



City Council

Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Join from PC, Mac, iPad, or Android:

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

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******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	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 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

2. Public Forum: Time Certain: 6:30 pm ****See above for signup instructions****

Subject	2.1. Verbal Comments
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category	2. Public Forum: Time Certain: 6:30 pm **See above for signup instructions**
Department	Council and Board
Type	Action Procedural
Recommended Action	open Public Forum close Public Forum

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

Subject	3.1. Verbal reports
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	3. Mayor - General City Affairs (to include Climate and Public Health & Safety Emergency Reports: up to 10 mins.)
Department	Council and Board
Type	Information

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

Subject	4.1. Verbal reports
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	4. City Council - General City Affairs (to include Climate and Public Health & Safety Emergency Updates: up to 5 mins. per Councilor)
Department	Council and Board
Type	Information

5. Consent Agenda

Subject	5.1. Motion to adopt the consent agenda and take the actions indicated
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Council and Board
Type	Action (Consent) Procedural
Recommended Action	Motion to adopt the consent agenda and take the actions indicated
Subject	5.2. Accountability List - C/T

Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information
Recommended Action	waive the reading, accept the communication and place it on file
Subject	5.3. Indoor and Outdoor Entertainment Permit Renewals (2025-2026): see attached list
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent)
Recommended Action	approve the 2025-2026 Indoor and Outdoor Entertainment Permit Renewals as listed with all standard conditions
Subject	5.4. Pie in the Sky Vision for 2025 School Year EBA partnership with the City of Burlington idea: EBA ART ENVOY
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Mayor's Office
Type	Action (Consent)
Recommended Action	move to approve the use of \$2,000 from the City Council Initiative Fund to support proposed beautification project by Eagle Bay Academy
Subject	5.5. United States Coast Guard Station Burlington MOA - Fire
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Fire Department
Type	Action (Consent)
Recommended Action	move to approve and authorize the Burlington Fire Department to execute the Memorandum of Agreement between the City of Burlington, the Burlington Fire

Subject	5.6. Tobacco License Renewals (2025-2026): Bangkok Bistro in the Alley and Henry Street Deli
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent)
Recommended Action	approve the 2025-2026 Tobacco License Renewals for Bangkok Bistro in the Alley and Henry Street Deli
Subject	5.7. Temporary Gift of Burlington High School Student Art Request:-BWD
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Business and Workforce Development
Type	Action (Consent)
Recommended Action	The Business and Workforce Development Office requests that the City Council resolve to accept a temporary gift of a collaborative Burlington High School student art piece to be hung in Leahy Way on Department of Public Works property for no longer than 18 months, at which point the art will be removed and reinstalled in the new Burlington High School subject to review and approval by the City Attorney's Office.
Subject	5.8. REIB Updates
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Racial Equity, Inclusion, & Belonging (REIB)
Type	Action (Consent) Communication Information
Recommended Action	waive the reading, accept the communication and place it on file
Subject	5.9. April 28, 2025 Local Control Commission Meeting Minutes - C/T
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office

Type	Action (Consent) Information Minutes
Recommended Action	approve the minutes
Subject	5.10. April 28, 2025 Regular City Council Meeting Minutes - C/T
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Minutes Information
Recommended Action	approve the minutes
Subject	5.11. FIO Documents
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication Information
Recommended Action	for information only
Subject	5.12. Ordinance: IMPACT FEES (Clerk/Treasurer, City Attorney)
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Ordinance - First Reading Action (Consent)
Recommended Action	to waive the reading and approve the first reading of the proposed ordinance amending Burlington Code of Ordinances Section 21-41 re impact fees, and to refer the proposed ordinance to the Ordinance Committee to report back as soon as possible

6. Deliberative Agenda

Subject	6.1. Board of Health Syringe Litter Report (25 mins.)
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category	6. Deliberative Agenda
Department	Board of Health
Type	Action
Recommended Action	refer to the CDNR Committee to report back to the Council with any recommended actions on or by the Council meeting on August 4, 2025
Subject	6.2. RunVermont Presentation on M&T Bank Vermont City Marathon & Relay (25 mins.)
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Deliberative Agenda
Department	Council and Board
Type	Information Discussion
Subject	6.3. Net Zero Energy Presentation - BED (25 mins.)
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Deliberative Agenda
Department	Burlington Electric Department
Type	Information Presentation
Subject	6.4. Extension of Letter of Agreement between the City of Burlington and University of Vermont - C/T (20 mins.)
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Deliberative Agenda
Department	Clerk/Treasurer's Office
Type	Action
Recommended Action	to approve the one-year extension to the Letter of Agreement between the City of Burlington and University of Vermont dated June 24, 2019
Subject	6.5. FY26 Budget Update - Mayor and CAO (30 mins.)
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Deliberative Agenda
Department	Mayor's Office
Type	Information Discussion

7. Committee Reports

Subject	7.1. Verbal reports
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Committee Reports
Department	Council and Board
Type	Information

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

Subject	8.1. Verbal reports
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	8. City Council President - Council Updates (up to 5 mins.)
Department	Council and Board
Type	Information

9. Adjournment

Subject	9.1. Motion to adjourn
Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	9. Adjournment
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to adjourn

10. Informational and Non-Discrimination Statements

Subject	10.1. This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Council and Licensing 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.
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Meeting	May 12, 2025 - Regular City Council Meeting - Monday, May 12, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	10. Informational and Non-Discrimination Statements
Department	Council and Board
Type	Information

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

5/7/2025

	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	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
7	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
8	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
9	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 auditis 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
10	1/27/2025	Resolution: City Council Commitment To Rebuilding And Reconciling With The Burlington Police Department	Mayor to update the City Council referred to the Ordinance Committee, to report back to the City Council; CJC to report back to the City Council and Ordinance Committee	18-Feb-25
11	1/27/2025	Resolution: Establishing A Violation Reporting Incentivization Pilot (VRIP)	referred to the Ordinance Committee	on or before March 24, 2025; by March 10, 2025
12	4/14/2025	Ordinance: ZA-25-02 Neighborhood Code - Additional Housing: Development Options		not-specified

2025-2026 Indoor/Outdoor Entertainment License Renewals
Regular City Council Meeting, Monday, May 12, 2025

Indoor Entertainment License:

Burlington Beer Company
Drink
Mr. Mikes Pizza/Sidebar
Orlando's Bar & Lounge
Ruben James
Spiral House Collective
What Ales You

Outdoor Entertainment License:

Burlington Beer Company
Junks Tea House
Main Street Landing

Pie in the Sky Vision for 2025 School Year

EBA partnership with the city of Burlington idea:

EBA ART ENVOY

3/20/25

Eagle Bay Academy (EBA), in partnership with Math Through Art, is eager to collaborate with the city of Burlington to enhance the aesthetic appeal of areas affected by negative graffiti and unwanted tagging.

EBA offers a unique and flexible educational pathway that enables high school students to acquire mathematical competencies ranging from basic arithmetic to geometry through the creation of artistic works and engaging game-based activities that reinforce mathematical principles. This innovative approach fosters creativity and hands-on learning, catering to a diverse array of learners and facilitating their comprehension of mathematical concepts. Furthermore, it appears to strengthen students' ability to establish meaningful connections between their classroom experiences and the wider world. It benefits our students both academically, and in their social/emotional well being, all while beautifying our city streets for residents and visitors.

To achieve this objective, the teaching staff at EBA utilizes individual mathematics learning goals, relevant mathematical data, and student interests in collaboration with local Math Through Art instructor Nancy Benerofe. (see www.maththroughart.com) Students engage in an in-depth exploration of identified areas of mathematical need, participating in a variety of hands-on projects to develop a comprehensive learning portfolio. Subsequently, each student selects their preferred mathematical concept and creates a design mock-up, which serves as a basis for scaling the image to a larger format for the mural. This mock-up is then presented to community partners for constructive feedback. Students are encouraged to make adjustments based on this feedback before scaling up the image and bringing it to life on the mural.

This form of civic engagement and community-centered learning that extends beyond the confines of the educational institution necessitates financial backing. Given that the city currently provides financial assistance to businesses affected by vandalism, such as graffiti removal and painting over, we propose an innovative alternative: allocating the funds designated for painting to go to our street team. This initiative would enable them to effectively incorporate mathematical principles into artistic design, culminating in the creation of impactful street art - which is statistically proven to prevent negative graffiti and unwanted tagging.

Here is our proposed idea:

2024-2025 school year (rest of this year):

- \$1,000 - **Payable to Nancy Benerofe**, Math Through Art, collaboration
- \$1,000 - **Payable to Ann Gatch** (teacher at Eagle Bay Academy) for supplies (drop cloth, paint, brushes rollers, safety vests, etc)

\$2,000 city support funds to Eagle Bay Academy for
100' at Blanchard Beach retaining wall beautification mural gift.

GIFT ACCEPTANCE AGREEMENT

Art in Public Places City of Burlington

THIS AGREEMENT is made and entered into this date by and between the City of Burlington, through Burlington City Arts (the “City”) and (“Eagle Bay Academy”), with a physical address in the State of VT located at 20 Rock Point Road, Burlington, Vermont, 05408 (together, “the Parties”). This Agreement outlines the terms and conditions upon which Eagle Bay Academy will donate a certain work of Art to the City.

WHEREAS, Eagle Bay Academy wishes to create a temporary beautification project, “Math Through Art: Blanchard Beach”, as further described in Attachment A (“the Work”), to be completed by Eagle Bay Academy participants; and

WHEREAS Eagle Bay Academy has agreed to undertake the design, creation, and fabrication of the beautification project; and

WHEREAS, Eagle Bay Academy wishes to gift the product of their Blanchard Beach beautification project to the City for the ultimate benefit of the City to have and display as a work of public beautification; and

WHEREAS, Eagle Bay Academy agrees that the City is not obligated to provide maintenance to the work once it is created;

WHEREAS, Eagle Bay Academy agrees that the beautification project will not be considered “a work of visual art” as defined by Section 101 of Title 17 of the United States Code. Thus, this beautification project is not subject to any of the protections proscribed under Title 17 and or the Visual Artist’s Rights Act.

WHEREAS, the City wishes to accept the Work from Eagle Bay Academy in furtherance of the Work being available for public enjoyment in the City.

WHEREAS, the City shall disburse City Council Initiative Funds funds in the amount of \$2,000 in furtherance of the beautification project in accordance with this Agreement and payable in the manner set forth in Article II.

NOW THEREFORE, in recognition and incorporation of the above and other good and value consideration, the Parties agree as follows:

1. AUTHORITY AND APPLICABILITY

Authority to enter into this Agreement exists in the City Charter. Required approvals, clearance, and coordination have been accomplished from and within each Party. Notwithstanding, the City must receive necessary authorization from the City Council before acceptance of the gift as described in sections 6 and 7. If the City is unable to obtain such authorization, it shall notify Eagle Bay Academy in writing prior to the scheduled beginning of the beautification project or remittance of an invoice as required herein. In the event that such notification is provided, this Agreement and all obligations herein shall be deemed voided and canceled.

2. DEFINITIONS

“Effective Date” means the date on which this Agreement is approved and signed by the City, as shown on the signature page of this Agreement.

“Party” means the City or Eagle Bay Academy and **“Parties”** means the City and Eagle Bay Academy.

“The Work” means the temporary painting of approximately 100’ of the retaining wall on Blanchard Beach set forth in this Agreement and described more fully in the Gift Summary (Attachment A).

3. **EFFECTIVE DATE AND TERM**

A. **Effective Date.** This Agreement shall not be valid or enforceable until the Effective Date. The City shall not be bound by any provision of this Agreement before the Effective Date and shall have no obligation or expense incurred before the Effective Date or after the expiration or termination of this Agreement, beyond those items which endure indefinitely.

B. **Term.** This Agreement and the Parties respective performance shall commence on the Effective Date and except for those provisions that endure, shall end on the last day of December 2026 or sooner if terminated as provided for herein.

4. **AGREEMENT DOCUMENTS AND ORDER OF PRECEDENT**

The Agreement Documents are hereby adopted, incorporated by reference, and made part of this Agreement. The intention of the Agreement Documents is to establish the necessary terms, conditions, labor, materials, equipment, and other items necessary for the proper execution and completion of the Work to ensure the intended results.

The following documents constitute the Agreement Documents:

Attachment A: Project Summary
Attachment B: Insurance and Indemnification

To the extent a conflict or inconsistency exists between the Agreement Documents, or provisions therein, then the Agreement takes precedent.

5. **SECTION & ATTACHMENT HEADINGS**

The article and attachment headings throughout this Contract are for the convenience of City and Eagle Bay Academy and are not intended nor shall they be used to construe the intent of this Contract or any part hereof, or to modify, amplify, or aid in the interpretation or construction of any of the provisions hereof.

6. **RESPONSIBILITIES OF EAGLE BAY ACADEMY**

Eagle Bay Academy agrees to create and oversee the Blanchard Beach beautification project for the City as set forth in this Agreement and the Attachment A: Gift Summary. Eagle Bay Academy shall provide all labor and materials necessary to perform the work as set forth in the Specifications of Work and all

associated costs, including but not limited to professional fees, supplies, transportation and travel, and insurance beyond the funds provided by the City. The timing of the installation will be in coordination with the City.

Eagle Bay Academy agrees that title and ownership of the Work shall be conferred upon the City and the City shall be the sole owner of the Work. Within 30 days of the installation of the Work, Eagle Bay Academy will supply the City, through BCA, a project summary report including images of the work.

7. RESPONSIBILITIES OF CITY

- A. **Funding Support.** The City agrees to provide Eagle Bay Academy with \$2,000 in City Council Initiative Funds, contingent on approval of the City Council, to support stipend for classroom instruction, and procurement of supplies to complete the beautification project at Blanchard Beach.

8. PAYMENT

- A. The City shall disburse City Council Initiative funds in the amount of \$2,000 upon approval of the City Council and the execution of this agreement, as described in Attachment A.
- B. Eagle Bay Academy shall not utilize payment for any of the following items: (a) Contingency funds; (b) Capital improvements or depreciable equipment; (c) Operating expenses such as rent or utilities of privately owned or rented facilities (e.g. homes and studios), or (d) servicing of debt.
- C. Unspent funds: Any funds disbursed, but not spent on the Work must be returned to the City at the conclusion of the project.
- D. Default: No payment shall be due while Eagle Bay Academy is in Default with respect to any of the provisions of this Agreement.

9. MAINTENANCE

Eagle Bay Academy acknowledges and agrees that, upon completion of the beautification project, the City shall have no obligation to provide maintenance, conservation, or repair of the Work. The City shall not be liable for any costs associated with ongoing upkeep, repairs, or restoration, nor shall the City be required to take any action to preserve the Work against natural or human-caused deterioration. Eagle Bay Academy understands that the Work may be subject to factors that may impact its appearance and longevity. The City reserves the right, at its sole discretion, to relocate, remove, store, modify, or decommission the Work at any time, without any obligation to repair or restore it to its original condition.

10. WAIVER

A Party's failure or delay in exercising any right, power, or privilege under this Agreement, whether explicit or by lack of enforcement, shall not operate as a waiver, nor shall any single or partial exercise of any right, power, or privilege preclude any other or further exercise of such right, power, or privilege.

11. RELEASE

Artist agrees that they are participating in a beautification project on City's property and therefore they maintain no interest therein, and shall restore the property to its prior condition or as close as reasonably practicable when done, save for the product of the approved project. Neither the artist nor any officer, employee, or agent thereof is an employee of the City, and the City is not responsible for payment of taxes on the Artist's behalf, for covering the artist under the City's policy of worker's compensation, or for provision of any employment benefit of any kind or nature. The Artist accepts all conditions of the city's premises as-is and knowingly and voluntarily releases and forever discharges from any and all claims, rights, causes of action, demands, fees, costs, expenses, and liabilities of any kind against the City whatsoever arising from or pertaining to the artist's participation in the above-described project whether known or unknown at the time of signing, including attorneys' fees.

12. FORCE MAJEURE

If either party is unable to perform any of its obligations hereunder due to any act of God, fire, casualty, flood, war, strike, shortage or any other cause beyond its reasonable control, and if such party uses reasonable efforts to avoid such occurrence and minimize its duration and gives prompt notice to the other party, then the affected party's performance shall be excused and the time for its performance shall be extended for the period of delay or inability to perform.

13. ARTIST'S RIGHTS AND THE VISUAL ARTISTS RIGHTS ACT

This beautification project is not a "work of visual art" subject to the provisions of the Visual Artists Rights Act of 1990 ("VARA"), codified at 17 U.S.C. §106A(a), which grants certain authors with rights to attribution and integrity.

Eagle Bay Academy hereby agrees that the City of Burlington has the absolute right to change, modify, destroy, remove, relocate, move, replace, transport, repair, or restore the Work, in whole or in part, in the City's sole discretion. If the City wishes to change, modify, destroy, remove, relocate, move, replace, transport, repair, or restore the Work, in whole or in part, it may proceed without permission from Eagle Bay Academy. The City may in good faith attempt to contact Eagle Bay Academy in writing and notify Eagle Bay Academy of the intended action.

14. PUBLIC EMERGENCIES

Eagle Bay Academy are advised that public emergencies, as declared by the City, the State of Vermont, or the Federal Government may introduce significant uncertainty into the project. Eagle Bay Academy must comply with all local, state, federal orders, directives, regulations, guidance, and advisories during a public emergency. If a public emergency is declared, Eagle Bay Academy shall be responsible for creating and following a public emergency plan that manages risks and mitigate potential impacts to the health and safety of the public, the City, and Eagle Bay Academy's and sub-contractor's workers, and provides a means to adjust the schedule and sequence of work should the emergency change in nature or duration. Eagle Bay Academy must provide the plan to the City for approval prior to the beginning or resumption of work. If Eagle Bay Academy fails to comply with either 1) the approved public emergency plan, or 2) any local, state, federal orders, directives, regulations, guidance, or advisories during a public emergency, the City may stop work under the Agreement until such failure is corrected. Such failure to comply shall constitute breach of the Agreement. If a public emergency is declared, the City will not be responsible for any delays related to the sequence of operations or any expenses or

losses incurred as a result of any delays. Any delays related to a public emergency will be excusable, but will not be compensable.

15. PUBLIC RECORDS

Any and all records submitted to the city, whether electronic, paper, or otherwise recorded, are subject to the Vermont Public Records Act. Eagle Bay Academy agree to retain, in company files, all documents, records, and other evidence pertaining to costs incurred for work performed under this Agreement for a period of at least three (3) years after the termination of this agreement, unless otherwise notified by the City. The determination of how those records must be handled is solely within the purview of city. All records considered to be trade secrets, as that term is defined by subsection §317(c)(9) of the Vermont Public Records Act, shall be identified, as shall all other records considered to be exempt under the act. It is not sufficient to merely state generally that the proposal is proprietary or a trade secret or is otherwise exempt. Particular records, pages or section which are believed to be exempt must be specifically identified as such and must be separated from other records with a convincing explanation and rationale sufficient to justify each exemption from release consistent with section §317 of Title 1 of the Vermont Statutes Annotated.

16. SEVERABILITY

The invalidity or unenforceability of any provision of this Agreement or the Agreement Documents shall not affect the validity or enforceability of any other provision, which shall remain in full force and effect, provided that the Parties can continue to perform their obligations under this Agreement in accordance with the intent of this Agreement.

17. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement and understanding of the parties with respect to the subject matter of this Agreement. Prior or contemporaneous additions, deletions, or other changes to this Agreement shall not have any force or effect whatsoever, unless embodied herein.

18. SIGNATURE

For Eagle Bay Academy:

Date

For the City:

Joe Magee

Date

Attachment A: Project Summary

Pie in the Sky Vision for 2025 School Year

EBA partnership with the city of Burlington idea:

EBA ART ENVOY

3/20/25

Eagle Bay Academy (EBA), in partnership with Math Through Art, is eager to collaborate with the city of Burlington to enhance the aesthetic appeal of areas affected by negative graffiti and unwanted tagging.

EBA offers a unique and flexible educational pathway that enables high school students to acquire mathematical competencies ranging from basic arithmetic to geometry through the creation of artistic works and engaging game-based activities that reinforce mathematical principles. This innovative approach fosters creativity and hands-on learning, catering to a diverse array of learners and facilitating their comprehension of mathematical concepts. Furthermore, it appears to strengthen students' ability to establish meaningful connections between their classroom experiences and the wider world. It benefits our students both academically, and in their social/emotional well being, all while beautifying our city streets for residents and visitors.

