs)
 - Employee safety and retention
- New WWTP permits **requires** implementation of additional phosphorus reductions
- Next housing growth burst anticipated as early 2025-2028, with more planned

WHY MARCH 2025?

- Vote on TMD 2025 yields earliest possible understanding of whether community will support the project as currently planned. Gives the City time to revise/strategize if voted down and **still stay on construction completion target.**
- If successful, design funds will be focused on an “approved” project (i.e. **no waste of design costs** that would occur if we design, then go to voters, and then have to redesign portions of project for a re-vote)
- Council will have a **clear mandate to authorize the loan for final design costs (\$8M)**
- **Clear signal to housing projects that we will be ready for their flow.** Otherwise may have to issue conditional capacity approval letters.
- Demonstrates to staff that we are doing every thing we can to advance the project to **support staff working conditions/morale.**

WHY MARCH 2025?

- **The WWTP and the Reservoir Pump House are on borrowed time.** Clearing the hurdle of voter approval will provide clear path forward and may provide some insurance against permit violation fines and negative perceptions.
- Our new WWTP permit will require implementation of phosphorus reductions no later than 1 month before expiration of 5 year permit; assuming early 2025 issuance, **tertiary must be online no later than early 2030**
- Getting approval on the East Plant consolidation allows Water Resources to potentially **align new collection system route with the Bank/Cherry project needed collection system upgrades, saving \$ overall.**
- March 2025 successful bond vote allows for construction ready projects to **apply for FY26 State Revolving Fund Priority list**

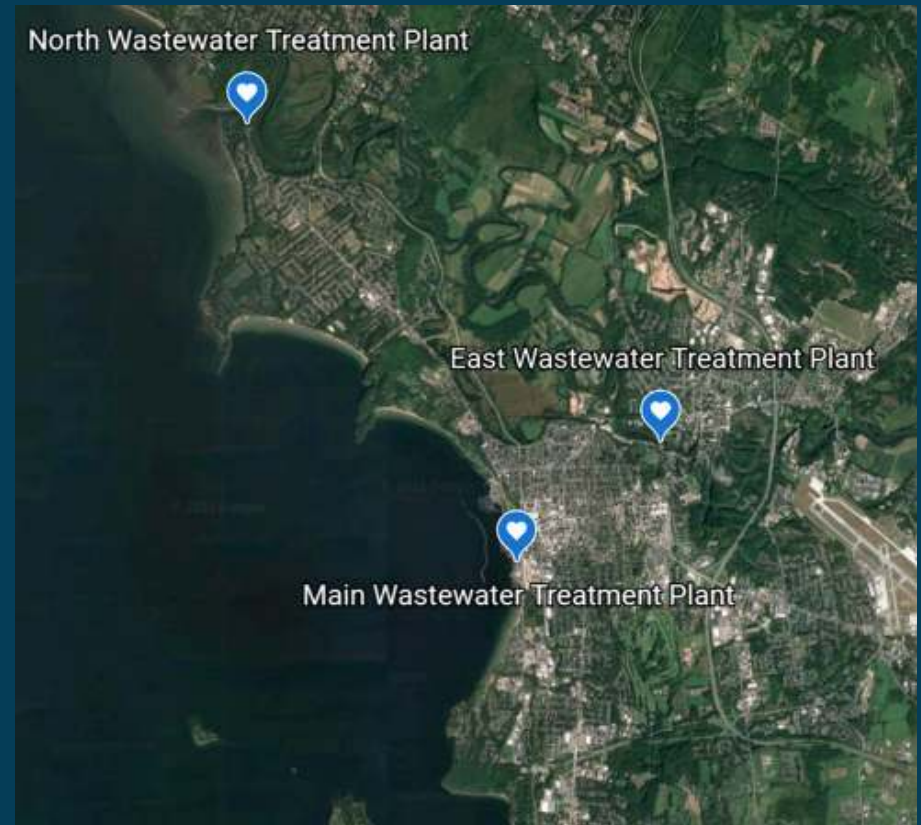
WWTP Improvements Project

Burlington's Commitment to the Lake and
Sustainable Housing Growth



BURLINGTON'S 3 WASTEWATER PLANTS

- Main WWTP built in 1953
- North WWTP built in 1961
- East WWTP built in 1965
- Due both to increased regulations and the harsh impacts of the wastewater environment on equipment, all three plants were then subsequently upgraded in:
 - 1973 - improved pollutant treatment
 - 1994 - improved nutrient removal and added wet weather treatment to Main WWTP



Improve and Modernize WWTFs for Burlington's Future



Resiliency

Ensure existing systems continue to function; Increase resiliency of critical wastewater equipment through improved design and redundancy



Environmental

Improve ability to meet water quality standards for Lake Champlain



Capacity

Increase capacity of Main WWTF to accommodate growth within the community



Work safety

Improve working conditions for City staff

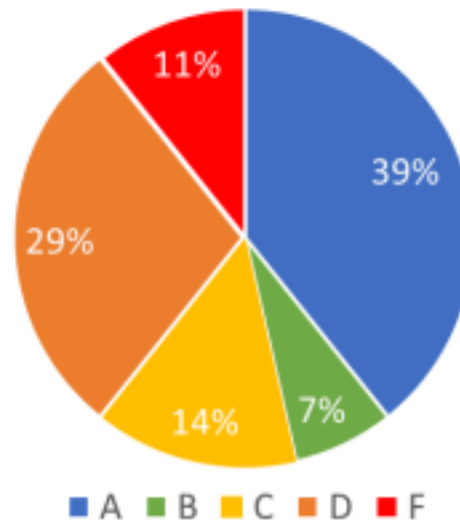


Odors

Reduce off-site odors from Main WWTF

RISK REPORT CARD WASTEWATER TREATMENT SYSTEMS

After 2018 Clean Water Resiliency Plan Investments



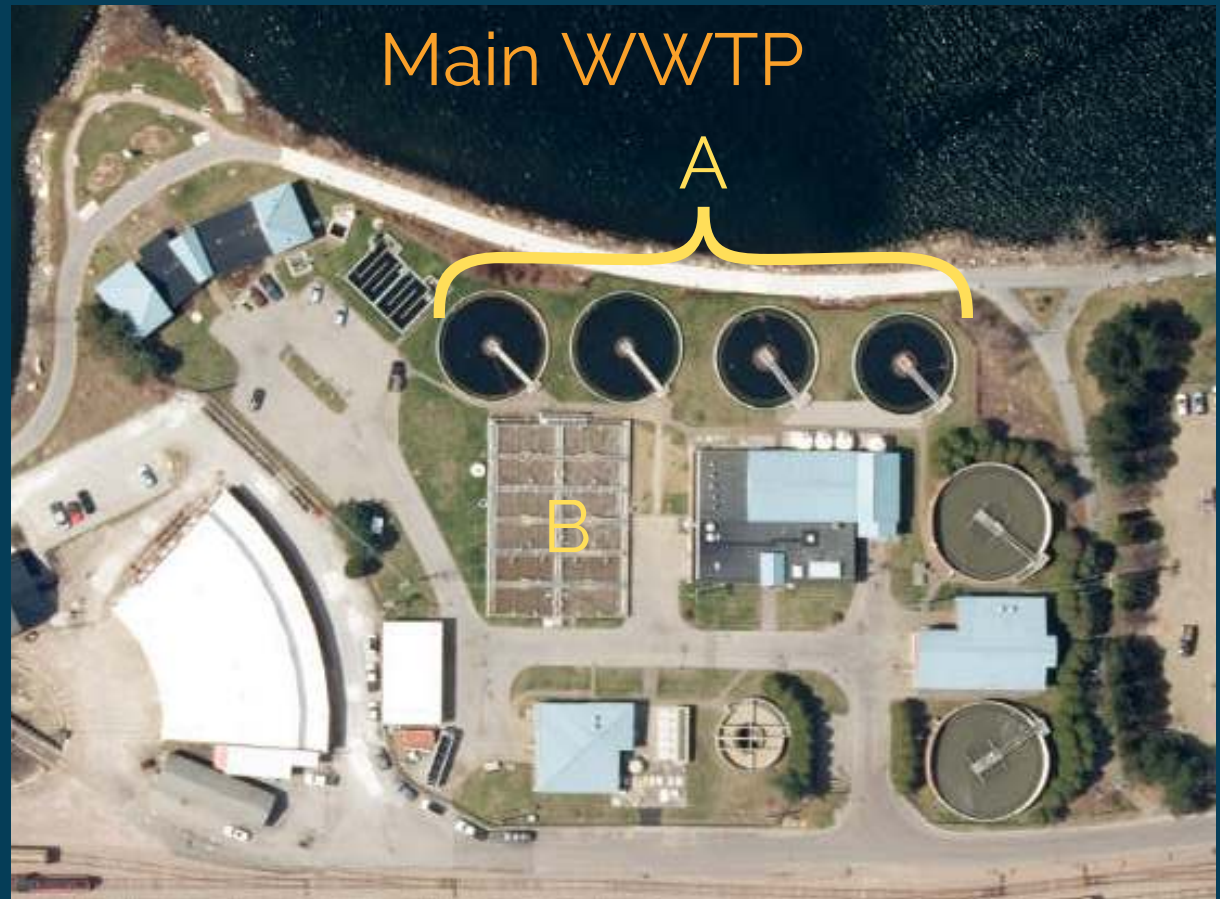
C	Recommend replacement in 3-5 years
D	Recommend replacement in 1-3 years
F	Recommend immediate replacement

Conclusion

- More than 50% of system are at a C- grade or worse, with most at D (replacement needed in 1-3 years) or F (needs immediate replacement)
- This condition will keep Burlington at risk of W/W treatment failures and preventable beach closures

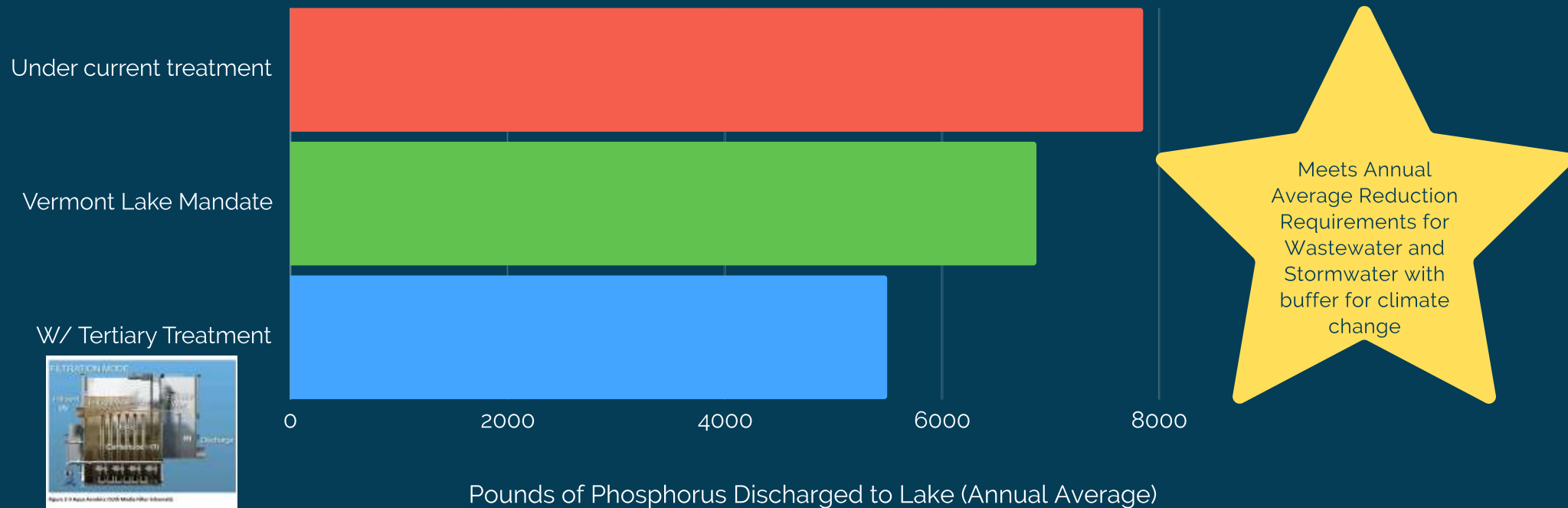
THIN MARGINS OF REDUNDANCY

- Need all 4 secondary clarifiers operation during the summer rainfall months (A)
- Organic strength of inflow requires all of our biological system to be operational at all times. (B)



WATER QUALITY IMPROVEMENTS ARE **DESIRED** AND **MANDATED**

Proposed Phosphorous Discharge Performance @ WWTTPs



ADDRESSING THE HOUSING NEED: PLANNING FOR GROWTH

- WWTPs are permitted for certain flows based on hydraulic and organic treatment capacity in plant
- When flows > 80%
 - triggers capacity review and planning evaluation
 - potential increased regulatory scrutiny
 - ability to allow new connections (growth) becomes less certain
- Additionally, climate change has and likely will increase flows

Wastewater Flows at Main WWTP



ADDITIONAL PROJECT BENEFITS



- East to Main Plant Consolidation
 - Provides flexibility for growth within current City WWTP permitted limits
 - Improved phosphorus removal
 - Saves ratepayer costs in over long term (~\$30 M over 50 years)



- Engineered Safety Improvements
 - Ventilation (worker air quality) improvements
 - Electrical safety/modern code compliance

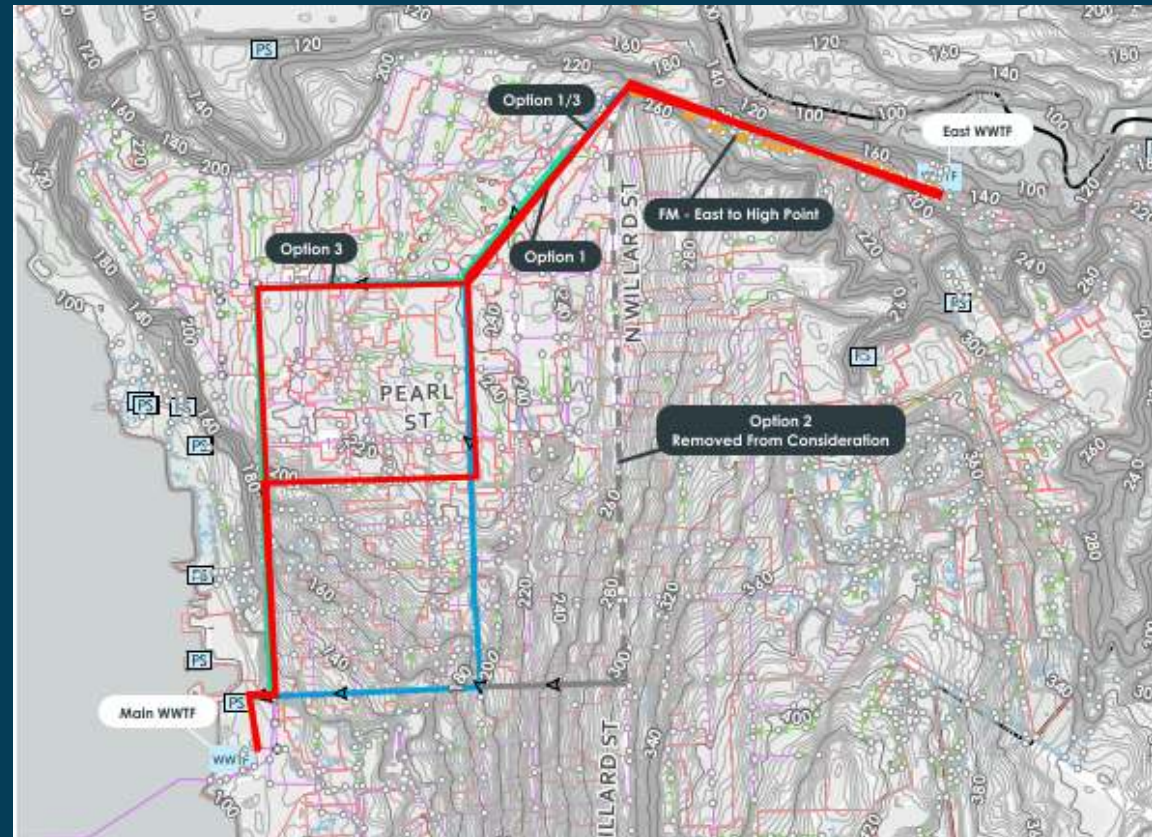


- Odor reduction efforts at Main Plant
 - Covers and air treatment system for primary clarifiers
 - Odor control for sludge storage

EAST PLANT CONSOLIDATION



- East to Main Plant Consolidation
 - Construct forcemain and upsize gravity main
 - Turns East Plant into Pump Station
- Saves rate payers \$ over long term because don't have to keep upgrading full treatment process at east plant





COST ESTIMATES



Stage	Scope	Ball Park Cost Estimate
Stage 1	Main Plant critical infrastructure, tertiary treatment, expanded capacity; North Plant critical infrastructure	\$147 M
Stage 2	Conversion of East Plant to Pump Station; construction of pipes from East to Main	\$31 M

- Project is in final weeks of scope and cost due diligence (60% PER under review currently)
- Above costs do not include Stage 3 costs (2028+) for remaining items at Main and North Plant.



- 



Reservoir Improvements Project

A photograph of a historic brick building with a clock tower, likely a water reservoir, with a traffic light and a street lamp in the foreground. The building is made of red brick and has a grey shingled roof. The clock tower has two circular windows with white frames. The building is surrounded by a black metal fence. In the foreground, there is a traffic light and a street lamp. The sky is blue with some clouds.

*Water Supply Resiliency
for Burlington*

BURLINGTON'S DRINKING WATER RESERVOIR AND HIGH SERVICE PUMP STATION

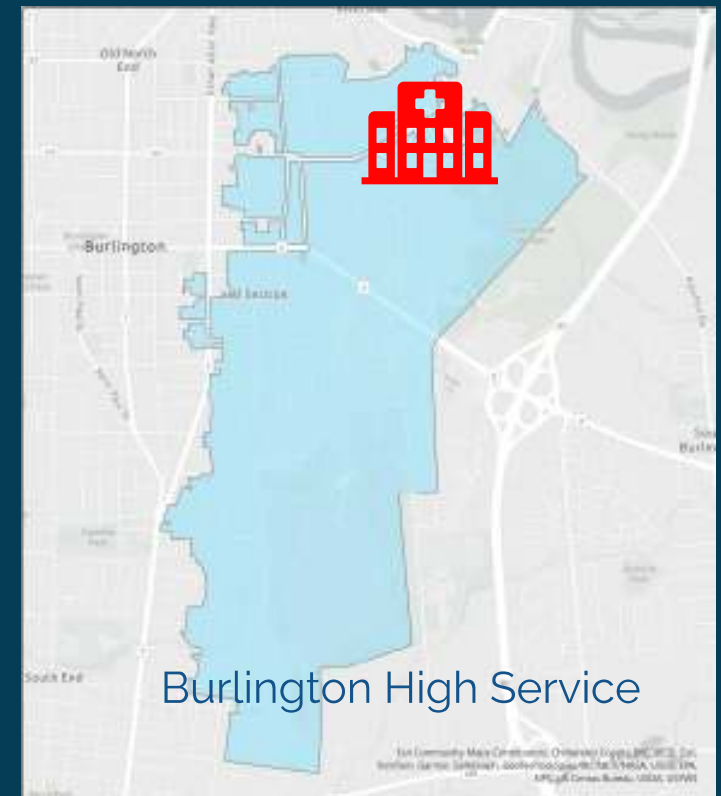
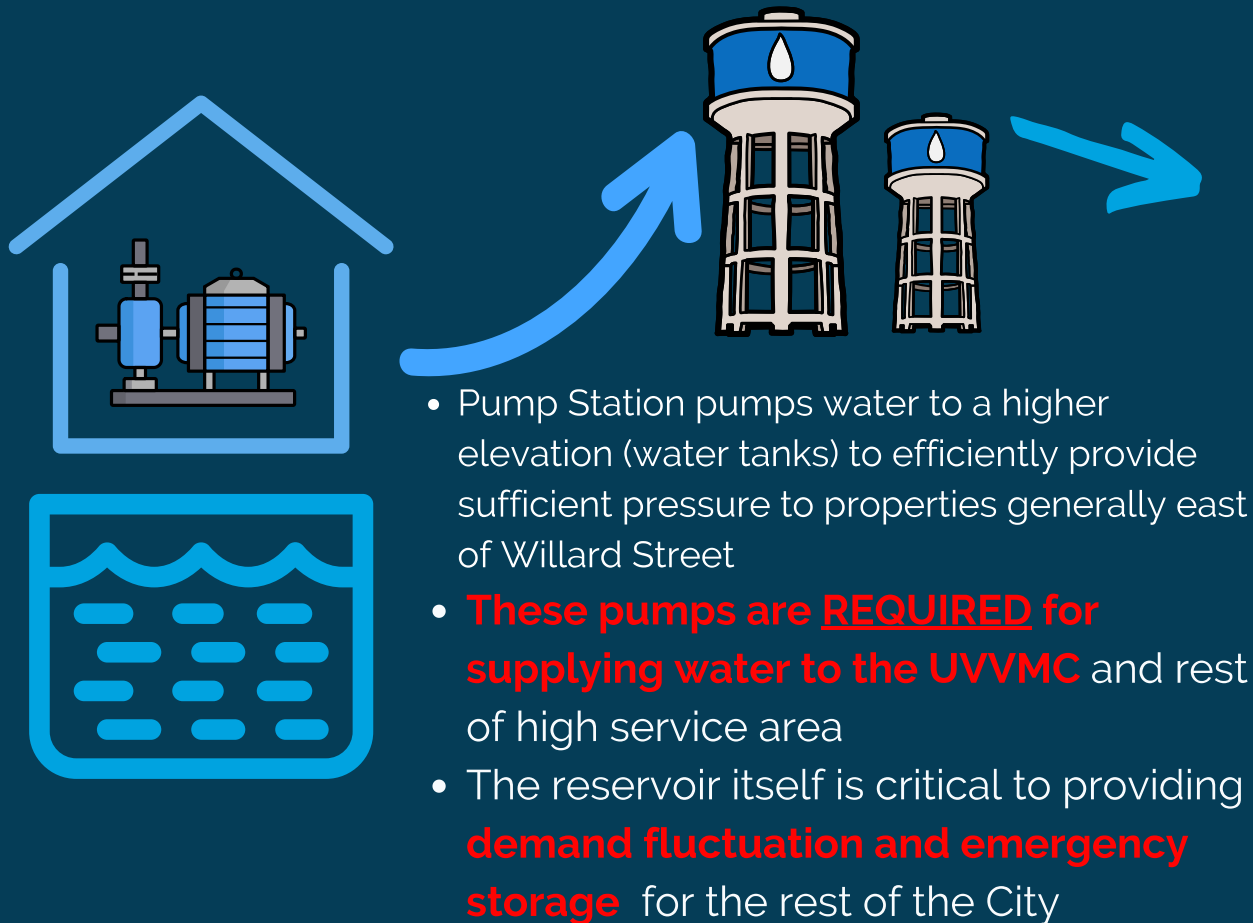


Figure 7.18: Main Street reservoir, drained of water and under renovation, circa 1890
(Courtesy Burlington Water Department)

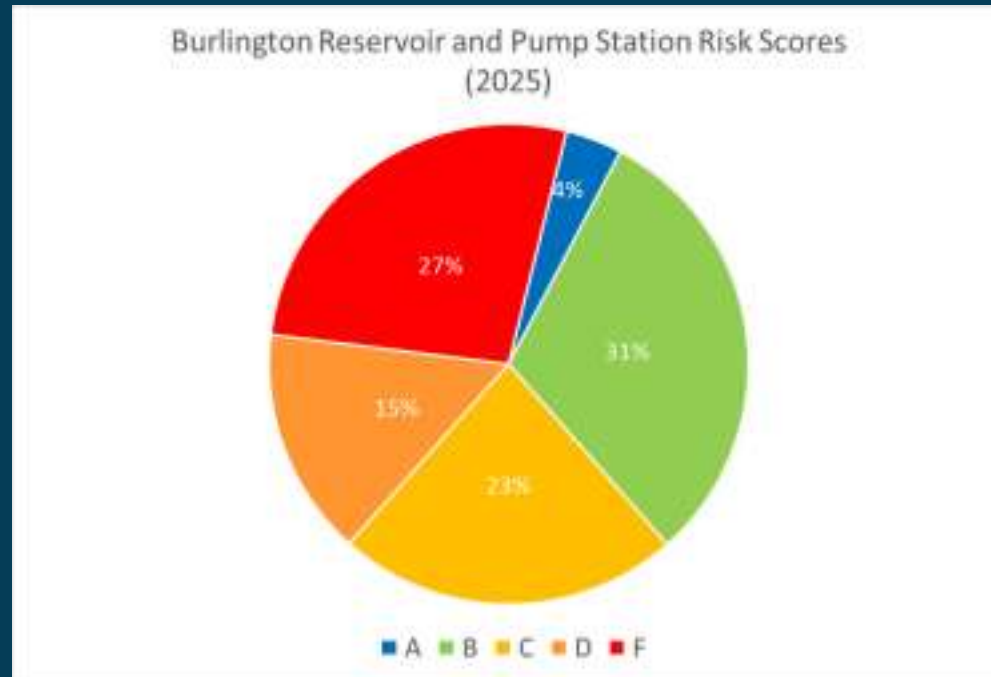


- 7 Million Gallon Treated Drinking Water Storage
 - Originally Built in 1867
 - Expanded in 1888 and lined with brick/stone
 - Covered in 1981
- 1867 Gate House Building
 - In service as a Pump Station starting in early 1880s

THE RESERVOIR AND PUMP STATION ARE CRITICAL DRINKING WATER SUPPLY INFRASTRUCTURE



RISK REPORT CARD PUMP STATION AND RESERVOIR



Conclusion

- 65% of systems are at a C grade or worse, with 42% at D (replacement needed in 1-3 years) or F (needs immediate replacement)
- This condition presents a great deal of risk for Burlington's ability to supply water to the high service

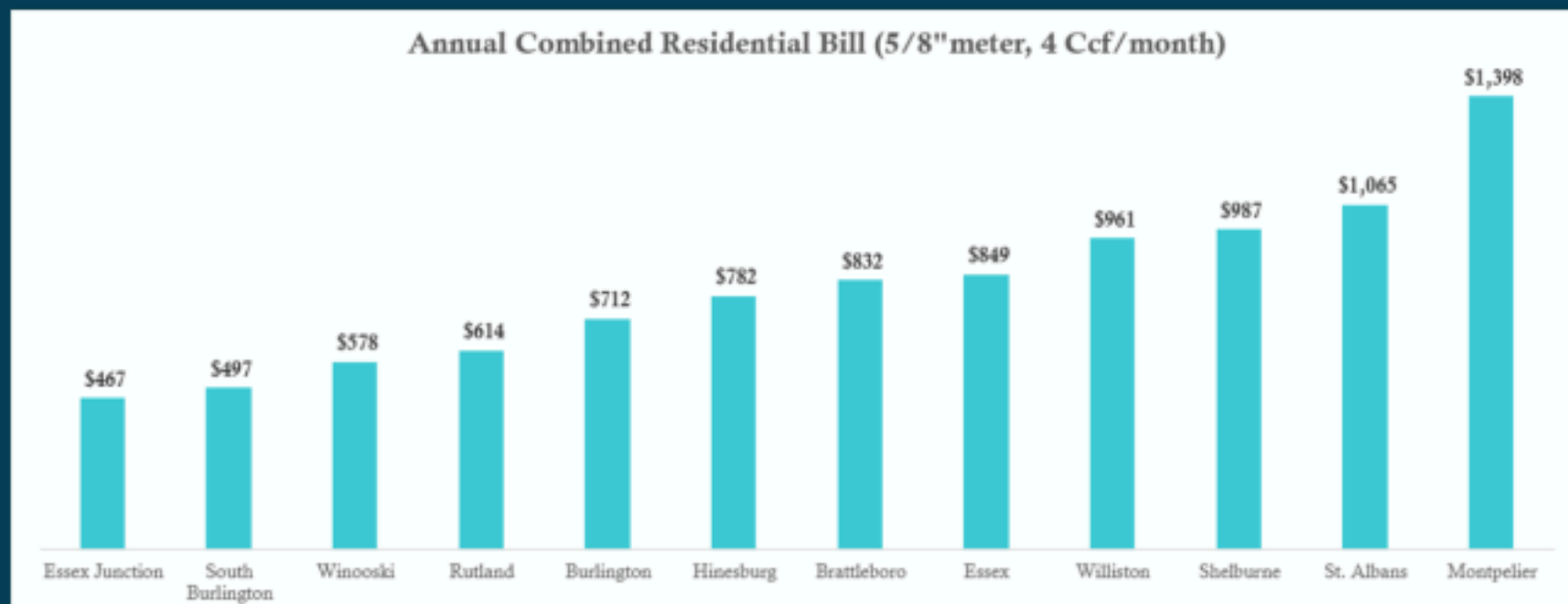
RESERVOIR PROJECT SCOPE AND COST ESTIMATE

- New, modern high service pump station building, equipment, piping
- Replacement of the reservoirs' membrane roof; spot repairs to the concrete roof structure
- Mechanical mixers to improve drinking water quality
- Reline of the 24" diameter water main to the South Reservoir and the reservoir inlet/outlet pipes
- Site improvements: Security improvements, north reservoir retaining wall replacement, stormwater detention, preserve 1867 pump house building
- Potential solar installation on rehabilitated roof (potential for roof project cost offset)

Preliminary Engineering Report Cost
Estimate (+ 10% contingency)

\$8.25-10 M

WATER/SEWER/STORM RATES IN VERMONT



- For typical residential customer Burlington's water resources bill is currently below the median FY25 bill (\$802/year) for "similar" Vermont communities

WATER, WASTEWATER, STORMWATER RATE IMPACTS

- Working with experts on water resources financing to determine the best borrowing mechanisms to **mitigate rate impacts**
 - Longer term bonds where appropriate
 - WIFIA/SRF
 - Public bond market
 - Identify grants and other funding
- Rate impact estimates expected by November
- Working with administration on additional affordability program elements



Reservoir project is on congressionally delegated spending list (\$1 M grant)



INITIAL ESTIMATED RESIDENTIAL CUSTOMER RATE IMPACTS



- Initial projections will be presented at November 12, 2024 work session

PROJECT & OUTREACH SCHEDULE

Month	Project Advancement	Outreach
September 2024	• Evaluate financing strategies • Continue to refine cost estimates	• Commission • TEUC • WWTP Tour • Initial Project Webpage
October 2024	• 60% Preliminary Engineering Report (PER) Complete • Draft financing strategies and ratepayer impacts	• Commission • TEUC • WWTP Tours
November 2024	• Review/Finalize PER • Rate payer impacts finalized • Affordability Program Enhancement Work	• TEUC • NPAS • Council Work Session
December 2024	• Affordability Program Recommendations	• NPAS • Council Follow Up Work Session

PROJECT & OUTREACH SCHEDULE

Month	Project Advancement	Outreach
January 2025	• 100% Preliminary Engineering Report Complete • Council approval for bond questions on March Ballot	• BTV Lake Stakeholders • Business Stakeholders • Media tour/interview • Social media campaign
February 2025	• North Ave News • Information postcards • Public meeting + Virtual information sessions • Social media campaign • NPAs round 2	
March 4, 2025	• Water Revenue Bond Ratepayer Vote • Clean Water (W/W + SW) Revenue Bond Ratepayer Vote	
2026-2029	• Reservoir (2026) • WWTP (2027-2029)	• Project announcements



Reminder:
All debt has to be
separately approved
by City Council

THANK YOU. QUESTIONS?

Megan Moir
Division Director Water Resources
mmoir@burlingtonvt.gov

Martin Lee
Water Resources Engineering Manager
mlee@burlingtonvt.gov

Chapin Spencer
DPW Director
(cspencer@burlingtonvt.gov)

Website under construction!





MEMORANDUM

Date: November 12, 2024
To: Burlington City Council
From: Sarah Russell, Special Asst. to End Homelessness
Re: Homelessness Initiatives Updates

This memo serves as an update on the City's response to unsheltered homelessness.

Update on Resources for Unsheltered

As discussed during the June 10 work session, the City identified three locations where resources could be placed to mitigate health and safety concerns. Numbers of people camping in these locations have remained consistent in recent weeks with slight fluctuation in Urban Reserve.

- **North of the Dog Park:** Two portable toilets, one three-yard dumpster, and handwashing station were placed in July.
- **Urban Reserve:** One portable toilet and one three-yard dumpster were placed in July.
- **Manhattan Drive/Old Dump Road:** One portable toilet and one dumpster were placed in September. Seasonal access to water source was installed in August.

The cross-department working group led by CEDO continues to meet regularly to identify possible additional resources and discuss potential challenges. City outreach teams visit each location (as well as many others) daily and at this time, there have been no significant conflict reported. People living unsheltered have expressed gratitude of these resources and they are in high-use. At this time, we anticipate that these resources will be removed by December 1st, due to the inability for the resources to be serviced in the winter months (due to snow conditions).

There have been some questions related to the use of propane tanks for people who are camping. We want to provide assurance that small tanks have always been provided by our non-profit partners to run portable heaters (with safety feature – turn off when tipped). This resource is essential for providing heat source during the winter and prevents open fires by campers.

Staff continue to hold cross-department discussions related to Hot Spots and areas of challenge across the City. It is critical to ensure safety for all community members, both with- and without stable housing.

Expanding Shelter Capacity

Chittenden County continues to see record-high numbers of people living unsheltered and current estimates indicate over 350 people are sleeping outside. The goal of the City is to expand low-barrier shelter capacity, which is needed now more than ever. The Chittenden County Homeless Alliance (CCHA) is aligned with this goal. The City fully supports the work of the CCHA, and City staff always defer to the CCHA for guidance and to ensure our work is aligned with theirs.

To this end, we anticipate 60 new seasonal low-barrier shelter beds to open this winter at Champlain Inn, operated by CVOEO (30 beds) and 58 Pearl Street, operated by COTS (30 beds). While this is positive news, neither shelter will open on December 1st as anticipated. Champlain Inn continues to undergo renovations and expects shelter beds to open by January 1st. COTS continues to work through the acquisition process with the Federal Government Surplus Agency and Department of Health and Human Services.

The delay of available seasonal shelter beds is concerning as shelters in Chittenden County remain at full capacity. AHS recently opened a temporary shelter for families with children in Williston (prior location of the Vermont State Police barracks), with the capacity to serve seven households. Additionally, CEDO coordinated efforts to connect CVOEO and CHT with a flexible funding source via UVMHN's Community Health Investment Committee, which enabled accommodations for another seven families at Harbor Place until adverse weather conditions begin on December 1st.

