



Monday, November 25, 2024, 5:30 PM, Contois Auditorium, City Hall OR REMOTELY via ZOOM

When: Nov 21, 2024 05:30 PM Eastern Time (US and Canada)
Topic: Charter Change Committee Meeting

Please click the link below to join the webinar:

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1. Agenda

1.1. Motion to amend/adopt agenda

2. Adopt Draft Minutes

Subject	2.1. Adopt Draft Minutes from 11/21
Meeting	November 25, 2024 - CANCELLED: Charter Change Committee Meeting - Monday, November 25, 2024, 5:30 PM, Contois Auditorium, City Hall OR REMOTELY via ZOOM
Category	2. Adopt Draft Minutes
Department	Council and Board

Type

Recommended Action

3. Public Forum

Subject

3.1. Verbal Comments

Meeting

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Category

3. Public Forum

Department

Council and Board

Type

4. City Council Authority to Pledge Credit of the City

Subject

4.1. City Council Authority to Pledge Credit of the City

Meeting

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Category

4. City Council Authority to Pledge Credit of the City

Department

Council and Board

Type

Recommended Action

5. Any Other Committee Business

Subject

5.1. Any Other Committee Business

Meeting

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Category

5. Any Other Committee Business

Department

Council and Board

Type

Recommended Action

6. Adjournment

Subject

6.1. Motion to adjourn

Meeting

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Category

6. Adjournment

Department

Council and Board

Type

Recommended Action

Resolution Relating to

RESOLUTION _____

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

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

Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

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

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

1 That WHEREAS, § 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

26 City Meeting to be held on March 4, 2025, and that the City Clerk set public hearings on this question in
27 accordance with § 303 of the City Charter and 17 V.S.A. § 2645, said hearings to be warned for the 15th and
28 21st of January, 2025, or otherwise as soon as necessary or convenient and in accordance with applicable law:
29

30 “Shall the Charter of the City of Burlington, Acts of 1948, No. 298, as amended, be further amended as
31 follows?:
32

33 § 62. Council; School Board; not to pledge credit of City; exceptions:
34

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

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

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

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

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

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

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

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

72
 73 (1) Upon prior recommendation of the Board of Light Commissioners that it is necessary during a
 74 fiscal year to pledge the credit of the City by issuing its negotiable orders, warrants, notes, or bonds in
 75 an amount up to in the aggregate \$6 million in any such fiscal year for the purpose of providing capital
 76 improvements, additions, and replacements required for the efficient and economical operation of the
 77 Electric Light Department, or

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

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

91 (c) Notwithstanding subsection (ab) of this section, however, a City Council resolution authorizing the credit
 92 of the City to be pledged ~~in an amount not to exceed \$3 million in a fiscal year for the operation of the Electric~~
 93 ~~Light Department as pursuant thereto aforesaid in an amount not to exceed \$3 million in a fiscal year for the~~
 94 ~~operation of the Electric Light Department as aforesaid~~ shall not give the City power to so pledge its credit
 95 until 44 days have passed following the effective date of such resolution. If during such 44-day period a
 96 petition is filed with the Chief Administrative Officer signed by not less than five percent of the qualified
 97 voters of the City requesting a referendum vote on whether the credit of the City will be pledged in accordance
 98 with the City Council resolution, the credit of the City shall not be pledged pursuant thereto unless a majority
 99 of the qualified voters of the City present and voting at a duly warned annual or special City meeting vote to
 100 affirm such City Council resolution. Upon receipt of a proper petition, a special City meeting shall be called
 101 by the City Council within 60 days from the date such petition is received, or if the next annual City meeting
 102 falls within the 60-day period, the City Council shall include an article in the warning for such annual City
 103 meeting, to determine whether the voters will affirm such resolution. If at such City meeting a majority of the
 104 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.

111

112

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

114 *November 12, 2024*