To achieve this objective, the teaching staff at EBA utilizes individual mathematics learning goals, relevant mathematical data, and student interests in collaboration with local Math Through Art instructor Nancy Benerofe. (see www.maththroughart.com) Students engage in an in-depth exploration of identified areas of mathematical need, participating in a variety of hands-on projects to develop a comprehensive learning portfolio. Subsequently, each student selects their preferred mathematical concept and creates a design mock-up, which serves as a basis for scaling the image to a larger format for the mural. This mock-up is then presented to community partners for constructive feedback. Students are encouraged to make adjustments based on this feedback before scaling up the image and bringing it to life on the mural.



This form of civic engagement and community-centered learning that extends beyond the confines of the educational institution necessitates financial backing. Given that the city currently provides financial assistance to businesses affected by vandalism, such as graffiti removal and painting over, we propose an innovative alternative: allocating the funds designated for painting to go to our street team. This initiative would enable them to effectively incorporate mathematical principles into artistic design, culminating in the creation of impactful street art - which is statistically proven to prevent negative graffiti and unwanted tagging.

Here is our proposed idea:

2024-2025 school year (rest of this year):

- \$1,000 - **Payable to Nancy Benerofe**, Math Through Art, collaboration
- \$1,000 - **Payable to Ann Gatch** (teacher at Eagle Bay Academy) for supplies (drop cloth, paint, brushes rollers, safety vests, etc)

\$2,000 city support funds to Eagle Bay Academy for
100' at Blanchard Beach retaining wall beautification mural gift.

**Attachment B:
Insurance and Indemnification**

DRAFT

DRAFT

Pie in the Sky Vision for 2025 School Year

EBA partnership with the city of Burlington idea:

EBA ART ENVOY

3/20/25

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Here is our proposed idea:

2024-2025 school year (rest of this year):

- \$1,000 - for Nancy Benerofe, Math Through Art collaboration
- \$1,000 - supplies (drop cloth, paint, brushes rollers, safety vests, etc)

\$2,000 city support to EBA for Smalley Park retaining wall mural



Burlington Fire Department

136 South Winooski Avenue
Burlington, Vermont 05401-8378
(802) 864-4554 • (802) 658-2700 (TTY)

Business Fax (802) 864-5945 • Central Station Fax (802) 865-5387



To: City Council
From: Michael Curtin – Deputy Chief
Michael LaChance – Fire Chief
Date: City Council 05/12/25
Re: United States Coast Guard Station Burlington MOA

The Burlington Fire Department respectfully requests the City Council's approval to enter into a **Memorandum of Agreement (MOA)** with **United States Coast Guard Station Burlington** and **USCG Aids to Navigation Team (ANT) Burlington**. This agreement establishes a formal framework for emergency response collaboration and operational coordination between the City and the Coast Guard.

Purpose of the Agreement

The Burlington waterfront and Lake Champlain shoreline represent areas of shared responsibility between the Burlington Fire Department and the United States Coast Guard. This MOA outlines how the two agencies will work together in emergency situations — including fires, disasters, and waterborne incidents — to improve public safety and ensure efficient response.

Key objectives include:

- Coordinated fire and EMS response at Coast Guard facilities and vessels
 - Use of Coast Guard resources to support waterfront incidents
 - Regular joint planning, drills, and pre-incident familiarization
-

Legal Authority

This agreement is made under the authority of:

- 14 U.S.C. §§ 701(a) and (b), allowing interagency cooperation with the Coast Guard
- Vermont Statutes (Title 24, Chapter 57 §1957) portion of title 24 permits municipal fire departments to enter into agreements with the federal government upon an act of the municipality's legislative body

- The City of Burlington Charter

Key Provisions

- **Emergency Response:** The Burlington Fire Department will respond to requests from USCG Station Burlington. Requests will be made through designated contacts, and BFD will determine the appropriate level of response.
 - **Mutual Support:** USCG vessels and personnel may assist BFD by establishing perimeter security and providing access platforms during waterfront fires. USCG personnel will not engage directly in firefighting.
 - **Pre-Incident Planning and Training:** BFD will conduct site visits and pre-fire planning at Coast Guard facilities on a semiannual basis. Joint drills will be held annually.
 - **Financial Impact:** No funds are obligated by either party under this agreement, and each agency remains responsible for its own costs. Reimbursement for firefighting on USCG vessels may be sought under applicable federal statutes.
 - **Term and Renewal:** The agreement is valid for five years from the date of execution and may be extended or terminated by either party with 30 days' notice.
-

Recommendation

The Burlington Fire Department recommends the City Council approve this agreement. The MOA enhances our ability to coordinate effectively with the Coast Guard, improves response readiness on the waterfront, and reflects a strong interagency partnership in the interest of public safety.

Motion City Council:

Move to approve and authorize the Burlington Fire Department to execute the Memorandum of Agreement between the City of Burlington, the Burlington Fire Department, and the United States Coast Guard Station Burlington/ANT Burlington.

**MEMORANDUM OF AGREEMENT
BY AND BETWEEN
UNITED STATES COAST GUARD STATION BURLINGTON
AND
BURLINGTON FIRE DEPARTMENT
CONCERNING
COORDINATION IN AREAS OF MUTUAL INTEREST**

1. **PARTIES.** The parties to this Memorandum of Agreement (MOA) are the United States Coast Guard (USCG) Station Burlington, USCG Aids To Navigation Team (ANT) Burlington, City of Burlington (City), and the Burlington Fire Department (BFD), hereinafter “the Parties.”
2. **AUTHORITY.** This MOA is authorized under the provisions of:
 - a. 14 U.S.C § 701(a) authorizes the USCG to utilize its personnel and facilities to assist any federal or state agency to perform any activity for which such personnel and facilities are especially qualified.
 - b. 14 U.S.C. § 701(b) authorizes the USCG to avail itself of state officers or any officers of a political subdivision thereof as may be helpful in the performance of its duties.
 - c. Vermont code Title 24. Chapter 57-1957 and the Burlington City Charter authorizes the City of Burlington to enter into this agreement.
3. **PURPOSE.** This MOA establishes a framework for cooperation between the Parties to enhance the fire protection and emergency medical response available within the USCG Station Burlington and the City, in the event of large fires or major disasters.
4. **RESPONSIBILITIES.**
USCG Station Burlington:
 - a. A designated representative of USCG Station Burlington shall request fire or emergency medical equipment and personnel by telephone to the BFD POC. If the primary telephone number is inoperative or unavailable for any reason, 911 is the alternate number.
 - b. Any request by USCG Station Burlington for aid under this MOA shall include a description by a USCG Station Burlington representative of the type and nature of the fire or emergency to which response is requested and shall specify the location to which the equipment and personnel are to be dispatched; however, the amount and type of equipment and number of personnel responding shall be determined by BFD.
 - c. The designated USCG Station Burlington representative shall provide an escort to meet the equipment and personnel responding to USCG Station Burlington at the gate and guide BFD to the location where the emergency services are to be rendered.
 - d. USCG Station Burlington will host members of BFD to tour USCG Station Burlington and any structures or cutters for the purpose of preparing pre-fire plans. USCG Station Burlington will grant access at least every six (6) months for the purpose of reviewing and updating pre-fire plans. Drills between Station Burlington and BFD should be conducted annually and may include a tabletop exercise, confined space rescue, or an integrated response drill. Additionally, USCG units are encouraged to include BFD representatives in formal training when practical. Access must be arranged in advance with the officer in charge or a designated point of contact.

- e. USCG Station Burlington will promptly, but no later than the semiannual meetings notify BFD anytime a new structure is put into service or an existing structure is significantly modified.
- f. Upon receiving a call from the City for emergency assistance, USCG Station Burlington shall dispatch vessels and personnel as determined and directed by USCG Station Burlington Officer in Charge, or in their absence, the Officer of the Day (OOD), to assist the City with perimeter control during fires on the waterfront.
- g. USCG assistance will be limited to providing a security perimeter and a suitable platform for BFD personnel to supplement firefighting efforts by the USCG using installed water systems for emergency firefighting water. USCG personnel will not actively engage in firefighting while supporting BFD in a waterborne assistance scenario and will normally remain within an enclosed space for limited protection from smoke inhalation. The involvement of Coast Guard forces shall be to a degree commensurate with our personnel and equipment levels. Additionally, the response actions taken shall pose no unwarranted risk to Coast Guard personnel or equipment.

The City:

- a. BFD will send a representative to USCG Station Burlington every six (6) months to tour Station Burlington and its facilities and cutters for the purpose of preparing or updating pre-fire plans and familiarization with hazards. Drills between Station Burlington and BFD should be conducted annually and may include a tabletop exercise, confined space rescue, or an integrated response drill.
- b. Upon receiving a call from USCG Station Burlington, BFD shall dispatch firefighting and emergency medical services equipment and personnel to USCG Station Burlington, as determined and directed by BFD.
- c. BFD equipment and personnel shall report to the location reported by the USCG Station Burlington representative and shall be escorted by the USCG Station Burlington representative to the location of the emergency.
- d. All actions of BFD fire and rescue equipment and personnel in responding to the emergency shall be at the sole direction of the BFD.
- e. The City shall make best efforts to address emergency response needs to small craft and to account for this in the pre-fire plans; however, the Parties agree that the City shall not be liable to providing firefighting services to small craft above and beyond industry custom or operational feasibility.
- f. Following all emergency responses under this MOA, FPD shall forward a copy of the incident report in its customary format to the USCG POCs in paragraph 5.
- g. A designated representative of the City shall request fire or emergency medical equipment and personnel by telephone to the USCG Station Burlington POC.
- h. Where USCG vessels are deployed to assist the City, BFD's response to waterborne emergencies shall be commensurate with operational feasibility and staff capability as determined by the Chief Engineer or designee.

5. POINTS OF CONTACT.

- a. The USCG points of contact are: :
Station Burlington Safety Manager
Depot Street
Burlington, VT 05401
(802) 951- 6760

Station Burlington Officer In Charge
1 Depot Street
Burlington, VT 05401
(802) 951- 6760

- b. The BFD are:
Michael Curtin
Deputy Chief of Operations
136 So. Winooski Ave.
Burlington, VT 05401
(802) 658-7660
mcurtin@burlingtonvt.gov

Mathew Stone
Fire Marshal
Burlington Fire Department
132 North Ave
Burlington, VT 05401
(802) 864-5577 Ext 1
mstone@burlingtonvt.gov

BFD SHIFT COMMANDER
136 S. WINOOSKI AVE
BURLINGTON, VT 05401
(802) 658-7661

- c. Each Party may change its point of contact upon reasonable notice to the other Party.
6. **FUNDS AND STAFFING.** This MOA does not document the obligation of funds between the Parties. The obligation of funds by the Parties, resulting from this MOA, is subject to the availability of funds pursuant to the DoD Financial Management Regulation and other applicable laws and regulations. No provision in this MOA will be interpreted to require obligation or payment of funds in violation of the Anti-Deficiency Act, Section 1341 of Title 31, United States Code.
7. **PERSONNEL.** Each Party is responsible for all costs of its personnel, including pay and benefits, support, and travel. Each Party is responsible for supervision and management of its personnel.
8. **OTHER PROVISIONS.**
- a. Reimbursement to the BFD for the cost of firefighting on USCG Cutters is governed by section 2210, title 15, United States Code (U.S.C.), and the implementing regulations set forth in title 44, part 151, of the Code of Federal Regulations (CFR). Any such claim for reimbursement for firefighting costs might also include costs associated with emergency medical services to the extent normally rendered by a fire service in connection with a

fire. Otherwise, all costs incurred by a party in furnishing fire protection and responding to any actual or potential emergency, for or on behalf of the other party, shall be borne by the party providing the protection or responding to the emergency. Notwithstanding, each Party shall remain responsible for costs incurred by it during the course of emergency response even if it is not the primary responding agency.

- b. The USCG is prohibited by law from entering into any indemnification agreements. However, the USCG may be liable for damage to or loss of property, personal injury, or death arising from official activity to the extent provided for and in the manner prescribed by the Federal Tort Claims Act or other applicable law.
- c. The USCG is an agency of the Federal government, and, as such, is self-insured for tort and contract liability or any other damages caused by the official activities of the U.S. Coast Guard.
- d. The City of Burlington is a political subdivision of the State of Vermont and is self-insured. Any claim against the City of Burlington shall be submitted in accordance with the notice of claims provisions of the Code of Vermont.
- e. No agency relationship is created. BFD employees shall not be deemed Federal officers, or employees of the Federal government as defined and provided for in title 5, United States Code for any purposes. No employee of BFD shall be deemed to be a Federal employee for the purposes of any law or regulation administered by the office of personnel management, nor shall any such BFD employee be entitled to any additional pay, allowance, or inducement from the Federal government. Nothing in this provision creates any employment status or requires the United States to provide any employment or disability benefits payable to any BFD employee.
- f. In order to conform to the requirements of the USCG relative to release of public information, requests for information relative to fires at the USCG Station Burlington will be referred to the Public Information Officer of the First Coast Guard District. Notwithstanding, the City shall respond to all Public Records Act or federal law equivalent for records regarding response in accordance and compliance with applicable law.

9. **CONFLICTS OF LAW OR POLICY.** Nothing in this MOA is intended to conflict with current law or regulation or the directives of the USCG, the Department of Homeland Security, or the City. If a term of this MOA is inconsistent with such authority, then the term shall be invalid, but the remaining terms and conditions of this MOA shall remain in full force and effect.

10. **MODIFICATION AND REVIEW OF AGREEMENT.** This MOA will be reviewed annually on or around the anniversary of its effective date for financial impacts and every five years in its entirety. This MOA may be modified or amended through formal modifications with the Parties' written consent. Only the approving officials who signed this MOA may approve a modification with a signed amendment to the agreement.

11. **TRANSFERABILITY.** This MOA is not transferable except with the written consent of the Parties. This MOA is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law or otherwise by any Party against the Parties, their parent agencies, the United States or the officers, employees, agents, or other associated personnel thereof.

12. **DISPUTES.** Any disputes relating to this MOA will, subject to any applicable law, Executive Order, Directive, or Instruction, be resolved by consultation between the Parties or in accordance with this MOA and those which may be binding on other Parties signatory to this MOA.
13. **ENTIRETY OF AGREEMENT.** This MOA, consisting of 6 pages, represents the entire and integrated MOA between the Parties, and supersedes all prior negotiations, representations, and agreements, whether written or oral on the subject
14. **EFFECTIVE DATE.** The terms of this MOA will become effective upon last signature by all parties.
15. **EXPIRATION DATE.** This MOA expires five years from the date of execution unless extended by the Parties in writing.
16. **TERMINATION.** The terms of this MOA as modified with the consent of both Parties, will remain in effect until five years from its effective date. The MOA may be extended by the mutual written agreement of the Parties. Either Party may terminate this MOA upon 30 days written notice to the other Party.

INTENTIONALLY LEFT BLANK - SIGNATURE PAGE FOLLOWS

17. **APPROVED BY:**

For the Coast Guard:

Nicholas McGowen, Senior Chief
Officer in Charge
United States Coast Guard Station Burlington
Burlington, VT 0401
Date: _____

For Burlington Fire Department:

Michael LaChance
Fire Chief
Burlington Fire Department
136 So. Winooski Ave.
Burlington, VT 05401

Date: _____

Board of Finance and City Council Submission Checklist

Version: April 2025

Department: Fire Department Submitter: DC Michael Curtin

Title/Subject: United States Coast Guard Station Burlington and Burlington Fire Department MOA

Approval Requested:

☐ Board of Finance

☒ City Council

☐ Both BOF and Council

Meeting Date:

Click or tap to enter a date.

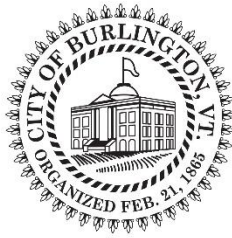
5/12/2025

Click or tap to enter a date.

Instructions

1. This form must be completed by the person submitting the materials.
2. This form must be sent with the final submission of materials in advance of the meeting.
3. Do not indicate that a sign-off was received until it has actually been obtained.
4. Commission reports and presentations do not need to be reviewed by the CAO or Attorneys.
5. Name the reviewing Attorney or HR Manager in the Note column.

Signoff Needed	Received?	Approval Date	Note
Department Head	Yes	4/16/2025	Click or tap here to enter text.
Mayor's Office	Yes	5/1/2025	Erin Jacobsen
Board/Commission	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office for memo and contracts or legal documents	Yes	4/16/2025	Hayley McClenahan
City Attorney's Office for memo and motion(s) or resolution(s)	Yes	5/1/2025	Hayley McClenahan
CAO for budget, financing, and memo	N/A	Click or tap to enter a date.	Click or tap here to enter text.
Human Resources, if personnel action or policy	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if IT-related	N/A	Click or tap to enter a date.	Click or tap here to enter text.



To: Burlington City Council
From: Kara Alnasrawi, Director of Business & Workforce Development
CC: Mayor Mulvaney-Stank
Katherine Schad, CAO
Chapin Spencer, DPW Director
Doreen Kraft, BCA Director
Date: May 12, 2025
Re: Temporary Gift of Burlington High School Student Art

Background:

Students from the Burlington High School's City & Lake Semester program are working with the high school's artist-in-residence to create a student screen printed collage. Involved BHS teachers reached out to the City to convey the student's request that the resulting art piece be hung on or near the Church Street Marketplace.

The students creating the art (juniors and seniors) will not be attending high school in the new BHS facility which will open in the fall of 2026. They would therefore like to gift their art piece temporarily to the City with the aim of having it be rehung in the new high school when it is operational.

The City team has identified the wall opposite the "jungle mural" in Leahy Way as an appropriate spot to hang the gifted art. Chapin Spencer, Director of Public Works, has consented to allow the piece to be anchored on this wall which is the property of DPW. The Church Street Marketplace team is happy to assist in hanging the art, consulting on an anti-graffiti coating, and hosting a small student, teacher, and parent art hanging event on Wednesday, May 14th from 11:30am to 1:00pm.

The artwork will remain in Leahy Way for not more than 18 months. The artwork will then be removed by Marketplace staff and given back to Burlington High School in order to be hung in their new facilities which are slated to open in the fall of 2026.

Additional Documents:

Gift Acceptance Agreement

Resolution:

The Business and Workforce Development Office requests that the City Council resolve to accept a temporary gift of a collaborative Burlington High School student art piece to be hung in Leahy Way on Department of Public Works property for no longer than 18 months, at which point the art will be removed and reinstalled in the new Burlington High School subject to review and approval by the City Attorney's Office.

GIFT ACCEPTANCE AGREEMENT

Art in Public Places City of Burlington

THIS AGREEMENT is made and entered into this date by and between the City of Burlington, through Burlington City Arts (the “City”) and Burlington High School (“the Artist”), with a physical address in the State of VT located at 67 Cherry Street, Burlington, Vermont 05408 (together, “the Parties”). This Agreement outlines the terms and conditions upon which the Artist will donate a certain work of Art to the City.

WHEREAS, the Artist wishes to create a temporary work of art, “Screen Print Collage”, as further described in Attachment A (“the Work”), to be completed by Burlington High School Students; and

WHEREAS the Artist has agreed to undertake the design, creation, and fabrication of the Work; and

WHEREAS, such Artist wishes to gift the Work to the City for the ultimate benefit of the City to have and display as a work of public art; and

WHEREAS, the Artist agrees that the City is not obligated to provide maintenance to the work once it is created;

WHEREAS, the Artist waives VARA rights described below; and

WHEREAS, the City wishes to accept the Work from the Artist in furtherance of public art being available for public enjoyment in the City.

WHEREAS, the City wishes to temporarily display the “Screen Print Collage” for a period of not more than 18 months at which point Burlington High School will reclaim the work of art.

NOW THEREFORE, in recognition and incorporation of the above and other good and value consideration, the Parties agree as follows:

1. AUTHORITY AND APPLICABILITY

Authority to enter into this Agreement exists in the City Charter. Required approvals, clearance, and coordination have been accomplished from and within each Party. Notwithstanding, the City must receive necessary authorization from the City Council before acceptance of the gift as described in sections 6 and 7. If the City is unable to obtain such authorization, it shall notify the Artist in writing prior to delivery of the Work to the installation site, acceptance of the Work, or remittance of an invoice as required herein. In the event that such notification is provided, this Agreement and all obligations herein shall be deemed voided and canceled.