General Assistance Emergency Housing Task Force

As detailed in Act 113, a Task Force was charged with making recommendations on the following directives related to the General Assistance Emergency Housing Program:

1. household eligibility; maximum days of eligibility; application, notice, and appeals processes; participant requirements; and annual reporting requirements;
2. the process to establish a single, statewide, unified coordinated entry system with participation from the Department;
3. the current organization of roles and responsibilities within the Department for Children and Families' Office of Economic Opportunity and the Division of Economic Services;
4. the number and types of emergency shelter spaces needed and currently available for each geographic region in the State, with a preference for non-congregate shelter spaces;
5. the identification of a consistent lead agency for each geographic region;
6. the identification of role and responsibility assigned to the lead agency;
7. potential adjustments to emergency housing policy during cold weather months;
8. a process to enable participating households to place a percentage of the household's gross income into savings, which shall be returned to the household for permanent housing expenses when the household exits the General Assistance Emergency Housing;

9. a mechanism for addressing potential conduct challenges posed by a member of a participating household served in a motel, hotel, or shelter;
10. the identification of any State rules and local regulations and ordinances that are impeding the timely development of safe, decent, affordable housing in Vermont communities in order to:
 1. identify areas in which flexibility or discretion are available; and
 2. advise whether the temporary suspension of relevant State rules and local regulations and ordinances, or the adoption or amendment of State rules, would facilitate faster and less costly revitalization of existing housing and construction of new housing units;
11. a mechanism to ensure that eligible households are sheltered until transitional or permanent housing is available; and
12. strategies to reduce reliance on hotels and motels for emergency housing.

Sarah Russell has been appointed co-chair of the Task Force. A report, detailing final recommendations, will be prepared and submitted to legislature by January 15, 2025. [More information related to the Task Force, including meeting schedule, minutes, supporting documents can be found here.](#)

CITY COUNCIL ACCOUNTABILITY LIST

This list is a working document. It is a record of resolutions, ordinances, communications that have come to the Council and there is an action requested.

Prepared by: Lori Olberg, Licensing, Voting & Records Coordinator

10/29/2024

	Meeting Date	Type of Document and Title	Action Requested	Updated Next Steps in the Process
1	2/6/2023	Communication re Ward 2/3 NPA Resolution to Name the New Shelburne Street Roundabout After Tony Redington and Resolution in Support of Big Heavy World Teen Center Proposal for Memorial Auditorium	refer the communication to TEUC and CDNR Committees respectively for further review and engagement	TEUC Item was taken up at the March 2023 meeting. No further action taken
2	3/13/2023	Communication re Ward 5 NPA Steering Committee to Name the New Shelburne Street Roundabout after Tony Redington	refer the communication to TEUC for further review	TEUC Item was taken up at the March 2023 meeting. No further action taken
3	3/13/2023	Resolution: Supporting LGBTQIA+ Community Members and Condemning Transphobia	City Council will work in collaboration with community members and organizations and the City administration to develop a plan for ongoing activities to support and amplify the voices of the LGBTQIA+ community; City Council urges Burlington’s state legislative delegation to look at current state hate crime statute to look to extend protections for schools and organizations that advocate/support LGBTQ+ (and other minoritized communities) from hate motivated targeted crimes, examine Burlington’s graffiti ordinance and consider changes that address continued defacement of public property, and graffiti that spreads hateful and harmful messages.	There have been stakeholder meetings brought forward by the Administration to address the directives in the resolution. UPDATE: Work is being done in the Legislature, a former resident created a physical Burlington trans pride flag to fly in front of City Hall in recognition of Trans Day of Visibility; the flag will fly the flag from March 15 - April 15 to celebrate Trans Day of Visibility and reboot the Trans People Belong campaign.
4	6/5/2023	Resolution: Accepting Grant Funding from the Department of Mental Health for the Crisis Response Team and Exploring the Creation of a Burlington CAIP Department	The City Council requests an evaluation be done to explore Burlington CAIP becoming a department of the City , an evaluation be done to review the reporting and supervisory structure needed to support three public safety departments (police, fire and CAIP), that a report come to Public Safety Committee in October 2023, approval for the Chief of Police to accept the Department of Mental Health grant for Burlington CARES	A report was to come to Public Safety in late 2023. UPDATE: this was presented to the Public Safety Committee as per the resolution in March 2024, report to the full Council in April 2024.
5	7/24/2023	Resolution: The Climate Emergency and the Council Request to Count Vermont Air National Guard GHG Emissions and to Plan to Eliminate VTANG Aviation and Ground GHG Emissions in the Spirit of the City's 2030 Net Zero Goals	requests that the Vermont Air Force National Guard Adjutant General, beginning for the year 2023, calculate aviation and ground fuel usage at the VTANG base and to annually provide BTV Director and TEUC with a complete record of the calculated aviation and ground greenhouse gas emission; for VTANG to work collaboratively to draft a plan to adopt simulation and augmented reality training to substantially reduce or eliminate GHG with initial meeting on or before 12/31/23 and follow up at TUEC's March 2024 meeting	Initial meeting of the parties by 12/31/2023; UPDATE: parties met at March TEUC meeting
6	12/18/2023	Ordinance: Burlington Code of Ordinances-Sections 21-45 - 21-49 Trespass	refer the proposed to the ordinance committee for further review to include, but not be limited to, consideration of the list of parties authorized to issue no trespass orders, balancing no trespass orders with proactive harm reduction efforts and to evaluate expanding the ability to enforce the trespass ordinance on private property.	Work being done on this in the Ordinance Committee
7	3/11/2024	City of Burlington, VT 2021-2023 Dog Task Force	To refer the recommendations of the 2021-2023 Dog Task Force Report to the following Committees, Commissions, and Departments for further review, study, and recommended action, and to request that such bodies report back to the full Council with their findings by the first Council meeting of September, 2024: Recommendation regarding updates and additions to Chapter 5 and Chapter 22 of the Burlington Code of Ordinances to the Ordinance Committee, with Council recommendation to engage the Clerk Treasurer's Office and Parks, Recreation, and Waterfront Department regarding sharing of license revenues; and Recommendation regarding additional Animal Control staffing and improvements to include animal related concerns to the online police report system to the Public Safety Committee and Police Commission for concurrent review; and Recommendation regarding creation of additional off-leash areas to the Parks Commission; and Recommendation regarding standing up an Education Campaign with respect to licensing requirements to the Clerk Treasurer’s Office; and, best practices for animal ownership in the City to the Police Department and the Parks, Recreation, and Waterfront Department	first council meeting in September 2024
8	5/6/2024	Resolution Relating to The Relationship Between City Officials And The Neighborhood Planning Assemblies	to refer the resolution from the Ward 1 Neighborhood Planning Assembly Concerning the Relationship Between City Officials & the NPA to the Community Development and Neighborhood Revitalization Committee for further review and recommended action	no later than September 2024
9	5/20/2024	Resolution: A Building Emissions Reduction Ordinance	referred to TEUC	TEUC refer any working draft BERO and any related ballot language to the Ordinance Committee no later than the last City Council meeting in October of 2024
10	6/3/2024	Resolution: Review and Update To Rental Weatherization Standards	TEUC to hold one or two meetings to eaxmine implementation of the Rental Weatherization Standards and identify any reasons for delay in achieving the energy audtis and weatherization work required by Ordinance to take place	no later than October 1, 2024, TEUC shall provide the full Council an update on its findings and make any policy update recommendations to the Ordinance Committee
11	6/3/2024	Ordinance: Chapter 18 Housing, Article V. Regulation of Conversion of Rental Housing to Condominiums or Cooperatives	referred to Ordinance Committee	not-specified
12	9/23/2024	Ordinance: CDO - EMERGENCY SHELTERS ZA-24-03	referred back to the Ordinance Committee	not-specified
13	10/28/2024	Ordinance: ENERGY BENCHMARKING OF SPACE HEATING IN CERTAIN COMMERCIAL PROPERTIES BCO Chapter 8, Art. VII	suspend the rule of sending this to Ordinance Committee and schedule for a second reading before the City Council	12/9/2024
14	10/28/2024	Ordinance: Technical Amendments to Article VI of Chapter 21 of the Burlington Code of Ordinances, Commencing at Section 21-80, Livable Wages, to Streamline Enforcement and Other Processes	waive the reading, approve the first reading of the ordinance, suspend the rule on referring this item to the Ordinance Committee and refer this item to the Board of Finance to review and report back to the City Council	prior to the end of November 2024
15	10/28/2024	Ordinance: Ordinance Amending B.C.O. Sec. 1-9 & 21-29 Re: defacement of property and ordinance violations targeting individuals on the bases of protected classifications	waive the reading, approve the first reading and schedule a second reading	11/12/2024



MEMORANDUM

TO: Board of Electric Commission (BEC), Burlington Board of Finance (BOF), Burlington City Council (BCC)
FROM: Paul G. Alexander, Manager of Safety & Risk Management
DATE: October 27th, 2024
SUBJECT: **B.E.D.'s Property/Boiler and Machinery (B&M) 2024-2025 Insurance renewal**

RECOMMENDATION:

That the Burlington Electric Commission, Finance Board and City Council authorize the Electric Department to renew our Property/Boiler and Machinery (B&M) Insurance with **AIG/ZURICH/STARR TECH/AEGIS** for the policy period 11/20/2024–11/20/2025 for a **not to exceed premium of \$715,989**.

DISCUSSION:

Commercial Property/B&M insurance covers BED's **physical assets** from perils such as fire, lighting, smoke, explosions, storms, burst pipes, theft and vandalism. It is designed to protect our **tangible property**; namely buildings, boilers, transformers and property inside and outside (furniture, computers, fences, office equipment, inventory, etc.)

Our current Property/B&M Insurance coverage with AIG/Starr Tech/Zurich/AEGIS is scheduled to expire on 11/20/2024 for which we pay an annual premium of **\$679,814.70**.

Worth mentioning is that last year, the BEC/BOF/CC approved this line item with a “not-to-exceed” premium amount of \$778,683.70. We ultimately bound coverage for \$679,814.70, a decrease in premium of \$98,869 due mainly to the fact that we increased our deductibles at the McNeil Station (\$1M to \$2M) as well as at the GT & W1H (each from \$500k to \$1M).

- ❖ Our insurance agent (Hickok & Boardman: H&B “Acrisure”) has worked diligently with our existing 4 carriers and is still in negotiations with them to finalize “capacity” (the largest amount of insurance that a company or the market is able to write), Total Insurable Value (TIV)'s, deductibles and premium.
- ❖ The renewal premium is anticipated to increase from last year's amount of **\$679,814.70** to a **not to exceed \$715,989** (which is **2.6% lower** than our estimated renewal premium at 11/20/24 in the FY'25 budget of **\$735,220**). Please note our insurance agent (H&B) has shared there is the possibility of achieving a lower renewal premium using deductible options and last-minute pricing negotiations (still to be finalized).
- ❖ Our **Total Insurable Value (TIV)** will be capped at \$200,000,000 of property (same as last year) vs. our current fully scheduled TIV of \$342,784,000. The McNeil Station's TIV is listed at \$252,902,000 with a ratable TIV of \$230,000,000.

H&B CONSIDERATIONS/OPTIONS/ACTION STEPS:

- ❖ Last year, as an alternative to the in-force property insurance program, BED and Acrisure reviewed the property captive options available to single cell captive and rent-a-captives. FM Global offers both a rent-a-captive, and guaranteed cost premium option. FM Global's guaranteed cost premium indication last year was \$975,285, which was higher than the expiring and current insurance program's cost. Given this premium difference, BED/City did not pursue the captive option this year.
- ❖ Last year, AFTER the “*Not-to Exceed*” approval for \$778,683.70, BED increased the deductibles at the McNeil from \$1M to \$2M and at the Hydro as well as the Gas Turbine from \$500,000 to \$1M to offset premium increases and by doing so, successfully saved \$98,869 in premium for a final premium of \$679,814.70.
- ❖ To help offset the increase in TIV's, H&B asked the current carriers to use a ratable TIV at McNeil of \$230M, rather than \$252M.
- ❖ In addition, to support BED's efforts to get as close to possible from the budget perspective, H&B is reviewing/pursuing the following:
 - Optional deductible changes at McNeil (forthcoming)
 - Optional deductible changes at W1H and the GT (forthcoming)
 - Review of the insured asset values to identify any errors or options to separately insure an asset (such as the railroad cars; they are currently the only BED asset valued at ACV vs. RC)
- ❖ H&B looked at moving the Workers' Compensation and Auto lines from Travelers to Liberty Mutual in July, but Liberty Mutual's energy program was undergoing a restructuring that was deemed not favorable at the time to BED to consider (higher auto deductibles, etc.) They continue to review these each year.
- ❖ H&B looked at combining BED and the COB's cyber insurance policies to provide premium savings to BED. Due to the terms of the policies, it was in BED's benefit to maintain a separate policy.

IMPACT ON BUDGET:

Our FY'25 budgeted amount of \$712,134 (produced in January 2024 and adopted in June 2024) was calculated using 5 months at the “current/known” premium amount (\$679,815) and 7 months at the projected amount (\$735,220). Note this projected renewal amount of \$735,220 was derived by assuming an estimated 5% straight rate increase from H&B as well as an estimated 3% increase in our TIV's.

- ❖ Thus, using the “not to exceed” premium of **\$715,989** would amount to a **2.6% reduction** in our estimated renewal within the FY'25 budget and a **5.32%** increase over our expiring premium of \$679,815. Again, please note in our insurance agent's (H&B) cover letter, there is a possibility of a lower **estimated** renewal premium, which is still to be finalized.
- ❖ The “not to exceed” premium of **\$715,989** would amount to a **1.57 decrease in our total FY'25 budget for this line of business (from \$712,134 to \$700,916).**

MOTIONS:

Board of Finance:

“To approve and recommend that the City Council authorize the General Manager of the Burlington Electric Department or their designee, to execute the Property, Boiler & Machinery insurance coverage renewal contract with AIG/ZURICH/STARR TECH/AEGIS for the policy period 11/20/2024 through 11/20/2025 with a not to exceed premium of \$715,989, as outlined in this memo, subject to review and approval of the City Attorney’s Office and the CAO”.

City Council:

“To authorize the General Manager of the Burlington Electric Department or their designee, to execute the Property, Boiler & Machinery insurance coverage renewal contract with AIG/ZURICH/STARR TECH/AEGIS for the policy period 11/20/2024 through 11/20/2024 with a not to exceed premium of \$715,989, as outlined in this memo, subject to review and approval of the City Attorney’s Office and the Board of Finance”.

Board of Electric Commissioners:

“To authorize the General Manager of the Burlington Electric Department or their designee, to execute the Property, Boiler & Machinery insurance coverage renewal contract with AIG/ZURICH/STARR TECH/AEGIS for the policy period 11/20/2024 through 11/20/2025 with a not to exceed premium of \$715,989, as outlined in this memo, subject to review and approval of the City Attorney’s office, the City’s CAO, Board of Finance and the City Council”.

Respectfully submitted,

Paul G. Alexander, CPCU, ARM-PE, CUSP
Manager of Safety & Risk Management

c: Darren Springer, General Manager

City of Burlington Electric
Property Quota Share Program Structure
Current as of 10/26/2024

November 20, 2024 through November 20, 2025			
	Assets other than McNeil	McNeil	
Total Values	\$89,882,000	\$230,508,520	
Policy Limit	89MM	200MM	
Carrier	AEGIS	Zurich	Carrier
Quota Share %	75%	35%	
Share	\$67,411,500	\$70,000,000	
Premium	\$128,670	\$234,119	
Rate	0.1909	0.306	Rate
		Starr Tech	
		40%	
		\$80,000,000	
		\$221,203.00	
		0.252	
Carrier	AIG	AIG	
Quota Share %	25%	25%	
Share	\$22,470,500	\$50,000,000	
Premium	\$38,321.22	\$93,675.78	
Rate	0.171	0.171	
			McNeil & Other
Total Premium	\$166,991.37	\$548,997.63	\$715,989.00



Date: 10/27/2024

To: Paul Alexander, CPCU, ARM-PE
Manager of Safety and Risk Management
City of Burlington Electric Department
585 Pine Street
Burlington, VT 05401

RE: Property Insurance Renewal effective 11/20/2024 (for policy period 11/20/2024-2025)

Per our most recent conversation, I am sending this brief memo to summarize the state of the energy property insurance marketplace and its implications regarding Burlington Electric Department (BED) property insurance renewal effective 11/20/2024.

Energy related asset replacement cost value adequacy is an emerging concern for the insurers given pandemic driven supply chain issues and global inflationary pressures. Certain energy destroyed assets have exceeded scheduled asset values by more than 60%. BED's asset valuation this year aligns with this trend: total TIV reported to us by BED was \$342M (compared to \$319M last year), with McNeil's assets increasing from \$235M to \$252M. BED utilizes the Handy Whitman index (the industry standard) to value its assets.

Alternative Insurance Options:

- Captive Model and FM Global:
Last year, as an alternative to the in-force property insurance program, BED and Acrisure reviewed the property captive options available to single cell captive and rent-a-captives. FM Global offers both a rent-a-captive, and guaranteed cost premium option. FM Global's guaranteed cost premium indication last year was \$975,285, which was higher than the expiring and current insurance program's cost. Given this premium difference, BED/City did not pursue the captive option this year.

Last Year's Program Change Made to Reduce Premium/Improve Coverage:

- BED increased the deductibles at the McNeil Station from \$1M to \$2M and at Hydro/Gas Turbine from \$500,000 to \$1M to offset premium increase and successfully saved \$98,869.70 in premium.
- Policy Limit: A \$200M limit was secured with AIG/Zurich/Starr Tech without any additional premium cost to BED.



BED's FY' 25 suggested budgeted renewal premium of \$713,805.44 (5% above the current expiring policy rate) is a challenge to achieve with the reported TIV. Like last year, to offset the increase in TIV, we've asked the current carriers to use a ratable TIV at McNeil of 230M, rather than 252M, which reduces the overall TIV increase to 7.7%. The lower TIV is acceptable to the carriers based on their own calculations of PML (probable maximum loss) at the location and reduces the premium cost to BED.

In addition, to support BED's efforts to get as close to possible from a budget perspective, we will present the following:

- 1) Optional deductible changes at McNeil (forthcoming)
- 2) Optional deductible changes at W1H and GT (forthcoming)
- 3) Review of the insured asset values to identify any errors or options to separately insure an asset (such as the railroad cars; they are currently the only BED asset valued at ACV vs RC.)

Program Consolidation or Separation Options:

1. We looked at moving the Workers' compensation and Auto lines from Travelers to Liberty Mutual in July, but Liberty Mutual's energy program was undergoing a restructuring that was deemed not favorable at the time to BED to consider (higher auto deductibles, etc.) We continue to review these each year.
2. Combining BED and the COB cyber insurance policies to provide a premium savings to BED. Due to the terms of the policies, it is in BED's benefit to maintain a separate policy.

In summary, we anticipate we can secure the property insurance renewal with policy limits terms and conditions to the current in-force program (see attached slide) at an estimated annual premium of a "not to exceed" premium of \$715,989.



BURLINGTON ELECTRIC DEPARTMENT
Property/B&M Insurance Policies
Premium/TIV History
10/27/2024

POLICY PERIOD:													(Excl. W1H)			W1H		TOTAL	
#	Carrier	Broker/	From	To				Actual ****	Annual	Annual	TIV ***	(Excl. W1H)	TIV	W1H	Price per	Price per	TOTAL	TOTAL	
		Agent	mm	dd	yyyy	mm	dd	yyyy	Premium	Premium	% Chg	(Excl W1H)	Change	(W1H)	Change	\$100 TIV	\$100 TIV	TIV	% Chg
1	AIG/Starr Tech/Zurich/AEGIS (TBF)	H&B	11	20	2024	11	20	2025	\$715,989	\$715,989	5.32%	\$314,127,000	7.68%	\$28,657,000	5.06%	"n/a"	"n/a"	\$342,784,000	7.45%
2	AIG/Starr Tech/Zurich/AEGIS (TBF)	H&B	11	20	2023	11	20	2024	\$679,815	\$679,815	-0.48%	\$291,733,000	21.51%	\$27,276,000	17.20%	"n/a"	"n/a"	\$319,009,000	21.13%
3	AIG/Starr Tech/Zurich/AEGIS (TBF)	H&B	11	20	2022	11	20	2023	\$683,117	\$683,117	2.96%	\$240,093,000	-0.49%	\$23,273,000	0.99%	"n/a"	"n/a"	\$263,366,000	-0.36%
4	AIG/Starr Tech/Zurich/AEGIS (TBF)	H&B	11	20	2021	11	20	2022	\$663,508	\$663,508	2.95%	\$241,268,000	2.03%	\$23,044,000	3.79%	"n/a"	"n/a"	\$264,312,000	2.18%
5	AIG/Starr Tech/Zurich/AEGIS	H&B	11	20	2020	11	20	2021	\$644,506	\$644,506	11.25%	\$236,462,000	-1.67%	\$22,203,000	2.83%	"n/a"	"n/a"	\$258,665,000	-1.30%
6	AIG/Starr Tech/Zurich/AEGIS	H&B	11	20	2019	11	20	2020	\$579,330	\$579,330	153.25%	\$240,473,000	-2.83%	\$21,591,000	4.19%	"n/a"	"n/a"	\$262,064,000	-2.29%
7	NU/Chartis/AIG	H&B	10	1	2018	10 (**) 1	2019		\$228,762	\$228,762	-5.94%	\$247,487,000	-5.95%	\$20,722,000	-8.17%	\$0.07962	\$0.148761	\$268,209,000	-6.13%
8	NU/Chartis/AIG	H&B	10	1	2017	10	1	2018	\$243,200	\$243,200	-5.67%	\$263,146,000	-0.09%	\$22,565,000	0.69%	\$0.07962	\$0.148761	\$285,711,000	-0.03%
9	NU/Chartis/AIG	H&B	10	1	2016	10	1	2017	\$257,812	\$257,812	-4.64%	\$263,396,000	0.70%	\$22,410,000	0.95%	\$0.08522	\$0.148761	\$285,806,000	0.72%
10	NU/Chartis/AIG	H&B	10	1	2015	10	1	2016	\$270,355	\$270,355	8.42%	\$261,570,000	6.11%	\$22,198,774	36.73%	\$0.09003	\$0.157	\$283,768,774	8.01%
11	NU/Chartis/AIG ⁽⁵⁾	H&B	10	1	2014	10	1	2015	\$249,354	\$249,354	10.53%	\$246,501,000	-0.79%	\$16,235,108	n/a	\$0.09082	\$0.157	\$262,736,108	4.47%
12	NU/Chartis/AIG	H&B	10	1	2013	10	1	2014	\$225,600	\$225,600	11.68%	\$248,460,000	8.00%			\$0.0908		AVG 5 years	4.47%
13	NU/Chartis/AIG	H&B	10	1	2012	10	1	2013	\$202,000	\$202,000	11.13%	\$230,060,000	3.55%			\$0.0878		AVG 3 years	7.60%
14	NU/Chartis ^{(3) (4)}	H&B	9	25	2011	10	1	2012	\$184,750	\$181,762	2.69%	\$222,183,000	5.14%			\$0.082			
15	NU/Chartis/AIG ⁽²⁾	GRA	8	25	2010	9	25	2011	\$191,750	\$177,000	-6.8%	\$211,323,000	0.47%			\$0.084			
16	NU/Chartis/AIG ⁽¹⁾	GRA	8	25	2009	8	25	2010	\$190,000	\$190,000	18.4%	\$210,339,000	18.66%			\$0.090			
17	HS&B/AIG	GRA	8	25	2008	8	25	2009	\$160,420	\$160,420	-8.3%	\$177,259,000	7.66%			\$0.091			
18	HS&B/AIG	GRA	8	25	2007	8	25	2008	\$175,000	\$175,000	-2.5%	\$164,645,000	7.05%			\$0.106			
19	HS&B/AIG	GRA	8	25	2006	8	25	2007	\$179,500	\$179,500	-13.3%	\$153,799,000	6.29%			\$0.117			
20	Starr Tech/HS&B/AIG	GRA	8	25	2005	8	25	2006	\$207,000	\$207,000	-8.0%	\$144,695,000	0.86%			\$0.143			
21	Starr Tech/HS&B/AIG	GRA	8	25	2004	8	25	2005	\$225,000	\$225,000	-4.3%	\$143,460,000	3.55%			\$0.157			
22	Starr Tech/HS&B/AIG	GRA	8	25	2003	8	25	2004	\$235,000	\$235,000	27.0%	\$138,539,000	n/a			\$0.170			
23	Starr Tech/HS&B/AIG	GRA	8	25	2002	8	25	2003	\$185,000	\$185,000	5.7%								
24	FM Global	GRA	8	25	2001	8	25	2002	\$175,000	\$175,000	146.1%								
25	CIGNA/ACE USA	GRA	8	25	1998	8	25	2001	\$213,353	\$71,118	-24.2%								
26	CIGNA	GRA	8	25	1995	8	25	1998	\$281,291	\$93,764	-6.9%								
27	HS&B	SS	1	20	1995	1	20	1996	\$100,720	\$100,720	10.4%								
28	HS&B	SS	1	20	1994	1	20	1995	\$91,244	\$91,244	n/a								

Note: AIG sold HS&B to Munich Re in December, 2008
AIG renamed P/C business as "Chartis" on July 27, 2009

GRA=Global Risk Associates
SS=Starkweather & Shepley: NEPPA
H&B=Hickok & Boardman, Inc.

- ⁽¹⁾ TIV was limited to \$200,000,000 coverage on 8/25/09
⁽²⁾ Policy period extended to 13 months at same rate (now expires on 9/25/11)
⁽³⁾ Policy period extended by 6 days to 10/1 (now expires on 10/1/12)
⁽⁴⁾ TIV back to full limits (\$222,183,000 on 9/25/11)
⁽⁵⁾ TIV "bid" limited at \$246,501,000 but expected to be raised to full \$262,736,108 (for Winooski One)
Rate of \$0.09082 is for all property except Hydro (W1) = \$0.157
* AIG's quote comes with a rate-lock through the following policy period 10/1/18-19
Reflecting AIG's rate lock for 10/1/18-19
** Policy expiration extended from 10/1/19 to 11/1/19 and then 11/20/19
*** TIV capped at \$175M

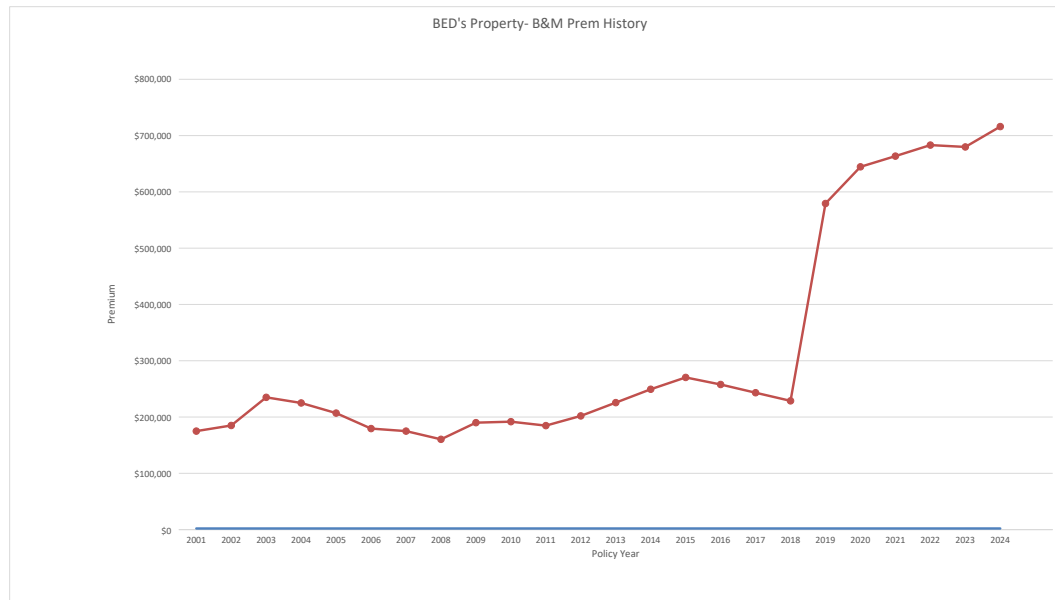
**** Not to exceed Premium eff 11/20/2024 of \$715,989



BURLINGTON ELECTRIC DEPARTMENT
Property/B&M Insurance Policies
Premium History
#####

#	PY	Property Premium
1	2001	\$175,000
2	2002	\$185,000
3	2003	\$235,000
4	2004	\$225,000
5	2005	\$207,000
6	2006	\$179,500
7	2007	\$175,000
8	2008	\$160,420
9	2009	\$190,000
10	2010	\$191,750
11	2011	\$184,750
12	2012	\$202,000
13	2013	\$225,600
14	2014	\$249,354
15	2015	\$270,355
16	2016	\$257,812
17	2017	\$243,200
18	2018	\$228,762
19	2019	\$579,330
20	2020	\$644,506
21	2021	\$663,508
22	2022	\$683,117
23	2023	\$679,815
24	2024	\$715,989

Deductible at McNeil raised from \$1M to \$2M , \$500k to \$1M at GT and WHH (reduced preium from "NTE" \$778,683.70 to \$679,
Note: Final premium still TBD. NTE = \$715,989
FY'25 budget used an estimated 5% budgeted **rate** increase at renewal along with a 3% **TIV** impact)



Board of Finance and City Council Submission Checklist

Department: BED Submitter: Darren Springer and Paul Alexander

Title/Subject: BED Property/B&M Insurance Renewal 11-20-2024

Title/Subject: BED Property/B&M Insurance Renewal 11-20-2024

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoff Needed	Received	Date Received	Note
Department Head	Yes	10/27/2024	Click or tap here to enter text.
Mayor's Office informed and approved memo	Yes	10/27/2024	Click or tap here to enter text.
Board/Commission, if required	Yes	10/27/2024	Meeting on 11/13/24
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Choose an item.	10/27/2024	Pending
CAO has reviewed budget, financing, and memo	Choose an item.	10/27/2024	Pending
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	N/A	Click or tap here to enter text.
Additional Materials, if necessary	Yes	H&B Cover memo, BED Premium History, H&B Quota Share chart, BED Cover memo
Draft Resolution or Motion?	Yes	Motions in memo
If for submission to Council, are sponsors identified?	Yes	BOF

MEMO

Date: November 4, 2024
To: Board of Finance and City Council
From: Cindi Wight, Director, Department of Parks, Recreation & Waterfront
Melissa Cate, Superintendent of Recreation Facilities
Re: Lease of Space at Old North End Community Center, 20 Allen Street

I. Purpose

This memo seeks approval to execute all necessary lease agreements related to BPRW's lease of space at the Old North End Community Center for a one-year term, with an optional renewal term of five one-year renewals.

II. Background

In 2017 the City executed a lease with Champlain Housing Trust for the second-floor space at the Old North End Community Center, 20 Allen Street. In addition to sub-leasing spaces to The Family Room, Vermont Adult Learning and Very Merry Theatre, it is the home of our CORE Adult Center. We offer youth summer camps and programs in our space and rent classroom spaces to Burlington School Districts City Lake Semester program and other groups. The leased space includes the entire second floor, which is 11,046 square feet of gymnasium, classroom, office, kitchen, restroom, and entry space as well as half of the third-floor balcony storage space and 12 parking spaces.

III. Compensation to Champlain Housing Trust & Terms of the Lease

Compensation to Champlain Housing Trust of \$138,168 per year with a 3% increase each subsequent year. The lease between the City and Champlain Housing Trust shall be for one year, with an option to extend for five additional one-year terms.

The total cost to operate the leased space is \$314,000 including the lease, staffing and program expenses. The City generates \$185,000 of revenue through program fees, rentals and sub-leases to reduce the city's subsidy of the space. All expenses, including the lease and projected revenue are in the FY25 budget.

DEPARTMENT RECOMMENDATION

Board of Finance Motion (11/04/24):

To approve and recommend that the City Council approve and authorize the leasing of certain space, as identified in the attached lease agreement, in the Old North End Community Center, as further detailed in Exhibit B for an initial one-year term, with the option to renew for five additional and subsequent one-year terms, from Champlain Housing Trust on the terms provided in and substantially in conformance with the attached lease including an annual rent amount of \$138,168 subject to a year over year increase not to exceed 3% per year, for a total authorized expenditure not to exceed \$893,727, subject to City Council annual budgetary appropriation, and to authorize the Director of Parks, Recreation and Waterfront to execute the lease and any related documents needed to carry out the lease agreement, subject to the review of the City Attorney's Office.



City Council Motion (11/12/24):

To approve and authorize the leasing of certain space in the Old North End Community Center, as identified in the attached lease agreement, for an initial one-year term, with the option to renew for five additional and subsequent one-year terms, from Champlain Housing Trust on the terms provided in and substantially in conformance with the attached lease including an annual rent amount of \$138,168 subject to a year over year increase not to exceed 3% per year, for a total authorized expenditure not to exceed \$893,727, subject to City Council annual budgetary appropriation, and to authorize the Director of Parks, Recreation and Waterfront to execute the lease and any related documents needed to carry out the lease agreement, subject to the review of the City Attorney's Office.

Board of Finance and City Council Submission ChecklistDepartment: Parks, Recreation & Waterfront Submitter: Cindi Wight & Melissa CateTitle/Subject: BPRW Lease of 20 Allen Street

	Approval:	Meeting Date:
☒	Board of Finance	11/4/2024
☒	City Council	11/12/2024
☐	Concurrent	Click or tap to enter a date.

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	10/28/2024	Cindi Wight
Mayor's Office informed and approved memo	Yes	10/29/2024	Joe Magee
Board/Commission, if required	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	Yes	10/23/2024	Hayley McClenahan
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	10/24/2024	Hayley McClenahan
CAO has reviewed budget, financing, and memo	Yes	10/29/2024	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	Yes	Click or tap here to enter text.
Additional Materials, if necessary	N/A	Click or tap here to enter text.
Draft Resolution or Motion?	Yes	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	No	Click or tap here to enter text.



COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

149 CHURCH STREET • ROOM 32 • CITY HALL • BURLINGTON, VT 05401
(802) 865-7144 • (802) 865-7024 (FAX)
www.burlingtonvt.gov/cedo

TO: Mayor and City Council
FROM: Brian Pine, CEDO Director
DATE: November 6, 2024
RE: Replies to Councilor feedback on 9/23/24 SECORD Work Session

This memo is in response to comments and questions shared by Councilor during the 9/23/24 City Council work session regarding the South End Coordinated Redevelopment (SECORD). Since time was limited and some of the questions were not answered, we wanted to provide this written account so that Councilors and members of the public have the information. This is a collaborative reply from Planning, DPW and CEDO with input from the Mayor's Office.

Councilor Neubieser

Expressed support that all heating, cooling and electricity will be supplied by non-fossil fuel sources and was generally supportive of expanding public infrastructure. Need to indicate open space for creating a quality living environment for residents. Wants both rental and ownership housing for low and moderate-income households of all sizes and ages. Supports limited equity model of ownership.

Response: The developers are planning to design the project using non fossil fuels sources to meet its utility needs. The site plans have yet to be developed but the intention is to create green spaces throughout the new neighborhood. The goal of all parties involved is to create a mixed-income, mixed-tenure community so that households with low and moderate-incomes can secure both rental and ownership housing. The rental housing will include homes targeted to those experiencing homelessness.

Councilor Grant

What assurance can we provide to alleviate concerns around findings from past reports by the State Auditor?

Schad response: Since 2021 the city has significantly improved processes for managing TIF by bringing on MuniCap. The Audits referenced by the councilor, were from prior to current processes. The city has addressed the systems to prevent this from reoccurring in the future.

Councilor Barlow

Wants to lean into the various TIF options as the most viable way to fund public infrastructure:

1) How soon can we have a Rough Order of Magnitude (ROM) estimate of the debt that can be supported by a municipal TIF?

D. White (TIF Consultant) response: It could take one month or so to generate ROM estimates depending on when needed information becomes available. SECORD is working with the City Assessor, CEDO, DPW and Planning staff to evaluate the anticipated tax revenues and phasing for public infrastructure improvements. The ROM estimates and public improvement schedule will evaluate several alternative structures.

