



CITY OF BURLINGTON, VERMONT  
 CITY COUNCIL COMMUNITY DEVELOPMENT &  
 NEIGHBORHOOD REVITALIZATION COMMITTEE  
 c/o Community & Economic Development Office  
 City Hall, Room 32 • 149 Church Street • Burlington, VT 05401  
 802-865-7144 VOX • 802-865-7024 FAX • www.burlingtonvt.gov/cedo

# Queen City Meeting Room, 3rd Floor City Hall

Wednesday, January 15, 2025, 6:30 PM

**Join Zoom Meeting**

<https://zoom.us/j/97755663239?pwd=MMFoLX2AVDcPLkJc9zhePUyytfSuSF.1>

**Meeting ID: 977 5566 3239**

**Passcode: 322686**

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**Meeting ID: 977 5566 3239**

**Passcode: 322686**

Find your local number: <https://zoom.us/u/abHhq3h25Y>

## 1. Agenda

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1.1. Motion to amend/adopt agenda

## 2. Adopt Minutes

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<b>Subject</b>	<b>2.1. Approval of 12/18/24 Minutes</b>
Meeting	January 15, 2025 - CDNR Committee Meeting - Wednesday, January 15, 2025, 6:30 PM, Queen City Meeting Room, 3rd Floor City Hall
Category	2. Adopt Minutes
Department	
Type	
Recommended Action	

## 3. Public Forum

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<b>Subject</b>	<b>3.1. PUBLIC FORUM - Verbal Comments</b>
Meeting	January 15, 2025 - CDNR Committee Meeting - Wednesday, January 15, 2025, 6:30 PM, Queen City Meeting Room, 3rd Floor City Hall
Category	3. Public Forum

Department

Type

#### **4. Draft NPA resolution**

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**Subject**                      **4.1. review draft resolution**

Meeting                        January 15, 2025 - CDNR Committee Meeting - Wednesday, January 15, 2025, 6:30 PM, Queen City Meeting Room, 3rd Floor City Hall

Category                        4. Draft NPA resolution

Department                    Community & Economic Development Office (CEDO)

Type

Recommended Action

#### **5. Revised resolution - affordable housing trust fund study**

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**Subject**                      **5.1. review revised resolution**

Meeting                        January 15, 2025 - CDNR Committee Meeting - Wednesday, January 15, 2025, 6:30 PM, Queen City Meeting Room, 3rd Floor City Hall

Category                        5. Revised resolution - affordable housing trust fund study

Department                    Community & Economic Development Office (CEDO)

Type

Recommended Action

#### **6. Other Committee Business**

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#### **7. Adjournment**

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**Subject**                      **7.1. Motion to adjourn**

Meeting                        January 15, 2025 - CDNR Committee Meeting - Wednesday, January 15, 2025, 6:30 PM, Queen City Meeting Room, 3rd Floor City Hall

Category                        7. Adjournment

Department                    Council and Board

Type

Recommended Action



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**Councilor Carter Neubieser (CN), Chair, Ward 1**  
**Councilor Evan Litwin (EL), Ward 7**  
**Councilor Joe Kane (JK), Ward 3**

**CDNR Committee Meeting**  
**Wednesday, December 18<sup>th</sup>, 2024**  
**6:30 – 8:30 PM**  
**Sharon Bushor Conference Room, 1<sup>st</sup> Floor – City Hall**

**Committee members:** Carter Neubieser (CN), Evan Litwin (EL), Joe Kane (JK)

**City Staff:** Marcella Gange, CEDO

**Other Attendees:** Brian Pine, Sarah Russell, CEDO; Rebecca Reese, Kara Alnasrawi, Business and Workforce Development

**Draft Minutes**

**Meeting Started at 6:33 PM**

1. Approve agenda

MOTION by Councilor Kane, SECOND by Councilor Litwin, to approve the agenda

VOTING: unanimous; motion carries.

2. Approve minutes: 10/24/24

MOTION by Councilor Kane, SECOND by Councilor Litwin, to approve the minutes

VOTING: unanimous; motion carries.

3. Public Forum

- No one spoke at public forum

The programs and services of the City of Burlington are accessible to people with disabilities.