2. EFFECTIVE DATE AND TERM

A. **Effective Date.** This Agreement shall not be valid or enforceable until the Effective Date. The City shall not be bound by any provision of this Agreement before the Effective Date and shall have no obligation or expense incurred before the Effective Date or after the expiration or termination of this Agreement, beyond those items which endure indefinitely.

B. **Term.** This Agreement and the Parties respective performance shall commence on the Effective Date and except for those provisions that endure, shall end on the last day of December 2026 or sooner if terminated as provided for herein.

3. **DEFINITIONS**

A. **“Effective Date”** means the date on which this Agreement is approved and signed by the City, as shown on the signature page of this Agreement.

B. **“Party”** means the City or the Artist and **“Parties”** means the City and the Artist.

C. **“The Work”** means the temporary artwork set forth in this Agreement and described more fully in the Gift Summary (Attachment A).

4. **AGREEMENT DOCUMENTS AND ORDER OF PRECEDENT**

The Agreement Documents are hereby adopted, incorporated by reference, and made part of this Agreement. The intention of the Agreement Documents is to establish the necessary terms, conditions, labor, materials, equipment, and other items necessary for the proper execution and completion of the Work to ensure the intended results.

The following documents constitute the Agreement Documents:

Attachment A: Gift Summary

To the extent a conflict or inconsistency exists between the Agreement Documents, or provisions therein, then the Agreement takes precedent.

5. **SECTION & ATTACHMENT HEADINGS**

The article and attachment headings throughout this Contract are for the convenience of City and the Artist and are not intended nor shall they be used to construe the intent of this Contract or any part hereof, or to modify, amplify, or aid in the interpretation or construction of any of the provisions hereof.

6. **RESPONSIBILITIES OF THE ARTIST**

The Artist agrees to create and oversee the installation of the temporary artwork for the City as set forth in this Agreement and the Attachment A: Gift Summary. The Artist shall provide all labor and materials necessary to perform the work as set forth in the Specifications of Work and all associated costs, including but not limited to professional fees, supplies, transportation and travel, and insurance. The timing of the installation will be in coordination with the City.

Artist agrees that title and ownership of the Work shall be conferred upon the City and the City shall be the sole owner of the Work, subject to rights retained by the Artist as described in Section 11 (Artist’s

7. RESPONSIBILITIES OF CITY

- A. **Site Preparation.** The City agrees to prepare the site and coordinate the work to be completed prior to delivery of the Work. Installation: The City agrees to assist with installation of the “screen print collage” in Leahy Way on City property.

8. MAINTENANCE

The Artist acknowledges and agrees that, upon completion of the Work, the City shall have no obligation to provide maintenance, conservation, or repair of the Work. The City shall not be liable for any costs associated with ongoing upkeep, repairs, or restoration, nor shall the City be required to take any action to preserve the Work against natural or human-caused deterioration. The Artist understands that the Work may be subject to factors that may impact its appearance and longevity. The City reserves the right, at its sole discretion, to relocate, remove, store, modify, or decommission the Work at any time, without any obligation to repair or restore it to its original condition.

9. WAIVER

A Party’s failure or delay in exercising any right, power, or privilege under this Agreement, whether explicit or by lack of enforcement, shall not operate as a waiver, nor shall any single or partial exercise of any right, power, or privilege preclude any other or further exercise of such right, power, or privilege.

10. RELEASE

Artist agrees that they are participating in a project on City’s property and therefore they maintain no interest therein, and shall restore the property to its prior condition or as close as reasonably practicable when done, save for the product of the approved project. Neither the artist nor any officer, employee, or agent thereof is an employee of the City, and the City is not responsible for payment of taxes on the Artist’s behalf, for covering the artist under the City’s policy of worker’s compensation, or for provision of any employment benefit of any kind or nature. The Artist accepts all conditions of the city’s premises as-is and knowingly and voluntarily releases and forever discharges from any and all claims, rights, causes of action, demands, fees, costs, expenses, and liabilities of any kind against the City whatsoever arising from or pertaining to the artist’s participation in the above-described project whether known or unknown at the time of signing, including attorneys’ fees.

11. FORCE MAJEURE

If either party is unable to perform any of its obligations hereunder due to any act of God, fire, casualty, flood, war, strike, shortage or any other cause beyond its reasonable control, and if such party uses reasonable efforts to avoid such occurrence and minimize its duration and gives prompt notice to the other

party, then the affected party's performance shall be excused and the time for its performance shall be extended for the period of delay or inability to perform.

12. ARTIST'S RIGHTS AND THE VISUAL ARTISTS RIGHTS ACT

The Work may be considered to be a temporary "work of visual art" subject to the provisions of the Visual Artists Rights Act of 1990 ("VARA"), codified at 17 U.S.C. §106A(a), which grants certain authors with rights to attribution and integrity.

The Artist hereby agrees that the City of Burlington has the absolute right to change, modify, destroy, remove, relocate, move, replace, transport, repair, or restore the Work, in whole or in part, in the City's sole discretion. If the City wishes to change, modify, destroy, remove, relocate, move, replace, transport, repair, or restore the Work, in whole or in part, it may proceed without permission from the Artist. The City shall in good faith attempt to contact the Artist in writing and notify the Artist of the intended action.

The Artist agrees to promptly notify the City of changes to the Artist's address.

For any change, modification, destruction, removal, relocation, move, replacement, transportation, repair, or restoration of the Work, in whole or in part, which is made during the lifetime of the Artist, the City shall attempt in good faith to obtain the mutual agreement of the Artist. If the City and the Artist cannot agree after a reasonable period of negotiation, the City may proceed with its intended action after providing the Artist with written notice that it intends to proceed without agreement and that the Artist may request that the Work no longer be attributed to the Artist.

Should the Artist fail to notify the City of a change of address or fail to respond within thirty days of receipt to written notice from the City as described above, the Artist hereby agrees that the City of Burlington has the absolute right to change, modify, destroy, remove, relocate, move, replace, transport, repair, or restore the Work, in whole or in part, in the City's sole discretion. By signing this agreement the Artist further agrees that failure to respond within thirty days of receiving written notice from the City shall constitute waiver of the following rights conferred by VARA:

1. All rights to prevent any intentional distortion, mutilation, or other modification of that work which would be prejudicial to his or her honor or reputation, pursuant to 17 U.S.C. §106A(a)(3)(A);
2. The right to prevent any destruction of a work of recognized stature pursuant 17 U.S.C. §106A(a)(3)(B) if the artist is given notice and an opportunity to recover the Work from the City for a cost not to exceed the cost of destruction of the Work as determined by the City.
3. Nothing in this section shall limit the right of the Artist at any time to request that the Artist's name be removed from the Work and that the Work no longer be represented as the Artist's, pursuant to 17 U.S.C. § 106A(a)(1) or 17 U.S.C. § 106A(a)(2).

13. PUBLIC EMERGENCIES

The Artist are advised that public emergencies, as declared by the City, the State of Vermont, or the Federal Government may introduce significant uncertainty into the project. The Artist must comply with all local, state, federal orders, directives, regulations, guidance, and advisories during a public emergency. If a public emergency is declared, the Artist shall be responsible for creating and following a public emergency plan that manages risks and mitigate potential impacts to the health and safety of the public, the City, and the Artist's and sub-contractor's workers, and provides a means to adjust the schedule and sequence of work should the emergency change in nature or duration. The Artist must provide the plan to the City for approval prior to the beginning or resumption of work. If the Artist fails to comply with either 1) the approved public emergency plan, or 2) any local, state, federal orders, directives, regulations, guidance, or advisories during a public emergency, the City may stop work under the Agreement until such failure is corrected. Such failure to comply shall constitute breach of the Agreement. If a public emergency is declared, the City will not be responsible for any delays related to the sequence of operations or any expenses or losses incurred as a result of any delays. Any delays related to a public emergency will be excusable, but will not be compensable.

14. PUBLIC RECORDS

Any and all records submitted to the city, whether electronic, paper, or otherwise recorded, are subject to the Vermont Public Records Act. The Artist agrees to retain, in company files, all documents, records, and other evidence pertaining to costs incurred for work performed under this Agreement for a period of at least three (3) years after the termination of this agreement, unless otherwise notified by the City. The determination of how those records must be handled is solely within the purview of city. All records considered to be trade secrets, as that term is defined by subsection §317(c)(9) of the Vermont Public Records Act, shall be identified, as shall all other records considered to be exempt under the act. It is not sufficient to merely state generally that the proposal is proprietary or a trade secret or is otherwise exempt. Particular records, pages or section which are believed to be exempt must be specifically identified as such and must be separated from other records with a convincing explanation and rationale sufficient to justify each exemption from release consistent with section §317 of Title 1 of the Vermont Statutes Annotated.

15. SEVERABILITY

The invalidity or unenforceability of any provision of this Agreement or the Agreement Documents shall not affect the validity or enforceability of any other provision, which shall remain in full force and effect, provided that the Parties can continue to perform their obligations under this Agreement in accordance with the intent of this Agreement.

16. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement and understanding of the parties with respect to the

subject matter of this Agreement. Prior or contemporaneous additions, deletions, or other changes to this Agreement shall not have any force or effect whatsoever, unless embodied herein

17. SIGNATURE

For the Artist:

[DULY AUTHORIZED]	Date
-------------------	------

For the City:

[DULY AUTHORIZED]	Date
-------------------	------

Kara Alnasrawi

**Attachment A:
Gift Summary**

Screen print collage created by Burlington High School Students under the supervision of the school's artist in residence, Brittany Mae.

Board of Finance and City Council Submission Checklist

Version: April 2025

Department: Business & Workforce Development Submitter: Kara Alnasrawi

Title/Subject: BHS Temporary Gift of Art

Approval Requested:

- ☐ Board of Finance
☒ City Council
☐ Both BOF and Council

Meeting Date:

Click or tap to enter a date.
Click or tap to enter a date.
Click or tap to enter a date.

Instructions

1. This form must be completed by the person submitting the materials.
2. This form must be sent with the final submission of materials in advance of the meeting.
3. Do not indicate that a sign-off was received until it has actually been obtained.
4. Commission reports and presentations do not need to be reviewed by the CAO or Attorneys.
5. Name the reviewing Attorney or HR Manager in the Note column.

Signoff Needed	Received?	Approval Date	Note
Department Head	Yes	5/5/2025	Kara Alnasrawi
Mayor's Office	Yes	5/7/2025	Joe Magee
Board/Commission	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office for memo and contracts or legal documents	Yes	5/6/2025	Emmett Wood
City Attorney's Office for memo and motion(s) or resolution(s)	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
CAO for budget, financing, and memo	Yes	5/7/2025	Katherine Schad
Human Resources, if personnel action or policy	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if IT-related	Choose an item.	Click or tap to enter a date.	Click or tap here to enter text.



Office of Racial Equity, Inclusion, and Belonging (REIB)

Date: April 5, 2025

To: Burlington City Council

From: Christian Berry, Interim Director

Re: REIB Update

Dear City Councilors:

As the Office of Racial Equity, Inclusion, and Belonging (REIB) enters our fifth year, we are embracing the opportunities ahead while acknowledging the challenges that still persist, particularly in light of the current federal administration's attacks on diversity, equity, and inclusion initiatives, as well as drastically increased immigration enforcement. Our commitment to advancing equity and social justice remains steadfast as we champion diversity, inclusion, belonging, and anti-racism in the face of these challenges. This situation echoes the racially motivated events of 2020 that underscored the pressing need for the establishment of this office. As we align our efforts with our newly defined vision and purpose statements, the REIB is focused on implementing key strategic priorities over the next year. These priorities will guide our work in advancing equity and social justice while enhancing community engagement and representation across city government.

As we wrap up our FY25 goals, we are excited for a transformative programmatic year in FY26, where we will set objectives, hire a full-time permanent Director, two more Program Directors, and an Administrative and Financial Coordinator, which will allow us to further advance our vision and purpose. Please read below for an update on the direction of the office.

Vision and Purpose Redesign

Between August 2024 and November 2024, the REIB embarked on an enriching journey to engage with community members around the City's commitment to racial equity, diversity, inclusion, and accessibility work. In partnership with local community organizations and city departments, we hosted seven (7) Vision and Purpose Community Conversations throughout the city. These sessions were strategically hosted in different neighborhoods and near public transportation routes in an effort to ease the burden on community members by offering sessions where they are. Each community engagement session we held served as an opportunity to gather diverse threads – voices, stories, and perspectives from individuals across our community. As participants came together, they brought with them their unique experiences and insights, reflecting the rich diversity of our city and those we serve.

All of the sessions were hybrid to accommodate the needs of our community members and information pertaining to the sessions was shared through multiple channels. Through focused discussion, which included key objectives and impactful questions, we



engaged in meaningful dialogues that illuminated the challenges and opportunities surrounding racial equity, inclusion, and accessibility work across the city. These sessions were designed not just as listening posts, but as collaborative spaces where everyone was encouraged to share their thoughts and ideas.

The Vision and Purpose sessions, along with targeted surveys, provided essential data to inform the redesign of the Racial Equity, Inclusion, and Belonging (REIB) Office's Vision and Purpose statements, personnel, and programmatic priorities. The work of the REIB is not static; it is a living, evolving thread of city government that reflects our collective commitment to racial equity, inclusion, and belonging. As we move forward, we are dedicated to continually weaving in new threads, ensuring that our city remains strong, resilient, and reflective of the diverse voices within our community.

Vision: We are a Burlington where all community members are actively engaged and represented in local government, cultivating an inclusive and safe community for all.

Purpose: The Office of Racial Equity, Inclusion, and Belonging is committed to advancing equity and social justice by championing diversity, inclusion, belonging, and anti-racism. We focus on enhancing representation in city government through decision-making bodies, community engagement initiatives, and policy development processes.

What We Do: Equity is everyone's responsibility, and the Office of Racial Equity, Inclusion and Belonging (REIB) supports city departments and stakeholders in advancing their equity efforts through education and training, policy guidance, and the development of resources and mentorship programs. Additionally, the REIB prioritizes recruitment and retention strategies to ensure our city governance and workforce are reflective of the communities we serve, fostering this representation at every level of city governance.

Strengthening Office Infrastructure

To effectively advance our initiatives, it is crucial to shore up the infrastructure of the REIB office through the hiring of a permanent director and program staff. This effort will ensure our office has the leadership and capacity needed to build on the priorities outlined in a 2020 City Council resolution on racial justice, as well as the programmatic priorities that were developed as part of our Vision & Purpose work. We will focus on establishing programmatic areas that address education and training, policy development and analysis, and health equity, which will be essential for sustaining our long-term impact.

Our commitment to strengthening the REIB is reflected in the Mayor's decision to shift the funding of five (5) FTEs from one-time funds to the City's general fund. Shifting to funding through the general fund carries significant implications for the REIB's



initiatives. This transition provides more stable and ongoing financial support compared to one-time grants, allowing the office to implement long-term strategies and initiatives rather than relying on short-term projects. With a dedicated budget from the general fund, the REIB can expand its capacity by hiring staff, such as a permanent director and key program staff, enhancing our ability to execute programs, engage with the community, and effectively address systemic inequities. Moreover, this funding alignment reflects the city's priorities and commitment to equity and social justice, ensuring that the REIB's work is directly tied to the broader goals of Mayor Mulvaney-Stanak's administration. Transitioning to general fund support also elevates the REIB's credibility within city government and among community members, signifying a commitment from city leadership to invest in diversity, equity, and inclusion initiatives, fostering greater community trust. With sustained funding, the REIB can respond more readily to emerging issues and community needs related to racial equity and social justice, allowing for greater agility in adapting our strategies.

Increasing Representation Across City Government

Increasing representation across all levels of city government is a central tenet of our work. We are focused on engaging historically marginalized groups, including BIPOC individuals, LGBTQIA+ folx, immigrants, refugees, and youth in decision-making bodies, community engagement initiatives, and policy development processes. This representation is vital, as it ensures that the voices and perspectives of those most impacted by city policies and programs are included. Through their involvement, we can develop more equitable and effective solutions that better serve our entire community.

We will develop intentional outreach initiatives to ensure that historically marginalized communities are actively engaged in the City's decision-making bodies. This includes organizing inclusive and accessible forums, town halls, and focus groups to gather input and promote collaboration between city government and community members. Additionally, we will utilize the REIB City Council Committee's monthly meetings as a platform to highlight the perspectives and needs of underrepresented groups, facilitating direct dialogue between community members and city officials. By increasing representation in these spaces, we aim to empower voices that influence city policies and programs.

Assessing and Aligning Organizational Culture

Conducting a comprehensive assessment of the City's organizational culture will be a key focus area in FY26. This assessment will evaluate how well our current practices align with our commitment to equity, inclusion, and belonging. We aim to build upon the findings from the 2020 Training and Development Needs Assessment conducted by our Human Resources (HR) Department to identify areas where further training and support are necessary. By ensuring alignment with the REIB's vision and purpose across city departments, we can foster a culture that prioritizes diversity and anti-racism. Our



goal is to implement strategies that address identified gaps, create a more inclusive workplace for city employees, and reinforce the values that support both individual and organizational growth in serving our diverse community. This alignment will help cultivate a workplace environment where every employee feels valued and empowered to contribute to the city's purpose.

Developing Equitable Policy Frameworks

Our commitment to advancing equity and social justice through diversity, inclusion, belonging, and anti-racism is fundamental to our new vision and purpose statements, which emphasize the importance of actively engaging and representing all members of our community. To operationalize these principles, we will establish a policy framework that embeds equity in all aspects of policy development, implementation, and review.

This framework will ensure that proposed policies are evaluated not only for their operational feasibility but also for their potential impact on marginalized communities. We will develop guidelines and best practices designed to help city staff proactively identify and mitigate any adverse effects on diverse populations. Additionally, we will conduct training sessions to educate city employees on these guidelines, fostering a shared understanding of the importance of integrating equity and inclusion into every stage of the policy-making process. By directly aligning our policy work with our vision and purpose, we aim to create equitable outcomes that reflect the values of our community and contribute to a more just city.

Strengthening Partnerships with Community Organizations

Building strong partnerships with community organizations is essential for advancing our vision of a Burlington where all community members are actively engaged and represented in local government. By collaborating with local organizations, we aim to ensure that our initiatives and programs are informed by the voices and needs of those we serve, particularly marginalized and underserved groups.

Through these partnerships, we will facilitate resource-sharing and collaborative initiatives that promote community empowerment. This may include joint workshops, outreach events, and training sessions that not only inform community members of available city resources but also provides them with tools and skills to advocate for their communities. By working together with community-based organizations, we can leverage their expertise and local knowledge to co-create culturally relevant programs that resonate with diverse populations.

Moreover, strengthening these partnerships helps build trust between city staff and community members, fostering an environment where collaboration is valued and encouraged. This trust is vital for increasing community engagement and ensuring that city policies reflect the true needs of everyone. By aligning our partnership efforts with our vision and purpose, we reinforce our commitment to creating a more equitable and inclusive Burlington, where every individual feels empowered and valued.



Implementing Ongoing Education and Training Programs for City Staff

Implementing ongoing education and training programs for city staff is crucial for advancing our vision of a Burlington where all community members are actively engaged and represented in local government. By collaborating with our Human Resources Department, we will develop comprehensive education and training programs that equip staff with the knowledge and skills necessary to effectively serve a diverse community and foster a culture of inclusivity within city operations. Fostering this culture of continuous learning will empower employees to recognize and address systemic barriers affecting marginalized communities, ultimately enhancing community engagement and representation throughout the city.

Furthermore, we will establish a continuous community of practice where employees can share experiences, discuss challenges, and exchange best practices related to equity and inclusion. By fostering an environment where staff members feel comfortable discussing these topics and seeking growth, we can strengthen their commitment to our vision and purpose.

Ultimately, by investing in the education and training of our staff, we are not only fulfilling our commitment to diversity and inclusion but also ensuring that city services and policies reflect the needs of all members of our community. This alignment will enhance our ability to create a Burlington where everyone feels valued and has the opportunity to thrive.