2) What are the chances that a bill allowing a new full TIF or Project TIF will be passed by the legislature?

D. White response: Unknown at this time. The chances for having the option to seek a new Full TIF from the State is dependent on the results of the upcoming legislative session. Without grant funding and some type of TIF funding for the necessary public infrastructure, any new housing in the South End will face significant hurdles to reaching financial feasibility.

3) How else could the infrastructure be funded if not from TIF?

Response: The most likely sources are federal grants like the EPA Community Change and State programs available for areas of the city that are under one of the State's Downtown designations. Earlier this year, the City secured State designation of the SEID as a "Neighborhood Development Area (NDA)" which opens up some funding and permitting benefits to projects in the area. We are seeking to expand the State Sales Tax Reallocation program eligibility to NDAs to open up that source of funding as well. In some situations, a special assessment district is created that uses a surcharge on water customers to cover payments on debt incurred under the State Revolving Fund for water and wastewater infrastructure. The City has never used such a mechanism, and it would only be considered for fully public infrastructure with broader benefit – and not for development-specific infrastructure that the developer is required to cover.

Councilor Bergman

Urges that SECORD adopt all of the TDM measures contained in the CDO not just 2 options out of the 5 available.

Response: The development team is exploring the feasibility of adopting as many of the TDM options as possible, if not going beyond by incorporating more of the draft TDM strategies outlined in Transportation Options Study. OCP will work with Councilor Bergman in his TEUC role to develop amendments and overhaul of the city's TDM regulations. The revised standards will form the basis for advancing the TDM strategy for this entire redevelopment.

Councilor Kane

Asked for expected/proposed parking figures for Phase 1 based on assumption of 500 DUs and urges to provide as little parking as possible. Also wants to see sufficient green spaces. Encourages developers to examine employer provided shuttle services.

Response: The goal of the SECORD project is a car-lite neighborhood. Mobility hubs with car share programs, bike storage, transit amenities and other services are planned to reduce the need for automobile trips in the project area, and lower parking demands. Phase 1 of the proposed project could yield 400 to 500 units based on conceptual test fit models of the proposed parcel/block layouts. This is not final as building designs and floor plans have not been generated yet. As a result, the parking figures are not yet available. However, parking could be made available beneath buildings, and in the interim surface parking from the existing parking lot would be made available to residents, employees and visitors.

Initial estimates for parking figures indicate less than 1 space per unit when averaged across the MOU partners land holdings.

President Traverse

1) What is the back of the envelope amount for infrastructure costs based on the proposed project?

Response: Based on current costs, approximately \$60M for the proposed infrastructure for the entire redevelopment project. This figure includes the anticipated mobility hub at approximately 400-500 parking spaces plus multi-modal amenities. Since much of the work will be delayed by several years to align with the construction phasing, the cost estimates must be adjusted to account for inflation so this figure could easily reach \$70M+.

3) What can be built without any major new infrastructure in Phase 1 of the proposed project?

Response: Preliminary analysis by RYB's civil engineers at Engineering Ventures indicated that 200 units of the 450+ proposed for the first phase of the project could be serviced by existing utilities (water and electric). Wastewater collection would require the design and installation of wet well (underground detention) tanks to store wastewater for approximately 24-hour period during a significant wet weather event so as to prevent this project from contributing to a combined sewer overflow into the adjacent Barge Canal and Lake Champlain. The stored wastewater would be released into the system once the wet weather event was over. It is unknown at this time if the balance of the Phase 1 units can be constructed with existing infrastructure and the aforementioned on-site detention techniques.

4) What are the chances for a new, full TIF or Project TIF becoming law?

Response: This is subject to the political process undertaken annually by the VT general Assembly, so there is no reliable way to answer this question. The chances for having the option to seek a new Full TIF or the conceptual idea of a Project TIF from the State is dependent on the results of the upcoming legislative session.

5) What current and upcoming funding opportunities are available and how will the City prioritize this project?

Response: The City is currently operating under an award from the VT Agency of Commerce & Community Development (ACCD) CPND Grant for the Public Realm Design Work (award amount \$133,000). CCRPC invested about \$250,000 in planning to lay the groundwork for the SECD partners to engage in the pre-development phase of the project. Around September 18, 2024, the City was awarded a \$1M grant from the USDOT for the Innovative Finance and Asset Concession Grant Program. This funding is targeted to retaining technical experts to develop financing strategies and phasing for the SECD development as a whole. This will include the water/wastewater/stormwater infrastructure required for SECD and beyond in the SEID. The City continues to seek grants and subsidized debt that support redevelopment projects from sources that include, but are not limited to, EPA, US Dept of Transportation (Transportation Infrastructure Finance and Innovation Act), US Dept of Commerce Economic Development Administration, and other funding opportunities.

The EPA *Community Change* grant program, which offers grants up to \$20 Million to eligible communities like BTV, is the most relevant and timely grant opportunity. RYB has expressed a desire and commitment to pursue an EPA application and, given the strong alignment of program objectives and infrastructural needs in the South End, encouraged the City to submit an application. The City is in the process of preparing an application under this funding opportunity that includes funding for a portion of the wastewater and storm water infrastructure needed for SECD and to ameliorate the existing deficiencies with respect to existing wastewater and storm water systems. This EPA grant opportunity is very competitive and there is no guarantee that funding will be awarded. .

Please reach out with any questions or follow up regarding the information contained in this memo.

On Tyeastia Green, REIB, and Safety in Burlington: an open letter

I am writing again in support of Tyeastia Green and I continue to ask that the city act swiftly to bring her the justice that she deserves so she can move on with her life. I have already voiced my concerns in my other open letters ([Sep 11](#), [Oct 1](#)), which are included in the consent agenda for the Oct 28 City Council Meeting. In addition, I think it is important to point out that this issue goes far beyond Tyeastia. It impacts all of us and it is a symptom of a very deep problem.

I have been experiencing vertigo as I watch our new city leadership taking steps that are deeply harmful to our community. For example, a reinvention of the REIB office as well as ongoing narratives that are in complete dissonance with what is actually happening in our city and to be honest, not at all what I expected from this new administration. All over Burlington, we have Black Lives Matter signs on the lawns, we even have a reparations committee, and we like to think we are the exception when it comes to racism. And yet, how do we care for the Black lives in Burlington? Do we actually care?

As Ferene Paris reminded us during her public comment, in the last city council meeting Sister Sankofa asked “do Black lives still matter?” It’s a valid question considering the actions we see: violent defamation and erasure of our own strong Black leader Director Green – a wound still unhealed; decisions to defund and de-prioritize programs such as Racial Equity Inclusion & Belonging because they are no longer a political hot topic; deprioritizing or abandoning work to eradicate systemic racism; using language around REIB that keeps people like me comfortable yet removes all meaning from the work.

Our Black community is bleeding. They are suffering. So many of them do not feel safe, do not see the city willing to protect them, and they do not feel they belong here. We are almost worse off than we were in 2020 before the murder of George Floyd.

Now, our administration is writing a new vision and mission for REIB and from what I have seen, the soul and meaning have been completely stripped away. Furthermore, the original purpose, intention and need are not explained to provide deeply important context.

At the same time, our Mayor Emma has endorsed Esther Charleston and is openly celebrating that a “strong, capable Black woman is putting herself forward.” How can we even interpret such statements as we simultaneously watch a strong, capable Black woman - Director Green - withstand unthinkable suffering and unable to find work for almost two years due to the violent actions taken by this city directly against her?

How are we not able to see what is happening here? **We are literally in a collective state of delusion.**

When we are not standing solidly in our truth, we are susceptible to fear-based narratives – narratives that are being actively spread around Burlington right now. When not solid in our truth we are also easily fooled by theatrics and performative approaches that don’t address the root cause of our problems. Such narratives and collective delusion lead to division and only decrease safety in all forms, for all of us.

Burlington desperately needs our leadership to be real with us. We need to speak the truth out loud, without any hesitation or sugar coating, so we can all marinate together in honesty and discomfort. People who look like me need to come to the table with vulnerability and openness, and understand the role we play in the current situation and perpetuating the systems of oppression in Burlington - systems that impact all of

us and all aspects of safety. It is only then, when leadership has the courage to say the truth, to openly admit where we are failing, will we all be able to face it together and move towards an authentic path to healing.

I know in my heart that if the administration would just do what is needed on this issue - make a public statement clearing her name, mediate the situation in a restorative way and provide financial reparations - that our entire community will feel a huge sense of relief. We need to be able to be honest with ourselves, honest with each other, and not be afraid to face uncomfortable truths together in loving community. I totally understand how scary it must be for leadership to take this brave stance and face the truth, but it is the only way for us to work through this together to a safer city. And when you do, I promise I and many others waiting for you to do the right thing will be here to support you and participate in our path forward, together.

Please bring justice to Tyeastia AND please show us all that Black Lives matter in Burlington.

Emma Wall Kouri, PhD

Ward 6

BCA

To: Board of Finance
City Council

From: Doreen Kraft, BCA Director
Lynn Reagan, Interim Director of Human Resources
Orieta Glozheni, Human Resources Manager

Date: November 4, 2024

Subject: BCA Reorganization

Executive Summary

BCA proposes the elimination of its Administrative Assistant position and reclassification of 8 positions as follows:

- Reclassification and retitling of the Member and Donor Relations Coordinator, a Regular, Full-time, Non-exempt ASFCME Grade 13 step 7 to Development and Administrative Coordinator, a Regular, Full-time, Non-exempt, AFSCME Grade 15 step 4
- Reclassification and retitling of the Marketing and Sponsorship Support Specialist, a Regular, Full-time, Non-exempt, ASFCME Grade 15 step 5 to an Assistant Development Director, a Regular, Full-time, ASFCME Grade 17 step 1
- Reclassification of the Youth & Family Program Coordinator, a Regular, Full-time, Non-exempt ASFCME Grade 15 step 4 to a Regular, Full-time, Non-exempt ASFCME Grade 16 Step 4
- Reclassification and retitling of the Program Coordinator, a Regular, Full-time, Non-exempt, ASFCME Grade 15 step 10 to Adult Programs Coordinator a Regular, Full-time, Non-exempt, ASFCME Grade 16 Step 9
- Reclassification and retitling of the Clay and Print Studio Manager, a Regular, Full-time, Non-exempt, ASFCME Grade 15 step 3 to Clay Studio Coordinator, a Regular, Full-time, Non-exempt, ASFCME Grade 16 Step 3
- Reclassification and retitling of the Artist Coordinator, a Regular, Full-time, Non-exempt, ASFCME Grade 14 step 13 to Art Services Coordinator a Regular, Full-time, Non-exempt, AFSCME Grade 15 Step 12
- Reclassification and retitling of the Art Director, a Regular, Full-time, Exempt Non-union Grade 16 step 7 to Design Director, a Regular, Full-time, Non-exempt, Non-union Grade 17 Step 7
- Reclassification of the Education Director, a Regular, Full-time, Exempt Non-union Grade 18 step 15 to a Regular, Full-time, Non-exempt, Non-union Grade 20 Step 5

This proposed plan will still result in savings in FY25 and beyond due to the elimination of the Administrative Assistant Position. The plan has been approved by the Union.

Background

The BCA Administrative Assistant position became vacant in March 2024, long prior to the release of the efficiency study. BCA was interested at that time in the opportunity the vacancy created to achieve immediate and long-term savings, recognizing that it is the first of several changes that will be needed to find additional efficiencies and reduce overall impact on the general fund.

This reorg based on the Administrative Assistant elimination will meet the following pressing management goals:

1. Find administrative efficiencies within existing positions by eliminating one position and redistributing tasks across several job descriptions.
2. Update job descriptions that had not been reviewed when BCA joined the Union in FY23.
3. Distribute a portion of savings from eliminated position across positions that absorbed increased responsibilities due to elimination and those that have absorbed increases due to programmatic growth over the past decade.
4. Strengthen BCA revenue potential by adding 20 more hours per week dedicated to fundraising activities, with the goal of increasing revenue capacity year-over-year to adjust to inflation, loss of one-time funds, and keep up with COLA increases. This will be accomplished by increasing the fundraising responsibilities of the Marketing and Sponsorship Support Specialist position and transferring the social media and content management components of the role to a temporary part time role for a year. The increased fundraising capacity will also aid in BCA efforts to hire a development director, which is crucial to meeting annual revenue goals but is a large job that has been difficult to fill in recent months.

Financial Impact

The overall impact of this proposed plan will result in FY25 and long term savings in BCA's operating budget. The table outlines the FY25 financial impact of this reorg plan.

Current Title	Current Grade/Step	FY25 Budgeted Annual Salary	Proposed Title	Proposed Grade/Step	FY25 Proposed Annual Salary	Reorg Salary FY 25 8 months	FY25 Budget Impact
Member & Donor Relations Coordinator	13-7	56,544	Development and Administrative Coordinator	15/4	61,152	59,631	3,088
Youth & Family Prog. Coordinator	15-4	61,512	No Change	16/4	65,062	63,891	2,379
Mark. & Sponsorship Support Spec	15-5	63,803	Assistant Development Director	17/1	65,603	65,009	1,206
Programs Coordinator	15-10	49,822	Adult Programs Coordinator	16/9	52,322	51,497	1,675
Art Director	16-7	68,499	Design Director	17/7	72,862	71,422	2,924
Clay and Print Studio Manager	15-3	45,025	Clay Studio Coordinator	16/3	47,923	46,967	1,942
BCA Administrative Assistant	13-1	53,348	Eliminated		0	0	-53,348
Artist Coordinator	14-13	64,149	Artist Services Coordinator	15/12	67,205	66,196	2,047
Education Director	18-15	83,326	No Change	20/5	88,462	86,767	3,441
FY25 REORG IMPACT		546,027			503,900		-34,646
Development Director, savings calculation 6 months		96,892					-48,446
Digital Content Coordinator, PT	Temp	-	Digital Content Coordinator	Temp	23,400	19,890	19,890
TOTAL FY25 Personnel Savings							-63,202

The plan will result in an immediate savings of \$34,646 in FY25 in regular salary lines, a portion of which will be used to fund a part time temporary Content Coordinator to accommodate duties that were previously included in the Marketing and Sponsorship support position. Additional savings in FY25 will also be attributed to attrition related to BCA's Development Director position, which was budgeted for a full year in FY25 at \$96,892 but has not resulted in a successful hire to date. This is resulting in a projected 6 month savings, but also impacting fundraising capacity in revenue lines. With permission from the CAO, BCA will relist the position immediately and anticipates a hiring process that will take 2 months. Overall, we are projecting a savings of \$63,202 in FY25 salary lines with the Development Director attrition and the proposed reorg plan.

Again, these savings are only the first steps towards BCA's ongoing work to reduce its impact on the general fund.

Motions

Board of Finance Motion:

To recommend that City Council approve and authorize the:

- Elimination of the Administrative Assistant Position
- Reclassification and retitling of the Member and Donor Relations Coordinator, a Regular, Full-time, Non-exempt ASFCME Grade 13 to Development and Administrative Coordinator, a Regular, Full-time, Non-exempt, AFSCME Grade 15
- Reclassification and retitling of the Marketing and Sponsorship Support Specialist, a Regular, Full-time, Non-exempt, ASFCME Grade 15 position reporting to the Development Director and Communications Director to an Assistant Development Director, a Regular, Full-time, ASFCME Grade 17 position reporting to the Development Director
- Reclassification of the Youth & Family Program Coordinator, a Regular, Full-time, Non-exempt ASFCME Grade 15 to a Regular, Full-time, Non-exempt ASFCME Grade 16
- Reclassification and retitling of the Program Coordinator, a Regular, Full-time, Non-exempt, ASFCME Grade 15 to Adult Programs Coordinator a Regular, Full-time, Non-exempt, ASFCME Grade 16
- Reclassification and retitling of the Clay and Print Studio Manager, a Regular, Full-time, Non-exempt, ASFCME Grade 15 to Clay Studio Coordinator, a Regular, Full-time, Non-exempt, ASFCME Grade 16
- Reclassification and retitling of the Artist Coordinator, a Regular, Full-time, Non-exempt, ASFCME Grade 14 to Art Services Coordinator a Regular, Full-time, Non-exempt, AFSCME Grade 15
- Reclassification and retitling of the Art Director, a Regular, Full-time, Exempt Non-union Grade 16 to Design Director, a Regular, Full-time, Non-exempt, Non-union Grade 17
- Reclassification of the Education Director, a Regular, Full-time, Exempt Non-union Grade 18 to a Regular, Full-time, Non-exempt, Non-union Grade 20

City Council Motion:

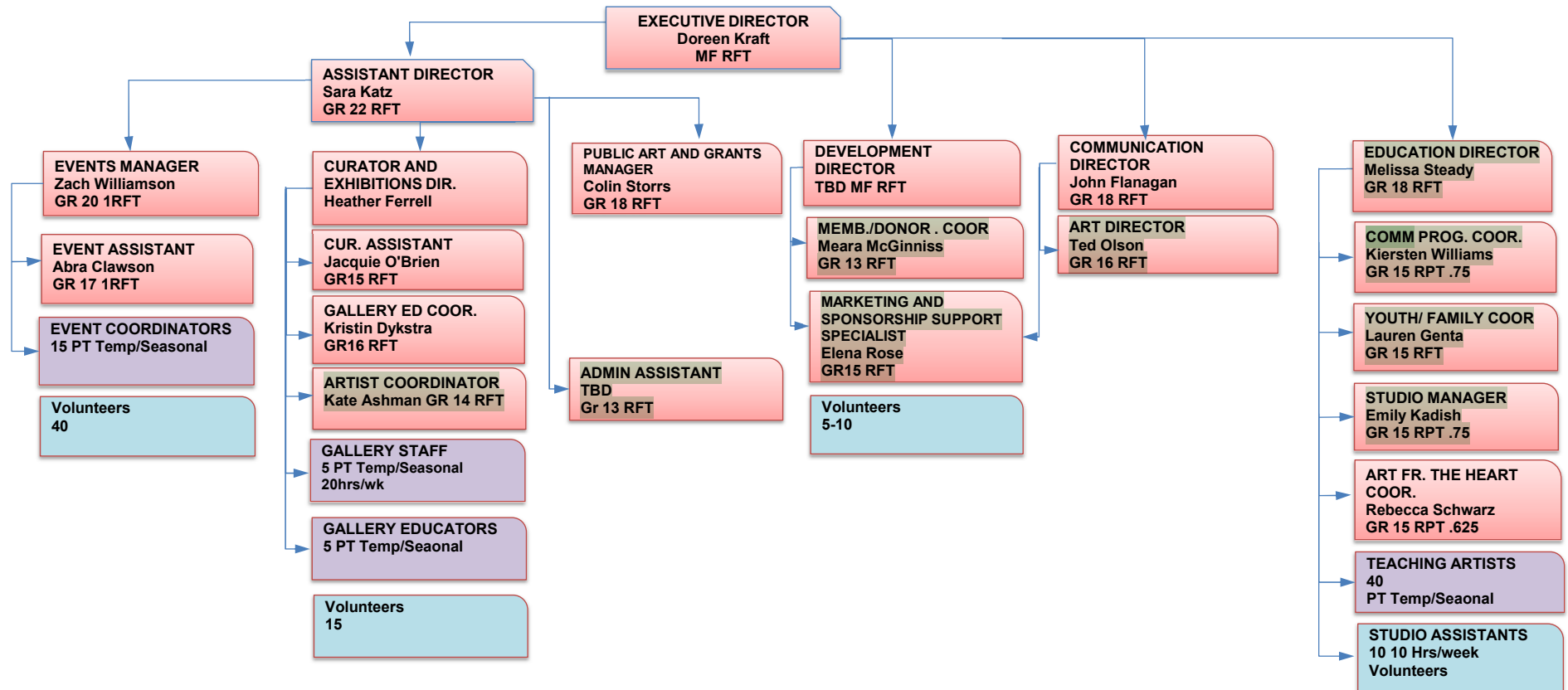
To approve and authorize the:

- Elimination of the Administrative Assistant Position
- Reclassification and retitling of the Member and Donor Relations Coordinator, a Regular, Full-time,

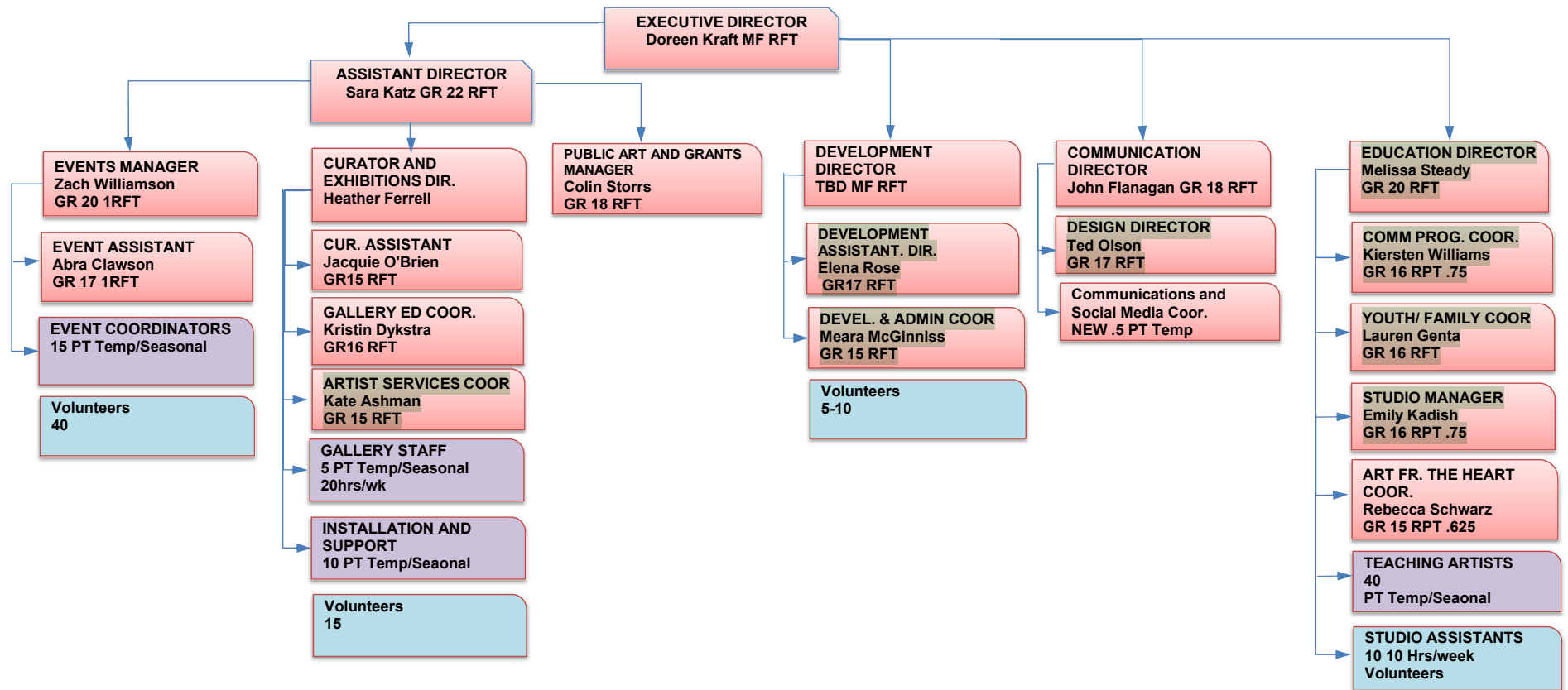
Non-exempt ASFCME Grade 13 to Development and Administrative Coordinator, a Regular, Full-time, Non-exempt, AFSCME Grade 15

- Reclassification and retitling of the Marketing and Sponsorship Support Specialist, a Regular, Full-time, Non-exempt, ASFCME Grade 15 position reporting to the Development Director and Communications Director to an Assistant Development Director, a Regular, Full-time, ASFCME Grade 17 position reporting to the Development Director
- .Reclassification of the Youth & Family Program Coordinator, a Regular, Full-time, Non-exempt ASFCME Grade 15 to a Regular, Full-time, Non-exempt ASFCME Grade 16
- Reclassification and retitling of the Program Coordinator, a Regular, Full-time, Non-exempt, ASFCME Grade 15 to Adult Programs Coordinator a Regular, Full-time, Non-exempt, ASFCME Grade 16
- Reclassification and retitling of the Clay and Print Studio Manager, a Regular, Full-time, Non-exempt, ASFCME Grade 15 to Clay Studio Coordinator, a Regular, Full-time, Non-exempt, ASFCME Grade 16
- Reclassification and retitling of the Artist Coordinator, a Regular, Full-time, Non-exempt, ASFCME Grade 14 to Art Services Coordinator a Regular, Full-time, Non-exempt, AFSCME Grade 15
- Reclassification and retitling of the Art Director, a Regular, Full-time, Exempt Non-union Grade 16 to Design Director, a Regular, Full-time, Non-exempt, Non-union Grade 17
- Reclassification of the Education Director, a Regular, Full-time, Exempt Non-union Grade 18 to a Regular, Full-time, Non-exempt, Non-union Grade 20

BCA Departmental Organizational Chart FY25



BCA Departmental Organizational Chart FY25 with Reorg



City of Burlington Job Description

Position Title: Education Director

Department: City Arts

Reports to: Director of City Arts

Pay Grade: ~~18-20~~

Job Code: 1040

Exempt/Non-Exempt: Exempt

Union: Non-Union Remote Tier 2

General Purpose:

~~This position is responsible for developing and managing the arts education program and related services for the Firehouse Center for the Visual Arts (FCVA). In addition this position is responsible for fostering lifelong learning opportunities through the arts.~~

This position is responsible for directing BCA's Education ~~department~~division in all aspects, including programming, staffing, budgeting, and supervision of operations at the BCA Studios.

Essential Job Functions: (This section outlines the fundamental job functions that must be performed in this position. The related job requirements and physical, mental and reasoning requirements outlined in the next two sections state the underlying requirements that an employee must meet in order to perform these essential functions. The three sections together describe the essential functions of this position)

- ~~• Create, plan, schedule, promote and oversee the educational programs, classes and workshops at the Firehouse Center for the Visual Arts.~~
- ~~• Create and produce program and class brochures and flyers and post throughout the community.~~

BCA Studios (405 Pine Street)

- Supervise, manage and oversee the BCA Studios facility and all onsite activities including all the education classes, camps and studio memberships.
- Manage the Cbord electronic door system for the BCA Studios.
- Authorize and manage employee parking subscriptions at 405 monthly.
- Authorize and schedule maintenance for the BCA Studios and communicate with maintenance and custodial staff as necessary.
- ~~• Contact, interview, assess and schedule art teachers and educators. Write related contracts and handle payments as necessary.~~
- ~~• Manage and create promotional material, advertising, etc.~~
- ~~• Supervises and advises BCA's education staff including the Clay Studio Director, Clay + Print Studio Manager, Photography Director, Early Arts Coordinator and Summer Camp Coordinator.~~

BCA Education Staff and Seasonal Employees

- Supervise and direct four regular union classified staff and 40-50 non-union seasonal employees.
- Authorize the hires of new employees and lead interviews.
- Approve and reconcile all education employee timecards and time-off requests in the Kronos system weekly and bi-weekly.
- Direct employee trainings and create professional development opportunities.

- ~~Organize and purchase materials for classes.~~
- ~~Assess and document programs, classes and events.~~
- ~~Work closely with the Gallery Education Coordinator to develop and refine BCA's *See.Think.Do!* gallery education program~~
- Coordinate and attend meetings of the Community Arts Education Council and act as liaison to the arts education community.
- ~~Develop policies and administrative procedures for the use of classroom and workshop space at the FCVA.~~
- ~~Assist in the development of educational program grants.~~
- ~~Assist in fundraising activities for programs and scholarships.~~
- ~~Supervise other arts education staff, interns and volunteers.~~
- Oversee budget for education department.

Program Administration

- Supervise, manage and oversee overall budget for education department, totaling \$320k.
- Direct and authorize the scale of education programs offered.
- Develop and authorize all policies and administrative procedures for the BCA Studios.
- Manage and process 400+ individual and group scholarships for BCA Education, awarding up to \$75,000 scholarships annually.
- Authorize and manage the supply purchases for the BCA Studios and off-site community programs, totaling \$55k.
- Manage and create all the vendor and supply PO's required for the education department.
- Manage and reconcile all credit card purchases for education department.
- Execute many administrative duties, including general customer service, camp/class registrations, payments, refunds, gift certificates and journal entries for scholarships.
- Evaluate the effectiveness of BCA Education programs and initiatives against benchmarks and departmental priorities and adjust delivery of programs in response to results as necessary.
- ~~Collaborate with other community organizations to coordinate art activities for special events.~~
- ~~Work with public and private schools and other organizations to help launch Firehouse education programs within their structures.~~
- ~~Performs other duties as assigned.~~

Community Initiatives/Programs

- Authorize and supervise arts residencies in Burlington schools, youth community centers

and in Head Start Arts preschool classrooms.

- Direct and authorize new education collaborations and partnerships.
- Serve as a leader for the Community Arts Education Council. Coordinate, attend and lead several meetings scheduled throughout the year.
- Serve as liaison to the local and regional arts education community.
- Collaborate with other community organizations to coordinate art activities for special events.

Other Duties

- Participate in BCA strategic and equity planning and work with other senior staff on organizational goals.
- Develop, enhance and maintain working relationships with outside organizations, non-profits, businesses and teaching artists inside and outside of Burlington.
- Seek professional development opportunities for BCA education staff, including safety and emergency preparedness trainings, as well as equity and inclusion trainings.
- Collaborate with BCA Communications, Development and Administration divisions to develop promotional materials.
- Prepare and submit reports to Assistant Director, Director and Development Director.
- Assist BCA Development team in fundraising activities for programs and scholarships.

Non-Essential Job Functions:

- Performs other duties as required.

Qualifications/Basic Job Requirements:

- ~~Bachelor of Arts or related degree and two years of Art/Education related experience required.~~
- Bachelor's degree and three years of experience in arts education or related fields required. Experience in non-profit organization preferred.
- ~~Ability to work in PC format with knowledge of Microsoft Office software (Word, Excel, PowerPoint)~~
- ~~Extensive knowledge of the arts and cultural activities desired, preferably in the greater Burlington area.~~
- Knowledge of current-day principles and practices in arts education and program administration.
- Ability to direct and train full-time, part-time, temporary and seasonal staff.
- Highly developed organizational skills.
- Ability to work independently and set own tasks.
- ~~Grant writing experience preferred.~~
- ~~Ability to work evenings, weekends and holidays as required.~~ Ability to work evenings and weekends as required.
- ~~Ability to obtain and maintain a valid Vermont driver's license required.~~
- ~~Ability to multi-task and work in a fast paced, pressurized environment.~~

- ~~Strong interpersonal skills required.~~
- ~~Strong communication skills, both verbal and written, required.~~
- Ability to communicate effectively orally and in writing.
- Regular attendance is necessary and is essential to meeting the expectations of the job functions.
- ~~Ability to professionally represent City Arts and the City of Burlington inside and outside of City Hall.~~
- Ability to understand and comply with City standards, safety rules, and personnel policies.
- Ability to develop and adapt a schedule of programs to meet the needs of a diverse population.
- Knowledge of budgetary and reconciliation procedures.
- Must be able to operate standardized office equipment.
- Ability to establish and maintain effective working relationships with City staff and the general public.
- Ability to use and master BCA's registration system and other systems that support administrative and programming needs.
- Ability to actively support City diversity, equity and cultural competency efforts within stated job responsibilities and work effectively across diverse cultures and constituencies.
- Demonstrated commitment to diversity, equity and inclusion as evidenced by ongoing trainings and professional development.

Physical & Mental/Reasoning Requirements; Work Environment:

These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position. Upon request for a reasonable accommodation, the City may be able to adjust or excuse one or more of these requirements, depending on the requirement, the essential function to which it relates, and the proposed accommodation.

☒ seeing

☐ color perception

(red, green, amber)

☒ hearing/listening

☒ clear speech

☒ ability to move
distances ☒ lifting (specify)
within and

between
☐ 40 pounds
warehouses/offices
☒ carrying (specify)
☐ climbing
☐ 40
pounds

☐ ability to mount
and ☒ driving

☒ touching

☒ dexterity

☒ hand

☒ finger

☐ reading - basic

☒ reading - complex

☐ writing - basic

☒ writing - complex

☐ shift work

☒ works alone

☒ works with others

☒ verbal contact w/others

☒ face-to-face contact

☒ inside

(local/over

forklift/truck
road)

dismount

the

☐ pushing/pulling

☒ math skills - basic

☒

analysis/comprehension

☐ math skills - complex

☒

judgment/decision

☒ clerical

making

☐ outside

pressurized equipment

☐ extreme heat

☐ moving

objects

☐ extreme cold

☐ high places

☐ noise

☐ fumes/odors

☐ mechanical equipment

☐ hazardous

materials

☐ electrical

equipment

dirt/dust

Supervision:

Directly Supervises: 4

Indirectly Supervises: 40

Disclaimer:

The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

Approvals:

Department Head: _____

Date: _____

Human Resources: _____ Date: _____

Finance Board 8/12/02
Updated October 2024

City of Burlington Job Description

Position Title: ~~Artist Coordinator~~ Art Services Coordinator

Department: Burlington City Arts

Reports to: BCA Curator and Director of Exhibitions

Pay Grade: ~~14-15~~

Job Code: 1180

Exempt/Non-Exempt: Non-Exempt

Union: AFSCME Remote Tier 2

General Purpose:

This position is responsible for ~~providing assistance to the Arts Sales and Leasing program by curating / coordinating exhibitions for leasing clients managing managing the BCA's Art Sales and External Exhibitions and Art Sales program, coordinating fine art exhibitions for BCA's art leasing program, including engaging and developing artist relationships, providing BCA clients with access to local artists' work on a rotating basis, working closely with regional artists, clients and partner venues to which curates regional artists' work coordinate art exhibits, facilitate art sales, and supporting BCA's mission by providing ongoing support to Vermont artists opportunities for Vermont artists to show and sell their work in public and private settings, in public settings and client spaces and generates revenue through leasing fees and art sales~~

Essential Job Functions: (This section outlines the fundamental job functions that must be performed in this position. The "Qualifications/Basic Job Requirements" and the "Physical and Mental/Reasoning Requirements and Work Environment" state the underlying requirements that an employee must meet in order to perform these essential functions. In accordance with the Americans with Disabilities Act, reasonable accommodations may be made to qualified individuals with disabilities to perform the essential functions of the position.)