For accessibility information, call 865-7144. For questions about the meeting, contact Christine Curtis at [ccurtis@burlingtonvt.gov](mailto:ccurtis@burlingtonvt.gov)

#### 4. Presentation: Early Learning Initiative (ELI) 2024 Annual Report

- Rebecca Reese, the Early Learning Initiative manager, discusses the 2024 annual report on the First Step Scholarship program.
- The program supports Burlington families in accessing and affording high-quality childcare through scholarships, capacity grants for providers, and workforce training.
- In its fifth year, the program received 256 applications with an 86% enrollment rate across 24 partner providers.
- Rebecca highlights that 50 scholarships were awarded, assisting single parents, BIPOC families, non-English speakers, and those needing childcare for employment.
- She notes the recent state legislation increasing childcare subsidies by 35%, with an estimated 80% of Vermont families qualifying for some tuition assistance.
- The program aims to fill remaining gaps for families still needing extra support.
- The ELI Language Access Grant supports interpretation and translation services for non-English speaking families.
- To address the workforce shortage, the First Steps training program has brought in 29 new educators, and they are partnering with a local organization to provide social-emotional training and establish a substitute teacher pool.
- Rebecca presented on the work of the Family Room, a community organization that provides childcare and support services to families. She highlighted the organization's efforts to bridge the health equity gap, particularly for families with limited English proficiency.
- Discussed the challenges of the childcare industry, including high costs and low profit margins. She mentioned the state's Act 76, which aims to increase reimbursement rates for childcare providers, and the Vermont model as a potential solution.
- EL expressed interest in how to effectively communicate health-related information to diverse communities, and Rebecca suggested that the Family Room could play a role in this. The conversation ended with Rebecca's mention of a forthcoming workforce training program at the Family Room.

#### 5. Updates on NPA support working group – Councilor Neubieser

- CN provided a verbal update on the progress of the Neighborhood Planning Assemblies (NPAs) project. The second meeting had taken

place a few weeks ago, and another meeting was scheduled for the following day.

- CN also discussed the scope of the project, which includes defining the role of the NPA, discussing open meeting law, and addressing 1st amendment protections. CN mentioned that the NPA is independent within city government but not completely independent from it.
- CN also mentioned that the project involves discussions around best practices and guidelines for the NPA.
- JK expressed concerns about the project, stating that the NPA is legally part of city government and should be subject to certain guidelines and safeguards. He suggested that the city council should have a role in defining these guidelines and that the NPA should not be completely independent.
- EL also shared his experiences with the NPA, highlighting the differences between various NPA meetings and the challenges of balancing the needs of different stakeholders.
- CN acknowledged these concerns and promised to take them back to the working group for further discussion.

#### 6. Discussion: Draft Resolution re: City's affordable housing crisis

- CN discussed the city's ongoing efforts to address the affordable housing crisis, emphasizing the need for immediate action and the potential for expanding the Housing Trust Fund.
- JK raised concerns about the current funding sources and the potential for competition with other revenue-raising initiatives.
- EL suggested adjusting the tone of the resolution to be more collaborative and less confrontational, particularly when addressing institutions like the University of Vermont.
- Sarah Russell highlighted the need for dedicated homeless units and suggested linking funding to requirements for accepting households exiting homelessness.
- EL and CN discussed the potential for progressive taxation in Burlington, with EL expressing concerns about its impact on businesses and the middle class. Members also discussed the possibility of taxing property owners who exceed a certain number of rental units, with EL suggesting that this could encourage property owners to sell some of their units.
- CN agreed to these suggestions and planned to bring the matter back to the next CDNR meeting for further discussion. Members also

discussed the need for a report on the various options for addressing the affordability crisis, with CN emphasizing the importance of considering the impacts on all classes of people.

7. Other Committee Business

- None

8. Adjournment

- ADJOURN at 8:01 p.m. by Councilor Neubieser with no objection

### **Important Note from Councilor Neubieser:**

The following is a draft of an informal working group made up of representatives of the City Council's CDNR committee, All Wards NPA, CEDO, and the city attorney's office. This is not the final product from that working group, this has not been fully grammar checked, this in the format of a city council resolution, nor is this final, polished language. That said, this does give good insight into the direction of the final resolution we'd like to introduce, speaks to a number of the topics raised by members of CDNR and the city council at large, and represents our collective understanding of what the relationship between the city council and the NPA's is.