Recommended Action Motion to adopt the consent agenda and take the actions indicated

2.1. Motion to adopt the consent agenda and take the actions indicated

Motion made by Commissioner Broderick, seconded by Commissioner Bergman, to adopt the consent agenda and take the actions indicated. Motion passed unanimously.

Subject **2.2. First, Second, Third Class Liquor License and Outside Consumption Permit Renewals (2025-2026): see attached list**

Meeting April 28, 2025 - Local Control Commission Meeting - Monday, April 28, 2025, 7:30 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 2. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)

Recommended Action approve the 2025-2026 First, Second, Third Class Liquor License and Outside Consumption Permit Renewals as listed with all standard conditions

2.2. First, Second, Third Class Liquor License and Outside Consumption Permit Renewals (2025-2026): see attached list

Subject **2.3. Festival Permit Application (two days only): Vermont Brewers, Waterfront Park, July 18 (5:30 pm - 9:30 pm) and July 19, 2025 (12:00 pm - 9:30 pm)**

Meeting April 28, 2025 - Local Control Commission Meeting - Monday, April 28, 2025, 7:30 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 2. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)

Recommended Action approve the two day only Festival Permit Application for Vermont Brewers, Waterfront Park, July 18 (5:30 pm - 9:30 pm) and July 19, 2025 (12:00 pm - 9:30 pm)

2.3. Festival Permit Application (two days only): Vermont Brewers, Waterfront Park, July 18 (5:30 pm - 9:30 pm) and July 19, 2025 (12:00 pm - 9:30 pm)

3. Deliberative Agenda

3. Deliberative Agenda

Subject **3.1. First and Third Class Liquor License Applications (2025-2026): Riot Hospitality, d/b/a The District, 400 Pine Street**

Meeting April 28, 2025 - Local Control Commission Meeting - Monday, April 28, 2025, 7:30 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 3. Deliberative Agenda

Department Clerk/Treasurer's Office

Type Action

Recommended Action approve the 2025-2026 First and Third Class Liquor License Applications for Riot Hospitality, d/b/a The District, 400 Pine Street with all standard conditions

3.1. First and Third Class Liquor License Applications (2025-2026): Riot Hospitality, d/b/a The District, 400 Pine Street

Motion made by Commissioner Broderick, seconded by Commissioner Schachter, to approve the motion as presented. Motion passed unanimously.

Subject 3.2. Outside Consumption Permit Application (2025-2026): Riot Hospitality, d/b/a The District, 400 Pine Street

Meeting April 28, 2025 - Local Control Commission Meeting - Monday, April 28, 2025, 7:30 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 3. Deliberative Agenda

Department Clerk/Treasurer's Office

Type Action

Recommended Action approve the 2025-2026 Outside Consumption Permit Application for Riot Hospitality, d/b/a The District, 400 Pine Street

3.2. Outside Consumption Permit Application (2025-2026): Riot Hospitality, d/b/a The District, 400 Pine Street

Motion made by Commissioner Broderick, seconded by Commissioner Schachter, to approve the motion as presented. Motion passed unanimously.

4. Adjournment

4. Adjournment

Subject 4.1. Motion to adjourn

Meeting April 28, 2025 - Local Control Commission Meeting - Monday, April 28, 2025, 7:30 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 4. Adjournment

Department Council and Board

Type Action
Procedural

Recommended Action Motion to adjourn

4.1. Motion to adjourn

City Council President Traverse adjourned the meeting at 8:02 pm

Type	Action Procedural
Recommended Action	Motion 1: Move that the Council find that premature general public knowledge of legal advice and information concerning the details of “pending and/or potential” litigation to which the City is a party or has a stated interest would clearly place the City at a substantial disadvantage; Motion 2: Based upon that finding, move that the Council go into executive session to receive confidential attorney-client communications, 1 VSA §313(a)(1)(F), in pending litigation matters, 1 VSA §313(a)(1)(E), including representatives from the Mayor’s Office and the City Attorney’s Office.

2.1. Litigation Update

Motion 1 made by Councilor McKnight, seconded by Councilor Schachter. Motion passed unanimously.

Motion 2 made by Councilor McKnight, seconded by Councilor Litwin. Motion passed unanimously.

Executive Session start time: 6:06 pm

3. Public Forum: Time Certain: 6:30 pm **See above for signup instructions**

3. Public Forum: Time Certain: 6:30 pm **See above for signup instructions**

City Council President Traverse opened Public Forum at 6:25 pm

City Council President Traverse closed Public Forum at 8:00 pm

Subject	3.1. Verbal Comments
Meeting	April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	3. Public Forum: Time Certain: 6:30 pm **See above for signup instructions**
Department	Council and Board
Type	Action Procedural

3.1. Verbal Comments

BTV residents (in person):

Brett Yates: in support of 8.5

Michelle Segalchik: in support of 8.5

Kate O'Neill: in support of 8.4

Jackson Francis: in support of 8.5

Wafic Faour: in support of 8.5 (owner of Burlington properties)

Sarah Russell: in support of 8.4

Amy Malinowski: in support of 8.5

Su Ughetti: in support of 8.5

Douglas Phinney: in support of 8.5

Paul Fleckenstein: in favor of 8.5

Antonio Golan: in support of 8.5

Evelyn Huffine: in support of 8.5

Ashley Smith: in favor of 8.4 and 8.5

Jack Kelley: in support of 8.5

Mazhar Quraishi: in support of 8.5

Alyssa Bada: in support of 8.5 and 8.4

Colin Palmer: in support of 8.5 and 8.4

Vivan Boso - Pyne: in support of 8.4 and 8.5

Ed Baker: in support of 8.4

Nora Aronds: in support of 8.4
 Troy Headrick: in support of 8.4
 Sean (Sasha) Mayo: stickers, OD, homeless
 'Sal' Sally Millichamp: in support of 8.5 and 8.4
 Joanne Ramundo: in support of 8.5
 Gena Zollman: in support of 8.4
 Rachel Bolton: in support of 8.4
 Kathy Olwell: in support of 8.5 and 8.4
 Kit Andrews: in support of 8.5
 Bella Fearn: in support of 8.5 and 8.4
 Sharyl Green: in support of 8.5
 Gretchen Greene: in support of 8.4; motel program
 Dylan Pilcher: in support of 8.5 and 8.4
 Theo Wheeland: in support of 8.5 and 8.4
 Jesse Carpentier: in support of 8.5 and 8.4
 Sara Piette: in support of 8.4
 Melinda White - Bronson: in support of 8.5 and 8.4

BTV residents (on line):

Ambrose Moore: in support of 8.5
 Mark Leopold: in support of 8.5 and 8.4
 Aleya Thomson Feinberg: in support of 8.4 and 8.5
 Eli Clare: in support of 8.5

Non BTV residents (in person):

Sally Lincoln: in support of 8.5
 Cora Honigford: in support of 8.5 and 8.4
 James Marc Lees: in support of 8.5
 Kimberly Blake: in support of 8.4
 Jamie Simmons: in support of 8.4
 Lincoln Heath: in support of 8.4 and 8.5
 Lorraine Zaloom: in support of 8.4 and 8.5

4. Update on 2025 Legislative Session (30 mins.)

4. Update on 2025 Legislative Session (30 mins.)

Subject	4.1. Update on 2025 Legislative Session (30 mins.)
Meeting	April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	4. Update on 2025 Legislative Session (30 mins.)
Department	Mayor's Office
Type	Information Report

4.1. Update on 2025 Legislative Session (30 mins.)

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

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

Subject **5.1. Verbal reports**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 5. Mayor - General City Affairs (to include Climate and Public Health & Safety Emergency Updates: up to 10 mins.)

Department Council and Board

Type Information

5.1. Verbal reports

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

6. City Council - General City Affairs (to include Climate and Public Health & Safety Emergency Updates: up to 5 mins. per Councilor)**Subject** **6.1. Verbal reports**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 6. City Council - General City Affairs (to include Climate and Public Health & Safety Emergency Updates: up to 5 mins. per Councilor)

Department Council and Board

Type Information

6.1. Verbal reports

7. Consent Agenda

7. Consent Agenda**Subject** **7.1. Motion to adopt the consent agenda (as amended) and take the actions indicated**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. 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

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

Motion made by Councilor Litwin, seconded by Councilor Neubieser, to adopt the consent agenda (as amended) and take the actions indicated. Motion passed unanimously.

Subject **7.2. Accountability List - C/T**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM,
Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication
Information

Recommended Action waive the reading, accept the communication and place it on file
7.2. Accountability List - C/T

Subject **7.3. February 10, 2025 Regular City Council Meeting Minutes - C/T**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM,
Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes
7.3. February 10, 2025 Regular City Council Meeting Minutes - C/T

Subject **7.4. February 10, 2025 Local Control Commission Meeting Minutes - C/T**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM,
Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes
7.4. February 10, 2025 Local Control Commission Meeting Minutes - C/T

Subject **7.5. February 10, 2025 Local Cannabis Control Commission Meeting Minutes - C/T**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes

7.5. February 10, 2025 Local Cannabis Control Commission Meeting Minutes - C/T

Subject 7.6. February 18, 2025 Regular City Council Meeting Minutes - C/T

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes

7.6. February 18, 2025 Regular City Council Meeting Minutes - C/T

Subject 7.7. February 18, 2025 Board of Civil Authority Meeting Minutes - C/T

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes

7.7. February 18, 2025 Board of Civil Authority Meeting Minutes - C/T

Subject 7.8. February 18, 2025 City Council WITH Mayor Presiding Meeting Minutes - C/T

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes

7.8. February 18, 2025 City Council With Mayor Presiding Meeting Minutes - C/T

Subject 7.9. March 10, 2025 Regular City Council Meeting Minutes - C/T

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM,
Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes

7.9. March 10, 2025 Regular City Council Meeting Minutes - C/T

Subject 7.10. March 10, 2025 Board of Civil Authority Meeting Minutes - C/T

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM,
Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes

7.10. March 10, 2025 Board of Civil Authority Meeting Minutes - C/T

Subject 7.11. March 10, 2025 Local Control Commission Meeting Minutes - C/T

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM,
Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes

7.11. March 10, 2025 Local Control Commission Meeting Minutes - C/T

Subject 7.12. March 24, 2025 Regular City Council Meeting Minutes - C/T

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM,
Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes

7.12. March 24, 2025 Regular City Council Meeting Minutes - C/T

Subject 7.13. March 24, 2025 Local Control Commission Meeting Minutes - C/T

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM,
Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes

7.13. March 24, 2025 Local Control Commission Meeting Minutes - C/T

Subject 7.14. March 24, 2025 Local Cannabis Control Commission Meeting Minutes - C/T

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM,
Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes

7.14. March 24, 2025 Local Cannabis Control Commission Meeting Minutes - C/T

Subject 7.15. April 7, 2025 City Council Organization Day Meeting Minutes - C/T
Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM,
Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes

7.15. April 7, 2025 City Council Organization Day Meeting Minutes - C/T

Subject 7.16. April 14, 2025 Regular City Council Meeting Minutes - C/T
Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM,
Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes

7.16. April 14, 2025 Regular City Council Meeting Minutes - C/T

Subject 7.17. April 14, 2025 Local Control Commission Meeting Minutes - C/T
Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM,
Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information

Minutes

Recommended Action approve the minutes

7.17. April 14, 2025 Local Control Commission Meeting Minutes - C/T

Subject **7.18. April 14, 2025 Full Board of Abatement of Taxes Meeting Minutes - C/T**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Information
Minutes

Recommended Action approve the minutes

7.18. April 14, 2025 Full Board of Abatement of Taxes Meeting Minutes - C/T

Subject **7.19. DPW - Technical Services Reorganization**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Public Works Department

Type Action (Consent)

Recommended Action To approve the:

- Elimination of the vacant Regular, Full-time, Exempt, Non-Union, Grade 18 Planner position in the Technical Services Division of the Department of Public Works.
- Creation of a Regular, Full-time, Exempt, Non-Union, Grade 19 Associate Public Works Transportation Engineer position in the Technical Services Division of the Department of Public Works

7.19. DPW - Technical Services Reorganization

Subject **7.20. Authorization to Accept Grant Funds for Leddy Park Roller Rink - BPRW**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department	Parks, Recreation, & Waterfront
Type	Action (Consent)
Recommended Action	To approve and authorize the acceptance of grant funds in the amount of \$25,000 from the State of Vermont Buildings and General Services Department for the Leddy Park Roller Rink Project and authorize the Director of Parks, Recreation and Waterfront to execute the grant agreement and all documents necessary to accept the funding, subject to the final review and approval of the City Attorney's Office. To authorize the Chief Administrative Officer, or her designee, to effectuate necessary budget amendments and transfers of funds to create the project budget(s) of \$52,000 for the Leddy Park Roller Rink project.

7.20. Authorization to Accept Grant Funds for Leddy Park Roller Rink - BPRW

Subject	7.21. BTVthanks: Burlington Fire - Event Name: International Firefighter Appreciation Day Community Cookout - Councilor Litwin
Meeting	April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Consent Agenda
Department	Council and Board
Type	Action (Consent)
Recommended Action	To approve the use of up to \$2,000 from the City Council Initiative Fund to celebrate and thank the City's Fire Department, in conjunction with the community, on International Firefighter Appreciation Day.

7.21. BTVthanks: Burlington Fire - Event Name: International Firefighter Appreciation Day Community Cookout - Councilor Litwin

Subject	7.22. Communication: Alex Volk, re: Homeless and drugs
Meeting	April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Communication
Recommended Action	waive the reading and place the communication on file

7.22. Communication: Alex Volk, re: Homeless and drugs

Subject	7.23. Request to Execute a Contract Amendment with Engelberth Construction, Inc (Engelberth) for Project Next the North Concourse Replacement Project, to accept and execute an additional Federal Aviation
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Administration (FAA) Grant Application 3 for construction of the North Concourse Replacement Project "Project NextT" - Airport

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Airport

Type Action (Consent)

Recommended Action To authorize the Director of Aviation,
1. "To execute a contract amendment with Engelberth Construction Inc. in the amount of up to \$6,416,012.00 as allowed by the grant for the construction of Project NextT – North Concourse Replacement Project, subject to review and approval of the City Attorney's Office."
2. "To execute a grant from the Federal Aviation Administration to accept an amount up to \$5,852,172.00 as allowed under the grant, passenger boarding bridges and terminal second floor rehabilitation construction of the North Concourse Replacement Project "Project NEXT" Grant Application 3, subject to review by the City Attorney's Office."

7.23. Request to Execute a Contract Amendment with Engelberth Construction, Inc (Engelberth) for Project NextT the North Concourse Replacement Project, to accept and execute an additional Federal Aviation Administration (FAA) Grant Application 3 for construction of the North Concourse Replacement Project "Project NextT" - Airport

Subject 7.24. Request to Purchase Wheeled Loader Using Passenger Facility Charges (PFC) - Airport

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)

Recommended Action to authorize the Director of Aviation to execute an agreement to purchase one John Deere 844P Wheel Loader from United Construction & Forestry, Inc. in the amount of \$560,000, subject to the review and approval of the City Attorney, and to authorize the Director of Aviation or designee to execute such instruments approved as to form by the City Attorney as may be necessary or convenient to effectuate the purchase

7.24. Request to Purchase Wheeled Loader Using Passenger Facility Charges (PFC) - Airport

Subject 7.25. Communication: Caryn Long, re: Save Burlington Recycling Program

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)
Communication

Recommended Action waive the reading and place the communication on file

7.25. Communication: Caryn Long, re: Save Burlington Recycling Program

Subject 7.26. Fletcher Free Library Restoration & Preservation Project Neagley & Chase Contract, Restoration & Preservation of Windows and Masonry to 1904 building - Library

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)

Recommended Action to approve and authorize the execution by the Director of the Fletcher Free Library of a contract and any related documents needed to carry out said contract with Neagley & Chase for the Restoration & Preservation of Windows and Masonry for the Fletcher Free Library in an amount of \$1,826,700 subject to final review and approval of the City Attorney's Office. Additionally, to approve and recommend that the City Council approve expenditures for a General Project allowance of \$105,000.00 as needed

7.26. Fletcher Free Library Restoration & Preservation Project Neagley & Chase Contract, **Restoration & Preservation of Windows and Masonry to 1904 building - Library**

Subject 7.27. 266 College Street - Permanent License Agreement for Building Amenities - DPW

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Public Works Department

Type Action (Consent)

Recommended Action to approve and recommend that the City Council approve the Encumbrance Application and License Agreement for Greencastle Group LLC, requesting use of the City right-of-way for permanent building amenities and authorize the Mayor and Director of Public Works to take such further actions, and to execute such further instruments approved as to form by the City Attorney, as may be necessary or convenient to effectuate the transactions contemplated hereby

7.27. 266 College Street - Permanent License Agreement for Building Amenities - DPW

Subject **7.28. 260, 266 College St. & 89 S. Union Street - Easement Clarification Agreement - DPW**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Public Works Department

Type Action (Consent)

Recommended Action to approve and recommend that the City Council approve the Easement Agreement between the College Street Parties and the City, and authorize the Mayor and Director of Public Works to take such further actions, and to execute such further instruments approved as to form by the City Attorney, as may be necessary or convenient to effectuate the transactions contemplated hereby

7.28. 260, 266 College St. & 89 S. Union Street - Easement Clarification Agreement - DPW

Subject **7.29. 177 Church Street - Encumbrance Application - Parklet for Outdoor Seating - DPW**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Public Works Department

Type Action (Consent)

Recommended Action to approve and recommend that the City Council approve the Encumbrance Application for Nomads VT, LLC for the installation and use of an outdoor seating parklet at 177 Church Street and authorize the Mayor to execute a License Agreement--approved by the City Attorney's Office--on behalf of the City of Burlington for a term commencing on the date of execution and terminating on October 15, 2025

7.29. 177 Church Street - Encumbrance Application - Parklet for Outdoor Seating - DPW

Subject **7.30. Department of Public Works - 174 South Winooski Ave-- Encumbrance Permit Request**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Public Works Department

Type Action (Consent)

Recommended Action to approve the Encumbrance Application and License Agreement for the sidewalk located off S. Union Street and the public sidewalk and parking stall located on the south side of South Union Street directly to the adjacent of 174 South Winooski for construction activities and equipment staging, and authorize the Mayor to enter into a license agreement with the Applicant for use of the portion of the right-of-way outlined in the Application, subject to review by the City Attorney's Office

7.30. Department of Public Works - 174 South Winooski Ave--Encumbrance Permit Request

Subject 7.31. 111 St. Paul Street - Encumbrance Application - Parklet for Outdoor Seating - DPW

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Public Works Department

Type Action (Consent)

Recommended Action to approve the Encumbrance Application for Devil Takes A Holiday, LLC, for the installation of an outdoor seating parklet at 111 St. Paul Street and authorize the Mayor to execute a License Agreement--approved by the City Attorney's Office--on behalf of the City of Burlington for a term commencing on the date of execution and terminating on October 15, 2025

7.31. 111 St. Paul Street - Encumbrance Application - Parklet for Outdoor Seating - DPW

Subject 7.32. Tobacco and Tobacco Substitute Endorsement Renewals (2025-2026): see attached list **NOW DELIBERATIVE AGENDA ITEM 8.3**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)

Recommended Action approve the 2025-2026 Tobacco and Tobacco Substitute Endorsement Renewals as listed

7.32. Tobacco and Tobacco Substitute Endorsement Renewals (2025-2026): see attached list ****NOW DELIBERATIVE AGENDA ITEM 8.3****

Subject 7.33. Special Event Outdoor Entertainment Permit Application (one day only): Switchback, May 3, 2025, 12 pm - 9 pm, Green Up Vermont

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)

Recommended Action approve the one day only special event outdoor entertainment permit application for Switchback, May 3, 2025, 12 pm - 9 pm, Green Up Vermont

7.33. Special Event Outdoor Entertainment Permit Application (one day only): Switchback, May 3, 2025, 12 pm - 9 pm, Green Up Vermont

Subject 7.34. Special Event Outdoor Entertainment Permit Application (every Friday from May 16 - August 29, 2025): South End Get Down, 377 Pine Street, 5 pm - 11 pm (hours of operation, 5 pm - 9 pm)

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)

Recommended Action approve the special event outdoor entertainment permit application (every Friday from May 16 - August, 2025) for South End Get Down, 377 Pine Street, 5 pm - 11 pm - hours of operation; 5 pm - 9 pm