- ~~Work with Arts Sales & Leasing Coordinator and clients to select works for exhibitions on an ongoing rotating basis for various sites in and around the Burlington area.~~
- ~~Assist with planning and coordinating each exhibition based on client needs.~~ Coordinate rotating fine art exhibitions for local and regional leasing clients and partner sites ~~within the gr greater Burlington area~~, which includes the following activities:
 - ~~e~~Coordinating with artists to obtain images of new and available artworks either digitally or through in-person studio visits and artworks and
 - Working closely with clients to select artworks that meet site-specific requirements or selecting work on their behalf as necessary
arrange transportation of artwork to BCA, and supporting clients and partners in the selection of artworks for each siteManaging transportation, safe storage, and

professional handling and installation of artwork

○

- ~~Planning and scheduling~~ Schedule and project manage exhibits including installation and de-installation with artists and clients , de-installation, and artwork inventory
- ~~Manage transportation, safe storage, and professional handling and installation of artwork~~ Collecting, coordinating and creating materials related to exhibition installations, including but not limited to insurance forms and inventory, price lists, labels, and artist statements
- Maintain relationships with clients
- ~~Visit studios to see new work, select work for exhibitions.~~ Conduct studio visits with artists to view and select new work
- ~~Maintain client base, including r~~ Responding to potential client requests for art services with customized proposals
- Acquire new clients through networking, referrals, and research as needed
- Facilitate art sales -and other art services to both corporate and private clients
- ~~Maintain relationships with clients, donors and corporate sponsors in collaboration with Development team?~~ Create and send leasing invoices to clients on a monthly basis and conduct accounts receivable follow up for the program as needed
- Keep an updated list of art inventory, including details such as artist name, title, scale, value and current location.
- Maintain database of local over 200 artists for the purpose of sharing work with clients and the general public through partner spaces, including updating artist files, images, artist info etc. and Vermont Artist web page
- Provide professional development for artists in the program through individualized coaching, customized communication and sharing of artist opportunities
- ~~Outreach to and create partnerships with~~ Expand representation of artists from marginalized-underrepresented- demographics within the arts community through community connections
- ~~Maintain relationships and correspondence with artists and clients.~~
- Collaborate with communications team to promote program through the website, social media and other promotional outlets
- ~~Compile paperwork related to installations, including insurance, price lists, labels, artist statements etc.~~ Create materials related to exhibit installations, including but not limited to insurance forms, price lists, labels, and artist statements
- ~~Create and send leasing invoices to clients on a monthly basis and conduct follow ups as needed~~
- ~~Work with purchasers and artists to facilitate and process art sales and artist payments~~
- Work closely with BCA Directors to facilitate contract details and fee structures with new and existing leasing clients
- ~~Assist with intern supervision and special projects.~~ Conduct hiring, training and supervising of interns-, and for temporary staff to assist with installation services as needed as budget allows

-
- Collect, organize and provide program data for reports and strategic planning
- ~~Assist with planning and coordinating for special events, including arts festivals, fine art auctions, and other yearly fundraising events as required.~~ Support planning and coordination for special events, including art festivals, fine art auctions, gallery and exhibition installations, and other annual fundraising events as needed
-

Non-Essential Job Functions:

- Performs other duties as required.

Qualifications/Basic Job Requirements:

- A Bachelors degree in studio art, art history, museum studies, or related field preferred.
- One year minimum of experience handling art in a museum or gallery required.
- ~~or 2 years of experience can be replaced for each year of schooling.~~
- Ability to professionally represent the City of Burlington and the City Arts Department in all dealings with artists, members of the general public, local officials, City Arts Board members, etc. of Directors
- Ability to complete curated installation execute exhibitions within varying space conditions that may not be prioritized for art installation
- Experience with and strong understanding of of exhibited artwork using professional hanging techniques, including, but not limited to lifting, use of a ladder, and use of a drill, as well as other power and manual tools, ~~etc.~~
- Ability to work effectively with a wide variety of artists, clients, and public and vendors the public
- Knowledge of art world and contemporary artists with a regional emphasis
- Familiarity Proficiency working in a Windows-type OS, including knowledge of spreadsheet and word processing software ~~preferred.~~
- Ability to multi-task and work in a fast paced and community responsive, ~~pressurized~~ environment.
- ~~Knowledge of art world and contemporary artists with a regional emphasis~~
- Ability to actively support City diversity, equity and inclusion as evidenced by ongoing trainings and professional development
- Regular attendance is necessary and essential to meeting the expectations of the job functions
- Ability to understand and comply with City standards, safety rules, and personnel policies
- Strong communication skills, both oral and written, required.
- Ability to work evenings, weekends and holidays as required.
- Must have reliable transportation and current driver's license
- ~~Ability to multi-task and work in a fast paced, pressurized environment.~~
- Strong interpersonal skills required.

Physical & Mental/Reasoning Requirements; Work Environment:

These are the physical and mental/reasoning requirements of the position as it is typically

performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position.

☒ seeing	☒ ability to move distances	☒ lifting (specify)
☒ color perception	within and between	50__ pounds
(red, green, amber)	warehouses/offices	☒ carrying (specify)
☒ hearing/listening	☒ climbing	50__ pounds
☒ clear speech	___ ability to mount and	☒ driving (local/over
☒ touching	dismount forklift/truck	the road)
☒ dexterity	☒ pushing/pulling	
☒ hand		
☒ finger		
___ reading - basic	___ math skills - basic	☒ analysis/comprehension
☒ reading - complex	☒ math skills - complex	☒ judgment/decision
___ writing - basic	☒ clerical	making
☒ writing - complex		
___ shift work	☒ outside	___ pressurized equipment
☒ works alone	___ extreme heat	☒ moving objects
☒ works with others	___ extreme cold	☒ high places
☒ verbal contact w/others	___ noise	☒ fumes/odors
☒ face-to-face contact	☒ mechanical equipment	☒ hazardous materials
☒ inside	☒ electrical equipment	☒ dirt/dust

Supervision:

Directly Supervises: 0

Indirectly Supervises: -1-2 interns and temp annually

Disclaimer:

The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

Approvals:

Department Head: _____ Date: _____

Human Resources: _____ Date: _____

(BOF Approved 08-01-2011, CC Approved 09-12-2011), Updated ~~September~~ October 2024

City of Burlington Job Description

Position Title: Youth and Family Programs Coordinator

Department: Burlington City Arts

Reports to: Education Director

Pay Grade: ~~15-16~~

Job Code: 1128

Exempt/Non-Exempt: Non-Exempt

Union: ~~NU~~ AFSCME

Remote Tier 2

General Purpose: ~~This position is responsible for all administrative aspects of youth and family art programs at the BCA Studios including youth and family classes, afterschool classes, school break workshops, summer camps and other programs. This is an essential position that works directly with the BCA Education Director, BCA Community Programs Coordinator, 20-25 teaching artists, and numerous community members, students and parents.~~

This position is responsible for overseeing classes, camps, residencies and community art programs for Youth, Teen and Family Programs at the Burlington City Arts Studios on Pine Street. This position also supports education programs throughout the entire organization. This position represents BCA while engaging in community outreach and relationship building with numerous community organizations, other City departments, seasonal teaching staff and hundreds of students and customers annually. This is an essential position that works directly with the BCA Education Director.

Essential Job Functions: (This section outlines the fundamental job functions that must be performed in this position. The "Qualifications/Basic Job Requirements" and the "Physical and Mental/Reasoning Requirements and Work Environment" state the underlying requirements that an employee must meet in order to perform these essential functions. In accordance with the Americans with Disabilities Act, reasonable accommodations may be made to qualified individuals with disabilities to perform the essential functions of the position.)

The primary tasks of this position include:

- ~~• Develop, plan and schedule BCA youth and family studio art classes, afterschool classes, school break workshops, summer camps and other programs at the BCA Studios in close collaboration with the Education Director, Community Programs Coordinator and instructors. This includes creating class/camp descriptions for BCA's six studios: Clay, Draw/Paint, Print, Darkroom Photography, Digital Photography and Jewelry.~~
- Oversee all aspects/stages of youth, teen and family programs for the BCA Studios, including classes and camps in the Clay, Print, Drawing/Painting, Darkroom Photography, Digital Photography and Jewelry Studio. This includes producing approximately 115-130 classes and camps annually.

Youth and Family Programs Coordinator

Page 2 of 7

- ~~— Recruit, hire, train and manage all instructors required for the programs.~~
- In collaboration with the Education Director, recruit qualified teaching artists, guide staff through the seasonal hiring process, handle personnel issues and coordinate 30-40 seasonal teaching artists and teaching assistants following the city's HR requirements.
- ~~• —~~
- Responsible for instructor HR paperwork completion and timely submission of bi-weekly timesheets.
- Responsible for trainings for teaching artists, including safety requirements in compliance with OSHA.
- Guide teaching artists on class curriculum ensuring relevancy and inclusivity.
- Perform assessment meetings with teaching artists to evaluate performance and share feedback.
- ~~• — Support all youth/family instructors with class planning, class rosters and administer class evaluations.~~
- Collaborate in strategic planning with BCA Education Director and BCA team to improve quality and access in youth, teen and family classes. Analyze current and past programs with art trends and community interests to create successful programs while meeting financial goals.
- Produce original youth, teen and family class catalog text/content for three catalogue seasons and numerous community programs throughout the year.
- ~~• —~~
- ~~• — Order/purchase required materials/supplies for all youth programs.~~
- ~~• — Assist BCA education team with studio organization, cleaning and maintenance.~~
- ~~• — Communicate with students, the general public and BCA staff in a welcoming, professional, and timely manner.~~
- ~~• — Assist with class/camp registrations, payments, customer service and correspondence.~~
- ~~• — Plan and manage youth/family program budget and track youth/family program incomes and expenses.~~
- ~~• — Attend weekly staff meetings with BCA education team, monthly BCA staff meetings, Arts Education Committee meetings and other meetings and trainings as required.~~
- ~~• — Run BCA Studio camp operations in the summer for 8 weeks. Tasks include: communication with campers, parents, instructors, and camp volunteers; preparing detailed camp rosters and ensuring all student info forms are complete for all campers; managing camper check ins and check outs every day; supervision of campers during camp lunch break; managing two seasonal Camp Assistants, scheduling, training and managing 10-15 camp volunteers; and other camp duties as required.~~
- Design and oversee eight week summer camp and school break programs at the BCA Studios. This includes curriculum development, descriptions and preparing/entering camps in BCA's registration system, coordinating teaching artist and studio schedules, ongoing customer service and communication with parents, preparing detailed camp rosters and ensuring all student info forms are complete, supporting camp teaching artists and teaching assistants onsite, and other camp duties as required.

- Maintain student records including sensitive information including health and learning information.
- Perform assessment meetings with teaching artists and teaching assistants to evaluate performance and share feedback.
- Enter and maintain all youth, teen and family classes in the City of Burlington's CRM and registration database, trouble shoot and, report technical issues to the IT department, assist in training other BCA staff in database processes, as well as organize class photos for promotion.
- Ensure the studio environment is as inclusive as possible and provide special accommodations as needed for staff and students (including coordinating teaching assistants, specialty equipment, translators and physical assistance).
- Coordinate and oversee art supplies and inventory for all youth, teen and family programs by collecting teaching artist supply lists and collaborating with studio assistants on supply ordering.
- Support teaching artists with class administrative needs, providing updated rosters, collecting class waivers and evaluations.
- Responsible for youth, teen and family class registrations, student paperwork and customer service needs, including keeping accounting records up to date in the registration software and communicate changes with customers and staff as needed.
- Provide general customer support via phone calls, emails and in person visits.
- Process camp/class registrations, payments, refunds and gift certificates while providing a welcoming environment and good relations with staff, volunteers, students and members of the public.
- Responsible for cancellation of classes dependent on minimum student requirements and the organization's mission and budgetary goals.

Community Initiatives/Programs

- Responsible for the writing and submission of small grants when required.
- ~~Coordinate the annual Children's Art Exhibit and Ceremony in March.~~
- ~~Liaise with local youth organizations on behalf of BCA to connect BCA Programming to their needs (such as King Street, Sara Holbrook Center, Boys and Girls Club, etc.).~~
- Coordinate and schedule arts residencies in Burlington schools, youth community centers and in Head Start Arts preschool classrooms.
- Collaborate in new education collaborations and partnerships.
- Collaborate with other community organizations to coordinate art activities for special events.
- ~~Collaborate with internal BCA education staff and other city departments including Parks and Recreation and Fletcher Free Library to increase access to community programs/events focused on youth/families including Kids Day, Police Athletic League (PAL) camp, etc..~~
- ~~Work with other BCA key staff including the BCA Communications Director to promote programs.~~

~~Assist with BCA community festivals including Highlight (Dec. 31) and Festival of Fools in July or~~

August.

Other Duties

- Assist with general building needs at the BCA Studios in collaboration with the Education Director.
- Collaborate with other BCA key staff including the BCA Communications Director to promote programs and create effective marketing and engagement practices including promotional photos, social media schedule, email blasts, and community events.
- Share responsibilities for the front desk duties of the studios by answering phone calls, general emails and in-person inquiries while providing a welcoming environment and excellent customer service for staff, volunteers, students and members of the public.
- Participate in weekly education team meetings, monthly staff meetings and board meetings when applicable.
- Participate in Community Arts Education Council meetings and other relevant meetings.
- Prepare and submit youth, teen and family class data seasonally to the Education Director and provide data for BCA's annual report.
- Assist and support BCA's community festivals including Highlight (New Year's Eve) and Festival of Fools.
- Participate in BCA strategic and equity planning and work with other staff members.
- Develop and cultivate partnerships/working relationships with outside organizations, non-profits, businesses and teaching artists inside and outside of Burlington.
- Serve as subject matter expert and point of contact to members of the public and other nonprofits, schools and organizations who are interested in creating new initiatives in youth, teen and family educations programs with BCA.
- —

Non-Essential Job Functions:

- Performs other duties as required.

Qualifications/Basic Job Requirements:

- 2 years experience in arts education or related field required. Bachelor's degree preferred.
- Experience in non-profit organization preferred.
- ~~Bachelor's degree and 1-2 years of experience in arts education, studio art, or or related fields required. Additional experience may be substituted for a degree requirement on a two-for-one per year basis.~~
- ~~1-2 years of experience in arts program coordination/management or related field preferred.~~
- Must have a desire to work with youth, parents and families.
- Proficiency in variety of art-making techniques including clay, printmaking, drawing, painting, photography and fine metals preferred.
- Knowledge of current-day principles and practices in arts education and program administration preferred.
- Experience working with a range of learning types, including English language learners,

and learners with disabilities.

- Highly developed organizational skills and attention to detail to maintain multiple classes operating simultaneously.
- Ability to assume administrative responsibility for a departmental area, problem solve and carry out tasks with minimal instruction.
- ~~—~~
- ~~Must be available to work all camp days onsite from 7:30am-2pm for 8 weeks during the summer (with the exception of July 4th week). The weekly schedule is more flexible during the school year, but one must be able to work all hours onsite at the BCA Studios and be available to work some evenings and weekends when required for community events and other work related tasks.~~
- ~~Must demonstrate a cooperative team player attitude and a high level of enthusiasm, punctuality, and dependability.~~
- ~~Strong organizational skills and experience working with computer applications (Microsoft office programs including Excel) required.~~
- Strong communication skills, both oral and written, required.
- ~~—~~
- ~~Must be able to work independently under general supervision in a fast paced environment and be able to adapt to a changing schedule.~~
- Ability to develop and adapt a schedule of programs to meet the needs of a diverse population.
- Computer literacy and experience working in a Windows-type OS and web-based CRM systems required.
- Ability to work independently and set own tasks.
- ~~—~~
- ~~Must demonstrate ability to professionally represent the City of Burlington and the City Arts Department in all dealings with community members, students, artists, local officials, and City Arts Board members. Must demonstrate ability to represent, in a professional manner, the City of Burlington and the City Arts Department in all dealings with community members, students, artists, local officials, and City Arts Board members.~~
- Ability to use BCA's registration system and other systems that support administrative and programming needs.
- Must be able to work hours onsite at the BCA Studios and ability work evenings and weekends when required for programs.
- Ability to actively support City diversity, equity and cultural competency efforts within stated job responsibilities and work effectively across diverse cultures and constituencies.
- Demonstrated commitment to diversity, equity and inclusion as evidenced by ongoing trainings and professional development.
- ~~—~~
- ~~Must pass a criminal background check.~~

- ~~Ability to actively support City diversity, equity, and cultural competency efforts within stated job responsibilities and work effectively across diverse cultures and constituencies.~~
- ~~Demonstrated commitment to diversity, equity and inclusion as evidenced by ongoing trainings and professional development.~~
- Regular attendance is necessary and is essential to meeting the expectations of the job functions.
- Ability to understand and comply with City standards, safety rules, and personnel policies.
- Must be able to lift 50 lbs.
- ~~Ability to understand and comply with City standards, safety rules and personnel policies.~~

Physical & Mental/Reasoning Requirements; Work Environment:

These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position.

X	seeing	X	ability to move distances within warehouses and offices
X	color perception (red, green, amber)	X	lifting (specify _50_ pounds)
X	hearing/listening	X	carrying (specify 50_ pounds)
X	clear speech		climbing
X	touching		driving
X	dexterity x hand x finger		ability to mount and dismount forklift
X	reading – basic		pushing/pulling
X	reading – complex		shift work
X	math skills – basic		moving objects
	math skills – complex		pressurized equipment
X	writing – basic		extreme heat
X	writing – complex		extreme cold
X	analysis/comprehension		high places
X	judgment/decision making		noise
X	clerical		fumes/odors
X	inside		dirt/dust
	outside		hazardous materials

Youth and Family Programs Coordinator

Page 7 of 7

	works alone		electrical equipment
X	works with others		mechanical equipment
X	face-to-face contact		
X	verbal contact w/others		

Supervision:

Directly Supervises: 0 Indirectly Supervises: 30-40 Temp/Seasonal-s _____

Disclaimer:

The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

Approvals:

Department Head: _____ Date: _____

Human Resources: _____ Date: _____

Creation Date: March 5, 2020, Updated October 2024

City of Burlington Job Description

Position Title: Adult Programs Coordinator

Department: Burlington City Arts

Reports to: Education Director

Pay Grade: 15-16 **Job Code:** 1145

Exempt/Non-Exempt: Non-Exempt **Union:** Non-Union AFSCME Remote Tier 2

General Purpose:

~~This position is responsible for all administrative aspects of art programs at the BCA Studios. This is an essential position that works directly with the BCA Education Director, 25-30 teaching artists, and numerous community members and students.~~

This position is responsible for overseeing classes, professional development and community art programs for adult students (ages eighteen and older) at the Burlington City Arts Studios on Pine Street. Working directly with the Education Director, this position represents BCA while engaging in community outreach and relationship building with numerous community organizations, other City departments, seasonal teaching staff and hundreds of students and customers annually.

Essential Job Functions: (This section outlines the fundamental job functions that must be performed in this position. The “Qualifications/Basic Job Requirements” and the “Physical and Mental/Reasoning Requirements and Work Environment” state the underlying requirements that an employee must meet in order to perform these essential functions. In accordance with the Americans with Disabilities Act, reasonable accommodations may be made to qualified individuals with disabilities to perform the essential functions of the position.)

- ~~• Develop, plan and schedule BCA art classes for adults and other community members at the BCA Studios in close collaboration with the Education Director and instructors. This includes creating class descriptions for BCA’s six studios: Clay, Draw/Paint, Print, Darkroom Photography, Digital Photography and Jewelry.~~
- Oversee all aspects/stages of adult programs for the BCA Studios, including catalog classes, professional development and community workshops for the Clay, Print, Drawing/Painting, Darkroom Photography, Digital Photography, Lighting, and Jewelry Studio.
- ~~• Recruit, hire, train and manage all instructors and models required for the programs.~~
- ~~• Responsible for instructor HR paperwork completion and timely submission of bi-weekly timesheets.~~
- In collaboration with the Education Director, recruit qualified teaching artists, guide staff through the seasonal hiring process, handle personnel issues and coordinate 15-20

seasonal teaching artists and 3-5 seasonal life drawing models following the city's HR requirements.

- Support instructors with class planning, class roster and administer class evaluations. Responsible for trainings for teaching artists, including safety requirements in compliance with OSHA.
- Guide teaching artists on class curriculum ensuring relevancy and inclusivity.
- Perform assessment meetings with teaching artists to evaluate performance and share feedback.
- Collaborate in strategic planning with BCA Education Director and BCA team to improve quality and access in adult classes. Analyze current and past programs with art trends and community interests to create successful programs while meeting financial goals.
- Produce original adult class catalog text/content for three catalogue seasons and numerous community programs throughout the year.
- Enter and maintain all adult classes in the City of Burlington's CRM and registration database, trouble shoot and, report technical issues to the IT department, assist in training other BCA staff in database processes, as well as organize class photos for promotion.
- Ensure the studio environment is as inclusive as possible and provide special accommodations as needed for staff and students (including coordinating teaching assistants, specialty equipment, translators and physical assistance).
- Order/purchase required materials/supplies required for the programs. Coordinate art supplies and inventory for all adult programs by collecting teaching artist supply lists and collaborating with studio assistants on supply ordering.
- Support teaching artists with class administrative needs, providing updated rosters, collecting class waivers and evaluations.
- Assist BCA education team with studio organization, cleaning and maintenance.
- Communicate with students, the general public and BCA staff in welcoming professional and timely manner.
- Assist with class registrations, payments, customer service and correspondence. Responsible for adult class registrations, student paperwork and customer service needs, including keeping accounting records up to date in the registration software and communicate changes with customers and staff as needed.
- Provide general customer support via phone calls, emails and in person visits.
- Process camp/class registrations, payments, refunds and gift certificates while providing a welcoming environment and good relations with staff, volunteers, students and members of the public.
- Responsible for cancellation of classes dependent on minimum student requirements and the organization's mission and budgetary goals.
- Plan and manage program budget and track program incomes and expenses.
- Attend weekly staff meetings with BCA education team, monthly BCA staff meetings, Arts Education Committee meetings and other meetings and trainings as necessary.
- Work with other BCA key staff including the BCA Communications Director to promote

programs.

Other Duties

- Assist with general building needs at the BCA Studios in collaboration with the Education Director.
- Collaborate with other BCA key staff including the BCA Communications Director to promote programs and create effective marketing and engagement practices including promotional photos, social media schedule, email blasts, and community events.
- Share responsibilities for the front desk duties of the studios by answering phone calls, general emails and in-person inquiries while providing a welcoming environment and excellent customer service for staff, volunteers, students and members of the public.
- ~~Assist BCA education team with all aspects of the BCA summer camp program.~~
- ~~Assist with BCA community festivals including Highlight (Dec. 31) and Festival of Fools in July or August.~~
- Participate in weekly education team meetings, monthly staff meetings and board meetings when applicable
- Participate in Community Arts Education Council meetings and other relevant meetings.
- Prepare and submit adult class data seasonally to the Education Director and provide data for BCA's annual report.
- ~~Administrative tasks and other duties as assigned.~~ Assist and support BCA's summer camp program onsite.
- Assist and support BCA's community festivals including Highlight (New Year's Eve) and Festival of Fools.
- Participate in BCA strategic and equity planning and work with other staff members.
- Develop and cultivate partnerships/working relationships with outside organizations, non-profits, businesses and teaching artists inside and outside of Burlington.
-

Non-Essential Job Functions:

Performs other duties as required.

•

Qualifications/Basic Job Requirements:

- ~~Bachelor's degree and 1-2 years experience~~ in arts education, ~~studio art~~, or related field required. Bachelor's degree preferred.
- ~~1-2 years of experience in arts program coordination/management or related field.~~
- Experience in non-profit organization preferred.
- Proficiency in a variety of art-making techniques including ceramics, printmaking, screen printing, drawing, painting, photography, digital arts and fine metals required.
- Current teaching license in K-12 Art Education or comparable teaching experience preferred.
- Knowledge of current-day principles and practices in arts education and program administration, preferred.
- Highly developed organizational skills and attention to detail to maintain multiple programs operating simultaneously.

- Ability to assume advanced administrative responsibilities for a departmental area, problem solve and carry out tasks, with minimal instruction.
- Strong communication skills, both oral and written, required.
- Ability to develop and adapt a schedule of programs to meet the needs of a diverse population.
- Computer literacy and experience working in a Windows-type OS and web-based CRM systems required.
- ~~Must be able to work hours onsite at the BCA Studios and be available to work some evenings and weekends when required for community events and other work related tasks.~~
- ~~Must demonstrate a cooperative team player attitude and a high level of enthusiasm, punctuality, and dependability.~~
- ~~Strong organization skills and experience working with computer applications (Microsoft office programs including Excel) required.~~
- ~~Must be able to work independently under general supervision in a fast paced environment and be able to adapt to a changing schedule.~~
- ~~Must demonstrate ability to professionally represent the City of Burlington and the City Arts Department in all dealings with community members, students, artists, local officials, and City Arts Board members.~~
- Must demonstrate ability to represent, in a professional manner, the City of Burlington and the City Arts Department in all dealings with community members, students, artists, local officials, and City Arts Board members.
- Ability to use BCA's registration system and other systems that support administrative and programming needs.
- Must be able to work hours onsite at the BCA Studios and ability to work evenings and weekends when required for programs.
- Ability to work evenings and weekends as required.
- Ability to actively support City diversity, equity and cultural competency efforts within stated job responsibilities and work effectively across diverse cultures and constituencies.
- Demonstrated commitment to diversity, equity and inclusion as evidenced by ongoing trainings and professional development.
- ~~Must pass a criminal background check.~~
- Ability to actively support City diversity, equity and inclusion as evidenced by ongoing trainings and professional development.
- Regular attendance is necessary and is essential to meeting the expectations of the job functions.
- Ability to understand and comply with City standards, safety rules, and personnel policies.
- Must be able to lift 50 lbs.
- Must pass a criminal background check.
- ~~—~~
- ~~Ability to understand and comply with City standards, safety rules and personnel policies.~~

Physical & Mental/Reasoning Requirements; Work Environment:

- These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position.

- x seeing x ability to move distances lifting (specify)
- x color perception within and between 50 pounds
- (red, green, amber) warehouses/offices carrying (specify)
- x hearing/listening climbing 50 pounds
- x clear speech ability to mount and driving (local/over
- x touching dismount forklift/truck the road)
- x dexterity pushing/pulling
- x hand
- x finger
- reading - basic math skills - basic x
- analysis/comprehension
- x reading – complex x math skills - complex x
- judgment/decision
- writing - basic x clerical making
- x writing - complex
- shift work outside pressurized
- equipment
- x works alone extreme heat moving objects
- x works with others extreme cold high places
- x verbal contact w/others x noise x fumes/odors
- x face-to-face contact mechanical equipment hazardous
- materials
- x inside electrical equipment dirt/dust

Supervision:

- Directly Supervises: Indirectly Supervises: 20-25 seasonal employees

Disclaimer:

- The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

Approvals:

- Department Head: Date:
- Human Resources: Date:

City of Burlington Job Description

Position Title: DesignArt Director

Department: Burlington City Arts

Reports to: Communications Director

Pay Grade: ~~16-17~~16

Job Code: 1146

Exempt/Non-Exempt: Exempt

Union: Non-Union Remote Tier 2

General Purpose:

This position is responsible for developing, designing, and producing -all promotional and marketing materials as well as public-facing signage and assets for Burlington City Arts and its related events.

Essential Job Functions: (This section outlines the fundamental job functions that must be performed in this position. The “Qualifications/Basic Job Requirements” and the “Physical and Mental/Reasoning Requirements and Work Environment” state the underlying requirements that an employee must meet in order to perform these essential functions. In accordance with the Americans with Disabilities Act, reasonable accommodations may be made to qualified individuals with disabilities to perform the essential functions of the position.)

- Provide creative visual direction for all BCA-led programs and collaborations. This responsibility includes formulating, monitoring, and developing BCA’s brand.
- Design and produce all creative materials related to BCA’s exhibitions, programs, and events. This includes but is not limited to social media posts, email graphics, print and digital ads, brochures, catalogs, signs, promotional postcards and posters, newspaper and magazine ads, annual reports, event-related identity systems, wayfinding signage, gallery labels and vinyl, and other materials as required etc.
- Manage seasonal and temporary design employees, interns, and contract designers.
- Formulate BCA’s brand look and feel for all design concepts within all digital and print materials. Work collaboratively cross-departmentally to lead branding concepts and creative direction for citywide events and programs.
- Consult with Communications Director on broader marketing and communications strategies.
- Conceive and assign or commission production of material from artists and photographers.
- Reviews and approves, and present all final layouts, monitoring all assets for brand consistency and alignment to department head or appropriate staff member for approval.
- Oversee print production of material from outside vendors.
- Design and maintain materials for BCA website and all digital interactive BCA projects,

including board presentations, development and fundraising initiatives, and other endeavors as needed. using HTML and CSS.

- ~~• Create and build out targeted audience email campaigns for BCA programming.~~
- Produce and direct photo shoots as needed.
- Manage and facilitate large database of digital media and image files, sharing with outside organizations and cross-departmentally as appropriate. for Burlington City Arts.
- Assist with social media management and engagement.

Non-Essential Job Functions:

- Performs other duties as required.

Qualifications/Basic Job Requirements:

- A Bachelors' degree in graphic arts or related degree, with a minimum of one year's experience in design.
- ~~• Additional experience may be substituted for a degree requirement on a two for one per year basis.~~
- Demonstrated working knowledge of Design software including Adobe Suite and website programs, including but not limited to Wordpress, Squarespace and Drupal.
- Ability to create a cohesive vision in branding, advertising and all web and printed materials.
- Ability to professionally represent the City of Burlington and the City Arts Department in all dealings with artists, members of the general public, local officials, City Arts Board members, etc.
- Ability to work effectively with a wide variety of clients, public and vendors.
- Ability to actively support City diversity, equity, and cultural competency efforts within stated job responsibilities and work effectively across diverse cultures and constituencies.
- Demonstrated commitment to diversity, equity and inclusion as evidenced by ongoing trainings and professional development.
- Regular attendance is necessary and is essential to meeting the expectations of the job functions.
- Ability to understand and comply with City standards, safety rules and personnel policies.
- Strong organization and communication skills required.
- Ability to work evenings, weekends and holidays as required.
- Ability to multi-task and work in a fast paced, pressurized environment.
- Strong interpersonal skills required.

Physical & Mental/Reasoning Requirements; Work Environment:

These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position.

☒ seeing	☒ ability to move distances	☒ lifting (specify)
☒ color perception	within and between	20__ pounds
(red, green, amber)	warehouses/offices	☒ carrying (specify)
☒ hearing/listening	☐ climbing	20__ pounds

~~Senior-Design Director~~ Designer

Page 3 of 3

☒ clear speech	☐ ability to mount and	☐ driving (local/over
☒ touching	☐ dismount forklift/truck	☐ the road)
☒ dexterity	☐ pushing/pulling	
☒ hand		
☒ finger		
☐ reading - basic	☐ math skills - basic	☒ analysis/comprehension
☒ reading - complex	☒ math skills - complex	☒ judgment/decision
☐ writing - basic	☒ clerical	☐ making
☒ writing - complex		
☐ shift work	☐ outside	☐ pressurized equipment
☒ works alone	☐ extreme heat	☐ moving objects
☒ works with others	☐ extreme cold	☐ high places
☒ verbal contact w/others	☐ noise	☐ fumes/odors
☒ face-to-face contact	☒ mechanical equipment	☐ hazardous materials
☒ inside	☒ electrical equipment	☐ dirt/dust

Supervision:

Directly Supervises: 0

Indirectly Supervises: 0

Disclaimer:

The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

Approvals:

Department Head: _____ Date: _____

Human Resources: _____ Date: _____

Updated July, 2017

Updated October 2024

City of Burlington Job Description

Position Title: ~~Donor and Member Relations Coordinator~~ Development and Administrative Coordinator

Department: Burlington City Arts

Reports to: Development Director, Burlington City

Arts Pay Grade: ~~13-15~~

Job Code: 1176

Exempt/Non-Exempt: Non-Exempt

Union: ~~Non-Union~~ ACSFME

Remote Tier 2

General Purpose: The ~~Donor and Member Relations Coordinator~~ Development and Administrative Assistant supports the development and administrative staff of BCA by stewards and expands the relationships between BCA and its donors and members by providing excellent customer service and ensuring donor data integrity, preparing communications with donors and board members, supporting financial administration, and providing general customer service to BCA's public by phone and email. The Development and Administrative Assistant ~~Coordinator~~ Donor and Member Relations Coordinator is a full time position reporting to the Development Director.

Essential Job Functions: (This section outlines the fundamental job functions that must be performed in this position. The "Qualifications/Basic Job Requirements" and the "Physical and Mental/Reasoning Requirements and Work Environment" state the underlying requirements that an employee must meet in order to perform these essential functions. In accordance with the Americans with Disabilities Act, reasonable accommodations may be made to qualified individuals with disabilities to perform the essential functions of the position.)

- Assist the Development Director, ~~fellow staff~~ Executive team, and department in reaching annual goals and fundraising campaigns ~~under the direction of the Development Director,~~
- ~~including peer to peer,~~ Manage Responsible for meeting -fundraising goals portfolio of donors in the General Donations category of the annual fund(\$499.00 and under) including cCoordinatinge and executing e-annual-mailing appeals, membership and capital campaigns by managing outreach via including establishing timelines and list building for various mailing types. mail, email and social media platforms and other means.
- Manage-Maintain donor ~~and member~~ Customer Relationship Management (CRM) database platform, including entering donations and pledges, ownership of preee ensuring accuracy of data management,of giving/pledge records, reporting, analysis and instilling quality control practices.
- Execute data integrity projects including returned mail, address updates, duplicate/merge and inactivation processes, as well as maintaining stakeholder identification/interest coding.
- Send out thank you letters, ~~membership cards,~~ tax receipts and draft personalized letters of

thanks and solicitations for various fund drives in a timely manner. Ensure letter content is accurate and appropriate to the campaign and donor intention in coordination Development Director.

- ~~Ensure donations are deposited with the City and reconcile the GL and database on a regular basis.~~
- ~~Support Board activities and needs including organizing development and executive committee meetings, taking minutes and posting agendas and minutes as required.~~
- Assist ManageProject manage Special Events donation category of the annual fund including creating event workflow and timelines, programs, and guestlists and working with colleagues within BCA onwith special events and meetings including onsite hospitality, production of invitations, event mailings, nametags and event logistics.
- Participate in the brainstorming process for advancing donor engagement and ~~membership~~ growth.
- ~~Research and develop a pipeline for prospective individual and institutional funding partners.~~
- Participate in development of best practices and documentation and training of staff in maintaining accurate database records.
- Maintain digital and hard copy files of deposited checks.
- Ensure donations and miscellaneous revenues from fees are deposited with the City, weekly for credit card transactions and checks, and cash daily as needed.
- Reconcile donation deposits in the City Accounting ledger with internal BCA databases and systems monthly.
- ~~Prepare and send invoices to BCA clients for services and follow up with accounts receivable monthly~~
- ~~Enter new vendors in New World for all staff members and process POs as needed for executive staff~~
- Work with Clerk Treasurer's office to prepare accounts payable for the organization on a weekly basis
- ~~Prepare and send invoices to BCA clients for services and art sales and follow up with accounts receivable monthly~~
- ~~Code credit card charges on BCA main credit card, retrieve receipts and pProvide weekly reminders for staff to code charges on BCA main credit card.~~
- Assist staff with office supply orders as needed.
- Answer BCA's main number, return phone calls and reroute public questions to the appropriate BCA staff
- Ensure phone system, including auto attendant, call bounce and call forwarding, is working and adjusted to provide updated customer information as needed.
- Support registration process by taking phone registrations and answering questions as needed, with particular emphasis around class and camp launch dates quarterly
- ~~Ensure that office supplies are ordered, including printing and paper supplies, stationary, including PO management according to POs approved by department managers and CT office.~~
-

Non-Essential Job Functions:

- Performs other duties as required.