### **Regarding the history of the NPA's:**

The 1982 Resolution Establishing the NPAs states: "The Neighborhood Planning Assemblies shall also be encouraged to provide advice to the appropriate commission or this Council with respect to Community Development, housing programs, the city's Comprehensive Development Plan, waterfront planning activities, and the city's budget, among other issues."

In 1982 the City Council created the NPAs by resolution. There was to be one NPA per ward. All legal voters of the ward were automatically designated members. Each NPA was to elect officers, adopt bylaws, and establish rules of procedure. The duties of the NPAs were to provide information to community members and to solicit their input for Council and City boards, committees, and commissions, especially regarding budget and community development matters.

- (2) Each NPA has established a steering committee to plan its meetings and set its agenda's.
- (3) In 1994, the original Council resolution creating the NPAs was amended to give CEDO authority to assist with the organization of NPAs.
- (4) Section 332(7) of the Charter assigns to CEDO responsibility to provide staff support to the NPAs.
- (5) On June 26, 2007, the City Council adopted a resolution acknowledging that the Ward 2/3 and 4/7 NPAs typically meet together. The resolution recognized the distinct status of those wards' NPAs, despite the custom of meeting together.
- (6) By resolution dated May 24, 2021, the City Council expanded participation on City commissions to youth ages 14 and above. As a result, all residents 14 years old and above are considered eligible to participate as members of their NPAs.

### **Regarding the legal status of the NPAs:**

Although as the highest policy body in the City, the City Council has jurisdiction over the NPAs. That said, the independent functioning of NPA's is vital to their success. However, such independence is within the City and not from the City.

- (3) It is clear that legally the NPAs are public bodies with the City's governance structure and therefore are subject to the rules applicable to public bodies, especially the Open Meeting Law

and the First Amendment. This is because the NPAs were created by Council action, they are referenced in the Charter, they receive staff support from CEDO, and they each receive a small amount of City funding. Not all these factors are dispositive, but creation by Council action is.

(4) While NPAs as organs of the City government, they should be free to pursue their own policy agenda

(5) The City as a whole should be concerned, however, with the activities of the NPAs to the extent the NPAs have the ability to create liability for the City. This is especially true if the NPAs fail to comply with the Open Meeting Law or to respect the First Amendment.

### **Meetings of the NPAs and their steering committees are public meetings subject to the Open Meeting Law.**

- (1) **NPA's** meetings should be open to the public.
- (2) No action should be taken on a matter that was not properly warned in the agenda.
- (3) To properly warn a meeting, the agenda should be posted 48 hours in advance (24 for meetings not held at the regularly scheduled meeting time, i.e., "special" meetings).
- (4) The agenda should identify the time/location of the meeting and the items on which action may be taken.
- (5) An agenda need not be warned if the sole topic for discussion will be the setting of an agenda and no substantive discussion will be had into the merits of an issue. However, to allow room for substantive discussions into the merits of an issue, it is recommended that agenda-setting meetings be warned.
- (6) Posting requires making the agenda available online. CEDO can assist with this. The agenda should also be posted at City Hall and two other places in the community. I am aware that some NPAs post signage in their neighborhoods identifying meeting times and locations. If a QR code can be added to these signs providing a link to the agenda online, I would consider such signage substantial compliance with the posting requirements.

### **First Amendment applies to public meetings, but freedom of speech is not unlimited.**

- (1) Members of an NPA or Steering Committee cannot be removed merely to punish them for their opinions. However, censure may be used to criticize the speech of members. Special procedural rights apply to individuals subject to censure. Before censuring any member, an NPA should consult this office.
- (2) A member properly recognized to speak on a topic may speak to that topic even if the member's views are considered highly offensive by other members, subject to rules of order and reasonable rules of decorum.
- (3) Reasonable rules of decorum: A member may be called out of order for speaking out of turn, for making offensive comments that are not directly relevant to the member's opinion on the topic at hand, or for using unnecessary profanity or obscenity. A member should address comments to the Chair and not to other members of the body. Although members should be allowed to attack ideas with which they disagree, there is seldom good reason to attack personalities unless directly relevant to the topic under discussion, e.g., a motion for censure. Even then, it is always possible to use professional language, to speak in a respectful

tone, to avoid clearly defamatory comments, and to avoid discussion of private matters for the purpose of causing unnecessary embarrassment.