7.34. Special Event Outdoor Entertainment Permit Application (every Friday from May 16 - August 29, 2025): South End Get Down, 377 Pine Street, 5 pm - 11 pm (hours of operation, 5 pm - 9 pm)

Subject 7.35. Special Event Indoor and Outdoor Entertainment Permit Application (one day only): Plex Art Event, May 24, 2025, set up: 12 pm - 5 pm; event: 5 pm - 12 am, various locations and organizations

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)

Recommended Action approve the one day only Special Event Indoor and Outdoor Entertainment Permit Application for Plex Art Event, May 24, 2025, set up: 12 pm - 5 pm; event: 5 pm - 12 am, various locations and organizations

7.35. Special Event Indoor and Outdoor Entertainment Permit Application (one day only): Plex Art Event, May 24, 2025, set up: 12 pm - 5 pm; event: 5 pm - 12 am, various locations and organizations

Subject 7.36. Special Event Outdoor Entertainment Permit Application (one day only): South End Get Down, June 21, 2025, 5 pm - 10 pm - hours of operation: 5 pm - 9 pm, parking lot of Brian's Auto, 98 North Avenue

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)

Recommended Action approve the one day only Special Event Outdoor Entertainment Permit Application for South End Get Down, June 21, 2025, 5 pm - 10 pm - hours of operation: 5 pm - 9 pm, parking lot of Brian's Auto, 98 North Avenue

7.36. Special Event Outdoor Entertainment Permit Application (one day only): South End Get Down, June 21, 2025, 5 pm - 10 pm - hours of operation: 5 pm - 9 pm, parking lot of Brian's Auto, 98 North Avenue

Subject 7.37. Special Event Outdoor Entertainment Permit Application (one day only): Reggae Fest at Switchback, 160 Flynn Avenue, August 23, 2025, 12 pm - 10 pm

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)

Recommended Action approve the one day only Special Event Outdoor Entertainment Permit Application for Reggae Fest at Switchback, 160 Flynn Avenue, August 23, 2025, 12 pm - 10 pm

7.37. Special Event Outdoor Entertainment Permit Application (one day only): Reggae Fest at Switchback, 160 Flynn Avenue, August 23, 2025, 12 pm - 10 pm

Subject 7.38. Special Event Outdoor Entertainment Permit Application (two days only): The Pinery, Art Hop Event, 377 Pine Street, September 5 - 6, 2025, 4:30 pm (Friday); 10 am - 11 pm (Saturday)

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 7. Consent Agenda

Department Clerk/Treasurer's Office

Type Action (Consent)

Recommended Action approve the two day only Special Event Outdoor Entertainment Permit Application for The Pinery, Art Hop Event, 377 Pine Street, September 5 - 6, 2025, 4:30 pm (Friday); 10 am - 11 pm (Saturday)

7.38. Special Event Outdoor Entertainment Permit Application (two days only): The Pinery, Art Hop Event, 377 Pine Street, September 5 - 6, 2025, 4:30 pm (Friday); 10 am - 11 pm (Saturday)

Subject	7.39. Special Event Outdoor Entertainment Permit Application (two days only): Oktoberfest, 377 Pine Street, setup date: 9/18/25: actual event dates; 9/19: 6 pm - 10 pm; 9/20: 12 pm - 9 pm
Meeting	April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent)
Recommended Action	approve the two day only Special Event Outdoor Entertainment Permit Application for Oktoberfest, 377 Pine Street, setup date: 9/18/25: actual event dates: 9/19: 6 pm - 10 pm; 9/20: 12 pm - 9 pm

7.39. Special Event Outdoor Entertainment Permit Application (two days only): Oktoberfest, 377 Pine Street, setup date: 9/18/25: actual event dates; 9/19: 6 pm - 10 pm; 9/20: 12 pm - 9 pm

Subject	7.40. Special Event Outdoor Entertainment Permit Application (one day only): PoutineFest USA, 377 Pine Street, 11:30 am - 4:30 pm, September 28, 2025
Meeting	April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent)
Recommended Action	aprove the one day only Special Event Outdoor Entertainment Permit Application for PoutineFest USA, 377 Pine Street, 11:30 am - 4:30 pm, September 28, 2025

7.40. Special Event Outdoor Entertainment Permit Application (one day only): PoutineFest USA, 377 Pine Street, 11:30 am - 4:30 pm, September 28, 2025

Subject	7.41. FIO Documents
Meeting	April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Consent Agenda
Department	Clerk/Treasurer's Office

Type	Action (Consent) Communication Information
Recommended Action	for information only
7.41. FIO Documents	
Subject	7.42. Resolution: Authorization For Refinancing City Of Burlington's \$18,840,000 General Obligation Waterfront Tax Increment Note, Series 2024 (Board of Finance)
Meeting	April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Consent Agenda
Department	Community & Economic Development Office (CEDO)
Type	Resolution Action (Consent)
Recommended Action	To waive the reading and adopt the proposed resolution refinancing \$18,840,000 in a project note for Waterfront TIF District public improvements associated with Burlington Square (formerly CityPlace Burlington).
7.42. Resolution: Authorization For Refinancing City Of Burlington's \$18,840,000 General Obligation Waterfront Tax Increment Note, Series 2024 (Board of Finance)	
Subject	7.43. Resolution: Recommendation For Reappointment Of William Ward As City Health Officer (Councilors Bergman, Barlow)
Meeting	April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Consent Agenda
Department	Council and Board
Type	Action (Consent) Resolution
Recommended Action	approve the resolution with recommendation to reappoint William Ward as Health Officer for a Three Year term starting June 1, 2025
7.43. Resolution: Recommendation For Reappointment Of William Ward As City Health Officer (Councilors Bergman, Barlow)	

8. Deliberative Agenda

8. Deliberative Agenda

Subject	8.1. Indoor Entertainment Permit Application (2025-2026): Riot Hospitality, d/b/a The District, 400 Pine Street
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Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 8. Deliberative Agenda

Department Clerk/Treasurer's Office

Type Action

Recommended Action approve the 2025-2026 Indoor Entertainment Permit Application for Riot Hospitality, d/b/a The District, 400 Pine Street with all standard conditions

8.1. Indoor Entertainment Permit Application (2025-2026): Riot Hospitality, d/b/a The District, 400 Pine Street

Motion made by Councilor Broderick, seconded by Councilor Schachter to approve the motion as presented. Motion passed unanimously.

Subject 8.2. Outdoor Entertainment Permit Application (2025-2026): Riot Hospitality, d/b/a The District, 400 Pine Street

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 8. Deliberative Agenda

Department Clerk/Treasurer's Office

Type Action

Recommended Action approve the 2025-2026 Outdoor Entertainment Permit Application for Riot Hospitality, d/b/a The District, 400 Pine Street with all standard conditions

8.2. Outdoor Entertainment Permit Application (2025-2026): Riot Hospitality, d/b/a The District, 400 Pine Street

Motion made by Councilor Broderick, seconded by Councilor Schachter, to approve the motion as presented. Motion passed unanimously.

Subject 8.3. Tobacco and Tobacco Substitute Endorsement Renewals (2025-2026): see attached list **WAS CONSENT AGENDA ITEM 7.32**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 8. Deliberative Agenda

Department Clerk/Treasurer's Office

Type Action

Recommended Action approve the 2025-2026 Tobacco and Tobacco Substitute Endorsement Renewals as listed

Councilor Litwin's added motion language:

Move that on or by June 16, 2025, the City Council License Committee report back on what process, if any, the City's Local Cannabis Control Board may follow to

report objectionable conduct by Burlington licensees to the State Cannabis Control Board.

8.3. Tobacco and Tobacco Substitute Endorsement Renewals (2025-2026): see attached list ****WAS CONSENT AGENDA ITEM 7.32****

Motion made by Councilor Broderick, seconded by Councilor Barlow, to approve the motion as presented along with Councilor Litwin's added motion language which Councilor Broderick was the seconder. Motion passed unanimously.

Subject **8.4. Draft Project Proposal for the Burlington Overdose Prevention Center (OPC) Pilot Program - Office of the Mayor in partnership with Vermonters for Criminal Reform (VCJR) (30 mins.)**

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 8. Deliberative Agenda

Department Mayor's Office

Type Action

Recommended Action **updated motion language which was approved:**

Move that the City Council approve the submission of the attached Overdose Prevention Center Implementation grant proposal to the Vermont Department of Health, pursuant to Act 178 (2024) of the Vermont Legislature, contingent on the understanding that:

1. Notwithstanding thresholds established by the City's Purchasing Policy, the acceptance of any amount of State grant monies for OPC implementation and the execution of any subrecipient agreement, including but not limited to any subrecipient agreement with Vermonters for Criminal Justice Reform (VCJR), will require the approval of the Board of Finance and City Council;
2. Any necessary zoning amendment to accommodate a location for an OPC will be subject to approval by the City Council; and
3. Any publicly available data and service metrics collected in accordance with Act 178 and submitted to the Vermont Department Health will be simultaneously communicated to the City Council.

original motion language::

move that the City Council, approve the attached Overdose Prevention Center Implementation proposal for submission to the Vermont Department of Health, pursuant to Act 178 (2024) of the Vermont Legislature

8.4. Draft Project Proposal for the Burlington Overdose Prevention Center (OPC) Pilot Program - Office of the Mayor in partnership with Vermonters for Criminal Reform (VCJR) (30 mins.)
Theresa Vezina, Tom Dalton and Jess Kirby spoke to this agenda item.
Motion made by Councilor Barlow, seconded by Councilor Bergman, to approve the motion as amended. Motion passed unanimously.

Subject	8.5. Resolution: Support Of The First Amendment's Rights Of Free Speech, Association, A Free Press, Free Association, And Dissent, And The Defense And Support Of Mohsen Mahdawi, Rumeysa Ozturk, And Mahmoud Khalil (Councilors Bergman, Grant, Broderick, Neubieser & Kane)
Meeting	April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	8. Deliberative Agenda
Department	Council and Board
Type	Action Resolution

Recommended Action waive the reading and adopt the resolution

8.5. Resolution: Support Of The First Amendment's Rights Of Free Speech, Association, A Free Press, Free Association, And Dissent, And The Defense And Support Of Mohsen Mahdawi, Rumeysa Ozturk, And Mahmoud Khalil (Councilors Bergman, Grant, Broderick, Neubieser & Kane)
Motion made by Councilor Bergman, seconded by Councilor Broderick, to adopt the motion as presented (revised version of the resolution). Motion passed unanimously.

9. Committee Reports

9. Committee Reports

Subject	9.1. Verbal reports
Meeting	April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	9. Committee Reports
Department	Council and Board
Type	Information

9.1. Verbal reports

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

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

Subject	10.1. Verbal reports
Meeting	April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	10. City Council President - Council Updates (up to 5 mins.)
Department	Council and Board

Type Information

10.1. Verbal reports

11. Adjournment

11. Adjournment

Subject 11.1. Motion to adjourn

Meeting April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 11. Adjournment

Department Council and Board

Type Action
Procedural

Recommended Action Motion to adjourn

11.1. Motion to adjourn

City Council President Traverse adjourned the meeting at 10:23 pm

12. Informational and Non-Discrimination Statements

12. Informational and Non-Discrimination Statements

Subject 12.1. This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Council and Licensing 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 April 28, 2025 - Regular City Council Meeting - Monday, April 28, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 12. Informational and Non-Discrimination Statements

Department Council and Board

Type Information

12.1. This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Council and Licensing 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.

Lori Olberg

FOR INFORMATION ONLY

From: Act250.Essex@vermont.gov
Sent: Monday, April 28, 2025 1:36 PM
To: Kirsten Merriman Shapiro; Kirsten Merriman Shapiro; Act250.Legal@vermont.gov; Act250.Agenda@vermont.gov; Benjamin Traverse; Andrew Montroll; permitting@ccrpcvt.org; Act250.Essex@vermont.gov; burlingtontownclerk; Sarah Montgomery; Lori Olberg; anr.act250@vermont.gov; barry.murphy@vermont.gov; PSD.VTDPS@vermont.gov; AOT.Act250@vermont.gov; AGR.Act250@vermont.gov; ACCD.ProjectReview@vermont.gov; kaitlin.hayes@vermont.gov
Subject: JO 4-457 Jurisdictional Opinion -- 322 St. Paul Street
Attachments: JO 4-457.pdf

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

Hello,

Please see attached Jurisdictional Opinion.

Thank you,

Adriene Katz | District Technician
Land Use Review Board
District 4 Environmental Commission
111 West Street
Essex Junction, VT 05452
(802) 879-5670
<https://act250.vermont.gov>

Emails and other written or recorded information produced or acquired in the course of public agency business are public records and may be subject to public examination under Vermont's Public Records Act.

FOR INFORMATION ONLY
additional info, please
contact the City Clerk's Office

Lori Olberg

From: ANR - ENB Administrator <ANR.ENBAdministrator@vermont.gov>
Sent: Monday, April 28, 2025 5:18 PM
To: burlingtontownclerk
Subject: Vermont Environmental Notice Bulletin Stakeholder Update by Location

For complete information (additional link, please contact the City Clerk's Office)

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

You are receiving this message because you have been signed up to receive email notifications via the Vermont Agency of Natural Resources' Environmental Notice Bulletin (ENB). These notifications are intended to inform you of environmental activities relevant to your town or organization based on location or activity type.

Below are current activities for which you have been signed up to receive notifications. To view the details of these activities please [visit the ENB](#). When one or more activities that match your specific criteria is posted to ENB, you will receive a single email notification compiling the information. If you have been signed up to receive updates step-by-step throughout the review process for these activities the updates will appear in the second half of the email.

To modify the subscription, please contact the staff person listed on the individual activity page or the ENB Administrator at anr.enbadministrator@vermont.gov.

Regards,
 ENB Support
 Vermont Agency of Natural Resources

New Activities

Activity Type	Activity/Project Name	Permit # / ID	Applicant	Town	Status
Corrective Action Plan	Simon's Downtown Quick Stop	951877	Bryan Gamache	Burlington	Draft Decision - Public Comment Period

Changes to Activities I'm Following

Activity Type	Activity/Project Name	Permit # / ID	Applicant	Town	Most Recent Update	Date	Status
Federal Pretreatment Individual Permit	Edlund Co	3-1326.2306	Edlund Company LLC	Burlington	Minor information related to this activity has been changed. This could be a change to: permit/other ID; Activity Name; Staff Contact; Activity Description; and/or SPAN number.	2025-04-28	In Review

Lori Olberg

From: VLCT Events & Training <info@vlct.org>
Sent: Wednesday, April 30, 2025 10:33 AM
To: Lori Olberg
Subject: VLCT's Local Officials Golf Outing

For complete details and
additional text, please
contact the City Clerk's Office

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

✕

Friday, June 13

Green Mountain National Golf Course

We invite all Vermont municipal officials, and members of the public to join us and support VLCT's Municipal Service Scholarship. Take a break from your normal duties and enjoy a day of golf at VLCT's 2025 Local Officials Golf Outing on **Friday, June 13** at the Green Mountain National Golf Course in Killington.

This outing will be a four-person scramble with a 9:00 AM shotgun start and 18 holes followed by lunch. The registration fee is only \$75 for Vermont municipal employees and officials — whether elected or appointed — or \$100 for all others.

REGISTER TODAY

\$75 VLCT and PACIF members
\$100 All others

✕

Fee Covers

- greens fees
- a shared cart
- morning snacks
- bottled water
- lunch
- awards
- chances to win some great raffle prizes

Registration Deadlines
Golfers: Friday, May 30
Sponsors: Friday, May 30

Sponsorship Opportunities

For more information and to inquire about sponsorship or donating prizes, please visit the [Golf Sponsors webpage](#) or contact Adele Taplin, ataplin@vlct.org.

1

Page 77 of 188

Lori Olberg

EDR INFORMATION ONLY

From: Act250.Essex@vermont.gov
Sent: Wednesday, April 30, 2025 2:53 PM
To: Sophie Sauvé; sdecell@globalp.com; Act250.Agenda@vermont.gov; Benjamin Traverse; Andrew Montroll; permitting@ccrpcvt.org; Act250.Essex@vermont.gov; burlingtontownclerk; Sarah Montgomery; Lori Olberg; anr.act250@vermont.gov; barry.murphy@vermont.gov; PSD.VTDPS@vermont.gov; AOT.Act250@vermont.gov; AGR.Act250@vermont.gov; ACCD.ProjectReview@vermont.gov; Stephanie.Monaghan@vermont.gov
Subject: 4C0051-3B Administrative Amendment - City of Burlington Parks, Recreation and Waterfront - COS
Attachments: AA_Construction 4C0051-3B.pdf

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

For Commo to receive additional info, please contact the City Clerk's Office.

Attached is Act 250 Land Use Permit Administrative Amendment 4C0051-3B - City of Burlington Park, Recreation and Waterfront - COS.

Christine Commo | District Technician
Land Use Review Board
District 4 Environmental Commission
111 West Street
Essex Junction, VT 05452
802-879-5660
<https://act250.vermont.gov>

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Lori Olberg

From: VLCT Events & Trainings <info@vlct.org>
Sent: Monday, May 5, 2025 7:38 AM
To: Lori Olberg
Subject: May VLCT Training

~~For additional information, please contact the City Clerk's Office~~

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

May Training & Events

Have you been struggling to keep track of all the events, chats, meet-ups, and trainings VLCT offers? You can use this email, which arrives the first Monday of each month, to plan what you'd like to attend.

☐

MON	TUE	WED	THU	FRI
5/5	5/6	5/7	5/8	5/9
1 PM - 2 PM Advocacy Chat		12 PM - 1 PM Money Matters: Fiscal Year-End Considerations and Preparations	12 PM - 1 PM Workplace Matters: Leading Through Conflict	
			6 PM - 7:30 PM Windsor County Selectboard Meet- Up (In Person)	
5/12	5/13	5/14	5/15	5/16
		9 AM - 2:30 PM Effective BCA Property Tax Assessment Appeal Hearings (Hybrid)	12 PM - 1 PM Legal Lunch: BCA Tax Appeals	
5/19	5/20	5/21	5/22	5/23
9 AM - 9:30 AM Muni Mornings w/Kathleen: Hiring Your First Admin Assistant or Town Administrator		9 AM - 2:30 PM Risk Management for Highway Supervisors - North (In Person) <i>Also being held 6/5 in Chester.</i>		

FOR INFORMATION ONLY

CERTIFICATE OF SERVICE

I hereby certify on this 2nd day of May, 2025 one (1) copy of the supplemental evidence pertaining to Draft LUP #4C1361 in Burlington, Vermont was sent via email on May 2nd, 2025 to the District #4 Environmental Commission at 111 West Street in Essex Junction, Vermont.

One copy of the notification of the above referenced information was sent via first class mail on May 2nd, 2025, to each of the following individuals by U.S. mail, postage prepaid, to the individuals without email addresses and by electronic mail to those with email addresses as indicated:

Mater Christi School, Inc.
Attn: Tim Loescher
50 Mansfield Ave
Burlington, VT 05401
tloescher@materchristischool.net

Krebs and Lansing Consulting Engineers, Inc.
Attn: Greg Dixon
164 Main Street, Suite 201
Colchester, VT 05446
greg.dixon@krebssandlansing.com

Mater Christi School, Inc.
Attn: Mary Farley
mfarley@materchristischool.net

Duncan Wisniewski Architecture
Attn: Taryn Barrett
tarynb@duncanwisniewski.com

Duncan Wisniewski Architecture
Attn: Cheryl Hacker
cherylh@duncanwisniewski.com

Burlington City Council
Ben Traverse, President
149 Church Street
Burlington, VT 05401
btraverse@burlingtonvt.gov

Burlington Planning Commission
Andy Montroll, Chair
149 Church Street
Burlington, VT 05401
amontroll@burlingtonvt.gov

Chittenden County Regional Planning Commission
110 West Canal Street, Suite 202
Winooski, VT 05404
permitting@ccrpcvt.org

Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 05602-39010
anr.act250@vermont.gov

District 4 Environmental Commission
111 West Street
Essex Junction, VT 05452
Act250.Essex@vermont.gov
act250.agenda@vermont.gov

Burlington City Clerk
Sarah Montgomery, Assistant Clerk
149 Church Street
Burlington, VT 05401
burlingtontownclerk@burlingtonvt.gov
smontgomery@burlingtonvt.gov
lolberg@burlingtonvt.gov

State of Vermont Dept. of Public Service
112 State Street, Drawer 20
Montpelier, VT 05620-2601
barry.murphy@vermont.gov
PSD.VTDPS@vermont.gov

Vermont Agency of Transportation
Barre City Place
219 N. Main Street
Barre, VT 05641
AOT.Act250@vermont.gov

Vermont Agency of Agriculture, Food and Markets
116 State Street, Drawer 20
Montpelier, VT 05620-2901
AGR.Act250@vermont.gov

Vermont Division for Historic Preservation
National Life Building, 6th Floor, Drawer 20
Montpelier, VT 05620-0501
ACCD.ProjectReview@vermont.gov

Electronically signed at Colchester, Vermont this 2nd day of May, 2025.