Qualifications/Basic Job Requirements:

- Bachelor's Degree and/or administrative training degree in non-profit management, arts management or related field required preferred., ~~Bachelor's Degree~~ preferred.
- Minimum of one year of administrative experience or fundraising experience.
- Highly detail oriented with a passion for data integrity.
- Demonstrated experience providing quality customer service to diverse clientele.
- Experience working in a team environment and ability to work independently.
- Natural ability to listen well, communicate and relate to others personally and professionally.
- Experience managing multiple, simultaneous projects successfully.
- Excellent command of English grammar and spelling.
- Common sense and sensitivity to handling financial information on behalf of donors ~~and~~ members.
- Proficient in basic computer skills; MS Office (Outlook, Excel and mail merge functions).
- Experience with Customer Relationship Management database solutions preferred.
- Interest in the mission of Burlington City Arts and some knowledge of the local arts and culture sector preferred.
- Ability to actively support City diversity, equity and cultural competency efforts within stated job responsibilities and work effective across diverse cultures and constituencies.
- Regular attendance is necessary and is essential to meeting the expectations of the job functions.
- Ability to understand and comply with City standards, safety rules and personnel policies.

Physical & Mental/Reasoning Requirements; Work Environment:

These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position. Upon request for a reasonable accommodation, the City may be able to adjust or excuse one or more of these requirements, depending on the requirement, the essential function to which it relates, and the proposed accommodation.

☒ seeing	☐ ability to move distances	☐ lifting (specify)
☐ color perception	☐ within and between	☐ pounds
☐ (red, green, amber)	☐ warehouses/offices	☐ carrying (specify)
☒ hearing/listening	☐ climbing	☐ pounds
☒ clear speech	☐ ability to mount and	☐ driving (local/over
☒ touching	☐ dismount forklift/truck	☐ the road)
☒ dexterity	☐ pushing/pulling	
☒ hand		
☒ finger		
☐ reading - basic	☐ math skills - basic	☒
☐ analysis/comprehension		
☒ reading - complex	☒ math skills - complex	☒
☐ judgment/decision		
☐ writing - basic	☒ clerical	making

☒ writing - complex	☐ outside	☐ pressurized
☐ shift work equipment	☐ extreme heat	☐ moving objects
☒ works alone	☐ extreme cold	☐ high places
☒ works with others	☐ noise	☐ fumes/odors
☒ verbal contact w/others	☐ mechanical equipment	☐ hazardous
☒ face-to-face contact materials	☐ electrical equipment	☐ dirt/dust
☒ inside		

Supervision:

Directly Supervises: 0 Indirectly Supervises: 0

Disclaimer:

The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

Approvals:

Department Head: _____ Date: _____

Human Resources: _____ Date: _____

Created July 2017

Updated October 2024

City of Burlington Job Description

Position Title: Clay Studio Coordinator ~~Manager~~

Department: Burlington City Arts

Reports to: Education Director

Pay Grade: 15-16

Job Code: 1144

Exempt/Non-Exempt: Non-Exempt
Remote Tier 2

Union: AFSCME

Regular Part-Time 32 Hours Per Week

General Purpose:

~~This position is responsible for managing all technical, administrative and community aspects of the Burlington City Arts Clay Studio. The Clay Studio Manager will maintain highly specialized clay/pottery equipment including kilns and pottery wheels, oversee studio inventory, ensure health and safety, manage Clay Studio volunteers/monitors and coordinate Clay Studio membership for 60+ adults. This is an essential position that works directly with the BCA Education Director and education team to help keep the BCA Studio facility and education programs running smoothly and efficiently for a wide variety of community members. This position serves as the community leader for the BCA Clay Studio. The Clay Studio Coordinator is responsible for all the technical, administrative and personnel aspects, including overseeing and maintaining highly specialized clay and pottery equipment (kilns, pottery wheels, etc...), studio inventory, ensuring health and safety practice and protocol, coordinating Clay Studio membership for 60+ adults and responsible for the necessary studio assistants.~~

Essential Job Functions: (This section outlines the fundamental job functions that must be performed in this position. The “Qualifications/Basic Job Requirements” and the “Physical and Mental/Reasoning Requirements and Work Environment” state the underlying requirements that an employee must meet in order to perform these essential functions. In accordance with the Americans with Disabilities Act, reasonable accommodations may be made to qualified individuals with disabilities to perform the essential functions of the position.)

TECHNICAL

- Maintain and repair highly specialized pottery studio equipment and tools including electric kilns and kiln exhausts, pottery wheels, pug mill, and slab roller.
- ~~Maintain clean studio premises and set healthy cleaning standards in accordance with best practices relating to hazardous materials associated with pottery making, specifically microcrystalline silica and metal oxides. Responsible for a clean studio premises, setting healthy cleaning standards in accordance with best practices relating to hazardous materials associated with pottery making, specifically microcrystalline silica and metal oxides.~~
-
- Maintain up-to-date Safety Data Sheet (SDS) binder of all materials in the studio for OSHA compliance.

- Maintain safe handling and execute hazmat disposal procedures for applicable materials used in glaze formulation.
- ~~Provide training for studio volunteers/monitors, instructors/assistants, staff, studio members, and students for upholding facility safety standards. Train and hold accountable studio volunteers/assistants, instructors, staff, studio members, and students for upholding facility safety standards.~~
- ~~—~~
- Select, develop, test, troubleshoot and mix house glazes for general studio use.
- Identify, test and troubleshoot clay bodies for general studio use.
- ~~Maintain organized storage of pottery and extra materials. Responsible for organized storage of pottery and extra materials.~~
- ~~—~~
- Coordinate HVAC, electrical and plumbing repairs both directly with contracted vendors (for studio-specific equipment/systems) or via Redstone Facilities Maintenance (building infrastructure issues).
- ~~Comfortable with taking risks while being as safe as possible in order to learn new skills.~~
- Serve as BCA's expert in the field of ceramics.

CLAY STUDIO MEMBERSHIP

- Act as community leader of the Clay Studio for studio members, students, studio assistants, teaching artists, outside arts organizations and artists as well as members of the public.
- ~~—~~
- Serve as the point of contact for all Clay Studio membership inquiries.
- Plan and ~~execute~~ coordinate seasonal membership lottery for single-season members.
- Bill, process payments, record and report all revenue from studio membership fees.
- Onboard and train new studio members each season.
- Provide exemplary ongoing customer service to studio members in the form of face-to-face interaction and regular written communication (studio updates and newsletters, member engagement, cross-promotion of other BCA events and opportunities).
- Develop and publish evolving studio policies in accordance with BCA's and the City's missions as well as the the needs of the community -to promote and increase accessibility, diversity, equity and inclusion.
- Provide special opportunities for Clay Studio Members to exhibit work during the BCA Studios annual Art Hop weekend.
- Maintain personal ceramic portfolio, keeping up to date with current art practices, trends and setting exemplary studio practices.
- ~~—~~

~~—~~CLAY STUDIO VOLUNTEERS/ASSISTANTS MONITORS

- In collaboration with the BCA Education Director, supervise 20-22 Clay Studio volunteers/assistants.
- ~~Recruit, hire, train, schedule and manage 15-20 Clay Studio volunteers/monitors.~~

- In collaboration with the BCA Education Director, supervise a seasonal Clay Studio Assistant.
- Develop and pProvide ongoing technical and safety training and host seasonal staff meetings.
- Provide support for Clay Studio volunteers/~~assistants~~monitors when programs are happening onsite (including some evening/weekend phone calls seeking technical assistance, building security and/or facilities issues).
- Coordinate and produce ~~Provide~~ special opportunities for Clay Studio volunteers/~~assistants~~ monitors to exhibit work during the BCA Studios annual Art Hop weekend.
- Respond to urgent questions/issues via phone when necessary, including ~~(may include occasional during the early evening or on /weekends s-calls).~~

ADMINISTRATIVE

- Work with BCA Education Director to develop annual budget for the Clay Studio.
- Collaborate with the BCA Programs Coordinator and the BCA Youth and Family Programs Coordinator to develop and support Clay Studio classes and camps for youth, families and adults and to ensure a positive experience for instructors and students.
- Proactively ~~Order~~ and maintain adequate supply of all pottery/ceramic materials and community-use tools to support the needs of the studio membership program and youth and adult classes.
- Maintain up-to-date account records of all studio users.
- Process all transactions for studio membership fees and retail clay purchases.
- ~~Manage a timely kiln firing schedule to ensure all member and student clay work is ready for pick-up within 3-4 week timeline and coordinate and organize finished clay work.~~
- Manage a timely kiln-firing schedule of up to five firings a week to ensure all member and student clay work is ready for pick-up within 3-4 week timeline and coordinate and organize finished clay work. This involves thousands of ceramics pieces per session.
- Prepare and deliver seasonal reports of Clay Studio activity and revenue to be reported to the BCA Board of Directors.
- Attend weekly staff meetings with BCA education team, monthly BCA staff meetings, Arts Education Committee meetings and other meetings and trainings as required.
- ~~Support and collaborate with BCA's Development and Communications teams when fundraising and marketing campaigns intersect with the clay studio and/or BCA Studios.~~

Non-Essential Job Functions:

- Performs other duties as required.

Qualifications/Basic Job Requirements:

- Bachelor's ~~Bachelor's~~ degree in ceramics or studio art with a concentration in ceramics, or related field ~~required~~preferred. ~~Additional experience may be substituted for a degree requirement on a two-for-one per year basis.~~

- ~~1-22~~ years of experience in Clay Studio coordination/management or related field ~~preferred~~required.
- ~~1-22~~ years of teaching experience in pottery/clay preferred or willingness to learn.
- Working knowledge of electric kilns, pottery wheels, pug mill and other pottery related equipment and materials required.
- Working knowledge of pottery/clay-specific health and safety risks and mitigation strategies required.
- Working knowledge of glaze chemistry and glaze mixing.
- Must have a desire to work in a community arts setting with a wide variety of students, community members, volunteers, youth, parents and families.
- Must be able to do physical tasks that are hazardous such as glaze mixing, grinding shelves, working with heavy equipment and electrical elements.
- Ability to assume advanced technical and administrative responsibilities for a departmental area, problem solve and carry out tasks, with minimal instruction, while appropriately dealing with stress such that it does not interfere with performing job duties and functions.
- ~~—~~
- ~~Must be available to work all hours onsite at the BCA Studios and must be available to work some evenings and weekends when required for community events and other work-related tasks.~~
- ~~Must be able to respond to urgent questions/issues via phone when necessary (may include occasional early evening/weekend calls).~~
- ~~Strong communication and organizational skills and experience working with computer applications (Microsoft office programs including Excel) required.~~
- Ability to recruit, train and motivate a team of volunteers.
- Highly developed organizational skills and attention to detail to maintain multiple program and technical needs operating simultaneously.
- Comfort with taking risks while being as safe as possible in order to learn new skills.
- ~~—~~
- Strong problem solving skills required.
- Computer literacy and experience working in a Windows-type OS and web-based CRM systems required.
- Ability to communicate effectively orally and in writing using advanced communication skills
- Ability to develop and adapt a schedule of programs to meet the needs of a diverse population.
- Must be able to operate standardized office equipment.
- ~~—~~
- ~~Must be able to work independently under general supervision in a fast-paced environment and be able to adapt to a changing schedule.~~
- ~~Must demonstrate a cooperative team-player attitude and a high level of enthusiasm, punctuality, and dependability.~~
- Ability to establish and maintain effective working relationships with co-workers, supervisors, staff and the general public.
- Ability to use BCA's registration system and other systems that support administrative and programming needs.

- Must be able to work hours onsite at the BCA Studios and ability to work evenings and weekends as required.
- Must demonstrate ability to professionally represent the City of Burlington and the City Arts Department in all dealings with community members, students, artists, local officials, and City Arts Board members.
- Ability to actively support City diversity, equity, and cultural competency efforts within stated job responsibilities and work effectively across diverse cultures and constituencies.
- Demonstrated commitment to diversity, equity and inclusion as evidenced by ongoing trainings and professional development.
- Regular attendance is necessary and is essential to meeting the expectations of the job functions.
- Ability to understand and comply with City standards, safety rules and personnel policies.
- Must pass a criminal background check.
- Must be able to lift 50 lbs.

Physical & Mental/Reasoning Requirements; Work Environment:

These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position.

☒ seeing ☒ ability to move distances ☒ lifting (specify)
☒ color perception within and between 50__ pounds
(red, green, amber) warehouses/offices ☒ carrying (specify)
☒ hearing/listening ☐ climbing 50__ pounds ☒ clear speech ☐ ability to mount and
☐ driving (local/over
☒ touching dismount forklift/truck the road)
☒ dexterity ☐ pushing/pulling
☒ hand
☒ finger
☒ reading - basic ☒ math skills - basic ☒ analysis/comprehension
☐ reading - complex ☐ math skills - complex ☒ judgment/decision
☒ writing - basic ☒ clerical making
☐ writing - complex
☐ shift work ☐ outside ☐ pressurized equipment
☒ works alone ☐ extreme heat ☐ moving objects
☒ works with others ☐ extreme cold ☐ high places
☒ verbal contact w/others ☒ noise ☒ fumes/odors
☒ face-to-face contact ☒ mechanical equipment ☒ hazardous materials
☒ inside ☒ electrical equipment ☒ dirt/dust

Supervision:

Directly Supervises: 0 Indirectly Supervises: 1 seasonal 22 volunteers

Disclaimer:

The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

Approvals:

Department Head: _____ Date: _____

Human Resources: _____ Date: _____

Updated October 2024

City of Burlington Job Description

Position Title: ~~Marketing and Corporate Sponsorship Specialist~~
Assistant Development Director

Department: BCA

Reports to: ~~Communication Development~~ Director

Pay Grade: ~~15~~ 17

Job Code: 1401

Exempt/Non-Exempt: ~~Non~~ Exempt
Remote Tier 2

Union: AFSCMNU

General Purpose:

The primary function of this position ~~is~~ to support BCA's annual fundraising goals and increase revenue from corporate supporters through event sponsorships, program underwriting, and in-kind partnerships, and to manage board relationships and giving through continual stewardship and support of multiple boards and committees. Specifically, the position is responsible for the corporate donor fundraising category of the annual fund, including prospecting, solicitations, stewardship and donor relations, as well as for supporting the boards of Burlington City Arts, both administratively and each board member's annual fund giving. ~~raise awareness and support for BCA by managing marketing assets and relationships with corporate partners to meet BCA's outreach, fundraising, and promotional goals. This position reports to the Development Director and works closely with Executive, Development, and Communication teams.~~ works closely with the Communications and Development Directors to project manage multiple independent and collaborative timelines and deliverables.

Essential Job Functions: (This section outlines the fundamental job functions that must be performed in this position. The "Qualifications/Basic Job Requirements" and the "Physical and Mental/Reasoning Requirements and Work Environment" state the underlying requirements that an employee must meet in order to perform these essential functions. In accordance with the Americans with Disabilities Act, reasonable accommodations may be made to qualified individuals with disabilities to perform the essential functions of the position.)

Essential Functions

- ~~• Create, manage, and track digital and print marketing and communications assets for Burlington City Arts' programming and development needs, including oversight of social media channels and BCA website content.~~
- ~~• Track and manage relevant data for informing broader communications and development strategies, and to increase sponsor retention and aid recruitment of new sponsors.~~

- ~~Work with development and communications directors to create proposals for effective and dynamic sponsorship opportunities that align with BCA's strategic goals and staffing/infrastructure capacity.~~
- Support Responsible for BCA's corporate sponsorship and board giving portfolios, including developing and stewarding relationships, prospecting, making direct requests, and managing the fundraising activities of BCA's boards as it relates to the annual fund.
- Ensures accurate data and reporting for both corporate and board giving portfolios at all times.
- Support Manages Board activities and needs including organizing development and executive committee meetings, taking minutes and posting agendas and minutes.
- Creates the development messaging strategy for the department in collaboration with development and communications team.
- Project manages the creation of multimedia development communications collateral.
- ~~BCA's development team to increase revenue from corporate supporters through event sponsorships, program underwriting, and in-kind partnerships.~~
- Track digital reach statistics and provide reports for corporate supporters and the BCA executive team
Track and manage Identifies and analyze relevant data for informing broader communications and development strategies, and to increase sponsor retention and aid recruitment of new sponsors.
- ~~Work~~ Develops systems with communication and events teams to ensure that all event/program collateral accurately reflects sponsorship goals and deliverables.
- Provides on-site sponsor relations at events, festivals, gallery openings, and meetings, including on holidays, to ensure that sponsorship goals and deliverables are met.
- Maintain and manage donor records including pledges, campaigns and appeals in Art Center Canvasthe donor database and participate in regular trainings.
- Maintain and build a list of prospects and strategies for corporate sponsorships and board recruitment
- Develop and Builds and stewards relationships that support BCA development efforts through enhance community outreach with individuals, -outreach and working relationships with outside organizations, non-profits, ~~service clubs~~, businesses, and event sponsors.
- ~~Assist communications and development teams in discovering new paths to reaching underserved communities.~~
- Creates content for proposals to funders, including individuals, businesses and granting agencies, in coordination with the development team.
- Develops decks for corporate sponsorship requests and reporting including program description, program impact and benefits of sponsorship that align with BCA's strategic goals and staffing/infrastructure capacity.

- Assists development team with special events including list development and event logistics.
- Connects donors and potential donors from a range of backgrounds, ages and abilities to BCA's mission through personal outreach and direct experiences with BCA programs.

Non-Essential Job Functions:

- Performs other duties as required.

Qualifications/Basic Job Requirements:

Ability to actively support City diversity, equity, and cultural competency efforts within stated job responsibilities and work effectively across diverse cultures and constituencies.

Demonstrated commitment to diversity, equity and inclusion as evidenced by ongoing trainings and professional development.

Proof of COVID-19 vaccination required, reasonable accommodations will be considered.

Regular attendance is necessary and is essential to meeting the expectations of the job functions.

Ability to understand and comply with City standards, safety rules and personnel policies.

- Associate's degree Bachelor's degree and at least three (3) years of experience in nonprofit fundraising, sales, customer service, or digital media/marketing.
- Practical experience can be substituted for a degree on a two for one-year basis.
- Demonstrated achievement of performance goals through high level of motivation, organization, creativity, and teamwork.
- Highly developed organizational skills required to manage multiple relationships at varying stages of development, as well as multiple deadlines in a fast-paced work environment. Commitment to
- clear Strong communication skills, both written and oral and providing excellent customer service required at all times in a fast-paced work environment.
- Knowledge of principles and practices of digital media/marketing and nonprofit fundraising required.
- Experience using fundraising databases preferred.
- Ability to communicate enthusiasm for BCA's mission, and able to inspire generosity and confidence in businesses and organizations to support that mission.
- Ability to serve as an ambassador for BCA in the community, with partners, and at business events.
- Ability to use web-based platforms, including Zoom, Teams, ~~Google Hangout~~, and ~~Art Center Canvas~~ other database programs employed by BCA for various tasks and communication purposes.
- Ability to follow internal processes and guidelines.
- Ability to work independently and set own tasks.
- ~~Ability to communicate effectively orally and in writing.~~
- Ability to operate standardized office equipment and computer programs.

- Ability to establish and maintain effective working relationships with City staff and the general public.
- Ability to maintain a valid driver's license.
- Ability to work in all weather conditions.
- Ability to work occasional evenings, weekends and holidays.

Physical & Mental/Reasoning Requirements; Work Environment:

These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position.

☒ seeing	☐ ability to move distances within and between warehouses/offices carrying (specify) ☐ pounds
☒ lifting (specify) ☐ 50_ pounds	
☐ color perception (red, green, amber)	
☒ hearing/listening	☐ climbing
☐ clear speech	☐ ability to mount and ☐ driving (local/over
☐ touching	dismount forklift/truck the road)
☒ dexterity	☐ pushing/pulling
☒ hand	
☒ finger	
☐ reading - basic	☐ math skills - basic
	☒ analysis/comprehension
☒ reading - complex	☐ math skills - complex ☒
	judgment/decision
☐ writing - basic	☐ clerical
	making
☒ writing - complex	
☐ shift work	☐ outside
	☐ pressurized equipment

X works alone

___ extreme heat

___ moving

objects

___ extreme cold

___ high places

X works with others

___ noise

___ fumes/odors

X_ verbal contact w/others

___ mechanical equipment

___ hazardous

X face-to-face contact

materials

X_ inside

___ electrical

equipment

___ dirt/dust

Supervision:

Directly Supervises: 0

Indirectly Supervises: 0

Disclaimer:

The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

Approvals:

Department Head: _____

Date: _____

Human Resources: _____

Date: _____

Created November 2021, Updated October 2024

Board of Finance and City Council Submission ChecklistDepartment: Arts Submitter: Sara KatzTitle/Subject: BCA Reorganization

	Approval:	Meeting Date:
☒	Board of Finance	11/4/2024
☒	City Council	11/12/2024
☐	Concurrent	Click or tap to enter a date.

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	10/29/2024	Doreen Kraft
Mayor's Office informed and approved memo	Yes	10/31/2024	Erin Jacobson
Board/Commission, if required	No		
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A		
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	10/31/2024	Hayley McClenahan
CAO has reviewed budget, financing, and memo	Yes	10/31/2024	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	Yes	10/31/2024	Lynn Reagan, Orieta Glozheni
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	BCA Director, Includes Resolutions
Contract Attached, if applicable?	N/A	Subject to City Attorney Review and Approval
Additional Materials, if necessary	Yes	Org Charts, Job Descriptions
Draft Resolution or Motion?	Choose an item.	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	Choose an item.	Click or tap here to enter text.

Lori Olberg

FOR INFORMATION ONLY

From: Brackin, Stephanie <Stephanie.Brackin@vermont.gov>
Sent: Tuesday, October 29, 2024 9:13 AM
Subject: FPR Press Release: Vermont Issues Statewide Ban on Debris Burning; No Burning Permits Shall Be Issued

[WARNING]: This email was sent from someone outside of the City of Burlington.

PRESS RELEASE

For Immediate Release

Contact:

Kathy Decker, Forest Protection Program Manager
Department of Forests, Parks, and Recreation | Agency of Natural Resources
kathy.decker@vermont.gov, 802-473-0007

Vermont Issues Statewide Ban on Debris Burning; No Burning Permits Shall Be Issued

Montpelier, VT - After a warm, dry week and weekend and several reports of large wildfires in Vermont, the Vermont Department of Forests, Parks, and Recreation (FPR) has issued an order for all of the state's forest fire wardens to cease issuing burning permits from 3:00 pm on October 28, 2024 through 3:00 pm on November 11, 2024. The order will be in effect for two weeks and can be revoked earlier if conditions warrant.

Over the last week, the wildfire danger has fluctuated between high, very high, and extreme throughout the state. With the continued dry weather outlook and the abundance of dry leaves and dry fuels in Vermont's forests, wildfires have the potential to spread rapidly. Recent relative humidity levels as low as 16% in the past week and winds gusting over 30 MPH have also influenced wildfire spread. Furthermore, there is no significant rainfall in the forecast and therefore fire danger is expected to remain at these elevated levels for the foreseeable future.

"We have received notification from many Town Forest Fire Wardens that they have stopped issuing burn permits in their towns," said Danielle Fitzko, Commissioner of the Department of Forests, Parks and Recreation. "This statewide order supports their efforts. We are also concerned with fire department personnel becoming strained and fatigued as they share responsibility for wildland fire response."

The current fire situation is not limited to Vermont. "Other New England states currently have elevated fire danger and are experiencing large wildfires that have required assistance from neighboring states," said Dan Dillner, Vermont Forest Fire Supervisor. "It is critical that we reduce the potential for further human caused fires by putting this temporary ban on burn permits in place."

Fires over the weekend have destroyed two camps in Barnard, VT. Some of these fires were caused by improper disposal of wood stove ash and debris burning.

Lori Olberg

From: Brackin, Stephanie <Stephanie.Brackin@vermont.gov>
Sent: Wednesday, October 30, 2024 11:42 AM
Subject: FPR Press Release - \$3.3 Million Available for Municipal Outdoor Recreation Projects

[WARNING]: This email was sent from someone outside of the City of Burlington.

PRESS RELEASE

For Immediate Release

Media Contact

Marlena Baker, Outdoor Recreation Grants Specialist
Department of Forests, Parks, and Recreation
marlena.baker@vermont.gov

\$3.3 Million Available for Municipal Outdoor Recreation Projects
FPR Launches 2025 Land and Water Conservation Fund Grant Round

Montpelier, VT—The Vermont Department of Forests, Parks, and Recreation (FPR) is pleased to announce the launch of the 2025 Land and Water Conservation Fund (LWCF) grant round. This reimbursement program enables municipal entities and state agencies to develop large-scale outdoor recreation projects across the state. LWCF funds are apportioned through the U.S. Department of Interior's National Parks Service.

Eligible LWCF projects include acquisition of land for parks and public outdoor recreation; development of new outdoor recreation facilities; and renovation of existing outdoor recreation facilities. Recreation spaces acquired or developed using LWCF assistance must be maintained and remain open for public outdoor recreation in perpetuity. The recommended request range is \$25,000 to \$1,000,000. LWCF requires a 50% non-federal match, which means total project costs should range from \$50,000 to \$2,000,000.

"The LWCF program has provided over \$43 million for parks, playgrounds, skateparks, sports fields, forests, and other outdoor recreation areas across Vermont over the years," said Lauren Pyle, Outdoor Recreation Grant Manager. "One of the unique things about this program is that lands and recreation spaces acquired or developed by LWCF funds are protected for recreational use forever. LWCF can support communities that want to protect new recreation spaces, create new recreation opportunities, or improve past LWCF investments."

Interested applicants must submit a Pre-Application for FPR to assess the project's readiness, eligibility, and potential compliance needs. If the project meets the LWCF eligibility criteria, FPR will then invite applicants to submit a Full Application. **Pre-applications are due on December 13, 2024.**

For more information and to access the Pre-Application, please visit <https://fpr.vermont.gov/land-and-water-conservation-fund>. Questions can be directed to ANR.FPRRecreationGrants@vermont.gov.

###

Non-Discrimination Notice:

Lori Olberg

From: Chittenden County Regional Planning Commission <evaughn-ccrpcvt.org@shared1.ccsend.com>
Sent: Thursday, October 31, 2024 4:30 PM
To: Lori Olberg
Subject: October Newsletter

[WARNING]: This email was sent from someone outside of the City of Burlington.

CCRPC Regional Notes | October 2024

Good afternoon,

On October 28, the **Building Homes Together (BHT) 2.0** campaign gathered at 33 Ethan Allen Street in Colchester, the site of a former college dormitory converted into affordable apartments, to review the **latest data** related to housing production and affordability in Chittenden County. The BHT campaign, led by Champlain Housing Trust, CCRPC, and Evernorth, tallied **720 new homes and apartments constructed in 2023**, with **125 of them being permanently affordable**. Both fell short of the respective 1,000- and 250-unit targets. The Chittenden County **rental vacancy rate** is still very low at 1.2% as of June 2024, further reinforcing the need for more housing. A healthy rate is closer to 5%.

We're thankful for land use and regulatory reforms passed by the Legislature the last two years and the actions on the local level to help increase housing, but we all need to do more -- supporting new housing, decreasing regulatory barriers, and funding affordable housing production. View the full **BHT press release** and the **VT Digger article** for more details.

For more information on the BHT campaign, including a dashboard of the housing built in Chittenden County, visit the **BHT website**. If you have any questions or would like to discuss the BHT data and goals, please contact me at cbaker@ccrpcvt.org.

Best regards,

Charlie Baker
 Executive Director, **CCRPC**

OF NOTE

CCRPC Welcomes Kate McCarthy as New Senior Planner

Kate brings over 14 years of experience working across Vermont as a land use planner and community development professional. She is passionate about connecting communities with resources, and facilitating conversations about solutions that help build healthy

LANGUAGE TRANSLATION

The CCRPC newsletter can be translated into many languages using Google Translate. Visit the [newsletter webpage](#) for more information.

QUICK LINKS

[CCRPC Website »](#)

[CCRPC Calendar »](#)

[Cultural and Religious Days of Significance Calendar »](#)

[CCRPC Equity Statement »](#)

[CCRPC Traffic Alert Program »](#)

[Vermont League of Cities & Towns Resources »](#)

[Vermont Open Meeting Law Updates and FAQ »](#)

CALENDAR

Please Note: All meetings are hybrid unless otherwise specified. Information needed to join remotely is included in every meeting agenda, which is posted in advance to each committee webpage.

Lori Olberg

FOR INFORMATION ONLY

From: VLCT News <info@vlct.org>
Sent: Tuesday, November 5, 2024 3:27 PM
To: Lori Olberg
Subject: OML Basics On Demand, Obligate ARPA Funds, Use FMCSA Clearinghouse, and more!

[WARNING]: This email was sent from someone outside of the City of Burlington.

[Click here to view this email as a web page.](#)



Are Your ARPA Funds Obligated?

If you aren't sure or you need help, immediately contact VLCT about creating a plan to ensure you keep every penny of your ARPA funds. Money not obligated by 12/31 must be returned to the U.S. Treasury!

Employers of CDL Operators Must Use Federal "Clearinghouse"

Employers are responsible for using the FMCSA Drug & Alcohol Clearinghouse in specific circumstances, and PACIF members can designate DISA to help with some of the reporting.

Great News in VERB UI Trust 2025 Renewal

VLCT's Unemployment Insurance (UI) Trust members will see an average 12% *reduction* in rates for 2025, and \$100,000 will be returned to members as contribution credits. Individual member rates and costs will vary. Bills will be sent by the end of this month.

New Coverages for Additional Life, Accident, and Critical Illness

Enrollment for new voluntary Life, Accident, and Critical Illness coverage is underway through 11/22! We need 15% minimum enrollment across the VLCT membership for each of these desirable employee benefits in order to offer it through you to your employees. Enroll now!

New OML Basics Webinar is On Demand and FREE!

VLCT members can watch our comprehensive review of Vermont's Open Meeting Law (OML), including Act 133 changes, any time and free of charge. While it is not the required annual training offered by the Secretary of State, this 30-minute recording provides the basics of what you need to know.

Vermont is Approved for 90% Reimbursement for DR-4720 Costs

This is additional FEMA Public Assistance reimbursement for municipalities affected by the July 7-21, 2023, disaster event.

Three VTrans Grants Programs Open Now

If you need funding for transportation-related environmental improvements, sidewalks and/or trails that serve a transportation purpose, or transportation studies, these grants are for you.

The Latest VLCT News

Board of Abatement Roles and Responsibilities

Wed 11/13, 1:30 PM – 3 PM

Workplace Matters: Employee Engagement

Thu 11/14, 12 PM – 1 PM

Lori Olberg

From: Brackin, Stephanie <Stephanie.Brackin@vermont.gov>
Sent: Wednesday, November 6, 2024 12:46 PM
Subject: FPR Press Release - Vermont Enhances Forestry Services with County Forester Update

[WARNING]: This email was sent from someone outside of the City of Burlington.

PRESS RELEASE

For Immediate Release

Contact:

Keith Thompson, Private Lands Program Manager
Department of Forests, Parks, and Recreation | Agency of Natural Resources
Keith.Thompson@vermont.gov, 802-498-5169

Vermont Enhances Forestry Services with County Forester Update

Montpelier, VT— The Vermont Department of Forests, Parks, and Recreation (FPR) is updating its County Forester service areas to better support landowners statewide. Effective November 12, 2024, County Forester responsibilities will be redistributed on a regional basis, no longer restricted by county boundaries. This change aims to provide more equitable access to forestry services.

County Foresters have long been key to providing forest management, stewardship guidance, technical assistance, and outreach to Vermont landowners, fostering lasting relationships. They offer expertise on topics ranging from forest management to wildlife habitat and outdoor recreation. County Foresters also administer the forestland category of Use Value Appraisal (Current Use) program, which enables eligible private landowners engaged in long-term forestry to have their land appraised based on its forestry value, rather than its fair market (development) value.

While foresters will retain their "County Forester" title, their service areas will be defined by geographically connected groups of towns. FPR has created a [new forester coverage map](#) and reference guide to help landowners identify which forester covers their area.

"County Foresters play a vital role in forest management and stewardship," says Oliver Pierson, Division of Forests Director. "They provide valuable guidance and technical assistance to landowners, support communities through expertise and outreach, and promote informed forest stewardship."

FPR is confident these updates will enhance their ability to provide consistent, high-quality support to all landowners, ensuring a more equitable distribution of forestry services across Vermont.

###

Non-Discrimination Notice:

This institution is an equal opportunity provider. To file a discrimination complaint, for questions, free language services, or requests for reasonable accommodations, please contact ANR's

Lori Olberg

From: Amy Leigh Malinowski <amylmalinowski@gmail.com>
Sent: Friday, November 1, 2024 7:18 PM
To: Lori Olberg; Carter Neubieser; Gene Bergman; Joe Kane; Sarah Carpenter; Benjamin Traverse; Becca Brown McKnight; Evan Litwin; Marek Broderick; Melo Grant; Tim Doherty; Mark Barlow; Joan Shannon; Emma Mulvaney-Stanak; Joe Magee
Cc: blackfemmesvt@gmail.com
Subject: In Continued Support of Tyeastia Green

[WARNING]: This email was sent from someone outside of the City of Burlington.

Hi Lori! Can the following please be included in the upcoming city council meeting's agenda packet? (I believe I'm following the correct path for sharing this but let me know if not!) Thank you!!! Mayor Mulvaney-Stanak and Burlington City Councilors --

My name is Amy Malinowski and I'm a white woman living in ward 8 (who is lucky enough to own a home). I want to add my voice to the chorus calling for restitution AND reparations for Tyeastia Green.

Mayor and Councilors, I urge you to:

1. work with Director Green towards completely repairing harm in a restorative manner and immediately stopping the harms that continue to take place. We must hold the restorative justice community accountable in this process, including all parties/agencies responsible for ensuring that any agreements are upheld. Obviously, it must not fall upon Director Green to incur further financial costs and time to manage the completion of any restorative actions offered.
2. provide a clear action plan, with details and timeline around accountability to ensure that this does not happen again.
3. respond to the motion that was unanimously passed by the City Council on August 14, 2023, but has not seemed to have progressed since. Respond publicly and state how the following work will be achieved and when:
MOTION TO AMEND by Councilor Hightower, SECOND by Councilor Bergman, to move to refer the materials posted under this item as supporting documents to the HR Committee to consider the full impact of this report on our City, Tyeastia Green, Casey Ellerby, and their families. Additionally, refer these materials to the HR Committee to establish a process for independent evaluation and oversight of the hiring and retention policies and solutions employed by the City of Burlington to combat anti-BIPOC and gender-based discriminatory practices.

I want to amplify these words:

From [Kiah Morris's open letter](#): "What you do not change, you choose."

From [Zoraya Hightower's open letter](#): "And if we can't do the right thing, Tyeastia can't heal. The Black community can't heal. Burlington cannot heal."

I also call on neighbors across our city to join our growing calls for justice.

Amy Malinowski
Ward 8

Lori Olberg

From: Stephen Chisa <schisa@gmail.com>
Sent: Friday, November 8, 2024 12:15 PM
To: Lori Olberg; Carter Neubieser; Gene Bergman; Joe Kane; Sarah Carpenter; Benjamin Traverse; Becca Brown McKnight; Evan Litwin; Marek Broderick; Melo Grant; Tim Doherty; Mark Barlow; Joan Shannon; Emma Mulvaney-Stanak; Joe Magee
Cc: blackfemmesvt@gmail.com
Subject: In Continued Support of Tyeastia Green

[WARNING]: This email was sent from someone outside of the City of Burlington.

Hi Lori,

Can you please include the following message in the upcoming city council meeting's agenda packet please?

Thank you,
Stephen

--

Mayor Mulvaney-Stanak and Burlington City Councilors,

My name is Stephen Chisa. I am a white man and homeowner in Ward 8. I want to add my voice to the chorus calling for restitution AND reparations for Tyeastia Green.