- (4) If a member called out of order refuses to comply with the Chair's directions, the member is creating a disturbance. Continuing to cause a disturbance may properly result in the ejection of the member from the meeting or the adjournment of the meeting.
- (5) Questions about these rules should be directed to the City Attorney's office.

**Therefore be it resolved:**

- NPA's are independent within the city government.
- NPA's are required to observe open meeting law
- NPA's set the terms for their gatherings and determine their agendas and priorities.
- NPA's are free, open, and accessible to all city residents.
- NPA's, as diverse gatherings of neighbors, are essential to the civic health of our community.
- NPA's should adhere to their self-set bylaws. Decisions made by the Steering Committee should be transparent and documented as laid out in the bylaws.
- NPA's should carry out meetings in a manner that reflects and is consistent with the anti-discrimination and accessibility policies of the City of Burlington.
- NPA's should adhere to federal, state, and local laws regarding anti-discrimination, free speech, and accessibility.
- NPA's should seek to inform and educate the City on issues that matter to individual neighborhoods and residents of the ward or district.
- NPA's should provide the City with a platform to share key information about municipal issues and how they impact individual neighborhoods and the community at large.
- NPAs should develop agendas that reflect the needs and interests of individual neighborhoods and residents of the ward.
- NPAs will spend money allocated to them by the City in a manner consistent with the City's terms, conditions, and restrictions.

**Therefore be it resolved:**

- The City believes advice and counsel received from NPAs is valuable, and believes that the views expressed by city residents at NPA meetings are valid and important voices in the decision-making process.
- The City shall endeavor in good faith to consult each NPA on issues that impact NPA governance, structure, and funding before proceeding with resolutions and ordinances.
  - Topics listed here and the mechanism to do this, are still being developed
- The City shall collaborate with the NPAs to provide support for community outreach
- Individual Councilors are encouraged to regularly attend the monthly NPA meeting meeting in their respective Ward or District.
- The City should provide adequate and reasonable financial resources to support NPA operations

**Therefore be it resolved:**

- The Burlington's Community and Economic Development Office (CEDO), in consultation with the City Attorney's Office shall develop or update existing materials to create an easily understood document that outlines best practices for NPAs to achieve the goals, expectations, and legal requirements of the NPA's described in this resolution and
- CEDO, in consultation with the city attorney's office should review and update, as needed, the above mentioned materials on an annual basis and

- CEDO should work with NPAs to train and support residents on carrying out their NPA meetings consistent with the goals, expectations, and legal requirements as laid out in this resolution.
  - CEDO should include a representative from All Wards-NPA to serve on hiring committees for staff roles predominantly focused on supporting the NPA's and liaising with the NPA's
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**Areas that still need discussion:**

**Big Question Left:** How do we want this resolution to speak to what topics the city should make a best effort at consulting with and taking input from NPA's early and often on?

***Where we left off from at our Dec. 18th meeting:***

**Therefore be it resolved:**

The City shall consult with and take input from from the NPAs:

- On anything impacting the NPAs operations and processes (overarching rule suggested - currently in draft resolved clauses)
- On all development projects that require Major Impact Review (currently in place, but not totally binding)
- on Major "Capital" projects
- on significant neighborhood-specific changes.
  - An example of this might be if the city were to completely redesign Shamanska park, the Ward 1 NPA should be consulted very early on and their input ought to weigh heavily on what that redesign looks like.
- on structural changes to city government, including city council ward/district line changes, creation of new departments, elimination or consolidation of existing departments.
- In addition to the above topics, each NPA shall provide the City Council with a list of their "top 3 annual priority topics" for issues/ topic areas that they would like the city to prioritize information sharing and input gathering - such a priority list will be communicated at a city council meeting, by the NPAs annually via a standardized document created by CEDO. CEDO and existing NPA members work together to develop a shared understanding of best practices to find consensus among members.