Katelyn Esterby Digitally signed by Katelyn Esterby
Date: 2025.05.02 17:23:26 -04'00'

FOR INFORMATION ONLY

Lori Olberg

From: ANR - ENB Administrator <ANR.ENBAdministrator@vermont.gov>
Sent: Tuesday, May 6, 2025 5:22 PM
To: burlingtontownclerk
Subject: Vermont Environmental Notice Bulletin – Followed Activities

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

For additional information, please contact the City Clerk's Office.

You are receiving this message because you have been signed up to receive email notifications via the Vermont Agency of Natural Resources' Environmental Notice Bulletin (ENB). Below are updates to activities for which you have been signed up and you will receive updates step-by-step throughout the review process.

For more information on a specific activity please visit the ENB and search by Activity/Project Name or Permit #/ID.

To modify the subscription, please contact the staff person listed on the individual activity page or the ENB Administrator at anr.enbadministrator@vermont.gov.

Regards,
 ENB Support
 Vermont Agency of Natural Resources

Changes to Activities I'm Following

Activity Type	Activity/Project Name	Permit # / ID	Applicant	Town	Most Recent Update	Date	Status
General Permit 3-9050 Notice of Intent: For Operational Stormwater Discharges	L and L Improvements / Millis Sidewalk	3753- 9050.3	University of Vermont and State Agriculture College	South Burlington	A draft decision for this activity has been reached and may be reviewed by visiting the ENB. Comments may be submitted through the ENB when the public comment period is open. The administrative record set for this activity has been modified. Please visit the ENB to view the activity profile. The Department is now accepting public comments with regard to this activity. Please visit the ENB if you would	2025- 05-05	Draft Decision - Public Comment Period

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Five

An Ordinance in Relation to

IMPACT FEES

ORDINANCE _____

Sponsor: Clerk/Treasurer, City Atty. _____

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: _____

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

1 That Chapter 21, Offenses and Miscellaneous Provisions, of the Code of Ordinances of the City of
2 Burlington be and hereby is amended by amending Sec. 41, thereof to read as follows:

3 (a) *Authority.* This section is enacted pursuant to the specific authority granted municipalities to establish
4 impact fees contained in Title 24, V.S.A. Chapter 131.

5 (b) *Purpose.* It is the purpose of this section to establish impact fees for ~~new~~-land development (as defined
6 in Title 24, V.S.A. Section 4303) in the city that will appropriately allocate the cost of needed capital
7 projects. To the extent that such capital projects are necessitated by ~~new~~-land development, it is appropriate
8 that the ~~new-land~~ development should bear an appropriate portion of the costs for providing capital projects.
9 Further, insofar as current residents of the city have contributed to the cost of existing facilities through
10 payment of taxes and other contributions to the city, it is appropriate that they should be relieved from
11 payment for an appropriate portion of the cost of providing these capital projects.

12 (c) *Establishment of impact fees:*

13 (1) There is hereby established an impact fee within the city which shall be imposed on ~~all~~-land
14 development commenced within the city, as further set forth in administrative rules described in paragraph
15 (3) of this subsection (c)-subsequent to the effective date hereof [November 13, 1992]. The amount of such
16 impact fees shall be established by a resolution of the city council ~~following receipt of the recommendations~~
17 ~~of the respective departments and the planning commission.~~ Any such fees adopted through the resolution of
18 the city council shall be based upon a reasonable formula developed pursuant to 24 V.S.A. Section 5203 and
19 to any amendments thereto. The resolution will set forth the impact fee schedule.

20 ~~(2)—An applicant for a zoning permit for any development, including new projects, revisions and~~
21 ~~modifications to existing projects or subdivisions, shall be subject to the payment of impact fees for that~~
22 ~~project.~~

~~(3) An applicant seeking a zoning permit for development of a lot located in a subdivision shall be responsible for the payment of the impact fees for that project. However, upon documentation by an applicant that a fee for this project was paid prior to November 13, 1992, in any current impact fee category, the applicant shall receive a pro rata credit for the payment of the fee in that category. The pro rata credit shall be based on the number of lots in the subdivision.~~

(24) The city council ~~may~~shall, ~~from time to time~~not less often than every five (5) years, amend any impact fee which is established by resolution pursuant to this section ~~in order~~ to take into account new or changed information regarding the fee earlier established.

~~(35) Regulations regarding the implementation and application of this section shall be developed within six (6) months of the effective date of this section. The city council shall adopt by resolution administrative rules governing the imposition and collection of impact fees. Those administrative rules shall describe the manner in which the fees shall be collected, the purposes for which they may be expended, any applicable fee exemptions or credits, and all such related matters that the city council determines are necessary or convenient to address in the administrative rules.~~

~~(d) Payment of fees:~~

~~(1) Any impact fee established pursuant to this section shall be imposed as a condition of the zoning permit and shall be paid to the office of the city treasurer prior to issuance of the certificate of occupancy granted under the zoning ordinance. The zoning administrative officer shall not issue the certificate of occupancy for such development without first receiving proof of payment of the required impact fees from the office of the city treasurer.~~

~~(2) An impact fee not paid in full at the time required in subsection (1) above shall be a lien upon all property and improvements within the land development for which the fee is assessed in the same manner and to the same effect as taxes are a lien upon real estate under Title 32 V.S.A. Section 5061.~~

(de) *Appeals.* An individual or entity required to pay an impact fee imposed under this section may appeal the fee by filing a written notice with the zoning board of adjustment within thirty (30) days of the imposition of the fee. The notice of appeal shall state the factual basis for the appellant's claim that the fee is inapplicable or excessive. Within sixty (60) days of receipt of the notice of appeal, the zoning board shall hold a hearing thereon. The zoning board shall take oral and written testimony from the appellant. Within forty-five (45) days after the conclusion of the hearing, the zoning board shall notify the appellant of its decision.

(ef) *Accounting provisions.* All General Fund impact fees collected pursuant to this section shall be maintained annually by the city treasurer in a separate, interest-bearing account. All Water Resources impact fees collected pursuant to this section shall be maintained annually in a separate, interest-bearing account, as set forth in the administrative rules adopted per subsection (c)(3) of this section. The city treasurer shall maintain a register of the date of payment for each fee collected, the amount paid and the name of the payer, by each capital facility category. Water Resources will be required to provide the city treasurer with quarterly reports detailing this same information. If the impact fees include collection of school impact fees, the Burlington School District shall collect the fees and will be required to also provide such a quarterly report to the city treasurer.

~~(g) *Expenditure of impact fees:*~~

~~(1) All impact fees collected pursuant to this section and accrued interest shall be expended only for the identified capital facility category which was the basis for the fee. Such fees and accrued interest shall be expended for such capital facility category within such time period as required by 24 V.S.A. Chapter 131, as the same may be amended from time to time.~~

~~(2) The city treasurer shall pay expenses associated with an identified capital facility category as they become due and upon receipt of appropriate documentation regarding such expenses.~~

(fh) *Refunds.* ÷

~~(1) If the actual costs to the city for the provision of a capital facility category to be funded in part by impact fees is less than originally was calculated or if an impact fee is reduced after fees have been collected, the city shall refund that portion of any impact fee and accrued interest which is in excess of the appropriate portion due to the then owner of the property for which the fee was paid, pursuant to state law.~~

~~(2) Pursuant to 24 V.S.A. Section 5203(c) upon petition by any affected property owner, if the city shall fail to expend any collected impact fee within the time required by this section, the city shall refund that portion of any impact fee and accrued interest to the then owner of the property for which said fee was paid.~~

(gi) *Enforcement.* ~~Any~~ It shall be a civil offense punishable by a fine pursuant to chapter 1, section 9 of this code individual who to occupies a structure in the city without first paying any required impact fee imposed pursuant to this section and any implementing resolution. ~~shall be subject to a penalty of two hundred dollars (\$200.00) per day for each day that such violation continues, as well as injunctive and other relief as a court may order in a civil action commenced by the city.~~ Additionally, any unpaid impact fee shall constitute a debt to the city and a lien on the subject property, pursuant to 24 V.S.A Section 5204.

~~(j) *Exemptions:*~~

~~(1) In order to encourage the development of additional housing for senior citizens, senior citizen housing projects are exempted from payment of school impact fees.~~

~~(2) In order to enable the development of housing that is affordable for all economic groups within the municipality, any residential project containing newly constructed housing units or substantially rehabilitated housing units that are affordable for households as described in subsections a., b., and c. below would be eligible to receive a waiver of impact fees for that portion of the project. In the application of this provision, the terms used herein shall be interpreted as defined in the "Low or Moderate Income Housing" zoning ordinance. In addition, the rules and regulations developed pursuant to that ordinance shall be used to implement this provision.~~

~~a. Twenty five percent waiver of fees. Twenty five (25) percent of the fees will be waived for any unit in a project that initially sells for a price that is affordable for households below ninety (90) percent of median income or that initially rents for a three-year period for a price (including utilities) that is affordable for households below seventy five (75) percent of median income.~~

~~b. Fifty percent waiver of fees. Fifty (50) percent of the fees will be waived for that portion of a residential project that meets the dual test of initial affordability and continuing affordability. For purposes of this section, "initial affordability" would be defined as a unit that sells for a price that is affordable for households earning less than seventy five (75) percent of median income or that rents for a price (including utilities) that is affordable for households earning below sixty five (65) percent of median. "Continuing affordability" would be defined as affordability that lasts for a period of ninety nine (99) years.~~

~~c. One hundred percent waiver of fees. One hundred (100) percent of the fees will be waived for that portion of a residential project that initially sells or rents for a price that is affordable for households earning less than fifty (50) percent of median income and that remains continually affordable as defined above.~~

~~(k) Off site improvements. In categories for which impact fees have been charged, no exactions for construction of off-site public facilities will be required by the planning commission as a condition for a zoning permit except for water distribution lines, sewer connection lines and stormwater improvements, and street and sidewalk infrastructure that are essential to the development of the project. For the purpose of this section, "off-site" public facilities are defined as those facilities which are not on or immediately adjacent to the private land proposed for development.~~

~~(h)~~ Severability. ~~In the event~~ If any provision of this section is for any reason held by a court of competent jurisdiction to be invalid or unenforceable, such invalidity shall not affect the remaining provisions which can be given effect without the invalid provision.

Page 5
An Ordinance in Relation to IMPACT FEES

115

116

117 * Material stricken out deleted.

118 ** Material underlined added.

119

120

121

122

123 ER/Ordinances 2025/*Impact fees*

124 March 2025



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: Ashley Parker & Erik Ramakrishnan

DATE: May 12, 2025

RE: An Ordinance re Impact Fees, Amending B.C.O. § 21-41

Context

Impact fees are fees charged on new development to help defray the cost to the City of providing infrastructure necessary to accommodate population growth. As indicated below, the City has not analyzed its impact fees in three decades, and staff will be coming to City Council before the start of the new fiscal year to request the adoption of updated fees. Separate but related to this update, staff requests that the City Council update the rules governing the City's impact fee program.

Authority for impact fees in Vermont is found at 24 V.S.A., Chapter 131, which largely codifies limitations on impact fees guaranteed by the federal constitution. Chapter 131 is implemented in the City of Burlington through three separate, duplicative sources of law. First, Section 21-41 of the Burlington Code of Ordinances (BCO) authorizes the City Council to adopt fees and to establish administrative rules for the City's impact fee program by resolution. Pursuant to this authority, the City has adopted Impact Fee Administrative Regulations, most recently updated as of Fiscal Year 2023. Because the BCO describes the impact fee program in significant detail, these Administrative Regulations largely restate rules already provided by ordinance.

In addition to BCO § 21-41 and the Administrative Rules, to provide notice of the impact fee program to developers, Article 3, Part 3 of the City's Comprehensive Development Ordinance (CDO) also refers to impact fees. Like the Administrative Regulations, the CDO largely restates rules already set forth in the BCO. However, the CDO includes some minor differences, such as by establishing a "community garden" impact fee waiver program that has never been used by developers.

Having the same rules spelled out in three places creates opportunities for discrepancies and is also an obstacle to updating impact fees more regularly. Thus, in tandem with the proposed impact fee update, staff asks the City Council to update the rules governing impact fees. The goal is for BCO § 21-41 to be scaled back to serve as true enabling legislation, and for CDO Article 3, Part 3 to be scaled back simply to provide notice to developers that the City has an impact fee program. Meanwhile, the details of the impact fee program would be spelled out in the Administrative Regulations only, which can be amended by City Council resolution.

Tonight staff is asking the City Council only to introduce the proposed amendments to BCO § 21-41 so that the Ordinance Committee can begin its review and report back to the City Council. The discussion that follows outlines next steps of the fee update process and, for context so that councilors can prepare for a study session regarding impact fees on May 19, 2025, details of the

proposed impact fee update are provided in the “informational” section below. A PowerPoint presentation given by staff in January is attached to this staff report for further context.

Requested Action and Next Steps

Summary:

- Tonight: Introduce proposed amendments to BCO § 21-41.
- Between now and May 19, 2025, councilors are requested to prepare for a study session on May 19, 2025. Please refer to the “informational” section below and the attached PowerPoint presentation from January 2025.
- May 19, 2025: Study session re proposed impact fee update.
- June 2, 2025: Second reading of proposed BCO amendment; introduction of updated Administrative Regulations, which would include the adoption of new impact fees.
- Later in June: Return for final adoption of Administrative Rules, if necessary, and for hearing and adoption of proposed CDO amendment.
- July 1, 2025: Effective Date of new fees.

Detailed Explanation of Next Steps:

Again, this week staff is simply asking the City Council to introduce the proposed ordinance amending BCO § 21-41 so that the Ordinance Committee can take a more detailed look at the proposal and report back to the City Council. Updating the ordinance is not a necessary step to establishing new impact fees in time for Fiscal Year 2026, but staff requests that the City Council adopt the ordinance on second reading by June 2, 2025, so that the rules governing the City’s impact fees will all be cleaned up and in alignment in time for the start of the new fiscal year on July 1, 2025. To facilitate this alignment, staff is currently working with the Ordinance Committee in an attempt to schedule a meeting later this week to begin its review of the proposed ordinance.

As indicated above, an amendment is also proposed to the CDO, and the Planning Commission is scheduled to hear the proposed amendment tomorrow, May 13, 2025. Staff intends to bring this amendment forward to the City Council in June. Staff also intends to share the proposed CDO amendment to the Ordinance Committee at the same time as the BCO amendment, and if the Ordinance Committee is comfortable with the change, the City Council may decide that it is unnecessary to refer the CDO amendment to the Ordinance Committee after that amendment is introduced to the City Council in June.

Next week, on May 19, 2025, staff intends to conduct a study session for the City Council of the larger proposal to update impact fees. The staff report for the study session will also attach the draft proposed update to the Administrative Rules so that councilors can begin their review. The updated Administrative Rules largely reorganize existing rules but also include the proposed fee update as well as clarifications and modifications to existing fee exceptions, waivers, and credits, and special provisions to accommodate the inclusion of water and wastewater fees.

If the Ordinance Committee’s review is complete in time, on June 2, 2025, staff will return for the second reading of the proposed BCO ordinance and for the introduction of a resolution updating impact fees and adopting the revised Administrative Regulations. If the City Council is ready to adopt the resolution, it may do so that evening. Otherwise, staff will be happy to respond to any

additional questions, comments, or concerns councilors may have, in which case the resolution can be brought back on June 23, 2025.

Informational re Proposed Impact Fee Update

In 2022, City staff began two important studies to review and update the existing impact fees and their structures. The current fees had not been reviewed since 1992, despite the fact that it is customary for impact fees to be reviewed every 5 years. The studies reviewed City growth projections and development trends, anticipated capital needs, the relationship of those capital improvements to growth, and provided guidance to the City on the “maximum defensible fee” amount that could be charged. In addition to these two studies, the Water Resources Division of DPW initiated its own study to evaluate the potential for a Water and Wastewater System Development Charge, as the City does not currently collect fees related to these services.

Non-Transportation Impact Fee Study

A first study as part of the current fee update was led by Economic & Planning Systems (EPS), and they were charged with reviewing all existing impact fees, minus the Traffic fee. This included an in-depth review of the Library, Parks, Fire, Police, and School fees as they were established in 1992. While these fees have been adjusted annually since adoption based on changes in the Consumer Price Index (CPI), they were not updated to reflect current asset inventories, replacement costs, or inflation.

As City staff worked with EPS to further evaluate fee scenarios, it became clear that while the City’s capital project list is expansive, many of the projects captured are more focused on deferred maintenance of existing assets versus capital expansion of assets. This translates into a small selection of capital projects being eligible for use of impact fees annually, which then raises questions around whether the City would be able to spend collected fees within the 6-year statutory time period. This is because impact fees must be used for capital projects that accommodate population growth. They are not intended to meet existing operational needs.

As a result, staff recommends that fees for Library, Parks, Fire, Police, and Schools no longer be collected. The City should reevaluate their collection over the next five years to determine if the City’s capital needs and the nexus to development have changed. Importantly, however, those services may still be benefited by the proposed fee update in that, if the City can generate adequate income through impact fees for other types of capital projects that can be constructed in the statutory 6-year time period, then capital debt that would otherwise be required to fund those projects can be used for other purposes, including to meet library, park, and public safety needs.

This is an important concept to emphasize: if the City collects impact fees but does not have adequate funds to fully fund the capital projects for which the fees are intended, then the City cannot spend the fees it collects and may even be required to refund those fees. As such, it is better to earmark fees to targeted projects that will materialize within the 6-year statutory time period. Targeting impact fees in this way is in the best interest of the overall financial health of the City, which will benefit all of the City’s programs and services.

Transportation Impact Fee Study

Unlike for Library, Parks, Fire, Police, and Schools, the City has transportation projects in the

pipeline ideally suited to be funded through impact fees. To analyze this potential, the City received funding support from the Chittenden County Regional Planning Commission to work with RSG on evaluating the City's existing Traffic Impact Fee and look at options for transforming that fee into a Transportation (Multi-modal) Impact Fee. When initially established, the Traffic Impact Fee was restricted to mitigating intersection impacts, including signalization and lane configurations. Given the City's policies around multi-modal transportation planning and infrastructure priorities, the City wanted to explore a more holistic Transportation Impact Fee that could support bike and pedestrian capital infrastructure, as well as transit infrastructure if feasible.

The study analyzed local traffic generated by anticipated future development, using the PM Peak Hour Trip End (4-7 pm) as the basic unit of analysis. If adopted, impact fees recommended as a result of the RSG study would not be assessed on trips occurring outside of the PM peak design hour, encouraging the development of land uses that propose to make more efficient use of existing transportation infrastructure. Fees would be assessed on vehicle trips, which encourages a greater variety of land uses with greater intensity and connectivity in urban centers to facilitate walking and biking.

The City has a well-developed list of transportation/multi-modal capital projects for the next 5-10 years, of which a third of the new capacity created has a strong nexus to development. Through this study, six projects were identified as priority projects eligible for impact fee funding. These projects were adjusted to remove segments that replaced or removed capacity (as only new capacity is eligible); and also reduced the cost share by accounting for future grant awards that would likely cover 80% of the total project cost. The project list evaluated by this nexus study can be updated and reevaluated over the next five years.

City staff recommend that the City Council adopt the Transportation Impact Fee Nexus Study and implement the fees as described, utilizing a base impact fee per PM peak hour vehicle trip of \$1,203. This new fee would replace the old Traffic Impact Fee.

Water & Wastewater System Development Charge

Concurrent to the Impact Fee studies noted above, the Water Resources Division of DPW evaluated a potential water and wastewater System Development Charge. This is very similar to impact fees assessed in other capital areas, with a different name and a different, legal, methodology for determining a defensible fee based on the dynamics of the water resources assets and needs. This approach is sometimes called a "buy-in" strategy.