Mayor and Councilors, I urge you to:

1. work with Director Green towards completely repairing harm in a restorative manner and immediately stopping the harms that continue to take place. We must hold the restorative justice community accountable in this process, including all parties/agencies responsible for ensuring that any agreements are upheld. Obviously, it must not fall upon Director Green to incur further financial costs and time to manage the completion of any restorative actions offered.
2. provide a clear action plan, with details and timeline around accountability to ensure that this does not happen again.
3. respond to the motion that was unanimously passed by the City Council on August 14, 2023, but has not seemed to have progressed since. Respond publicly and state how the following work will be achieved and when:

MOTION TO AMEND by Councilor Hightower, SECOND by Councilor Bergman, to move to refer the materials posted under this item as supporting documents to the HR Committee to consider the full impact of this report on our City, Tyeastia Green, Casey Ellerby, and their families. Additionally, refer these materials to the HR Committee to establish a process for independent evaluation and oversight of the hiring and retention policies and solutions employed by the City of Burlington to combat anti-BIPOC and gender-based discriminatory practices.

I want to amplify these words:

From Kiah Morris's open letter: "What you do not change, you choose."

From Zoraya Hightower's open letter: "And if we can't do the right thing, Tyeastia can't heal. The Black community can't heal. Burlington cannot heal."

I also call on neighbors across our city to join our growing calls for justice.

Stephen Chisa

EMMETT WOOD

EDUCATION

Vermont Law School, S. Royalton, VT
Accelerated Juris Doctor
Graduated Cume Laude, January 2021

Marlboro College, Marlboro, VT
Bachelors in Sociology and Writing
Graduated, December 2018
Awards: Graduated with high honors; Dean's List Scholar; Marlboro Grant recipient
Extracurricular: The Citizen (Editor in Chief, 2017-2018); The Marlboro Standard (Founder and Editor in Chief, 2017-2018)

Holyoke Community College, Holyoke, MA 2014-2016
Completed four semesters with a focus in Writing and Anthropology while attending High School and participating in a dual enrollment program.

EXPERIENCE

Burke Law, Burlington, VT 2022-Present
Associate Attorney

I am currently responsible for one Chittenden County Public Defense Caseload Relief contract and share responsibility for a Statewide Caseload Relief Contract with another Associate. I also serve as co-counsel on all Serious Felony Unit cases taken on by Burke Law. My responsibilities as a public defender include appearing in Court on a daily basis in a variety of counties to include Chittenden, Orleans, Windham, and Bennington; managing over 300 cases; engaging in both litigation and research work; and effective client/witness management. In addition to my responsibilities as a public defender, I practice as a private criminal defense attorney specializing in both civil and criminal traffic-related offenses.

Law Offices of Sedon and Ericson, Chelsea, VT 2021-2022
(part time)
Legal Research Assistant

While employed at Sedon and Ericson I wrote motions and memos, organized case files and legal research, and spoke with clients, witnesses, and experts. These tasks were completed in conjunction with responsibilities delegated during the externship period. This work was focused on clients accused of committing serious felonies.

Law Offices of Sedon and Ericson, Chelsea, VT

Full Time Externship

Fall 2021

- Participated in client intake, organizational tasks, visiting jail and court, followed up with witnesses, crafted theories of defense, wrote motions and memos

American Civil Liberties Union, Vermont, Montpelier, VT

Fall, 2020

Part Time Externship

- Performed legal research tasks; wrote case briefs; outlines; and memos; sat in on staff and legal department meetings as well as meeting with co-counsel; participated in client intake and contacted potential clients personally

Vermont Law School, S. Royalton, VT

Summer and Fall 2020

Torts Teaching Assistant

- Provided one on one guidance in the field of Torts and assisted in crafting examinations; held weekly office hours and meetings, as well as general reviews twice a semester

Windham County State's Attorney's Office, Brattleboro, VT

Spring, 2017

Intern

- Observed court proceedings; Prepared and organized documents for filing; Served as liaison between the Restorative Justice Center and the State's Attorney's office by encouraging staff to gain a deeper knowledge of restorative justice by attending reparative circles at the center

Brattleboro Restorative Justice Center, Brattleboro, VT

Spring, 2017

Independent Contractor & Volunteer/ Intern

- Assisted in facilitating restorative circles and restorative justice meetings; made efficiency related changes to the process by which offenders were contacted for programming; Updated the Restorative Justice Center website; Ran all social media accounts; Attended and assisted in facilitating events run by the center

Marlboro College, Marlboro, VT

2017-2018

Citizen Editor

- Oversaw general production of the newspaper and delegated tasks to staff members; wrote columns; solicited submissions; and organized art pieces to be featured

Student Teacher

2017-2018

- Crafted a lesson plan centered around Gonzo style journalism; led twice weekly class; Assigned researched articles and read with students; corrected drafts; and graded writing

Writing Tutor

2016-2018

- Tutored students in traditional writing within the humanities; assisted in student research

Staff Marketing Writer

2016-2018

- Crafted published marketing materials for Marlboro College both for their personal publications and for press releases

ADDITIONAL HONORS/ACTIVITIES/INTERESTS

Speaking/Honors: GLSEN Queer Advocacy Conference (Keynote speaker, 2014); NYCORE advocacy conference (Presenter, 2015)

Student Bar Association: Elected

Activities & Interests: Antique collector; Multi-instrumentalist focused on guitar; Seasonal farm and greenhouse volunteer; multimedia artist

REFERENCES

Mark Latham, *Professor of Law*

[REDACTED]

Greg Johnson, *Professor of Law*

[REDACTED]

Daniel Sedon, *Sedon and Ericson, P.C.*

[REDACTED]

Leah Henderson, *Director, Burke Law*

[REDACTED]



Office of Mayor Emma Mulvaney-Stanak

November 12, 2024

Dear Councilors,

I am pleased to bring forward for your consideration the appointment of Emmett Wood, Esq. to the position of Assistant City Attorney.

In 2021, Attorney Wood graduated cum laude from the Vermont Law and Graduate School, receiving their Juris Doctor degree. While at VLGS, Wood served as a teaching assistant in the field of Tort law and held a number of intern- and externships in both public and private law practices.

Attorney Wood currently practices as an Associate Attorney with Burke Law here in Burlington. In this role, they are responsible for both a Chittenden County and a Statewide caseload relief contract for the Defender General's Office, as well as private criminal defense.

As a public defender in Chittenden County, Attorney Wood has gained a keen understanding of our community and the challenges our City and our neighbors are facing.

If confirmed, Attorney Wood will be the first openly nonbinary person, and the third person of color to serve in the City Attorney's Office. Upon confirmation, Attorney Wood plans to join the City team in early January.

Our City will be well-served by Attorney Wood, and I thank you for your consideration of their appointment.

Sincerely,

Emma Mulvaney-Stanak
Mayor

Resolution Relating to

DECLARATION OF NOVEMBER AS FAMILY
CAREGIVER MONTH FOR BURLINGTON

RESOLUTION_____

Sponsor(s): Councilor Carpenter
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:

That WHEREAS, this November, in Burlington, we recognize the countless family caregivers in Burlington and across our state who are helping their older parents, spouses, and other loved ones live independently in their homes – where they want to be and where their well-being is supported; and

WHEREAS, Burlington’s family caregivers are among 48 million Americans nationwide who are being recognized in November, National Family Caregiver Month; and

WHEREAS, these family caregivers hold up a challenged long-term care system, and the physical, financial and emotional toll on them is great; and

WHEREAS, Burlington’s family caregivers help their loved ones with everything from managing medications and medical care, meal preparation and feeding, bathing and dressing, chores, finances, grocery shopping, transportation and more; and

WHEREAS, many family caregivers work full- or part-time at paying jobs, and many cut back their hours or quit their jobs entirely to make sure their loved one gets the care they need; and

WHEREAS, Burlington’s dedicated family caregivers provide thousands of hours of care every year, adding up to millions of dollars in unpaid labor annually; and

WHEREAS, family caregivers deserve our gratitude, but they also need commonsense solutions that save them time and money and provide support; and

WHEREAS, the Burlington Aging Council and partner organizations have elevated the role of family caregivers as a critical piece of the long-term care system; and

WHEREAS, as everyday heroes, family caregivers in Burlington help their older parents, spouses, siblings, or grandparents live independently with dignity; and

WHEREAS, those who are not yet family caregivers may be at some point, they may know someone who is, or they may someday need a family caregiver to live independently at home;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby proclaims November 2024 as Family Caregiver Month in Burlington; and

25 BE IT FURTHER RESOLVED that all Burlingtonians are encouraged to reach out to the family
26 caregivers in their lives, thank them for the incredibly important work they do and support them in any way
27 that you can; and

28 BE IT FURTHER RESOLVED that City staff shall disseminate this resolution to media outlets,
29 members of Burlington's State legislative delegation, Governor Scott, and pertinent City websites.

30
31
32
33 *BTP/Resolutions 2024/Declaration of November as Family Caregiver Month for Burlington*
34 11/1/24

Resolution Relating to

DECLARATION OF NOVEMBER AS FAMILY
CAREGIVER MONTH FOR BURLINGTON

RESOLUTION 7.2

Sponsor(s): Councilor Carpenter
Introduced:

Referred to: 11/12/24

Action: adopted

Date: 11/12/24

Signed by Mayor 11/19/24

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, this November, in Burlington, we recognize the countless family caregivers in Burlington
2 and across our state who are helping their older parents, spouses, and other loved ones live independently in
3 their homes – where they want to be and where their well-being is supported; and

4 WHEREAS, Burlington’s family caregivers are among 48 million Americans nationwide who are
5 being recognized in November, National Family Caregiver Month; and

6 WHEREAS, these family caregivers hold up a challenged long-term care system, and the physical,
7 financial and emotional toll on them is great; and

8 WHEREAS, Burlington’s family caregivers help their loved ones with everything from managing
9 medications and medical care, meal preparation and feeding, bathing and dressing, chores, finances, grocery
10 shopping, transportation and more; and

11 WHEREAS, many family caregivers work full- or part-time at paying jobs, and many cut back their
12 hours or quit their jobs entirely to make sure their loved one gets the care they need; and

13 WHEREAS, Burlington’s dedicated family caregivers provide thousands of hours of care every year,
14 adding up to millions of dollars in unpaid labor annually; and

15 WHEREAS, family caregivers deserve our gratitude, but they also need commonsense solutions that
16 save them time and money and provide support; and

17 WHEREAS, the Burlington Aging Council and partner organizations have elevated the role of family
18 caregivers as a critical piece of the long-term care system; and

19 WHEREAS, as everyday heroes, family caregivers in Burlington help their older parents, spouses,
20 siblings, or grandparents live independently with dignity; and

21 WHEREAS, those who are not yet family caregivers may be at some point, they may know someone
22 who is, or they may someday need a family caregiver to live independently at home;

23 NOW, THEREFORE, BE IT RESOLVED that the City Council hereby proclaims November 2024 as
24 Family Caregiver Month in Burlington; and

* * * * *

ORIGINAL

DISTRIBUTION:

I hereby certify that this resolution
has been sent to the following
department(s) on

RESOLUTION RELATING TO

.....

.....

.....

Adopted by the City Council

....., 20.....

..... Clerk

Approved....., 20.....

..... Mayor

Attest:

Vol. Page

* * * * *

25 BE IT FURTHER RESOLVED that all Burlingtonians are encouraged to reach out to the family
26 caregivers in their lives, thank them for the incredibly important work they do and support them in any way
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28 BE IT FURTHER RESOLVED that City staff shall disseminate this resolution to media outlets,
29 members of Burlington's State legislative delegation, Governor Scott, and pertinent City websites.

30
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32
33 *BTP/Resolutions 2024/Declaration of November as Family Caregiver Month for Burlington*
34 11/1/24

* * * * *

DISTRIBUTION:

I hereby certify that this resolution
has been sent to the following
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ORIGINAL

RESOLUTION RELATING TO

Declaration Of November As Family Caregiver Month For Burlington

.....

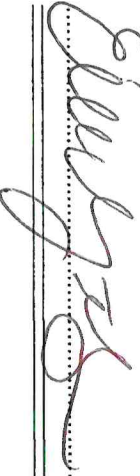
.....

Adopted by the City Council

November 12, 2024

 Clerk

Approved..... Nov 19, 2024

 Mayor

Vol. Page

* * * * *

Attest:

CITY OF BURLINGTON

ORDINANCE _____

Sponsor: Traverse
Public Hearing Dates: _____

In the Year Two Thousand Twenty-Four

First reading: October 28, 2024
Referred to: Board of Finance
Rules suspended re referral
: October 28, 2024
Second reading: November 12, 2024
Action: _____
Date: _____
Signed by Mayor: _____
Published: _____
Effective: _____

An Ordinance in Relation to

Technical Amendments to Article VI of Chapter 21 of the
Burlington Code of Ordinances, Commencing at Section 21-80,
Livable Wages, to Streamline Enforcement and Other Processes

It is hereby Ordained by the City Council of the City of Burlington as follows:

That Chapter 21, of the Code of Ordinances of the City of Burlington be and hereby is amended by
amending Article VI (Livable Wages) thereof, commencing at Section 21-80, to read as follows:

Section 21-80, as written.

Section 21-81, Definitions:

Subsections (a) to (d), as written.

(e) *Designated accountability* monitor shall mean ~~a nonprofit organization, business, or individual~~
~~hired or retained by the city that is independent of the city contractors it is monitoring~~ one or more city
employees or a city contracted consultant tasked with responsibility for enforcement of provisions of this
article.

(f) *Employee* means a person who is employed on a full-time or part-time regular basis. In addition,
~~commencing with the next fiscal year,~~ a seasonal or temporary employee of the City of Burlington who
works ten (10) or more hours per week and has been employed by the City of Burlington for a period of four
(4) years shall be considered a covered employee commencing in the fifth year of employment. "Employee"
shall not refer to volunteers working without pay or for a nominal stipend, persons working in an approved
apprenticeship program, ~~persons who are hired for a prescribed period of six (6) months or less to fulfill the~~
~~requirements to obtain a professional license as an attorney,~~ persons who are hired through youth
employment programs or student workers or interns participating in established educational internship
programs.

(g) *Employer-assisted health care* means health care benefits provided by employers for employees
(or employees and their dependents) at the employer's cost or at an employer contribution towards the
purchase of such health care benefits, provided that the employer cost or contribution consists of at least ~~one~~
two dollar and ~~twenty-five~~ twenty-five cents (\$~~24.15~~20) per hour. ~~(S~~Commencing July 1, 2025, said amount shall be

adjusted every ~~fiscal year two (2) years~~ for inflation, by the chief administrative officer of the city by the percentage increase from March 1 in the prior calendar year to March 1 in the current calendar year in the Consumer Price Index for All Urban Workers: Medical Care in the U.S. City Average (CPIMEDSL), or, if the U.S. Department of Labor ceases to publish such measure of inflation, a reasonably similar measure of medical inflation chosen by the chief administrative officer.)

Subsections (h) to (j), as written.

(k) Joint Fiscal Office estimate means the hourly rate needed to support the basic needs budget as determined in the most recently published report of the Joint Fiscal Office of the State of Vermont for a single person using a model of two (2) adults residing in a two (2) bedroom living unit in an urban area with the moderate cost food plan.

(l) CPI-U means the increase in the Consumer Price Index for All Urban Workers (Northeast Region) from March 1 in the prior calendar year until March 1 in the current calendar year, or, if the U.S. Department of Labor ceases to publish such index, a reasonable alternative measure of inflation selected by the chief administrative officer.

Section 21-82, Livable wages required:

(a) Every covered employer shall pay each and every covered employee at least a livable wage no less than:

(1) For a covered employer that provides employer assisted health care, the livable wage shall be at least ~~thirteen dollars and ninety-four cents (\$13.94) per hour~~ seventeen dollars and ninety-six cents (\$17.96) per hour on the effective date of the amendments to this article. Effective July 1, 2025, the chief administrative officer shall adjust this amount to be the greater of either the most recent Joint Fiscal Office estimate or the previous year's rate increased by CPI-U, as the terms Joint Fiscal Office estimate and CPI-U are defined in Section 21-81 hereof. This rate shall again be adjusted every July 1 thereafter using the same methodology for each such subsequent year.

(2) For a covered employer that does not provide employer assisted health care, the livable wage shall be at least ~~fifteen dollars and eighty-three cents (\$15.83) per hour~~ nineteen dollars and fifteen cents (\$19.15) per hour on the effective date of the amendments to this article. Effective July 1, 2025, the chief administrative officer shall set this amount as the amount set forth in the foregoing paragraph (1) increased by the amount calculated as set forth in Section 21-81(g) of this article. This amount shall again be adjusted accordingly every July 1 thereafter.

(3) Covered employees whose wage compensation consists of more or other than hourly wages, including, but not limited to, tips, commissions, flat fees or bonuses, shall be paid so that the total of all wage compensation will at least equal the livable wage as established under this article.

~~(b) The amount of the livable wage established in this section shall be adjusted by the chief administrative officer of the city as of July 1 of each year based upon a report of the Joint Fiscal Office of the State of Vermont that describes the basic needs budget for a single person but utilizes a model of two (2) adults residing in a two (2) bedroom living unit in an urban area with the moderate cost food plan. Should there be no such report from the Joint Fiscal Office, the chief administrative officer shall obtain and utilize a basic needs budget that applies a similar methodology. The livable wage rates derived from utilizing a model of two (2) adults residing in a two (2) bedroom living unit in an urban area with a moderate cost food plan shall not become effective until rates meet or exceed the 2010 posted livable wage rates. Prior to May 1 preceding any such adjustment and prior to May 1 of each calendar year thereafter, the chief administrative officer will provide public notice of this adjustment by posting a written notice in a prominent place in City Hall by sending written notice to the city council and, in the case of covered employers that have requested individual notice and provided contact information to the chief administrative officer, by notice to each such covered employer. However, once a livable wage is applied to an individual employee, no reduction in that employee's pay rate is permissible due to this annual adjustment.~~

(b) Annually prior to May 1, the chief administrative officer shall provide public notice of the wage rates required under this section effective July 1 of the same year. Public notice shall, at a minimum, include posting online and at City Hall, issuance of a press release, and written notice to the members of the city council and the officers or steering committees of the neighborhood planning assemblies.

(c) Covered employers shall provide at least twelve (12) compensated days off per year for full-time covered employees, and a proportionate amount for part-time covered employees, for sick leave, vacation, personal, or combined time off leave. For a contract with a covered employer with a duration of less than one (1) fiscal year, the minimum number of compensated days off shall be prorated according to the length of the contract. If compensated days off are designated by the covered employer for vacation or combined leave, then covered employees shall have the ability to cash out unused leave accrued during the term of the covered employer's contract with the City.

Section 21-83, as written.

Section 21-84, Enforcement:

(a) Each service contract or grant covered by this article shall contain provisions requiring that the covered employer or grantee submit a written certification, under oath, during each year during the term of the service contract or grant, that the covered employer or grantee (including all of its subcontractors and subgrantees, if any) is in compliance with this article. The failure of a contract to contain such provisions does not excuse a covered employer from its obligations under this article. The covered employer shall agree to post a notice regarding the applicability of this section in any workplace or other location where employees or other persons contracted for employment are working. The covered employer shall agree to provide payroll records or other documentation for itself and any subcontractors or subgrantees, as deemed necessary by the chief administrative officer of the City of Burlington, within ten (10) business days from receipt of the City of Burlington's request. For contracts or grants with a maximum limiting amount of \$50,000 or more per fiscal year and not in connection with a highway or heavy construction project otherwise covered under the Davis-Bacon Act, 40 U.S.C. § 3141 et seq., as the same may be renumbered, renamed, or amended from time to time (the "Davis-Bacon Act"), the chief administrative officer shall develop a form of payroll record, which shall be required to accompany each invoice or other request for payment from the covered employer. All such records shall be forwarded to the designated accountability monitor for review and retention.

(b) ~~The chief administrative officer of the City of Burlington~~ designated accountability monitor may require that a covered employer submit proof of compliance with this article at any time, including but not limited to:

- (1) Verification of an individual employee's compensation;
- (2) Production of payroll, health insurance enrollment records, or other relevant documentation; or
- (3) Evidence of proper posting of notice.

If a covered employer is not able to provide that information within ten (10) business days of the request, the ~~chief administrative officer~~ designated accountability officer may turn the matter over to the city attorney's office for further enforcement proceedings.

(c) ~~The City of Burlington shall appoint one or more designated accountability monitors that shall have the authority~~ The designated accountability monitor shall have the following authority, in addition to the authority set forth in subsection (b), above:

(1) To inform and educate covered employers and their employees about all applicable provisions of this article and other applicable laws, codes, and regulations;

(2) To work with the ~~chief administrative officer~~city attorney to create a system to receive complaints under this article;

(3) To visit work sites of city contractors (and their subcontractors) or communicate directly with contractors' employees to check for compliance with this article;

(4) To ~~assist the chief administrative officer to~~ conduct periodic audits of payroll and leave records of covered employees; and

(5) To refer credible complaints to the city attorney's office for potential enforcement action under this article and assist in enforcement actions.

~~The designated accountability monitor shall forward to the City of Burlington all credible complaints of violations within ten (10) days of their receipt.~~

Subsections (d) to (f), as written.

(g) A violation of this article shall be a civil offense subject to a civil penalty of from two hundred dollars (\$200.00) to five hundred dollars (\$500.00). All law enforcement officers, the designated accountability monitor, the city attorney or designee, and the chief administrative officer or designee, and ~~any other duly authorized municipal officials~~ are authorized to issue a municipal complaint for a violation of this article. Each day any covered employee is not compensated as required by this article shall constitute a separate violation.

Subsections (h) to (j), as written.

Section 21-85, Other provisions:

Subsections (a) to (c), as written.

(d) Notwithstanding subsection (c) of this section, where employees are represented by a bargaining unit or labor union pursuant to rights conferred by state or federal law and a collective bargaining labor agreement is in effect governing the terms and conditions of employment of those employees, ~~this chapter shall not apply to those employees, and~~ the collective bargaining labor agreement shall control. Likewise for employees working on highway or heavy construction projects covered under the Davis-Bacon Act, payment of wages and provision of benefits as required under that act shall be deemed compliance with the wage rate and benefits provisions of this article.

Subsection (e), as written.

(f) The chief administrative officer of the city shall have the authority to promulgate rules as necessary or convenient to administer the provisions of this article, which shall ~~become effective upon approval by the city council~~ posted on the City's website. Whenever such rules are made or substantively amended, notice of the same and a web address providing access to the rules shall be promptly communicated to the Board of Finance and published once in a newspaper of general circulation, and the rules shall become effective fifteen (15) days from publication. The city council may amend or repeal any published rule by motion.

Sections 21-86 and 21-87, as written.

Section 21-88, Annual reporting:

On or before April 15 of each year, the city attorney's office shall submit a report to the city council that provides the following information:

(a) A list of all covered employers broken down by department. This list also shall be provided upon request to the Vermont Department of Labor.;

(b) A list of all covered employers whose service contract did not contain the language required by this article. ~~;~~ ~~and~~

(c) All complaints filed and investigated by the city attorney's office and the results of such investigation.

Section 21-89, Effective date:

The amendments to this article shall take effect on January 1, 20~~25~~14, and shall not be retroactively applied; provided that the prior version of this article shall theretofore remain effective.

* Material stricken out deleted.

** Material underlined added.



OFFICE OF THE CLERK TREASURER

City of Burlington

City Hall, Room 20, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000

Fax (802) 865-7014

TTY (802) 865-7142

MEMORANDUM

TO: Board of Finance

FROM: Erik Ramakrishnan, Esq., on behalf of Chief Administrative Officer

DATE: November 12, 2024

RE: Ordinance Amending Livable Wage Ordinance, B.C.O, Ch. 21, Art. VI

CC: Katherine Schad, Chief Administrative Officer

Context

Chapter 21, Article VI of the Burlington Code of Ordinances requires payment of a livable wage to City employees and to employees of contractors and grantees their subcontractors at any tier. To enforce the ordinance, the City hires or engages compliance monitors. The City's part-time compliance monitors retired at the end of FY24, and the City has had difficulty procuring new compliance monitors. Based on suggestions received from the former compliance monitors, the City Attorney's Office and Clerk-Treasurer's Office believe that compliance monitoring could be done in-house with existing staff if administration of the livable wage program were streamlined through technical amendments to the Livable Wage Ordinance.

On October 28, 2024, the City Council waived and adopted the first reading of a proposed ordinance adopting technical changes to the Livable Wage Ordinance, including to implement recommendations of the prior compliance monitors. The City Council suspended the rules and referred the ordinance to the Board of Finance for further review. On November 4, 2024, the Board of Finance recommended approval of the ordinance with minor amendments.

These amendments included aligning the Livable Wage Ordinance to the federal Davis-Bacon Act only in connection with heavy construction and highway projects, and not with all project types as originally proposed. The Board of Finance also recommended requiring the Chief Administrative Officer to report any administrative rules promulgated under the ordinance to the Board of Finance. The proposed ordinance allows the Chief Administrative Officer to promulgate administrative rules under the ordinance without prior City Council approval (where prior approval is currently required), and the Board of Finance felt that notification of any such rules will better facilitate oversight since the City Council would still have authority to repeal any rule with which it disagrees.

Overview of Proposed Ordinance

The proposed ordinance would accomplish the following:

- ✓ Amend B.C.O. § 21-81 to: (1) authorize the City to use existing staff to monitor compliance;

(2) update the definition of “employee” to eliminate language that is no longer relevant; and (3) update the credit for employer-provided healthcare to reflect inflation since the ordinance was adopted, and to allow the credit to increase going forward based on an inflation factor specific to medical services.

- ✓ Amend B.C.O. § 21-82 to state the current livable wage rates as determined for July 1, 2024, and to allow the livable wage rate to continue to inflate based on the greater of the Consumer Price Index or the most recently published wage recommended in the Joint Fiscal Office’s report on the basic needs budget and livable wage, as specified in greater detail in the ordinance. This change will simplify administration, and it resolves the anomaly that currently the rate inflates annually based on a report published biennially.
- ✓ Also amend B.C.O. § 21-82 to: (1) include additional means to notify the public annually when the livable wage rate adjusts forward, and (2) clarify how paid time off required under the ordinance will apply to short-term contracts. The amendment regarding paid time off is consistent with existing practice.
- ✓ Amend B.C.O. §§ 21-84 & 21-85 to simplify monitoring by: (1) aligning the ordinance to federal prevailing wage law for highway and heavy construction contracts covered under the Davis-Bacon Act; (2) requiring non-Davis-Bacon contractors (heavy construction and highway projects only) with contracts with the City in excess of \$50,000 to provide certified payroll information with invoices. Regarding the Davis-Bacon Act, federally funded construction contracts are already covered under a federal prevailing wage law that *in most cases* involving highway and street construction contracts requires payment of prevailing wages in excess of the City’s livable wage. In no case can a covered employee be paid less than a minimum wage set by the federal government for federally funded construction contracts, which is only slightly less than the City’s current livable wage rate (i.e., \$17.20 versus \$17.96). Traditionally, most of the City’s monitoring activity has been focused on contracts already covered under the Davis-Bacon Act, which is duplicative because a prevailing wage law already applies to those contracts. Currently, compliance with a collective bargaining agreement is deemed compliance with the ordinance, and this provision would work similarly. Highway construction project wage rates under Davis-Bacon are available here: <https://sam.gov/wage-determination/VT20240059/0>.
- ✓ Amend B.C.O. § 21-85 to allow the Chief Administrative Officer to exercise existing rulemaking authority without first coming to the City Council. However, language is included that would require the rulemaking process to be transparent, including language discussed above requested by the Board of Finance, and the City Council would retain ultimate control over rules promulgated.
- ✓ Amend other provisions of the ordinance to: (1) clarify enforcement authority; (2) indicate that the amendments will take effect on January 1, 2025, and (3) allow information sharing with the Vermont Department of Labor in case opportunities for cooperation in the enforcement of state and local wage laws arise that will avoid duplication of effort.

Proposed Motion

To waive the second reading of the proposed Ordinance Amending Livable Wage Ordinance, B.C.O., Ch. 21, Art. VI, and approve the reading.

CITY OF BURLINGTON

ORDINANCE 7.3

Sponsor: Traverse
Public Hearing Dates: _____

In the Year Two Thousand Twenty-Four

First reading: October 28, 2024

Referred to: Board of Finance

Rules suspended re referral

: October 28, 2024

Second reading: November 12, 2024

Action: adopted

Date: 11/12/24

Signed by Mayor: 11/19/24

Published: 11/27/24

Effective: 12/18/24

An Ordinance in Relation to

Technical Amendments to Article VI of Chapter 21 of the
Burlington Code of Ordinances, Commencing at Section 21-80,
Livable Wages, to Streamline Enforcement and Other Processes

It is hereby Ordained by the City Council of the City of Burlington as follows:

1 That Chapter 21, of the Code of Ordinances of the City of Burlington be and hereby is amended by
2 amending Article VI (Livable Wages) thereof, commencing at Section 21-80, to read as follows:

3 Section 21-80, as written.

4 Section 21-81, Definitions:

5 Subsections (a) to (d), as written.

6 (e) *Designated accountability* monitor shall mean ~~a nonprofit organization, business, or individual~~
7 ~~hired or retained by the city that is independent of the city contractors it is monitoring one or more city~~
8 ~~employees or a city contracted consultant tasked with responsibility for enforcement of provisions of this~~
9 ~~article.~~

10 (f) *Employee* means a person who is employed on a full-time or part-time regular basis. In addition,
11 ~~commencing with the next fiscal year,~~ a seasonal or temporary employee of the City of Burlington who
12 works ten (10) or more hours per week and has been employed by the City of Burlington for a period of four
13 (4) years shall be considered a covered employee commencing in the fifth year of employment. "Employee"
14 shall not refer to volunteers working without pay or for a nominal stipend, persons working in an approved
15 apprenticeship program, ~~persons who are hired for a prescribed period of six (6) months or less to fulfill the~~
16 ~~requirements to obtain a professional license as an attorney,~~ persons who are hired through youth
17 employment programs or student workers or interns participating in established educational internship
18 programs.

19 (g) *Employer-assisted health care* means health care benefits provided by employers for employees
20 (or employees and their dependents) at the employer's cost or at an employer contribution towards the
21 purchase of such health care benefits, provided that the employer cost or contribution consists of at least ~~one~~
22 ~~two~~ dollar and ~~twenty-five~~ cents (\$~~21.15~~~~20~~) per hour. (~~\$Commencing July 1, 2025,~~ said amount shall be

ORIGINAL

AN ORDINANCE
IN RELATION TO

Introduced by

Councilor _____

Read in City Council first time

_____, 20_____.

Attest,

_____, Clerk.

Rules suspended, and ordinance placed in all stages of
passage.

_____, 20_____.

Attest,

_____, Clerk.

Read in City Council second time

_____, 20_____.

Attest,

_____, Clerk.

Passed in City Council at meeting held

_____, 20_____.

Attest,

_____, Clerk.

Approved _____, 20_____.

_____, Mayor.

I, _____, City Clerk of the City of Burlington
and Clerk of the City Council of said City, do hereby certify that the within written Ordinance has
been duly published according to Law and the Charter of the City, and in compliance with said
Charter this certificate is hereto attached.

And the within Ordinance was ordered published for _____ day,

namely the _____ day of _____, 20_____.

Adopted _____ Published _____ Effective _____, City Clerk

Distribution

I hereby certify that this Ordinance has
been sent to the following department(s)
on _____

Attest:

* * * * *

adjusted every ~~fiscal year two (2) years~~ for inflation, by the chief administrative officer of the city by the percentage increase from March 1 in the prior calendar year to March 1 in the current calendar year in the Consumer Price Index for All Urban Workers: Medical Care in the U.S. City Average (CPIMEDSL), or, if the U.S. Department of Labor ceases to publish such measure of inflation, a reasonably similar measure of medical inflation chosen by the chief administrative officer.

Subsections (h) to (j), as written.

(k) Joint Fiscal Office estimate means the hourly rate needed to support the basic needs budget as determined in the most recently published report of the Joint Fiscal Office of the State of Vermont for a single person using a model of two (2) adults residing in a two (2) bedroom living unit in an urban area with the moderate cost food plan.

(l) CPI-U means the increase in the Consumer Price Index for All Urban Workers (Northeast Region) from March 1 in the prior calendar year until March 1 in the current calendar year, or, if the U.S. Department of Labor ceases to publish such index, a reasonable alternative measure of inflation selected by the chief administrative officer.

Section 21-82, Livable wages required:

(a) Every covered employer shall pay each and every covered employee at least a livable wage no less than:

(1) For a covered employer that provides employer assisted health care, the livable wage shall be at least ~~thirteen dollars and ninety-four cents (\$13.94) per hour~~ seventeen dollars and ninety-six cents (\$17.96) per hour on the effective date of the amendments to this article. Effective July 1, 2025, the chief administrative officer shall adjust this amount to be the greater of either the most recent Joint Fiscal Office estimate or the previous year's rate increased by CPI-U, as the terms Joint Fiscal Office estimate and CPI-U are defined in Section 21-81 hereof. This rate shall again be adjusted every July 1 thereafter using the same methodology for each such subsequent year.

(2) For a covered employer that does not provide employer assisted health care, the livable wage shall be at least ~~fifteen dollars and eighty-three cents (\$15.83) per hour~~ nineteen dollars and fifteen cents (\$19.15) per hour on the effective date of the amendments to this article. Effective July 1, 2025, the chief administrative officer shall set this amount as the amount set forth in the foregoing paragraph (1) increased by the amount calculated as set forth in Section 21-81(g) of this article. This amount shall again be adjusted accordingly every July 1 thereafter.

ORIGINAL

AN ORDINANCE
IN RELATION TO

Introduced by

Councilor _____

Read in City Council first time

_____, 20____.

Attest,

_____, Clerk.

Rules suspended, and ordinance placed in all stages of
passage.

_____, 20____.

Attest,

_____, Clerk.

Read in City Council second time

_____, 20____.

Attest,

_____, Clerk.

Passed in City Council at meeting held

_____, 20____.

Attest,

_____, Clerk.

Approved _____, 20____.

_____, Mayor.

I, _____, City Clerk of the City of Burlington
and Clerk of the City Council of said City, do hereby certify that the within written Ordinance has
been duly published according to Law and the Charter of the City, and in compliance with said
Charter this certificate is hereto attached.

And the within Ordinance was ordered published for _____ day,

namely the _____ day of _____, 20____.

Adopted _____ Published _____ Effective _____
_____, City Clerk

Distribution

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on _____

Attest:

(3) Covered employees whose wage compensation consists of more or other than hourly wages, including, but not limited to, tips, commissions, flat fees or bonuses, shall be paid so that the total of all wage compensation will at least equal the livable wage as established under this article.

~~(b) The amount of the livable wage established in this section shall be adjusted by the chief administrative officer of the city as of July 1 of each year based upon a report of the Joint Fiscal Office of the State of Vermont that describes the basic needs budget for a single person but utilizes a model of two (2) adults residing in a two (2) bedroom living unit in an urban area with the moderate cost food plan. Should there be no such report from the Joint Fiscal Office, the chief administrative officer shall obtain and utilize a basic needs budget that applies a similar methodology. The livable wage rates derived from utilizing a model of two (2) adults residing in a two (2) bedroom living unit in an urban area with a moderate cost food plan shall not become effective until rates meet or exceed the 2010 posted livable wage rates. Prior to May 1 preceeding any such adjustment and prior to May 1 of each calendar year thereafter, the chief administrative officer will provide public notice of this adjustment by posting a written notice in a prominent place in City Hall by sending written notice to the city council and, in the case of covered employers that have requested individual notice and provided contact information to the chief administrative officer, by notice to each such covered employer. However, once a livable wage is applied to an individual employee, no reduction in that employee's pay rate is permissible due to this annual adjustment.~~

(b) Annually prior to May 1, the chief administrative officer shall provide public notice of the wage rates required under this section effective July 1 of the same year. Public notice shall, at a minimum, include positing online and at City Hall, issuance of a press release, and written notice to the members of the city council and the officers or steering committees of the neighborhood planning assemblies.