## **A Resolution Related to: Doubling Burlington's Investment in Affordable Housing**

Whereas:

The vast majority of Burlingtonians cannot afford to buy a home and struggle to afford rent. The median sale price of a home in Burlington is over half a million dollars. 31% of renters pay more than half of their income on rent in Burlington. We are experiencing record levels of families and individuals forced to sleep outdoors.

Whereas:

Healthcare costs are out of control and are eating up a large part of Burlingtonians' household incomes. UVM Health Network has a monopoly on healthcare in Vermont - controlling upwards of 60% of the market (the highest of any hospital in the US). Vermonters pay the highest average premiums in the US - more than \$1,200.

Whereas:

Our municipal and state property tax systems are unfair and untenable. During the last reassessment, when COVID hit, the burden of funding our city's general fund shifted away from commercial property owners, leaving residents with significantly higher tax bills. Statewide, the highest-income Vermonters pay a smaller share of their income in taxes than many in the middle.

Whereas:

The University of Vermont does not take enough responsibility for its effect on our local and regional housing market. The Governor and State Legislature have not taken action to force a change in UVM's approach. Many colleges house students all four years, but not UVM. This is a major driver of Burlington's vacancy rate of 1%, leading to skyrocketing rents and poor housing conditions.

Whereas:

An investigative report by the State Auditor's office found that, "Compliance with previous agreements between the City and UVM has been mixed. The available data suggests that their combined effect on the Burlington housing market has not reduced off campus housing pressures." Later in the report it states, "Overall, there are two critical numbers that express the pressure UVM off-campus students place on the Burlington housing market: total student enrollment and total on-campus and UVM-affiliated housing. The data points to a growing divergence between UVM's increasing enrollment and their capacity to house those students. The undergraduate housing gap has grown by 1,849 beds since 2000 (59%) and is now almost 5,000 beds.

Whereas:

The Burlington Housing Trust Fund has proven highly effective in funding the creation and maintenance of permanently affordable housing

Whereas:

Burlington's benefits from a cost efficient, effective, and dedicated web of nonprofit and public affordable housing providers and developers including but not limited to the Champlain Housing Trust, COTS, the Living Well Group, Homeshare Vermont, Cathedral Square, Spectrum, Dismas House and many more;

Whereas:

Burlington Community Land Trust (BCLT) and Lake Champlain Housing Development Corporation (LCHDC), which were later merged to create the Champlain Housing Trust, were each founded in 1984 with the financial support of the City of Burlington in partnership with neighboring communities and citizen groups;

Whereas:

The Champlain Housing Trust and other nonprofit housing organizations originating in Burlington have served as models to communities globally, to build and maintain affordable housing;

WHEREAS:

The Housing Trust Fund currently receives funding through a dedicated property tax, the short term rental registration fee, inclusionary and replacement housing ordinances, and a fee on the conversion of rental units to condominiums,

Therefore be it resolved:

The city's Community & Economic Development Office (CEDO) in collaboration with the city's Chief Administrative Officer (CAO), and other relevant city staff (as determined by CEDO, the CAO, and Mayor's office) will identify a variety of pathways the city could increase money dedicated to the Housing Trust Fund by at least 1 million dollars annually;

Therefore be it resolved:

The pathways identified should include those that we could pursue with existing powers we hold under charter, and others that would require a charter change with final approval from the General Assembly and the Governor.

Therefore be it resolved:

The funding for these proposals will either ...

1. Generate new revenue only through progressive-taxation, meaning those residents and businesses with the highest incomes and largest amount of wealth pay more than Burlington's working and middle class. Revenue may also be generated from tourists visiting our city.
2. Be revenue neutral in relation to their impact on property taxpayers.

Therefore be it resolved:

A representative from CEDO and the CAO will present a report with their findings to the Community Development and Neighborhood Revitalization (CDNR) committee of the City Council by March 15, 2025