A "buy-in" strategy satisfies federal and state limitations on impact fee assessments that is ideally suited for calculating water and wastewater fees. Essentially, in planning for future growth, the City's water and wastewater systems have existing capacity to accommodate some amount of development. Under a buy-in strategy, developers pay their fair share of the past costs to the City of providing that excess capacity. This provides revenue to defray future capital replacement and other costs to take the burden off of ratepayers who have already paid to construct the existing excess capacity.

To calculate the fair share that new development should pay by way of a System Development Charge, the report analyzed the current system capacity available to provide service to both

existing and future customers, and was calculated based on the current value of the water and wastewater systems' assets. This calculation also backs out the portion of outstanding debt principal that is still being paid for these assets via the retail rates and charges that customers pay to ensure that new impact fees will not be duplicative of that payment.

The report recommends a fee based on gallons per day for water usage and wastewater discharge. Total fees will vary by specific development types based on their unique design flows, i.e., the actual anticipated usage and discharge resulting from a project, which is required to be reviewed during permitting for both state and local processes. City staff recommend that the City Council adopt the new Water and Wastewater System Development Charge Study and implement the fees as described. With the passage of the LAKE and WATER bond in March 2025, which include capital needs related to both the update of existing systems with remaining capacity and expansion of capacity, Water Resources will soon be updating the per gallon charge to reflect the justifiable investment from new development.

Proposed Motion

To waive the reading and approve the first reading of the proposed ordinance amending Burlington Code of Ordinances Section 21-41 re impact fees, and to refer the proposed ordinance to the Ordinance Committee to report back as soon as possible.



BTV Impact Fee Program

Revisions & Implementation

May 19, 2025



What to Expect Tonight

- Overview of Current Fee Program
- Review of Proposed Recommendations
- Ordinance & Administrative Regulation Changes
- Implementation Schedule



Current Fee Program

- Charges on new development to defray capital costs directly related to new development
- Spend on:
 - Improvements needed to serve growth
 - Maintain level of service as City grows
 - Projects with community-wide benefit (not just one development)
- Cannot be spent on:
 - Maintenance, operations, existing deficiencies
 - Project-specific impacts
 - Paying for same improvements twice (double charging)
- City's fees 1st adopted in 1990's – have not been evaluated since
- Impact Fees supplement the City's other capital revenues



Current Fee Program

- Affordable & Senior Housing are exempt
- Fees are charged per 1,000 sq ft.
- Larger homes pay more than smaller homes

Department	Residential	Industrial	Offices & Other	Retail
\$ per 1,000 sq. ft. - in 2023 dollars				
Traffic (DPW)	\$224	\$299	\$771	\$839
Fire	253	224	227	227
Police	51	400	400	400
Parks	848	481	478	478
Library	525	0	0	0
Schools	1,095	0	0	0
Total	\$2,996	\$1,404	\$1,876	\$1,944



Current Fee Program – Revenue History

- \$350,000/year in fee revenue total (10-year average)
- \$30,000-80,000 across individual fee categories
- Not enough for significant capital projects

Fee Category	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2014-2024	
												Total	Ann. Avg.
Traffic	\$15,956	\$108,317	\$35,287	\$75,599	\$156,560	\$148,181	\$165,906	\$69,141	\$4,395	\$48,086	\$26,121	\$853,549	\$77,595
Fire	\$10,149	\$47,704	\$17,378	\$43,529	\$55,319	\$63,569	\$79,193	\$10,136	\$1,226	\$17,234	\$27,520	\$372,957	\$33,905
Police	\$6,208	\$51,538	\$20,587	\$70,348	\$37,936	\$59,331	\$96,775	\$16,245	\$2,247	\$24,085	\$7,002	\$392,301	\$35,664
Parks	\$31,089	\$124,353	\$48,848	\$124,957	\$137,357	\$168,670	\$190,026	\$20,941	\$3,087	\$42,564	\$92,582	\$984,474	\$89,498
Library	\$19,536	\$42,080	\$15,947	\$31,978	\$69,664	\$68,156	\$72,544	\$5,832	\$3,038	\$13,968	\$57,502	\$400,245	\$36,386
School	\$40,778	\$87,838	\$42,990	\$156,750	\$69,358	\$122,835	\$201,786	\$17,685	\$6,343	\$24,792	\$118,119	\$889,275	\$80,843
Total	\$123,716	\$461,830	\$181,037	\$503,161	\$526,195	\$630,742	\$806,231	\$139,979	\$20,336	\$170,728	\$328,846	\$3,892,800	\$353,891

Source: City of Burlington



Why Adopt Changes Now?

- General Fund Impact Fees have not been updated since 1992
- Reduce opportunities for implementation confusion by streamlining fee regulations and creating efficiencies for future revisions and updates
- Capital Project List & City Asset Needs have changed – more need in areas of deferred maintenance vs capital expansion
- Fees have not been updated to reflect current asset inventories, replacement costs, or inflation since 1992
- Timing pairs well with budgetary needs for some capital projects
- Increase opportunities to allocate limited capital resources to other asset categories that will not receive fees
 - Transportation Projects have made up ~**73%** of the total General Fund capital budget over last 8 years



Why Adopt Changes Now?

- Water Resources Impact Fees were eliminated in the 1990s, reducing available capital revenues for 3+ decades
- Implementing some amount of Water Resources fees now helps ensure near-term development projects contribute to costs of replacement for existing infrastructure that supports their projects
 - With the passage of the LAKE & WATER bonds, WRs will be updating the fees to include both current “buy-in” portion **and** eligible costs from capacity expansion projects
 - The proposed updates to the Impact Fee Ordinance & Administrative Rules lays the foundation for all of these changes to occur efficiently



Proposed Impact Fee Program Recommendations

EPS

Fees Reviewed:

- Parks, Police, Fire, Library, & School

RSG

Fees Reviewed:

- Restructuring Traffic Fee to be Transportation & Multimodal Fee (capacity to increase moving people)

Raftelis

Fees Reviewed:

- Water & Sewer Buy-In Impact Fees

Fee Study Process:

- Draft nexus study calculations
 - Inventory City capital assets & current replacement costs
 - Calculate potential for new impact fees with current fee categories
- Department Interviews: Reviewed Capital Project Lists for **ALL** fee categories
 - Identify capital expansion projects
 - Found that most capital projects are for maintenance & upgrades
- Reorganized Fee Categories
 - Combined fee categories to give more flexibility to spend funds
 - Revised nexus study & fee calculations



Proposed Impact Fee Program Recommendations

Decision Criteria:

1. If we collect Impact Fees, can we spend them on eligible projects?
 - a) Is there a nexus to growth/development?
 - b) Do projects add capacity to provide services?
2. Will we need other funding to close the gap?
 - a) Do we need other money to “unlock” the impact fees?
 - b) Can we spend impact fees within 6 years?
3. Will Impact Fees generate enough money to be worthwhile?



Proposed Impact Fee Program Recommendations

Overall Recommendations:

- Continue collecting Impact Fees, but **FOCUS** on Transportation, Water & Wastewater:
 - Essential Infrastructure
 - Large Capital Costs
 - Best Nexus with New Development
 - Solid Capital Project Lists for the next 10-years
- Shifting the “capital fee stack” frees up other capital revenues for other assets (i.e.: Fire, Police, Library, & Parks)
- Moderate fee increases
- Opportunity to reevaluate fees every five years

- 2022: Studies Began
- 11/2022: 1st Stakeholder Meeting
- 7/2023: 4th Round of Stakeholder Meetings
- 11/2024: Final Stakeholder Meetings
- 1/2025: 1st Work Session with City Council
- 3/2025: 2nd Work Session with City Council
- 4/2025: Planning Commission Presentation



Study Example: Review of Capital Project Lists

Project	Estimated Cost	% Allocated to Growth	Impact Fee Eligible Cost	Status
Calahan Park				
Community Garden Expansion	\$116,000	100.0%	\$116,000	Unfunded long-term
Multi-Use Building + Covered Outdoor Space	\$625,000	100.0%	\$625,000	Unfunded long-term
Primary and Secondary Paths	\$1,000,000	100.0%	\$1,000,000	Unfunded long-term
Multi-Use Pavilion / Ice Rink	\$900,000	100.0%	\$900,000	Unfunded long-term
Subtotal	\$2,641,000		\$2,641,000	
Total	\$2,641,000		\$2,641,000	

Source: City of Burlington; Economic & Planning Systems

Total Eligible Project
Cost $\neq$ Fee Revenue
Generated from
new fees

For All Capital Asset Project Lists Reviewed*:

- Removed any maintenance/replacement projects
- Focused on projects that met nexus requirement
- Revenue is collected from any eligible development project
- Timeline to spend is 6 yrs
- Most identified projects need additional funding to complete making it harder to spend fees in 6 years

*Note: The City Project Team & its Consultants met with all fee stakeholders, including Parks, DPW, Police, Fire, Library, and the School District.



Proposed Impact Fee Program Recommendations

Transportation Impact Fee:

- City has a strong capital plan of transportation projects that meet nexus criteria
- Utilizes a base impact fee per PM peak hour (4-7 PM) vehicle trip
- Study Recommendation = **\$1,203/new PM peak hour vehicle trip** (incorporates grant funding opportunities for transportation projects)
- Encourages development of land uses that encourage walking and biking

Water & Wastewater Buy-In Fees:

- Assess one-time charges on new water/wastewater connections to recover up-front costs the City has incurred for users to access existing system capacity
- Fee based on gallons per day for water usage and wastewater discharge
- Water & Wastewater usage is calculated based on type and size of development
- Will adopt incremental component of an impact fee for capacity expansion related portions of capital projects now that bonds have passed
- Revenue will offset future debt service for all rate payers (including the new development)

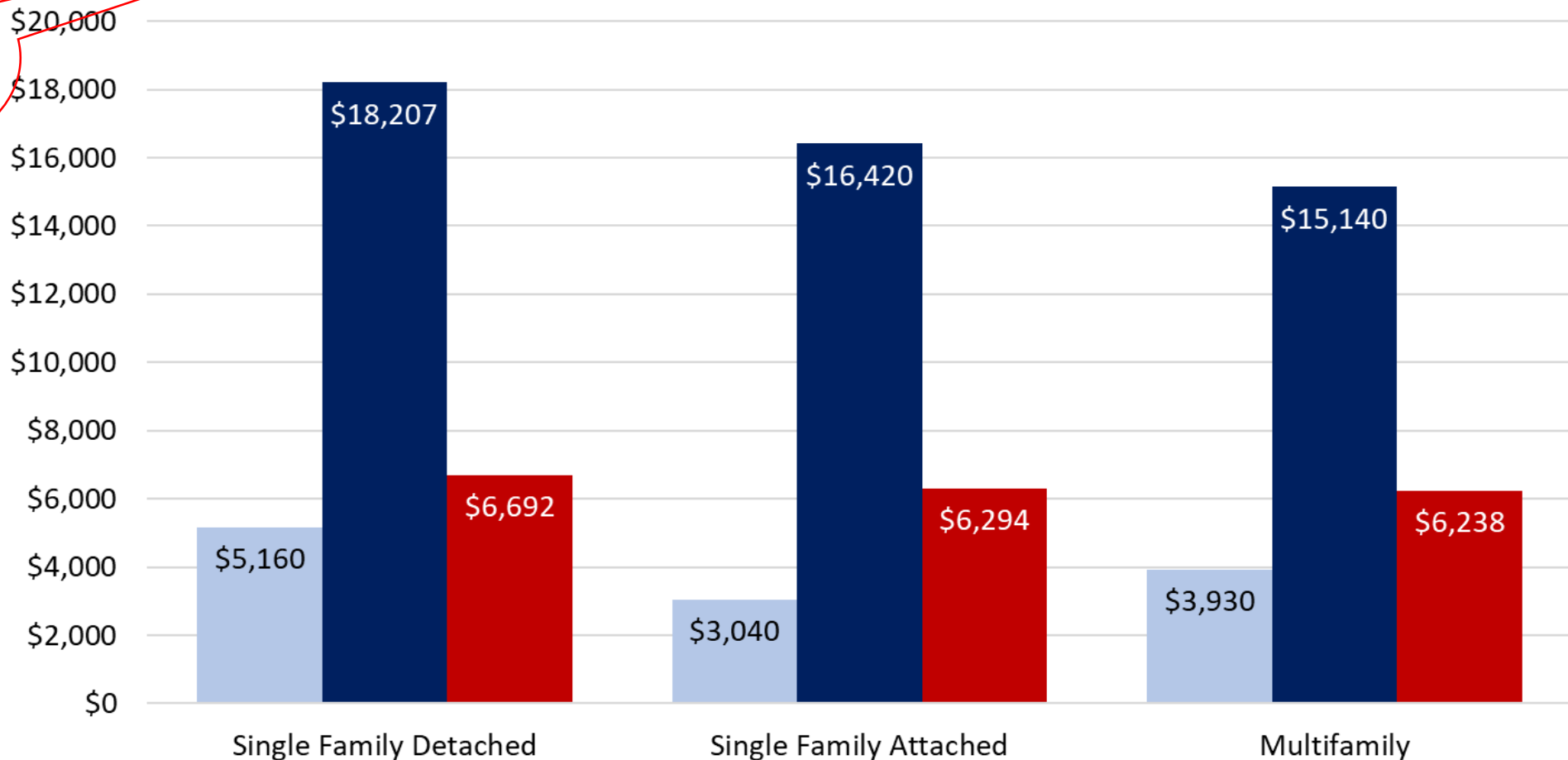


What this looks like (per unit basis)

■ Current ■ Updated ■ Proposed (water, sewer, transportation)

Residential Impact Fee Per Unit

Updated
asset values/
costs = large
increase





Surrounding Community Comparison (per unit basis)

Community	School	Parks/Trails/ Recreation	Fire	Police	Facilities	Fleet	Transport./ Roads	Water	Wastewater	Total
Single Family										
Burlington (Draft Proposed)	\$0	\$0	\$0	\$0	\$0	\$0	\$871	\$4,169	\$1,653	\$6,692
South Burlington	\$8,900	\$964	\$0	\$0	\$0	\$0	\$1,010	\$3,410	\$3,459	\$17,743
Colchester	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,250	\$0	\$1,250
Winooski	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,811	\$2,856	\$5,667
Essex	\$0	\$628	\$0	\$0	\$0	\$0	\$0	\$3,124	\$2,239	\$5,991
Essex Junction	\$3,800	\$628	\$0	\$0	\$0	\$0	\$0	\$0	\$1,510	\$5,938
Williston	\$0 [1]	\$2,100	\$0	\$0	\$0	\$0	\$1,789	\$2,376	\$3,261	\$9,527
Shelburne	\$0	\$1,864	\$0	\$0	\$0	\$0	\$0	\$3,598	\$3,425	\$8,887
Multifamily										
Burlington (Draft Proposed)	\$0	\$0	\$0	\$0	\$0	\$0	\$417	\$4,169	\$1,653	\$6,238
South Burlington	\$4,600	\$641	\$189	\$353			\$670	\$3,410	\$3,459	\$13,322
Colchester	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,250	\$0	\$1,250
Winooski	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,811	\$2,856	\$5,667
Essex	\$0	\$473	\$0	\$0	\$0	\$0	\$0	\$3,124	\$2,239	\$5,836
Essex Junction	\$2,000	\$473	\$0	\$0	\$0	\$0	\$0	\$0	\$1,510	\$3,983
Williston	\$0 [1]	\$1,659	\$0	\$0	\$0	\$0	\$915	\$1,395	\$1,914	\$5,883
Shelburne	\$0	\$1,017	\$0	\$0	\$0	\$0	\$0	\$3,598	\$3,425	\$8,040

[1] The School Impact Fee pursuant WDB 44 was retired on November 18, 2024.



Proposed Ordinance Changes

The City's current Impact Fee Regulations live in 3 places:

- B.C.O. Section 21-41:
<https://www.codepublishing.com/VT/Burlington/#!/Burlington21/Burlington2101.html#21-41>.
 - B.C.D.O. Article 3, Part 3:
<https://www.burlingtonvt.gov/DocumentCenter/View/2501/Applications-Permits-and-Project-Reviews-PDF?bidId=>, beginning at p. 3-23.
 - The City's Impact Fee Administrative Regulations: <https://www.burlingtonvt.gov/730/Impact-Fee-Administrative-Regulations>.
- Having the same set of rules in 3 places can create confusion & conflicting regulations.
 - Staff recommends updating the Administrative Regulations, to include the complete set of impact fee regulations and newly adopted fee amounts.
 - If DPI continues to administer the fee program, staff recommends repealing the Ordinance Code reference & amending the Comprehensive Development Ordinance (CDO) to reference the Administrative Regulations.



Proposed Ordinance Changes

Summary of Staff Recommendations for Implementation:

- Update the Administrative Regulations to include the complete set of impact fee regulations & the newly adopted fee amounts.
- Repeal the Ordinance Code reference and amend the Comprehensive Development Ordinance to reference the Administrative Regulations.
- Determine what role the Department of Permitting & Inspections will play in fee collection.
- May need to include impact fee legislation in either or both the Comprehensive Development Ordinance and Ordinance Code, with appropriate cross-references.
- Update regulations to clarify which inflation measure to apply.
- Review existing waivers and consider eliminating some.
- Consider fee credits for offsite construction other than streets/sidewalks and water infrastructure essential to the development of the project.
- Consider Inclusionary Zoning changes alongside proposed Impact Fee Changes.



Proposed Ordinance Changes

What Exemptions Should Apply?

- Current exemptions include:
 - Additions to an existing residential unit
 - Certain other additions & changes in use
 - School impact fees for senior housing projects
 - Affordable housing waivers for affordable units in excess of IZO requirements (ranging 25-100%, depending on levels of affordability)
 - Inclusionary Units
 - Community garden waiver
- Staff Recommendations: **maintain existing waivers except** –
 - Community Garden waiver: Eliminate as it has never been used and would be moot with adoption of new fee structure
 - Senior Housing Project waiver: Leave dormant in case future school fees are adopted

*** Projects that do not change the water or wastewater demand would be exempt from the Water Resources Impact Fee**



Proposed Ordinance Changes

Credits:

- City's regulations provide that offsite improvements (except for streets/sidewalks & stormwater, sewer, & water infrastructure essential to development of a project) cannot be required in a category for which fees are paid.
- Staff recommends instead that developers be given fee credits for other project exactions.



Proposed Ordinance Changes

Impact Fees & Inclusionary Zoning

- Impact Fees & Inclusionary Zoning requirements are two of the primary development costs required by the City.
- Most potential amendments to IZ standards would reduce IZ burden to developers:
 - Elimination of the highest IZ requirement tier (25%)
 - More easily utilize the off-site requirement
 - Allow payment-in-lieu in some cases where not allowed today
 - Allow flexibility in mix of for-sale and rental units in large projects
- The payment-in-lieu fee is low and proposed to increase substantially
- Moderate Impact Fee increases would be coupled with greater flexibility in Inclusionary Zoning standards & requirements.



Implementation Schedule

Date	Body
May 12 th	City Council – Introduce proposed amendments to BCO § 21-41
May 12 th – May 19 th	City Councilors prepare for a study session on May 19 th
May 13 th	Planning Commission Hearing to review CDO Amendment
May 19 th	City Council study session
June 2 nd	City Council: 2 nd reading of proposed BCO amendment; introduction of Administrative Regulations (to include adoption of new impact fees)
Later in June	City Council: Return for final adoption of Administrative Rules, if necessary, and for hearing and adoption of proposed CDO amendment
July 1 st	Effective Date of new fees



Questions?

Thank you!