(c) Covered employers shall provide at least twelve (12) compensated days off per year for full-time covered employees, and a proportionate amount for part-time covered employees, for sick leave, vacation, personal, or combined time off leave. For a contract with a covered employer with a duration of less than one (1) fiscal year, the minimum number of compensated days off shall be prorated according to the length of the contract. If compensated days off are designated by the covered employer for vacation or combined leave, then covered employees shall have the ability to cash out unused leave accrued during the term of the covered employer's contract with the City.

Section 21-83, as written.

Section 21-84, Enforcement:

ORIGINAL

AN ORDINANCE
IN RELATION TO

Introduced by

Councilor _____

Read in City Council first time

_____, 20_____.

Attest,

_____, Clerk.

Rules suspended, and ordinance placed in all stages of
passage.

_____, 20_____.

Attest,

_____, Clerk.

Read in City Council second time

_____, 20_____.

Attest,

_____, Clerk.

Passed in City Council at meeting held

_____, 20_____.

Attest,

_____, Clerk.

Approved _____, 20_____.

_____, Mayor.

I, _____, City Clerk of the City of Burlington
and Clerk of the City Council of said City, do hereby certify that the within written Ordinance has
been duly published according to Law and the Charter of the City, and in compliance with said
Charter this certificate is hereto attached.

And the within Ordinance was ordered published for _____ day,

namely the _____ day of _____, 20_____.

Adopted _____ Published _____ Effective _____
_____, City Clerk

Attest:

Distribution

I hereby certify that this Ordinance has
been sent to the following department(s)
on _____

* * * * *

* * * * *

(a) Each service contract or grant covered by this article shall contain provisions requiring that the covered employer or grantee submit a written certification, under oath, during each year during the term of the service contract or grant, that the covered employer or grantee (including all of its subcontractors and subgrantees, if any) is in compliance with this article. The failure of a contract to contain such provisions does not excuse a covered employer from its obligations under this article. The covered employer shall agree to post a notice regarding the applicability of this section in any workplace or other location where employees or other persons contracted for employment are working. The covered employer shall agree to provide payroll records or other documentation for itself and any subcontractors or subgrantees, as deemed necessary by the chief administrative officer of the City of Burlington, within ten (10) business days from receipt of the City of Burlington's request. For contracts or grants with a maximum limiting amount of \$50,000 or more per fiscal year and not in connection with a highway or heavy construction project otherwise covered under the Davis-Bacon Act, 40 U.S.C. § 3141 et seq., as the same may be renumbered, renamed, or amended from time to time (the "Davis-Bacon Act"), the chief administrative officer shall develop a form of payroll record, which shall be required to accompany each invoice or other request for payment from the covered employer. All such records shall be forwarded to the designated accountability monitor for review and retention.

(b) ~~The chief administrative officer of the City of Burlington~~ designated accountability monitor may require that a covered employer submit proof of compliance with this article at any time, including but not limited to:

- (1) Verification of an individual employee's compensation;
- (2) Production of payroll, health insurance enrollment records, or other relevant documentation; or
- (3) Evidence of proper posting of notice.

If a covered employer is not able to provide that information within ten (10) business days of the request, the ~~chief administrative officer~~ designated accountability officer may turn the matter over to the city attorney's office for further enforcement proceedings.

(c) ~~The City of Burlington shall appoint one or more designated accountability monitors that shall have the authority~~ The designated accountability monitor shall have the following authority, in addition to the authority set forth in subsection (b), above:

ORIGINAL

AN ORDINANCE
IN RELATION TO

Introduced by

Councilor _____

Read in City Council first time

_____, 20____.

Attest,

_____, Clerk.

Rules suspended, and ordinance placed in all stages of
passage.

_____, 20____.

Attest,

_____, Clerk.

Read in City Council second time

_____, 20____.

Attest,

_____, Clerk.

Passed in City Council at meeting held

_____, 20____.

Attest,

_____, Clerk.

Approved _____, 20____.

_____, Mayor.

I, _____, City Clerk of the City of Burlington
and Clerk of the City Council of said City, do hereby certify that the within written Ordinance has
been duly published according to Law and the Charter of the City, and in compliance with said
Charter this certificate is hereto attached.

And the within Ordinance was ordered published for _____ day,

namely the _____ day of _____, 20____.

Adopted _____ Published _____ Effective _____
_____, City Clerk

Distribution

I hereby certify that this Ordinance has
been sent to the following department(s)
on _____

Attest:

(1) To inform and educate covered employers and their employees about all applicable provisions of this article and other applicable laws, codes, and regulations;

(2) To work with the ~~chief administrative officer~~city attorney to create a system to receive complaints under this article;

(3) To visit work sites of city contractors (and their subcontractors) or communicate directly with contractors' employees to check for compliance with this article;

(4) To ~~assist the chief administrative officer to~~ conduct periodic audits of payroll and leave records of covered employees; and

(5) To refer credible complaints to the city attorney's office for potential enforcement action under this article and assist in enforcement actions.

~~The designated accountability monitor shall forward to the City of Burlington all credible complaints of violations within ten (10) days of their receipt.~~

Subsections (d) to (f), as written.

(g) A violation of this article shall be a civil offense subject to a civil penalty of from two hundred dollars (\$200.00) to five hundred dollars (\$500.00). All law enforcement officers, the designated accountability monitor, the city attorney or designee, and the chief administrative officer or designee, and any other duly authorized municipal officials are authorized to issue a municipal complaint for a violation of this article. Each day any covered employee is not compensated as required by this article shall constitute a separate violation.

Subsections (h) to (j), as written.

Section 21-85, Other provisions:

Subsections (a) to (c), as written.

(d) Notwithstanding subsection (c) of this section, where employees are represented by a bargaining unit or labor union pursuant to rights conferred by state or federal law and a collective bargaining labor agreement is in effect governing the terms and conditions of employment of those employees, ~~this chapter shall not apply to those employees, and~~ the collective bargaining labor agreement shall control. Likewise for employees working on highway or heavy construction projects covered under the Davis-Bacon Act, payment of wages and provision of benefits as required under that act shall be deemed compliance with the wage rate and benefits provisions of this article.

Subsection (e), as written.

ORIGINAL

AN ORDINANCE
IN RELATION TO

Introduced by

Councilor _____

Read in City Council first time

_____, 20____.

Attest,

_____, Clerk.

Rules suspended, and ordinance placed in all stages of
passage.

_____, 20____.

Attest,

_____, Clerk.

Read in City Council second time

_____, 20____.

Attest,

_____, Clerk.

Passed in City Council at meeting held

_____, 20____.

Attest,

_____, Clerk.

Approved _____, 20____.

_____, Mayor.

I, _____, City Clerk of the City of Burlington
and Clerk of the City Council of said City, do hereby certify that the within written Ordinance has
been duly published according to Law and the Charter of the City, and in compliance with said
Charter this certificate is hereto attached.

And the within Ordinance was ordered published for _____ day,

namely the _____ day of _____, 20____.

Adopted _____ Published _____ Effective _____
_____, City Clerk

Attest:

Distribution

I hereby certify that this Ordinance has
been sent to the following department(s)
on _____

* * * * *

* * * * *

(f) The chief administrative officer of the city shall have the authority to promulgate rules as necessary or convenient to administer the provisions of this article, which shall ~~become effective upon approval by the city council~~ posted on the City's website. Whenever such rules are made or substantively amended, notice of the same and a web address providing access to the rules shall be promptly communicated to the Board of Finance and published once in a newspaper of general circulation, and the rules shall become effective fifteen (15) days from publication. The city council may amend or repeal any published rule by motion.

Sections 21-86 and 21-87, as written.

Section 21-88, Annual reporting:

On or before April 15 of each year, the city attorney's office shall submit a report to the city council that provides the following information:

(a) A list of all covered employers broken down by department. This list also shall be provided upon request to the Vermont Department of Labor.;

(b) A list of all covered employers whose service contract did not contain the language required by this article. ~~;~~ and

(c) All complaints filed and investigated by the city attorney's office and the results of such investigation.

Section 21-89, Effective date:

The amendments to this article shall take effect on January 1, 2025~~14~~, and shall not be retroactively applied; provided that the prior version of this article shall theretofore remain effective.

* Material stricken out deleted.

** Material underlined added.

ORIGINAL

AN ORDINANCE IN RELATION TO

Technical Amendments to Article VI of Chapter 21
of the Burlington Code of Ordinances, Commencing
at Section 21-80, Livable Wages, to Streamline
Enforcement and Other Processes

Introduced by
Councilor Traverse

Read in City Council first time
October 28, 2024.

Attest, [Signature], Clerk.

Rules suspended, and ordinance placed in all stages of
passage.

Attest, _____, Clerk.

Read in City Council second time
November 12, 2024.

Attest, [Signature], Clerk.

Passed in City Council at meeting held
November 12, 2024.

Attest, [Signature], Clerk.
Approved Nov 19, 2024
[Signature], Mayor.

I, CAO Katherine Schad,
and Clerk of the City Council of said City, do hereby certify that the within written Ordinance has
been duly published according to Law and the Charter of the City, and in compliance with said
Charter this certificate is hereto attached.

And the within Ordinance was ordered published for _____
Wednesday _____ day,
namely the _____ day of _____, 2024.

Adopted 11/12/24 Published 11/27/24 Effective 12/18/24
[Signature] CAO [Signature], City Clerk

Attest:

Distribution

I hereby certify that this Ordinance has
been sent to the following department(s)
on _____

* * * * *

* * * * *

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Four

An Ordinance in Relation to

Ordinance Amending B.C.O. §§ 1-9 & 21-29 Re: defacement of property and ordinance violations targeting individuals on the bases of protected classifications

ORDINANCE _____

Sponsor: Ordinance Committee
Public Hearing Dates: _____

First reading: October 28, 2024 ____
Referred to: _____

Rules suspended and placed in all stages of passage: _____
Second reading: _____
Action: _____
Date: _____
Signed by Mayor: _____
Published: _____
Effective: _____

It is hereby Ordained by the City Council of the City of Burlington as follows:

1 That Chapter 1 of the Code of Ordinances of the City of Burlington be and hereby is amended by amending
2 Sec. 9, thereof to read as follows:

3 Paragraphs (a) to (d), as written.

4 (e) *Public nuisances.* Any property within the city found to be maintained in violation of any
5 provisions of this code or which in any other way endangers the health, safety and welfare of the residents of
6 the city, and any violation of any provision of this code that interferes with a public right, including air,
7 noise, or water pollution, the emissions of noxious odors, or damage to public property in violation of section
8 21-29, is hereby declared to be a public nuisance and may be ordered abated in any manner provided by law.

9 (f) *Private right of action.* As authorized by section 54 of the City's Charter, any member of the
10 public who suffers damages arising from any violation of any provision of this code is hereby authorized to
11 bring a private right of action to recover such damages. In case of anything declared by this code to be a
12 civil or criminal offense done maliciously and with the intent to intimidate or harass another person because
13 of, or in any manner reasonably related to, associated with, or directed toward, the person's race, color,
14 religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, mental, physical,
15 or sensory disability, service in the U.S. Armed Forces or the National Guard, or association with or support
16 for individuals based on any of the foregoing classifications, such violation shall be presumed to cause the
17 person against whom the violation was directed damages in the amount of \$100.00 or any greater amount
18 subject to proof. As used in this paragraph, the term "person" may refer to a specific person or more
19 generally to any person within a classification of persons who the individual committing the offense intended
20 to intimidate or harass. A prevailing plaintiff shall be entitled to reasonable attorneys' fees and costs. The
21 defendant shall be entitled to recover reasonable attorneys' fees and costs if the court finds that the action
22 was wholly without merit and brought with a bad faith intent to cause unwarranted annoyance.

embarrassment, oppression, or expense. The remedies authorized hereby are cumulative of any other remedy available at law or in equity.

Charter reference, as written.

State law reference—Authority of municipality to define public nuisance and to provide for penalty for violation of any ordinance, 24 V.S.A. § 2291 (14) and (15).

And further that Chapter 21, Article I of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 29, thereof to read as follows:

Paragraphs (a) to (d), as written.

(e) To encourage and facilitate enforcement, the city shall maintain and advertise an electronic mail address or similar electronic means by which members of the public may provide photographs, video footage, or other information to the police department about violations of this section and the identities of responsible parties. Such system shall entail direct electronic communication with the police department and not the posting of information online and readily available to the public.

* Material stricken out deleted.

** Material underlined added.

er/Ordinances 2024/Amending BCO 1-9 & 21-29 re defacement et al.
October 28, 2024



OFFICE OF THE CITY ATTORNEY

City of Burlington

City Hall, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7121

Fax (802) 865-7123

TTY (802) 865-7142

MEMORANDUM

TO: City Council

FROM: Erik Ramakrishnan, Esq.,

DATE: November 12, 2024

RE: Ordinance Amending B.C.O. §§ 1-9 & 21-29 (Re: defacement of property and ordinance violations targeting individuals on the bases of protected classifications)

On March 13, 2023, the City Council adopted a resolution calling on the Ordinance Committee to work with the City Attorney's Office to examine the City's graffiti ordinance and to consider changes that address defacement of public property and graffiti that spreads hateful and harmful messages. The Ordinance Committee has analyzed potential changes to the Ordinance Code in response to the resolution, and at its meeting on September 30, 2024, voted to refer amendments to Burlington Code of Ordinances (B.C.O.) Sections 1-9 and 21-29 to the City Council. The City Council waived and approved the first reading of the ordinance at its regular meeting on October 28, 2024.

The proposed ordinance does the following three things:

- (1) It clarifies existing law that defacement of public property is a public nuisance that may be abated in any manner provided by law, including by action for an injunction brought in the name of the City brought by the City Attorney's Office.
- (2) The ordinance implements existing Charter provisions creating a private right of action for private parties damaged by violations of City ordinances, imputes nominal damages to individuals targeted in the commission of a violation on the basis of a protected classification, and provides a basis for such individuals to recover attorneys' fees. This provision applies to any violation of any ordinance code provision, not just violations of the graffiti ordinance.

To be liable to a private individual, that private individual would have to be within a category of persons specifically targeted by the person committing the offense, and the offense would have to be committed with a conscious disregard of the rights and safety of others and with the intent to intimidate or harass others on the basis of a protected classification. While it has been suggested that the creation of a private right of action will infringe free expression, there is no constitutional right to violate the law maliciously and with the intent to harm another person because of that person's membership in a legally protected classification. On the contrary, courts have repeatedly held that offenses committed with such an intent may be punished more severely than offenses committed without the same intent.

- (3) To assist the City in the enforcement of its Graffiti Ordinance more generally, the City would establish an electronic means to report violations of the ordinance. Unlike the City's See Click Fix platform, the reporting method would not be public. This is to protect privacy in case

information about the identity of alleged violators is reported.

Proposed Motion

To waive the reading of the proposed ordinance amending B.C.O. § 1-9 & 21-29 (Re: defacement of property and ordinance violations targeting individuals on the bases of protected classifications), and to adopt the second reading of the ordinance.

August 2, 2024

Sent Via Email:

Erik Ramakrishnan
Assistant City Attorney
City of Burlington
eramakrishnan@burlingtonvt.gov

Re: Request for comment on proposed ordinance

Attorney Ramakrishnan:

The ACLU Foundation of Vermont (ACLU-VT) has received your August 1, 2024, request for feedback regarding the City's proposed changes to its Code of Ordinances, seeking to address code violations committed with the intent to intimidate or harass on the basis of a suspect classification. We appreciate the City's outreach and are grateful for the opportunity to review the draft changes prior to the Ordinance Committee taking formal action. Although the ACLU-VT is sympathetic to the inclusive vision motivating the proposed ordinance changes, we believe the draft amendments to Section 1-9 raise, at a minimum, several serious and difficult legal concerns. Moreover, the proposed private enforcement mechanism risks undermining the very sense of community the Ordinance Committee seeks to protect. We therefore urge the City and the Ordinance Committee to reconsider the proposed changes.

We understand that the Ordinance Committee plans to consider these changes this coming Monday; with that short deadline in mind, we cannot provide a comprehensive analysis of the proposed changes. However, our initial review suggests that the proposed changes raise a number of legal and constitutional concerns or, at a minimum, present challenging and thorny questions ripe for legal challenge. Specifically, we have the following reservations:

- *The proposed changes may be motivated by opposition to a particular message.* Although the changes to the ordinance are drafted as content-neutral, it appears that the motivation for the change was to discourage a particular stickering campaign because of its content. As the City knows, it "has no power to restrict expression because of its message, its ideas, its subject matter, or its content." *Police Dep't of Chi. v. Mosley*, 408 U.S. 92, 95 (1972). Particularly given this backdrop, the proposed changes raise concerns regarding both First Amendment retaliation and future selective enforcement. Likewise, regardless of whether the City moves forward with a dedicated reporting line for



PO Box 277
Montpelier, VT 05601
(802) 223-6304
acluvt.org

graffiti complaints, the First Amendment requires that any ultimate enforcement be viewpoint- and content-neutral.

- *The proposed changes are likely unconstitutional as applied to expressive conduct or speech.* In its letter, the City relies on court cases approving enhanced sanctions for prohibited conduct undertaken with a particular motive. Although the First Amendment may tolerate enhanced penalties for hate crimes, see *Wisconsin v. Mitchell*, 508 U.S. 476 (1993), it typically protects individuals' right to hate speech, see *Volokh v. James*, 656 F. Supp. 3d 431 (S.D.N.Y. 2023). Accordingly, the proposed changes raise significant First Amendment concerns when applied to expressive activities like stickering or graffiti—which may sometimes occur on private property, but more often take place in public space or on surfaces where expression has at least been historically tolerated. In short, while a hate-motivation enhancement could be permissible for some ordinance violations, we have serious questions about whether these changes could be lawfully applied to the conduct sparking this proposal.
- *The proposed changes may be unconstitutionally vague.* “A [law] can be impermissibly vague for two independent reasons: First, if it fails to provide people of ordinary intelligence a reasonable opportunity to understand what conduct it prohibits. Second, if it authorizes or even encourages arbitrary and discriminatory enforcement.” *Hill v. Colorado*, 530 U.S. 703, 732 (2000) (citing *Chicago v. Morales*, 527 U.S. 41, 56–57 (1999)). The proposed changes likely do both. First, they provide insufficient notice of what conduct the ordinance now proscribes. It is unclear what it means to “do anything declared . . . to be a civil or criminal offense maliciously,” or to act “in any manner reasonably related to, associated with, or directed toward” any of the characteristics listed. And under the second rationale, this lack of clarity coupled with the delegation of its enforcement to the public creates the risk of arbitrary enforcement by both the City and private residents.

- *The proposed changes problematically expand the definition of a public nuisance.* Although the City has the authority to define a public nuisance, *see* 24 V.S.A. § 2291(14), the parameters of that definition are not boundless. Rather, a public nuisance requires “some interference with a public right” that is “common to all members of the general public.” *Hagan v. City of Barre*, No. 320-5-09 Wncv (Vt. Super. Ct. June 29, 2009) (quoting Restatement (Second) of Torts, § 821B, cmt g) (attached). Unlike an *individual* right—like the right each person has not to be assaulted or harassed—a *public* right “is the right to a public good, such as an indivisible resource shared by the public at large”—“like air, water, or public rights of way.” *Id.* (quoting *State v. Lead Indus. Ass’n Inc.*, 951 A.2d 428, 448 (R.I. 2008) (cleaned up)). The proposed changes risk impermissibly subsuming and conflating the two.

In addition to the legal issues above, we have concerns with the proposal to allow Burlington residents to initiate private enforcement actions against their neighbors—particularly for their perceived speech through expressive activities like stickering or graffiti. As the City knows, “[t]he First Amendment generally prevents government from proscribing speech . . . or even expressive conduct . . . because of disapproval of the ideas expressed,” *R.A.V. v. City of St. Paul, Minn.*, 505 U.S. 377, 382 (1992) (internal citations and quotations omitted); that prohibition remains regardless of how the City seeks to enforce its own policies. But even if private enforcement of an ordinance somehow absolved the City of its First Amendment obligations—and it does not—a private right of action for public nuisances as defined here strikes us as misguided. Allowing “any individual resident of the City” to initiate court proceedings against another based on their perception that an act was “because of, or in any manner reasonably related to, associated with, or directed toward” someone else’s protected characteristics risks weaponizing public ordinances into instruments of private conflict, wielded primarily by those of means and privilege against more vulnerable community members.

That risk is especially acute for any ordinance touching on expression or speech, like stickering or graffiti: particularly where residents disagree vehemently about challenging and divisive topics—whether about race and policing; Israel and Gaza; gender and the family; or any other topic that elicits strong reactions on all sides—it is easy to imagine a private

enforcement mechanism transferring contestation from the public square (where it belongs) to the courts (where it does not). We understand that the provision is designed to target the kind of act that, as described in your cover letter, “harms the community.” But—while no-one would equate the Committee’s motivation with Texas’s in enacting its notorious SB8—in both cases, encouraging such private resident-vs-resident enforcement mechanisms can erode the very community fabric the Committee seeks to preserve.

Instead, we urge the City to encourage its residents to respond to divisive or even hateful speech as they have always done: with more speech of their own. Burlington has a long and proud tradition of residents robustly engaging one another through protected speech—even speech that is hateful or hurtful. We strongly urge the Committee to honor that tradition by allowing residents to fully express their views without risk of penalty or retribution, and to reject any ordinance change that risks chilling uninhibited expression.

ACLU-VT appreciates the opportunity to weigh in on this important issue. Thank you again for contacting us and for soliciting our views.

Sincerely,



Harrison Stark
Senior Staff Attorney



Hillary Rich
Staff Attorney



Lia Ernst
Legal Director



Office of Mayor Emma Mulvaney-Stanak

MEMORANDUM

To: City Council
From: Mayor Emma Mulvaney-Stanak
Date: November 12, 2024
Re: Education and Enforcement of Graffiti Ordinance

This memo outlines how the Administration plans to educate the public about proposed changes to the City's defacement of property ordinance and how the City would enforce it and address graffiti and vandalism generally. The Ordinance Committee requested this information from the Mayor's Office and that it be shared with the City Council in conjunction with first reading of the proposed Ordinance changes at the November 12th City Council meeting. Specifically, the request was for the Mayor's Office to provide "a plan for graffiti education, publicity, and enforcement."

The Mayor's Office interprets this request as meaning that the Council wants to better understand how the Administration plans to educate the public about the Ordinance changes and how we plan to enforce the Ordinance in order to hopefully reduce the amount of graffiti in the City. We will also outline how this ordinance change could help address incidents of hate and bias that are perpetuated through means that are also ordinance violations, such as the defacing of public property.

Educating the Public about the Ordinance Amendments

The City would educate the public about this ordinance change in a number of ways, including through the means dictated by law, which requires the Council to arrange for publication of the ordinance change in Seven Days (or another newspaper circulating in the municipality) within 14 days of adoption. [24 V.S.A. § 1972](#). As well, the Mayor's Office would notify the public through other channels, such as through a Press Release or other press engagements; posts on Front Porch Forum and social media; through the Mayor's Office emails and at weekly Mayor meet-ups; through notification to businesses, the school district, and the NPAs; through a Press Release, and by posting information on the City website.

As well, and because part of this proposed ordinance change is in response to community concerns not just about graffiti in general, but also about hate and bias incidents, the Mayor's Office is currently working on bolstering the City's response to hate within the bounds of the First Amendment. We know from the first Trump Administration and from activity during the recent election that we can expect to see an increase in hate and bias incidents in our community. (See, e.g., [News Week: 'Hate Crimes Under Trump Surged Nearly 20 Percent Report Says', Published November 16, 2020](#); [New York Times: 'Xenophobia and Hate Speech Are Spiking Heading Into the Election', Published Nov. 1, 2024](#)).

We also know that to combat hate we must do something. As the Southern Poverty Law Center warns, we cannot stand by: "[A]pathy will be interpreted as acceptance by perpetrators, the public—and worse—the victims. Community members must take action; if we don't, hate persists."¹ The Mayor's Office feels this

¹ <https://www.splcenter.org/20170814/ten-ways-fight-hate-community-response-guide>

proposal sends an important message to the community that we are taking a stand against hate, and it was carefully crafted to withstand constitutional scrutiny.

Enforcing the Defacement of Property Ordinance

This ordinance change would call for the City to

“...maintain and advertise an electronic address or similar electronic means by which members of the public may provide photographs, video footage, or other information to the police department about violations of this section and the identities responsible parties. Such system shall entail direct electronic communication with the police department and not the posting of information online and readily available to the public.”

To effectuate this goal, the Mayor’s Office would work with the police department to identify the most workable approach and/or whether improvements could be made to existing means of reporting. For example, the Police Department already has a system that allows people to report graffiti and vandalism through their online reporting system. And in fact, through this system, the public can specify whether the incident is one of “graffiti” or “vandalism—non-graffiti.” The BPD could consider adding to the list of reportable incidents “bias/hate” in order to better capture and track data of those incidents, and the BPD can report such incidents to the Office of the Vermont Attorney General’s Bias Incident Reporting System (BIRS), which works in partnership with local, state, and federal law enforcement to investigate and respond to bias incidents and hate crimes. In addition, the City could add links to the BPD’s online reporting system on its own webpage.

The Mayor’s Office acknowledges that the BPD may not always be able to prioritize ordinance violations due to staffing issues and other community needs. Efforts to increase staffing at the Department are ongoing. In the meantime, the BPD can send certain cases to the Burlington Community Justice (BCJC) Center before even filing charges per the MOU it has with the BCJC. This pre-charge program saves BPD resources and provides a swift response to offenders and victims alike. Incidents of graffiti and vandalism are eligible for referral through the BPD-BCJC Pre-charge MOU, and the BCJ can identify a restorative response for graffiti and vandalism violations, such as repairing the damaged property.

In addition, Park Rangers can enforce ordinance violations in parks, and tickets can be resolved through the payment of fines or through a restorative process at the BCJC.

Graffiti Clean-up Efforts

In addition to any clean-up that may come through a restorative justice approach, the City is planning a graffiti clean-up and mural painting effort this Spring. Reclaiming formerly defaced property by adding murals or other public art is a well-known strategy to reduce vandalism, and community organizations like Arts So Wonderful regularly engage in this work across the City. The City could also look to other jurisdictions’ efforts. For example, Cleveland, Ohio, which also marshals city and community resources for graffiti clean-up, has a webpage dedicated to clean-up efforts that includes everything from reporting information to information about techniques and solvents for graffiti removal.

Finally, as always, the public can report graffiti and vandalism on the City’s See-Click-Fix platform, and our City Departments will work to repair City property to the extent they are able. See-Click-Fix data can also be leveraged to inform community clean-up efforts, whether of graffiti, vandalism, needles, or other litter. In this way, we can ensure the City is responding to where the greatest need exists and in an equitable fashion.

Resolution Relating to

MARCH 4, 2025 ANNUAL CITY MEETING – CHARTER
CHANGE RE: CITY COUNCIL AUTHORITY TO
REGULATE RENTAL NOTIFICATIONS AND
NOTIFICATION PERIODS

RESOLUTION_____

Sponsor(s): CDNR, Charter Change
Committee
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 has a significant population of renters, and ensuring fair, transparent, and
2 equitable housing practices is essential to promoting stability and wellbeing within the community; and
3 WHEREAS, the City Charter prescribes limited authority for the City Council to regulate rental
4 notifications and notification periods to increase rent or to terminate a tenancy; and
5 WHEREAS, specifically, Section 48(64)(A) requires landlords to provide 90 days’ notice to terminate
6 a tenancy without cause if the tenancy has been less than two years and 120 days if the tenancy has been
7 longer, Section 48(64)(B) requires tenants to provide two rental periods’ notice to terminate a tenancy unless
8 inconsistent with a lease provision, and Section 48(65) requires 90 days’ notice of a rental increase; and
9 WHEREAS, these notice periods are in addition or in excess of those required by general state law,
10 including 9 V.S.A. §§ 4456(d) and 4467(c), and facilitate the City in addressing the unique needs of its rental
11 market; and
12 WHEREAS, the notice periods prescribed by the City Charter are inadequate to allow the City to
13 respond to specific and changing rental housing market conditions; and
14 WHEREAS, granting the City greater flexibility to enact rental notice regulations will allow the City
15 Council to enhance tenant stability, to foster more transparent landlord-tenant relations, and to mitigate
16 negative impacts from sudden evictions or lease terminations, particularly for vulnerable populations; and
17 WHEREAS, at its October 24, 2024 meeting, the Community Development and Neighborhood
18 Revitalization Committee (“CDNR”) of the City Council referred a motion to the City Council proposing a
19 Charter Change amendment that would grant the City Council greater control to regulate rental notifications
20 and notification periods; and
21 WHEREAS, on October 28, 2024, the City Council referred CDNR’s recommendation to the Charter
22 Change Committee; and
23 WHEREAS, the Charter Change Committee held a meeting on October 30, 2024, to consider the
24 proposed charter change and to receive public comment, and voted to recommend in favor of the change;

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the amendments to the City Charter recommended by CDNR and the Charter Change Committee and requests that the Mayor warn the following question and place it on the ballot for the Annual City Meeting to be held on March 4, 2025, and that the City Clerk set public hearings on this question in accordance with § 303 of the City Charter and 17 V.S.A. § 2645, said hearings to be warned for the 15th and 21st of January, 2025, or otherwise as soon as necessary or convenient and in accordance with applicable law:

“Shall the Charter of the City of Burlington, Acts of 1948, No. 298, as amended, be further amended as follows:

§ 48. Enumerated:

The City Council shall have power:

(1) to (63) *As written.*

(64) (A) ~~Where there is no written rental agreement and notwithstanding 9 V.S.A. § 4467(c), to prohibit, by ordinance, a landlord from terminating a tenancy of rental housing within the City for no cause unless the landlord provides to the tenant written notice of at least 90 days when the tenancy has been less than two years and of at least 120 days when the tenancy has been two years or more. Notwithstanding 9 V.S.A. § 4467 or any other law, to establish, by ordinance, requirements that residential landlords provide tenants notice prior to termination of residential tenancies, including requirements for the contents and timing of such notices. Such requirements may include special notice requirements for vulnerable populations, including elderly tenants, tenants with disabilities, and low-income tenants.~~

(B) ~~Unless inconsistent with a written rental agreement or otherwise provided by law, and notwithstanding the provisions of 9 V.S.A. § 4456(d), to require, by ordinance, tenants who wish to terminate a residential tenancy to give actual notice to the landlord at least two rental periods prior to the termination date specified in the notice. Notwithstanding 9 V.S.A. § 4456(d) or any other law, to establish, by ordinance, requirements that residential tenants provide landlords notice prior to termination of tenancies, including requirements for the contents and timing of such notices.~~

(65) ~~Notwithstanding any other law, to prohibit increases in rent or other changes in lease terms for rental housing within the City without advance written notice. The timing, contents, and manner of giving such notice shall be established by ordinance of at least 90 days. Such ordinance may include special notice requirements for vulnerable populations, including elderly tenants, tenants with disabilities, and low-income tenants.~~

*Material underlined added.

** Material stricken deleted.

Resolution Relating to

MARCH 4, 2025 ANNUAL CITY MEETING – CHARTER
CHANGE RE: CITY COUNCIL AUTHORITY TO
REGULATE RENTAL NOTIFICATIONS AND
NOTIFICATION PERIODS

RESOLUTION 7.5

Sponsor(s): CDNR, Charter Change
Committee

Introduced: 11/12/24

Referred to: _____

Action: adopted

Date: 11/12/24

Signed by Mayor: 11/19/24

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

3 WHEREAS, the City Charter prescribes limited authority for the City Council to regulate rental
4 notifications and notification periods to increase rent or to terminate a tenancy; and

5 WHEREAS, specifically, Section 48(64)(A) requires landlords to provide 90 days' notice to terminate
6 a tenancy without cause if the tenancy has been less than two years and 120 days if the tenancy has been
7 longer, Section 48(64)(B) requires tenants to provide two rental periods' notice to terminate a tenancy unless
8 inconsistent with a lease provision, and Section 48(65) requires 90 days' notice of a rental increase; and

9 WHEREAS, these notice periods are in addition or in excess of those required by general state law,
10 including 9 V.S.A. §§ 4456(d) and 4467(c), and facilitate the City in addressing the unique needs of its rental
11 market; and

12 WHEREAS, the notice periods prescribed by the City Charter are inadequate to allow the City to
13 respond to specific and changing rental housing market conditions; and

14 WHEREAS, granting the City greater flexibility to enact rental notice regulations will allow the City
15 Council to enhance tenant stability, to foster more transparent landlord-tenant relations, and to mitigate
16 negative impacts from sudden evictions or lease terminations, particularly for vulnerable populations; and

17 WHEREAS, at its October 24, 2024 meeting, the Community Development and Neighborhood
18 Revitalization Committee ("CDNR") of the City Council referred a motion to the City Council proposing a
19 Charter Change amendment that would grant the City Council greater control to regulate rental notifications
20 and notification periods; and

21 WHEREAS, on October 28, 2024, the City Council referred CDNR's recommendation to the Charter
22 Change Committee; and

23 WHEREAS, the Charter Change Committee held a meeting on October 30, 2024, to consider the
24 proposed charter change and to receive public comment, and voted to recommend in favor of the change;

* * * * *

ORIGINAL

DISTRIBUTION:

I hereby certify that this resolution
has been sent to the following
department(s) on

RESOLUTION RELATING TO

.....

.....

.....

Adopted by the City Council

....., 20.....

..... Clerk

Approved....., 20.....

..... Mayor

Attest:

Vol. Page

* * * * *

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the amendments to the City Charter recommended by CDNR and the Charter Change Committee and requests that the Mayor warn the following question and place it on the ballot for the Annual City Meeting to be held on March 4, 2025, and that the City Clerk set public hearings on this question in accordance with § 303 of the City Charter and 17 V.S.A. § 2645, said hearings to be warned for the 15th and 21st of January, 2025, or otherwise as soon as necessary or convenient and in accordance with applicable law:

"Shall the Charter of the City of Burlington, Acts of 1948, No. 298, as amended, be further amended as follows:

§ 48. Enumerated:

The City Council shall have power:

(1) to (63) *As written.*

(64) (A) ~~Where there is no written rental agreement and notwithstanding 9 V.S.A. § 4467(c), to prohibit, by ordinance, a landlord from terminating a tenancy of rental housing within the City for no cause unless the landlord provides to the tenant written notice of at least 90 days when the tenancy has been less than two years and of at least 120 days when the tenancy has been two years or more. Notwithstanding 9 V.S.A. § 4467 or any other law, to establish, by ordinance, requirements that residential landlords provide tenants notice prior to termination of residential tenancies, including requirements for the contents and timing of such notices. Such requirements may include special notice requirements for vulnerable populations, including elderly tenants, tenants with disabilities, and low-income tenants.~~

(B) ~~Unless inconsistent with a written rental agreement or otherwise provided by law, and notwithstanding the provisions of 9 V.S.A. § 4456(d), to require, by ordinance, tenants who wish to terminate a residential tenancy to give actual notice to the landlord at least two rental periods prior to the termination date specified in the notice. Notwithstanding 9 V.S.A. § 4456(d) or any other law, to establish, by ordinance, requirements that residential tenants provide landlords notice prior to termination of tenancies, including requirements for the contents and timing of such notices.~~

(65) Notwithstanding any other law, to prohibit increases in rent or other changes in lease terms for rental housing within the City without advance written notice. The timing, contents, and manner of giving such notice shall be established by ordinance of at least 90 days. Such ordinance may include special notice requirements for vulnerable populations, including elderly tenants, tenants with disabilities, and low-income tenants.

*Material underlined added.

** Material stricken deleted.

* * * * *

DISTRIBUTION:

I hereby certify that this resolution
has been sent to the following
department(s) on

ORIGINAL

RESOLUTION RELATING TO

March 4, 2025 Annual City Meeting - Charter Change Re: City Council Authority To
Regulate Renta; Notifications And Notification Periods

.....

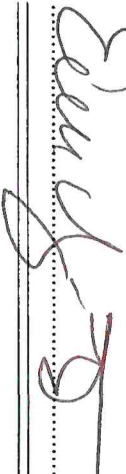
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Adopted by the City Council

November 12, 2024

 Clerk

Approved..... Nov 19, 2024

 Mayor

Attest:

Vol. Page

* * * * *

Resolution Relating to

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

RESOLUTION_____

Sponsor(s): Charter Change
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); and

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; and

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

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

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; and

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; and

17 WHEREAS, the Charter Change Committee held meetings on the 1st and 30th of October, 2024, to
18 receive public comment, considered the referred proposed charter language, and amended this language; and

19 WHEREAS, on October 30, 2024, the Committee voted to refer the charter change language back to the
20 Council 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

on this question in accordance with Charter §303 and 17 V.S.A. §2645, said hearings to be warned for the 15th and 21st of January, 2025, or otherwise as necessary and convenient and in accordance with applicable law:

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

ARTICLE 2. CITY ELECTION AREAS DEFINED

§2. Election boundaries.

~~(a) City districts described. For the annual meeting of 2024 and all City elections thereafter, the City of Burlington is divided into four electoral districts, constituted as follows:~~

~~(1) East District. The East District shall include all that part of said City lying easterly and northerly of the following described boundaries: Beginning at the common boundary between the Cities of Burlington and Winooski in the Winooski River beneath the Central Vermont Railway bridge downstream of the Lower Winooski Falls and Salmon Hole; thence westerly in the centerline of said railroad tracks for 406.6 feet to a point where the centerline of Intervale Road extended northerly intersects said railroad track centerline (approximately 73.2028 longitude, 44.4911 latitude); thence southerly along the extension of the centerline of Intervale Road, crossing Riverside Avenue until the centerline intersects with that of the Archibald Street centerline extended easterly; thence westerly along the Archibald Street centerline until the intersection of the Archibald Street centerline and the North Willard Street centerline; thence southerly along the North Willard Street Centerline until the intersection of the North Willard Street centerline and the Pearl Street Centerline; thence westerly along the Pearl Street centerline until intersecting with the South Winooski Avenue centerline; thence southerly along the South Winooski Avenue centerline until intersecting the Maple Street centerline; thence easterly along the Maple Street centerline for 1573.5 feet to a point where the eastern property boundary of 315 Maple Street extended northerly intersects Maple Street (approximately 73.2064 longitude, 44.4739 latitude); thence southerly along the eastern property boundary of 315 Maple Street for 276.5 feet (approximately 73.2064 longitude, 44.4734 latitude); thence 281.4 feet westerly to a point where the southern property boundary of 315 Maple Street extended westerly intersect with the western boundary of 251 South Willard Street extended northerly (approximately 73.2071 longitude, 44.4733 latitude), thence 723.7 feet 177° southerly to a point where it intersects the southern property boundary of 285 South Willard Street extended westerly (approximately 73.2071 longitude, 44.4719 latitude); thence easterly along the southern boundary of 285 South Willard Street for 696.5 feet until intersecting with the South Willard Street centerline (approximately 73.2051 longitude, 44.472 latitude); thence northerly along the South Willard Street centerline for 220.9 feet (approximately 73.2052 longitude, 44.4724 latitude); thence easterly along the southern property boundary of 262 South Willard Street for 557.6 feet (approximately 73.2037 longitude, 44.4725 latitude); thence northerly along the eastern property boundary of 262 South Willard Street for 89.6 feet to a point where the Juniper Terrace centerline extended westerly intersects the eastern property boundary of 262 South Willard Street (approximately 73.2037 longitude, 44.4726 latitude); thence following the Juniper Terrace centerline easterly until intersecting with the Summit Street centerline (approximately 73.2021 longitude, 44.4727 latitude); thence northerly along the Summit Street centerline until reaching the centerline of Main Street thence following the Main Street centerline easterly 2339.6 feet (approximately 73.1964 longitude,~~

44.4753 latitude); thence southwesterly 214° for 136.1 feet (approximately 73.1966 longitude, 44.4751 latitude); thence southeasterly 98.2 feet (approximately 73.1964 longitude, 44.4749 latitude); thence southwesterly by 213° for 770 feet (approximately 73.1975 longitude, 44.4737 latitude); thence southeasterly by 123° for 477.4 feet until intersecting with the University Heights centerline (approximately 73.1964 longitude, 44.4732 latitude); thence southerly along the centerline of University Heights Road 1221.65 feet until intersecting with the PFG Road centerline, thence westerly by 79° until intersecting with the common boundary between the Cities of Burlington and South 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 a point intersecting with the centerline of Institute Road extended northeasterly (approximately 73.2147 longitude, 44.5089 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 westerly along the East District northern boundary for 406.6 feet to its intersection with the westerly boundary of the East District; thence southerly along the westerly boundary of the East District to its intersection with the centerline of Archibald Street, then southerly along the East District western boundary to the intersection with the centerline of Pearl Street; thence westerly along the northern boundary of the East District to the intersection with the centerline of South Winooski Avenue; thence southerly along the western boundary of the East District to the centerline of Maple Street; thence westerly along the centerline of Maple Street until its intersection with the centerline of South Champlain street; thence northerly along the South Champlain Street centerline until 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 Brooks Avenue and South Willard Street; thence easterly along the Brooks Avenue centerline until intersecting with the centerline of North Prospect Street; thence southerly along the centerline of North Prospect Street to the intersection of the centerline of Colchester Avenue to the intersection of the centerline of Mary Fletcher Drive; thence southerly along the centerline of Mary Fletcher Drive for 331.58 feet (approximately 73.196 longitude, 44.4802 latitude); thence southerly along the western side and easterly along the southern side of the UVM Medical Center building for 1854.5 feet until a point at the center of the intersection of Beaumont Avenue and Mary Fletcher Drive (approximately 73.1932 longitude, 44.4788 latitude); thence south along the Beaumont Avenue centerline to the intersection of Carrigan Drive; thence following Carrigan Drive westerly for 199.1 feet (approximately 73.1932 longitude, 55.5756 latitude); thence travelling southwest for 821.3 feet along the UVM service road on the eastern border of the southeastern wing of the UVM Jeffords Hall until a point at the intersection of the service road and the centerline of University Heights extended northeasterly (approximately 73.1947 longitude, 44.4751 latitude); thence southwest along the centerline of University Heights 977.3 feet (approximately 73.1962 longitude, 44.4735 latitude); thence continuing southeasterly along the centerline of the driveway bounding the western side of the UVM Living/Learning Commons for 404.3 feet (approximately 73.1952 longitude, 44.4731 latitude); thence continuing south along the eastern side of UVM's University Heights dorms until intersecting with PFG Road; thence continuing easterly along the western extension of the PFG Road centerline for 601.2 feet until intersecting with 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.

(A) The Central District is divided into two wards by the following boundary: Beginning at the intersection of the common property boundary between 85 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 73.224 longitude, 44.4837 latitude); thence southeasterly along the centerline of the Central Vermont Railway railroad track to a point intersecting with the northwestern property boundary of 300 Lake Street extended southwest (approximately 73.2234 longitude, 44.4832 latitude); thence northeasterly to a point at the intersection of the northwestern property boundary of 300 Lake Street extended northeasterly with the centerline of Depot Street (approximately 73.2223 longitude, 44.4837 latitude); thence northerly along the centerline of Depot Street to the intersection with the centerline of Lakeview Terrace; thence easterly along the centerline of Lakeview Terrace extended westerly until intersecting with the centerline of North Avenue; thence northerly along the centerline of North Avenue to its intersection with the centerline of North Street; thence easterly along the centerline of North Street until intersecting with the North Union Street centerline; thence southerly following the North Union Street centerline until intersecting with the Loomis Street centerline; thence easterly along the Loomis Street centerline to the intersection of the centerlines of Loomis Street and South Willard Avenue.

~~(B) Ward 2 lies to the north of the boundary described in subdivision (A) of this subdivision (2), and Ward 3 lies to the south.~~

~~(3) South District—Ward 5 and Ward 6.~~

~~(A) The South District is divided into two wards by the following boundary: Beginning at the intersection of the centerlines of Maple Street and Church Street; thence southerly along the centerline of Church Street to the intersection with the centerline of Adams Street; thence westerly along the centerline of Adams Street to the intersection with the centerline of Saint Paul Street; thence southerly along the Saint Paul Street centerline to its intersection with the centerline of Shelburne Street; thence southerly along the centerline of Shelburne Street to its intersection with the centerline of Flynn Avenue; thence easterly along the centerline of Flynn Avenue extended easterly to the common boundary between the Cities of Burlington and South Burlington.~~

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

~~(4) North District—Ward 4 and Ward 7.~~

~~(A) The North District is divided into two wards by the following boundary: Beginning at the centerline of Institute Road extended southwesterly to Lake Champlain; thence northeasterly to the intersection of Institute Road with the centerline of North Avenue; thence northerly along the centerline of North Avenue to its intersection with the centerline of Fairfield Drive; thence westerly along the centerline of Fairfield Drive to its intersection with the western property boundary of 39 Westward Drive extended southerly (approximately 73.2685 longitude, 44.5257 latitude); thence northerly along the western property boundary of 39 Westward Drive, until intersecting with the centerline of Westward Drive; thence southwesterly along the centerline of Westward Drive to the intersection with the Northshore Drive centerline; thence northerly along the Northshore Drive centerline until intersecting with the Clair Pointe Road centerline (point); thence westerly along the southern property boundary of the Claire Pointe condominium development (approximately 73.2686 longitude, 44.5286 latitude), and then extended to Lake Champlain.~~

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

~~(5) Ward map reference. Reference is also made to a map entitled “Ward Redistricting, 8 Wards—4 Districts, 12 Councilors, Approved Map (December 2 V1.3), Map Date: December 8, 2022” located in the Burlington Chief Administrative Officer’s office in further aid of the description of the wards set forth in this subsection.~~

There shall be election areas for the City, which shall be defined and filed with the City Clerk. The City Council may make changes from time to time to the boundaries of the election areas in order to provide an equal division of population among them in accordance with data produced by the U.S. Census Bureau. Election areas changes shall not be made more frequently than once in five years. Such changes shall be approved by the voters at an

201 annual or special meeting of the City and shall become effective immediately upon approval unless a later date
202 is established therein.

203

204 * Material underlined added.

205 ** Material stricken out deleted.

206

207 EK/KS/Resolutions 2024/March 4, 2025, Annual City Meeting Proposed Charter Change Regarding Redistricting by City Council
208 November 12, 2024

Resolution Relating to

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

RESOLUTION _____
Sponsor(s): Charter Change
Committee
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 explicit
2 enumerated and geographical terms in Article 2 (City Election Areas Defined), Section 2 (Election
3 Boundaries); and
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; and
7 WHEREAS, this process involving by the Vermont State Legislature has the practical effect of
8 slowing the City’s redistricting process at the local level; and
9 WHEREAS, it is the goal of the City to accelerate any redistricting processes, while maintaining fair,
10 equitable, and reasonable processes for redistricting; and
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
14 without needing further charter changes and involvement by the Vermont State Legislature; and
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; and
17 WHEREAS, the Charter Change Committee held meetings on the 1st and 30th of October, 2024, to
18 receive comment, to consider the referred proposed charter language, and to amend this language; and
19 WHEREAS, on October 30, 2024, the Committee voted to refer the charter change language back to
20 the Council 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
23 question on the ballot of the Annual City Meeting to be held on March 4, 2025, and the City Clerk to set
24 public hearings on this question in accordance with Charter §303 and 17 V.S.A. §2645, said hearings to be

warned for the 15th and 21st of January, 2025, or otherwise as necessary or convenient and in accordance with applicable law:

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

ARTICLE 2. CITY ELECTION AREAS DEFINED

§2. Election boundaries.

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

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

~~the centerline of the Davis Road; thence northeasterly along the centerline of Davis Road to its intersection with University Heights Road, continuing easterly along the centerline of Davis Road to its intersection with the common boundary between the Cities of Burlington and South 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.~~

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

~~(B)—Ward 2 lies to the east of the boundary described in subdivision (A) of this subdivision (2), and Ward 3 lies to the west.~~

~~(3)—South District—Ward 5 and Ward 6.~~

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

~~(B)—Ward 5 lies to the west of the boundary described in subdivision (A) of this subdivision (3), and Ward 6 lies to the east.~~

~~(4)—North District—Ward 4 and Ward 7.~~

~~(A)—The North District is divided into two wards by the following boundary: Beginning at the intersection of the centerlines of North Avenue and the Central Vermont Railway railroad track; thence northerly along the centerline of North Avenue to its intersection with the centerline of Fairfield Drive; thence westerly along the centerline of Fairfield Drive to its intersection with the western property boundary of 39 Westward Drive extended southerly; thence northerly along the western property boundaries of 39 and 40 Westward Drive, continuing northerly along the western property boundaries~~

~~of properties fronting the west side of Hardy Avenue to the southern boundary of 35 Derway Drive; thence westerly along the southern boundary of 35 Derway Drive, extended to its intersection with the centerline of Derway Drive (approximately -73.2690 longitude, 44.5249 latitude); thence northeasterly along the centerline of Derway Drive to its intersection with the centerline of Claire Pointe Drive; thence northerly along the centerline of Claire Pointe Drive approximately 44 feet to its intersection with the southern property boundary of the Claire Pointe condominium development; thence westerly along the southern property boundary of the Claire Pointe condominium development to the Waterfront Bike Path right-of-way approximately 537 feet (approximately -73.2707 longitude, 44.5253 latitude), and then extended to Lake Champlain.~~

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

~~(5) Ward map reference. Reference is also made to a map entitled "Ward Redistricting, 8 Wards—4 Districts, 12 Councilors, Referred to City Council by CC Committee (v.3), Map Date: December 2, 2013" located in the Burlington Chief Administrative Officer's office in further aid of the description of the wards set forth in this subsection.~~

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

* Material underlined added.

** Material stricken out deleted.

KS/Resolutions 2024/March 4, 2025, Annual City Meeting Proposed Charter Change Regarding Redistricting by City Council

11/5/24

Resolution Relating to

MARCH 4, 2025 ANNUAL CITY MEETING – CHARTER
CHANGE RE: PUBLIC SAFETY TAX RATE

RESOLUTION _____
Sponsor(s): Bergman
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:

That WHEREAS, § 102a of the City Charter establishes a special property tax assessment on the grand list of the City for the City’s police and fire departments (the “Public Safety Tax Rate”); and

WHEREAS, the maximum rate set forth in § 102a is periodically adjusted with voter approval or pursuant to § 98a of the Charter; and

WHEREAS, voters authorized an increase in the Public Safety Tax Rate most recently on Town Meeting Day, March 5, 2024, in an amount of up to 3-cents per dollar assessed on the grand list; and

WHEREAS, the Public Safety Tax Rate approved by the City Council for Fiscal Year 2025 is 9.85-cents per dollar assessed on the grand list, which is one-cent lower than the maximum authorized by voters in March 2024; and

WHEREAS, the City Council recognizes and values the important work of the police and fire departments, and finds that public safety requires more than police and fire protection, but also requires adequate building code enforcement, public and behavioral health programming, community justice programming, social services to reduce recidivism, services and supports for victims, and other programs, services, and supports; and

WHEREAS, at its November 12, 2024 meeting, the City Council referred a motion to the City Council Charter Change Committee proposing a Charter amendment that would grant the City Council greater flexibility to appropriate revenues generated from the Public Safety Tax Rate; and

WHEREAS, the Charter Change Committee considered the proposal at its meeting(s) on [date/s], received any public comments, considered any appropriate changes to the proposal, and referred the proposal back to the City Council with a positive recommendation;

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the proposed Charter amendments and requests that the Mayor warn the following question and place it on the ballot for the Annual City Meeting to be held on March 4, 2025, and that the City Clerk set public hearings on this question in accordance with § 303 of the City Charter and 17 V.S.A. § 2645, said hearings to be warned for the 15th and 21st of January, 2025, or otherwise as soon as necessary or convenient and in accordance with applicable law:

26

27 *“Shall the Charter of the City of Burlington, Acts of 1948, No. 298, as amended, be further amended as*
28 *follows?:*

29 **§ 102a. Annual assessment for ~~Fire and Police Departments use~~public safety authorized:**

30 The City Council shall annually assess upon the property grand list of the City to meet the
31 appropriation made for ~~the use of the Police Department~~public safety a tax that will, in the judgment of the
32 City Council, be sufficient ~~to meet such appropriation for police, fire, and other public safety needs of the City~~
33 as reasonably determined by the City Council, including building code enforcement, public and behavioral
34 health, community justice, victims services, and social services to reduce recidivism; but the rate of said
35 property tax shall not exceed ~~seven-ten~~ and ~~85~~42 one-hundredths cents upon the dollar of said property grand
36 list, except when a larger rate shall be authorized by the legal voters of said City. ~~The City Council shall~~
37 ~~annually assess upon the property grand list of the City to assist in meeting the appropriation made for the use~~
38 ~~of the Fire and Police Departments a tax rate not to exceed five cents upon the dollar of the property grand list,~~
39 ~~except when a larger rate shall be authorized by the legal voters of the City of Burlington.~~ Such taxes shall not
40 be included within the limitation of the amount of tax for City purposes prescribed by section 99 of this
41 charter.

42

43 *Material underlined added.

44 ** Material stricken deleted.

45

46

47

48

ER/ Resolutions 2024/Charger Change re Public Safety Tax Rate
November 12, 2024

Resolution Relating to

RESOLUTION_____

MARCH 4, 2025 ANNUAL CITY MEETING – CHARTER
CHANGE RE: CITY COUNCIL AUTHORITY TO PLEDGE
CREDIT OF THE CITY

Sponsor(s): Bergman_____
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, § 62 of the City Charter generally requires voter approval to sell general obligation
2 bonds, but allows the City Council to authorize the Chief Administrative Officer to sell up to \$2 million in
3 general obligation bonds per fiscal year for working capital and capital expenses, while also granting the legal
4 voters of the City the power to referend the City Council’s exercise of said authority; and
5 WHEREAS, § 63 of the City Charter grants similar authority to the City Council upon
6 recommendation of the Board of Light Commissioners to authorize the sale of bonds up to \$3 million for use
7 by the Burlington Electric Department, said authorization also subject to the voters’ referendum power; and
8 WHEREAS, bonds sold under § 63 are on the general credit of the City but are to be paid from rates
9 rather than from property taxes; and
10 WHEREAS, the City has significant deferred maintenance needs for its infrastructure, including the
11 infrastructure of its electrical, drinking water, storm drainage, and wastewater systems, and delays in
12 addressing deferred maintenance needs typically increase costs once those needs are addressed; and
13 WHEREAS, due to inflation, the dollar limits specified in §§ 62 and 63 are no longer adequate to meet
14 the City’s deferred maintenance needs, which may be necessary to continue to comply with applicable state
15 and federal laws; and
16 WHEREAS, the City Council desires any increase in the \$2 million borrowing limitation of § 62 to be
17 phased in responsibly to limit the burden on the City’s property taxpayers; and
18 WHEREAS, at its November 12, 2024 meeting, the City Council referred a motion to the City Council
19 Charter Change Committee proposing a Charter amendment that would amend the dollar thresholds in §§ 62
20 and 63 to address the foregoing needs; and
21 WHEREAS, the Charter Change Committee considered the proposal at its meeting(s) on [date/s],
22 received any public comments, considered any appropriate changes to the proposal, and referred the proposal
23 back to the City Council with a positive recommendation;
24 NOW, THEREFORE, BE IT RESOLVED that the City Council approves the proposed Charter
25 amendments and requests that the Mayor warn the following question and place it on the ballot for the Annual

City Meeting to be held on March 4, 2025, and that the City Clerk set public hearings on this question in accordance with § 303 of the City Charter and 17 V.S.A. § 2645, said hearings to be warned for the 15th and 21st of January, 2025, or otherwise as soon as necessary or convenient and in accordance with applicable law:

“Shall the Charter of the City of Burlington, Acts of 1948, No. 298, as amended, be further amended as follows?:

§ 62. Council; School Board; not to pledge credit of City; exceptions:

Subsections (a) to (e), *As written.*

(f)(1) The Chief Administrative Officer, when authorized and directed by resolution of the City Council, may pledge the credit of the City by issuing negotiable orders, warrants, notes, or bonds in an amount not to exceed in the aggregate \$2 million in any fiscal year for the purpose of providing working capital and capital improvements, additions, and replacements required for the efficient and economical operation of the City and its departments, other than the Electric Light Department and the Water and Wastewater Divisions of the Public Works Department. If any of such annual borrowing authority is used to provide working capital, notes shall be issued in anticipation of the receipt of City revenue and shall mature within two years from the date of issue, and may be renewed or refunded by the issue of other notes maturing within a similar period whenever such action is deemed expedient. If any of such annual borrowing authority is used to provide capital improvements, additions, and replacements, the negotiable orders, warrants, notes, or bonds issued for such purposes shall be of such denominations, payable at such time or times, at such rate of interest, and to be sold and registered in such manner and under such terms and conditions as shall be established by resolution of the City Council. Beginning in fiscal year 2028, the foregoing \$2 million limitation shall increase to not more than \$5 million, and beginning in 2031, it shall increase to not more than \$10 million.

(2) Notwithstanding the above, however, five per cent of the qualified voters of the City may petition for referendum review of the action by the City Council. Any such request for referendum review shall be in accordance with and governed by the procedures specified in section 63 of this charter for borrowing on behalf of Burlington Electric Department or Public Works Department.

Subsection (f)(3), *As written.*

§ 63. Council may pledge credit of City when authorized by voters to do so:

(a) Whenever the legal voters of said City, by two-thirds vote of all voters present and voting on the question at any special or annual City meeting duly warned for the purpose, or, if the purpose shall be the making of an improvement relating to a public school by a majority vote of all voters present and voting on the question, shall give authority to the City Council thereof to pledge the credit of said City for any purpose by issuing its negotiable orders, warrants, notes, or bonds, ~~or whenever the City Council shall determine by resolution, upon prior recommendation of the Board of Light Commissioners, that it is necessary during a fiscal year to pledge the credit of the City by issuing its negotiable orders, warrants, notes, or bonds in an amount not to exceed in the aggregate \$3 million in any such fiscal year for the purpose of providing capital improvements, additions,~~

and replacements required for the efficient and economical operation of the Electric Light Department, said City shall have power and authority to issue its negotiable orders, warrants, notes, or bonds, and to prescribe whether such bonds shall be registered or have interest coupons attached, to the amount, not to exceed the limit prescribed by the general laws of the State, for which authority has been given as aforesaid to so pledge the credit of said City; such notes or bonds to be of such denominations, payable at such time or times; and at such a rate of interest, and to be sold and registered in such manner and under such terms and conditions as shall be established by resolution of said City Council.

(b) Whenever the City Council shall determine by resolution,

(1) Upon prior recommendation of the Board of Light Commissioners that it is necessary during a fiscal year to pledge the credit of the City by issuing its negotiable orders, warrants, notes, or bonds in an amount up to in the aggregate \$6 million in any such fiscal year for the purpose of providing capital improvements, additions, and replacements required for the efficient and economical operation of the Electric Light Department, or

(2) Upon prior recommendation of the Public Works Commission that it is necessary during a fiscal year to pledge the credit of the City by issuing its negotiable orders, warrants, notes, or bonds in an amount up to in the aggregate \$6 million in any such fiscal year for the purpose of providing capital improvements, additions, and replacements required for the efficient and economical operation of the drinking water, wastewater, stormwater, and solid waste facilities operated by the Public Works Department,

Said City shall have power and authority to issue its negotiable orders, warrants, notes, or bonds, and to prescribe whether such bonds shall be registered or have interest coupons attached, to the amount, not to exceed the limit prescribed by the general laws of the State, for which authority has been given as aforesaid to so pledge the credit of said City. Such notes or bonds shall be of such denominations, payable at such time or times, at such a rate of interest, and sold and registered in such manner and under such terms and conditions as shall be established by resolution of said City Council. By majority vote, the voters of the City may increase either or both borrowing limits set forth in this subsection permanently or for any fiscal year or years.

(c) Notwithstanding subsection (ab) of this section, however, a City Council resolution authorizing the credit of the City to be pledged in an amount not to exceed \$3 million in a fiscal year for the operation of the Electric Light Department as pursuant thereto aforesaid in an amount not to exceed \$3 million in a fiscal year for the operation of the Electric Light Department as aforesaid shall not give the City power to so pledge its credit until 44 days have passed following the effective date of such resolution. If during such 44-day period a petition is filed with the Chief Administrative Officer signed by not less than five percent of the qualified voters of the City requesting a referendum vote on whether the credit of the City will be pledged in accordance with the City Council resolution, the credit of the City shall not be pledged pursuant thereto unless a majority of the qualified voters of the City present and voting at a duly warned annual or special City meeting vote to affirm such City Council resolution. Upon receipt of a proper petition, a special City meeting shall be called by the City Council within 60 days from the date such petition is received, or if the next annual City meeting falls within the 60-day period, the City Council shall include an article in the warning for such annual City meeting, to determine whether the voters will affirm such resolution. If at such City meeting a majority of the qualified voters voting on the question affirm the action of the City Council, the City shall have power to

105 pledge its credit pursuant to the City Council resolution as of the day following such City meeting. If the City
106 Council resolution is not affirmed by a majority of the qualified voters voting on the question, the City shall
107 not have power to pledge its credit in accordance with such resolution.

108

109 *Material underlined added.

110 ** Material stricken deleted.

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112

113 er/ Resolutions 2024/Charger Change re City Council Borrowing Authority

114 November 12, 2024

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Four

ORDINANCE _____

Sponsor: Councilor Traverse
Public Hearing Dates: _____

First reading: _____

Referred to: _____

Rules suspended and placed in all

Stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

An Ordinance in Relation to

VACANT BUILDINGS
BCO Chapter 8, Art. III

It is hereby Ordained by the City Council of the City of Burlington as follows:

1 That Chapter 8, Buildings and Building Construction, of the Code of Ordinances of the City of Burlington be
2 and is hereby amended by amending Article III, Abatement and Rehabilitation of Vacant Buildings and
3 Dangerous Structures, Sections 8-43, Definitions; 8-47, Vacant building permit; inspection; maintenance
4 standards; fees; 8-49, Enforcement and penalties; to read as follows:

5 **ARTICLE III. ABATEMENT AND REHABILITATION OF VACANT BUILDINGS AND** 6 **DANGEROUS STRUCTURES**

7 **8-42 Statement of findings and purpose.**

8 *As written.*

9 **8-43 Definitions.**

10 The words and phrases used in this section have the following meanings unless their context clearly indicates
11 otherwise:

12 (1) *Director* means the director of the ~~enforcement agency~~ Department of Permitting & Inspections or
13 ~~his/her~~their designee.

14 (2) *Vacant structure* means any structure or building that is:

15 (i) Unoccupied and unsecured; or

16 (ii) Unoccupied and secured by boarding or other similar means; or

17 (iii) Unoccupied and a dangerous structure; or

18 (iv) Unoccupied and condemned by the Director pursuant to applicable provisions of the code; or

19 (v) Unoccupied and has multiple code violations; or

(vi) Unoccupied and the building, structure, or its premises has been the site of unlawful activity within the previous six (6) months; or

(vii) Condemned by the Director and unlawfully occupied; or

(viii) Unoccupied for over one hundred eighty (180) days and during which time the Director has issued an order to correct public nuisance conditions and same have not been corrected in a code compliant manner; or

(ix) Unoccupied or unused for over two hundred ten (210) days.

(x) Exceptions. The term “vacant structure” shall not include:

(a) _unoccupied by a person or occupied by unauthorized persons for two hundred ten (210) days, excepting permitted warehouse or permitted storage structures, garages, vacation or resort facilities or those buildings or structures only used on a seasonal basis;

(b), and those buildings or structures being newly constructed within the terms of their building and zoning permits or under substantial rehabilitation for a period of one (1) year from the date that the building permit or zoning permit is issued—whichever is later.

(3) – (5) *As written.*

8-44 Enforcement authority.

As Written.

8-45 Obligations of owners of dangerous structures and buildings.

As Written.

8-46 Obligations of owners of vacant or abandoned buildings or structures.

As Written.

8-47 Vacant building permit; inspection; maintenance standards; fees.

(a) – (e) *As written.*

(f) (1) A fee ~~of seven hundred fifty dollars (\$750.00)~~ shall be charged for each vacant building permit or renewal of such permits issued under Section 8-47(d). The fee is to be paid at the time of application or renewal. No permit shall be issued prior to payment of the permit or renewal fee. The amount of the fee shall be based on the duration of time the building has been vacant as determined by the following scale:

(i) One thousand five hundred dollars (\$1,500.00) for buildings that have been vacant for less than one year;

(ii) Two thousand dollars (\$2,000.00) for buildings that have been vacant for at least one year but less than two years;

(iii) Three thousand dollars (\$3,000.00) for buildings that have been vacant for at least two years but less than four years;

(iv) Four thousand dollars (\$4,000.00) for buildings that have been vacant for at least four years.

(2) All but two hundred dollars (\$200.00) of this fee shall be waived upon a showing that the building or structure is being actively marketed for sale or lease and maintained pursuant to the requirements of this article and its vacant building permit or renewal thereof. An owner shall be eligible for the waiver of the fee for no more than two (2) permit periods, not including any interim permit period that occurs within a permit period. The full fee shall be tendered with the request for a waiver and shall be refunded if the waiver is granted but for the two hundred dollars (\$200.00). A person who purchases a vacant building shall have this fee waived for the remainder of the permit period and the permit period immediately following.

(3) All but ~~two hundredseventy-five~~ dollars (~~\$200.0075.00~~) of this fee shall be waived when a building is being rehabilitated pursuant to applicable building, fire, and zoning permits and the owner has spent at least five (5) percent of the assessed valuation of the building or structure on rehabilitation, not including the cost of permits, in the prior three (3) month period. The full fee shall be tendered with the request for a waiver and shall be refunded if the waiver is granted but for the ~~seventy-fivetwo hundred~~ dollars (~~\$200.0075.00~~).

(4) All but ~~seventy-fivetwo hundred~~ dollars (~~\$200.0075.00~~) of this fee shall be waived if an owner has secured all the duly required state and local permits to demolish the building or structure. The full fee shall be tendered with the request for a waiver and shall be refunded if the waiver is granted but for the ~~seventy-fivetwo hundred~~ dollars (~~\$200.0075.00~~). The owner shall demolish the building or structure within one (1) month of securing said permits; this waiver shall be void and the vacant building permit fee shall be owed if the owner fails to demolish within this time. The time to demolish may be extended upon a showing of good cause.

(5) Fees under this Article shall not apply to buildings owned by a department of the City of Burlington.

~~(5) —Once the permit has expired and the city deems the property no longer eligible for renewal of said permit, the city shall notify the owner. The owner shall either show proof of active marketing for sale or lease, a plan for rehabilitation including proof of construction under contract or proof of immediate demolition. Should none of the above be presented to the city within five (5) days of the expiration of the permit, the owner shall be fined one hundred dollars (\$100.00) per day until such proof is presented.~~

(g) *Signs/markings.* When required pursuant to this section, signs or markings on the buildings determined to be especially unsafe in case of fire shall be applied on the front of the property, and elsewhere as the Director, fire chief, or their designee may require, at or above the second floor level and shall not be placed over doors, windows or other openings. All signs/markings shall be visible from the street and, when requested by the fire chief, shall be placed on the sides and the rear of the property. Signs/markings shall be two (2) square feet with lines of two (2) inch width, and shall have a reflective background, or be painted with reflective paint, in contrasting colors as approved by the fire chief. Signs/markings shall be applied directly on the surface of the property and shall state the date of posting and the most recent date of inspection by the fire chief and director.

8-48 Appeals and Variances.

87 As written.

88 **8-49 Enforcement and penalties.**

89 (a) *Penalty.*

90 (1) A person shall be subject to a civil penalty of five hundred dollars (\$500.00) with a waiver penalty of one
91 hundred fifty dollars (\$150.00) for the following offenses:

92 a. Failure to apply for a vacant building permit or the filing of an incomplete application;

93 b. Failure to pay the vacant building fee;

94 c. Failure to schedule an inspection or to ~~show up~~provide in-person access for an inspection for which
95 notice has been given;

96 d. Failure to comply with the obligations set forth in Sections 8-46(c) and (d); and

97 e. Failure to comply with an order of the enforcement officer in the time required, with each separate
98 deficiency ordered to be corrected being deemed a separate order.

99 (2) A person who repeats the same offenses three (3) times within a twelve (12) month period shall be deemed
100 to have committed a criminal offense for the third offense subject to a fine of five hundred dollars (\$500.00).

101 (3) Prosecution under this section is a remedy cumulative to any and all other remedies at law and equity, and
102 in no way preempts, supersedes, or bars prosecution for violation of this article under subsection (b) of this
103 section.

104 (b) If a vacant building permit is denied or has expired and the city deems the property ineligible for said permit, the
105 city shall notify the owner. Within ten (10) days of receiving this notice or five (5) days of the expiration of an existing
106 permit, whichever is later, the owner must provide proof of active marketing for sale or lease, a plan for rehabilitation
107 including proof of construction under contract, or proof of immediate demolition. Should none of the above be
108 presented to the city within the time allotted, the owner shall be fined one hundred dollars (\$100.00) per day until such
109 proof is presented. This fine shall be applied in addition to any penalties set forth in subsection (a).

110 (c) Any violation of this article is also declared to be a public nuisance and subject to removal or abatement upon a
111 finding of violation by the superior court. An abatement action as contemplated by Section 8-45 is discretionary and is
112 not a precondition to criminal prosecution under this section, nor is a survey report by the director pursuant to
113 Section 8-45 a prerequisite for prosecution under this section.

114 (de) Any order issued pursuant to this article shall be recorded in the office where the land records are kept, thereby
115 becoming effective against any purchaser, mortgagee, attaching creditor, lienholder or other person whose claim or
116 interest in the property arises subsequent to the recording of the order. Once the violation(s) is certified to be corrected,
117 such orders shall be removed from the record. All fees, costs, or charges assessed pursuant to this article shall be a tax
118 lien upon the real property pursuant to 32 V.S.A. § 5061, so long as the lien is recorded in the office where the land
119 records are kept.

8-50 - 8-59 Reserved.

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

BT/ks/Ordinances 2024/Vacant Buildings/BCO Ch. 8, Art. III
Secs. 8-43, 47, and 49.
11/7/2024