Supplemental Information

Detailed Fee Comparison: Current vs Proposed

Impact Fee	School	Traffic	Parks & Rec.	General Facilities	General Fleet	Library	Police	Fire	Sewer	Water	Total	% Change from Current
Residential Fee Per Unit												
Updated Fee												
Single Family Detached	\$0.00	\$870.95	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,652.70	\$4,168.80	\$6,692.45	29.7%
Single Family Attached	\$0.00	\$472.54	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,652.70	\$4,168.80	\$6,294.04	107.0%
Multifamily	\$0.00	\$416.94	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,652.70	\$4,168.80	\$6,238.44	58.8%
Current Fee												
Single Family Detached	\$1,885.84	\$385.78	\$1,460.45	\$0.00	\$0.00	\$904.17	\$87.83	\$435.72	\$0.00	\$0.00	\$5,159.80	
Single Family Attached	\$1,111.24	\$227.32	\$860.58	\$0.00	\$0.00	\$532.79	\$51.76	\$256.75	\$0.00	\$0.00	\$3,040.45	
Multifamily	\$1,436.22	\$293.80	\$1,112.25	\$0.00	\$0.00	\$688.60	\$66.89	\$331.84	\$0.00	\$0.00	\$3,929.61	
Non-Residential Fee Per "Unit/1,000 sq. ft."												
Updated Fee												
Retail/Commercial	\$0.00	\$3,681.07	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$314.80	\$463.20	\$4,459.07	129.4%
Restaurant	\$0.00	\$4,695.72	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$13,399.71	\$9,106.71	\$27,202.15	N/A
Hotel	\$0.00	\$287.23	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,158.00	\$787.00	\$2,232.23	N/A
Office	\$0.00	\$1,334.22	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$172.64	\$254.03	\$1,760.89	-6.1%
Industrial	\$0.00	\$602.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$140.92	\$207.35	\$950.52	-32.3%
Warehouse	\$0.00	\$166.78	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$178.51	\$262.67	\$607.96	-56.7%
Institutional/Nursing Home	\$0.00	\$546.66	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,040.59	\$1,531.13	\$3,118.38	66.2%
Current Fee per 1,000 Sq. Ft.												
Retail/Commercial	\$0.00	\$839.00	\$478.00	\$0.00	\$0.00	\$0.00	\$400.00	\$227.00	\$0.00	\$0.00	\$1,944.00	
Office	\$0.00	\$771.00	\$478.00	\$0.00	\$0.00	\$0.00	\$400.00	\$227.00	\$0.00	\$0.00	\$1,876.00	
Industrial	\$0.00	\$299.00	\$481.00	\$0.00	\$0.00	\$0.00	\$400.00	\$224.00	\$0.00	\$0.00	\$1,404.00	
Warehouse	\$0.00	\$299.00	\$481.00	\$0.00	\$0.00	\$0.00	\$400.00	\$224.00	\$0.00	\$0.00	\$1,404.00	
Institutional	\$0.00	\$771.00	\$478.00	\$0.00	\$0.00	\$0.00	\$400.00	\$227.00	\$0.00	\$0.00	\$1,876.00	



Supplemental Information: Capital Project Lists

PROJECT NAME	DESCRIPTION
Union Street	Increase capacity through upgrading bike lanes to be protected.
Battery Street	Increase capacity by shifting road space to accommodate higher capacity modes
North Street	Increase capacity by shifting road space to accommodate higher capacity modes
Pearl Street	Increase capacity by shifting road space to accommodate higher capacity modes
Main Street (East)	Increase capacity with a multimodal shared path
Colchester Ave	Increased capacity through improved transit infrastructure, multimodal shared use path, and improved signalization

Transportation/Multimodal Impact Fee:

Constructing Capacity by 2035 that will serve growth beyond that timeframe.

Impact Fees are assessed **only** the share of capacity consumed during the next 10 years.

\$34 million of project costs. City aims to pay for 80% of project cost via Federal support – Reducing costs to \$6.8 million eligible for impact fee



Supplemental Information: Capital Project Lists

Water & Sewer:

- Buy-In Impact Fee Revenue will be spent on any replacement/renewal projects within the wastewater and water systems, including but limited to:
 - Replacement/relining of water mains or sewer pipes
 - Replacement of water treatment/supply and wastewater



Supplemental Information: Capital Project Lists

General Facilities:

- \$9.1M in eligible costs
- Significant other funding needed to bridge gap
- Some renovation projects that will have marginal capacity increases

Project	Estimated Cost	Useful Life ¹	% Allocated to Growth	Impact Fee Eligible Cost	Status
Library					
North Branch Expansion	\$360,000	---	100%	\$360,000	Unfunded long-term
Fletcher Library Renovation	\$25,000,000	30 years	18.9%	\$4,727,873	Unfunded long-term
2 Library Material Hold Lockers	\$21,000	10 Years	8.2%	\$1,717	Unfunded long-term
Police					
Office Renovation for CSOs and CSLs	\$1,200,000	---	100%	\$1,200,000	Current Need
Fire					
Fire Station Consolidation	\$15,000,000	30 years	18.9%	\$2,836,724	Unfunded long-term
Total	\$41,581,000			\$9,126,314	

¹Useful life before replacement or significant capital re-investment is needed.

Source: City of Burlington; Economic & Planning Systems



Supplemental Information: Capital Project Lists

General Fleet:

- 1 net addition to Fleet identified
- Fleet replacement is not eligible

Project	Estimated Cost	% Allocated to Growth	Impact Fee Eligible Cost	Status
EMS Director Truck or new batallion car	\$70,000	100%	\$70,000	In Current Funding Request
Total	\$70,000		\$70,000	

Source: City of Burlington; Economic & Planning Systems



Supplemental Information: Capital Project Lists

Project	Estimated Cost	% Allocated to Growth	Impact Fee Eligible Cost	Status
Calahan Park				
Community Garden Expansion	\$116,000	100.0%	\$116,000	Unfunded long-term
Multi-Use Building + Covered Outdoor Space	\$625,000	100.0%	\$625,000	Unfunded long-term
Primary and Secondary Paths	\$1,000,000	100.0%	\$1,000,000	Unfunded long-term
Multi-Use Pavilion / Ice Rink	\$900,000	100.0%	\$900,000	Unfunded long-term
Subtotal	\$2,641,000		\$2,641,000	
Total	\$2,641,000		\$2,641,000	

Source: City of Burlington; Economic & Planning Systems

Parks & Recreation:

- Screened out: Marina, waterfront, & pier maintenance/replacement projects (\$2.5M)
- Calahan Park
 - In an area planned for new development
 - Heavily used

Board of Finance and City Council Submission Checklist

Version: April 2025

Department: CAO Submitter: Ashley Parker

Title/Subject: First Reading of Amendment to B.C.O. § 21-41

Approval Requested:

☐ Board of Finance

☒ City Council

☐ Both BOF and Council

Meeting Date:

Click or tap to enter a date.

5/12/2025

Click or tap to enter a date.

Instructions

1. This form must be completed by the person submitting the materials.
2. This form must be sent with the final submission of materials in advance of the meeting.
3. Do not indicate that a sign-off was received until it has actually been obtained.
4. Commission reports and presentations do not need to be reviewed by the CAO or Attorneys.
5. Name the reviewing Attorney or HR Manager in the Note column.

Signoff Needed	Received?	Approval Date	Note
Department Head	N/A	Click or tap to enter a date.	Click or tap here to enter text.
Mayor's Office	Yes	5/8/2025	Click or tap here to enter text.
Board/Commission	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office for memo and contracts or legal documents	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office for memo and motion(s) or resolution(s)	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CAO for budget, financing, and memo	Yes	5/7/2025	Click or tap here to enter text.
Human Resources, if personnel action or policy	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if IT-related	N/A	Click or tap to enter a date.	Click or tap here to enter text.

**Evaluation of Safe Syringe Programs and the Impact of Syringe Litter
in Burlington, Vermont**

Report to the Burlington City Council by the Burlington Board of Health

Celia Bird, FNP, MS, Chair

Bianka Çimrin, MS

Judy Rivers, RN, M.Ed.

Jane Seymour, PhD, MPH

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April 2025

Executive summary

In October 2024, the Burlington, Vermont, City Council passed a resolution titled “Evaluation and Improvement of Syringe Exchange Programs, Syringe Litter, and the Environmental Impact of Syringe Disposal in Burlington.” This resolution tasked the Board of Health with evaluating syringe exchange programs (SSPs) and assessing the impact of syringe litter in the City of Burlington.

In response, the Board has prepared the following report, which we organized into seven sections:

1. Introduction
2. Evidence about the safety and effectiveness of SSPs
3. Current SSP offerings in Burlington and syringe litter challenges
4. Examples of syringe litter mitigation efforts in other cities
5. Recommendations to address syringe litter in Burlington
6. Staffing recommended programs and systems
7. Conclusion

1. Introduction

Safe syringe disposal is a critical issue for the City, and addressing this challenge requires a sustained and collaborative approach. In 2014, City Council tasked the Board to provide recommendations on syringe disposal, resulting in four key recommendations:

1. Strengthen the partnership with the Howard Center's Safe Recovery Program.
2. Install publicly accessible syringe collection boxes, including small wall-mounted units and larger disposal bins.
3. Implement an outreach and education campaign focused on proper needle disposal practices.
4. Engage local businesses in collaborative syringe collection efforts.

In turn, the City implemented some changes, however syringe litter remains a persistent concern. Therefore, in late 2024, the Burlington, Vermont, City Council ("City Council") passed a resolution titled "Evaluation and Improvement of Syringe Exchange Programs, Syringe Litter, and the Environmental Impact of Syringe Disposal in Burlington." This resolution tasked the Board of Health ("the Board") with evaluating syringe exchange programs ("safe syringe programs" or "SSPs") and assessing the impact of syringe litter in the City of Burlington. The following report is the result of this effort, and presents the Board's findings and recommendations.

2. Evidence about the safety and effectiveness of SSPs

It is well documented that the opioid epidemic and resulting substance use disorder is a threat to individual and public health and wellbeing. Therefore, providing effective, accessible treatment and harm reduction for those living with substance use disorder benefits both those individuals and the broader public health. The scientific literature is clear that SSPs are an effective harm reduction tool to mitigate the effects of substance use.

By providing clean syringes, SSPs prevent syringe reuse, including syringe sharing.^{1,2} Given that sharing syringes is associated with the transmission of blood-borne pathogens, including hepatitis B and C and HIV, SSPs decrease those risks. In other words, given that some people with opioid use disorder will reuse syringes, providing clean syringes and supplies reduces the risk of doing so.³⁻⁶ For example, one study indicated that SSPs are associated with 50% reductions in HIV and hepatitis C infection incidence among clients compared with non-clients.⁷ Additionally, by substantially averting infection and disease, these programs are highly cost-effective⁸ – the estimated one-year return on investment of SSPs in Philadelphia and Baltimore due to averted HIV diagnosis between 1993 and 2002 was \$243.4 million and \$62.4 million, respectively.⁹

Additionally, research shows that SSPs are associated with increases in safe syringe disposal.^{10,11} While SSPs decrease syringe litter, data also clearly shows syringe litter poses little public health risk. To date, there are no known cases of HIV transmission due to syringe litter needlesticks and only exceedingly rare cases of hepatitis B and C transmission from such needlesticks.¹² This is due to both safe-disposal practices and comprehensive post-exposure prophylaxis protocols. While uncommon, exposure does carry the potential for transmission. For example, the hepatitis C virus can remain viable in syringes for several days or even weeks, depending on the syringe

type and storage conditions.¹³ Importantly, children are at a higher risk of coming into contact with discarded needles, perhaps due to curiosity combined with not knowing the dangers of syringe litter; in one study, among children who had a needle stick, the majority (64.6%) deliberately picked up the needle.¹⁴

Research refutes concerns that SSPs encourage substance use by providing safe syringes. In fact, SSPs offer a variety of supportive harm reduction services and in doing so, build trusting relationships with clients. These programs provide clients with crucial links to other supportive services, including treatment services. As a result, research shows that SSPs are a crucial linkage to care to help those living with substance use disorder access and maintain treatment. One study found SSPs were associated with reductions in injection frequency, increases in stopping injecting, and increases in remaining in treatment.¹⁵ Other studies similarly show that SSPs play an important role in connecting clients with treatment services and those who use SSP services are more likely to connect with treatment than those who do not.^{16,17} Similarly, concerns that SSPs promote criminality and violence are not supported by science.^{18,19}

The scientific literature is conclusive: the benefits of providing those living with substance use disorders with harm reduction supplies and services through SSPs not only serve their individual health but also preserves public health. The success of SSPs is significantly influenced by their design (e.g., availability of educational resources, outreach to those who use substances), the scope of services offered (e.g., medical care such as wound care, vaccination, mental health support), and the extent to which they address the social determinants of health. A comprehensive approach that integrates these elements enhances the effectiveness of SSPs in reducing harm and promoting public health.²⁰

3. Current SSP offerings in Burlington and syringe litter challenges

Like many other cities across the United States, Burlington faces challenges related to the ongoing, deepening opioid epidemic. A cadre of services are present in the City to address the public and individual health needs associated with substance use disorder. SSP programs design services to support the safety and well-being of individuals who use substances, their families and friends, and the broader Burlington community.

3.1. SSPs in Burlington

In Burlington, there are two SSPs, Howard Center Safe Recovery located at 45 Clarke Street and Vermont Cares located at 139 Bank Street. In addition to providing clean, safe syringes to clients, the programs offer other harm reduction supplies and services, including free naloxone, HIV and hepatitis C testing, fentanyl and xylazine testing strips and a legal clinic. Both are drop-in based and open to all with consistent hours.

Importantly, both programs encourage syringe users to responsibly dispose of used syringes. According to program staff, although the program dispenses more syringes than it collects, most clients dispose of their needles appropriately and encourage others to do so. In fact, although both SSPs accept used syringes for disposal, they also educate clients about safe syringe disposal. They also encourage clients to safely dispose of used syringes as soon as possible rather than waiting to return them to the SSP, which helps reduce the potential for reuse, sharing,

and/or needle sticks. Additionally, all SSPs track the numbers of encounters, syringes distributed, syringes collected, referrals made, Narcan distributed, and overdoses reversed.

In addition to the two SSPs, there are other resources to support Burlingtonians living with substance use disorder and their families, including the Johnson Health Center at 117 Bank Street, Pathways Vermont Community Center at 279 North Winooski Avenue, and the Turning Point Center at 179 South Winooski Avenue. All these sites collect and safely dispose of syringes, provide other harm reduction items, and count how many syringes clients return for disposal.

3.2. Challenges related to syringe litter

Despite the existing infrastructure for safe disposal, syringe litter remains an issue in Burlington. In each of the last three years, users submitted eight hundred or more syringe litter reports to SeeClickFix, the system the City uses to identify public needs (see Table 1). Since not all syringe litter is reported through SeeClickFix (e.g., some syringe litter is disposed of by residents without report), these figures represent a fraction of all syringe litter in the City.

<i>Year</i>	<i>Number of syringe litter reports</i>
2022	789
2023	991
2024	899

Table 1. Number of syringe litter reports to SeeClickFix by year. Source: https://city-of-burlington-vt-open-data-burlingtonvt.hub.arcgis.com/datasets/06eb0ced389841b290e8f27ee89c5565_0/about

The City has made efforts to address syringe litter. In 2015, Safe Recovery established a syringe pick up team. Furthermore, in 2023, the Park Commission proposed starting a community syringe redemption program, though it has not implemented one.

In collecting information for this report, the Board repeatedly heard from both SSP staff and other local organizations serving those living with substance use disorder that there is a need for additional syringe disposal, particularly in “hot spots” where syringes are frequently discarded (see Figure 1). In addition to discarding syringes on the ground, the Board also received reports of City staff finding syringes disposed of in trash, an unsafe practice.

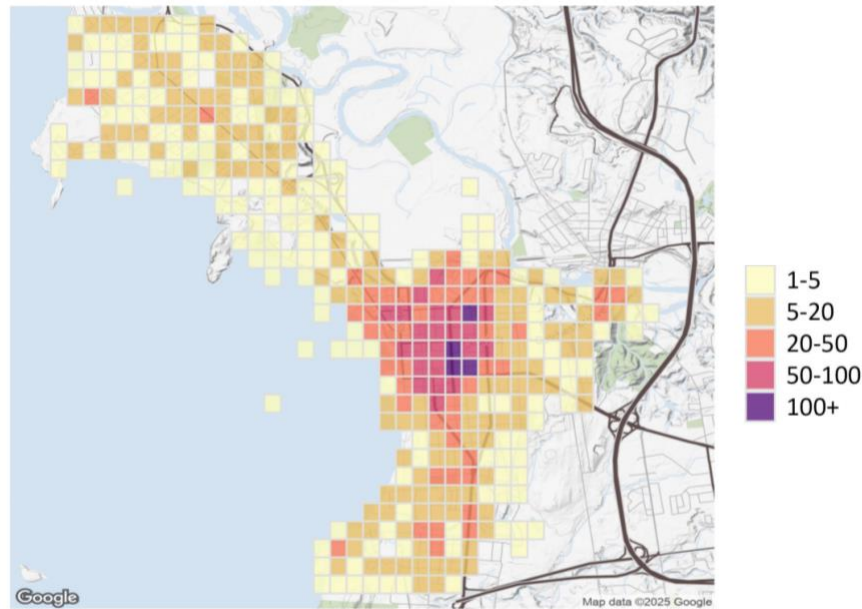


Figure 1. Number of syringe litter reports to SeeClickFix by location, 2024.

Residents and business owners living and working near SSPs have also raised concerns about syringe litter, which can affect both public and private spaces. This litter is challenging for residents and some view it as a public health threat and attribute it to the presence of SSPs. Given that SSPs play a critical role in supporting public health, it is imperative that the City take immediate action to reduce syringe litter and protect surrounding areas. Supporting public health services, including SSPs, is essential to safeguarding both public health and community well-being.

4. Examples of syringe litter mitigation efforts in other cities

Worldwide there is a plethora of programs designed to mitigate syringe litter. This section highlights several of these initiatives, with a particular focus on United States-based programs, offering potential models for Burlington.

4.1. Boston, Massachusetts

To date, Boston's most notable program was the Community Syringe Redemption Program facilitated by Addiction Response Resources.²¹ This program aimed to mitigate syringe litter while supporting individuals living with substance use. The program paid volunteers, many of whom were individuals living with substance use disorder, \$1 for every five syringes collected, with a cap of fifty syringes per day. The program thus incentivized active participation in the cleanup process and engaged individuals directly affected by substance use. To reduce the risk of robbery, the program made payments in dollar coins because they were heavy and difficult to conceal. In addition to syringe collection, the program provided participants with harm reduction supplies, such as clean syringes, and encouraged them to engage in conversations about treatment, recovery, and access to other supportive services. This comprehensive approach not only addressed syringe litter but supported the community's broader public health needs. The program employed two assistants to manage operations, including oversight of syringe collection and harm reduction supply distribution.

The Community Syringe Redemption Program effectively reduced syringe litter. In 2021, the program collected approximately 17,000 syringes per week, for a yearly total just under one million. By 2023, the number of syringes collected grew to 1.8 million. Additionally, complaints from residents about syringe litter dropped by 50%. Although, due to a lack of funding, the program was canceled in 2024, it was later revived and expanded as the Back2Work Program.²² The Newmarket Business Improvement District now employs homeless and addiction-challenged individuals to provide street beautification services while receiving support towards recovery from program staff.²³ The program's success underscores the importance of sustained funding and community-driven solutions.

In addition to the Community Syringe Redemption Program, Boston has implemented other city-led strategies to tackle syringe litter. First, the city employs a dedicated team of six individuals, the Mobile Sharps Team, who are responsible for collecting needles and responding to complaints about syringe litter. This team plays a critical role in addressing syringe litter in real-time and helping maintain public safety. Additionally, the city provides options to mail back used syringes for disposal and access to the Mayor's 311 hotline to report syringe litter. Furthermore, the city placed kiosks for needle disposal in high traffic locations, encouraging safe disposal. Furthermore, in partnership with local community members, the city organizes neighborhood-run syringe litter clean-up efforts. These clean-ups foster a sense of community responsibility and encourage residents to take an active role in keeping their neighborhoods clean and safe.

Finally, Boston has also supported the establishment of a network of SSPs that prioritize community engagement and education. These SSPs serve as a crucial link between harm reduction efforts and broader public health initiatives. Outreach by harm reduction workers and volunteers is an essential component of these SSPs, during which they collect used syringes.

Funding for Boston's programs and services comes from a combination of grants, public health budgets, and partnerships with both governmental and non-governmental entities. Educational institutions also play a role, with social work students engaging in outreach activities as part of their curriculum.

4.2. Other cities

In addition to Boston's programs, other municipalities offer models for addressing syringe litter that may be feasible for Burlington.

Philadelphia's Environmental Services Team leads several sanitation programs. Project Reach conducts environmental cleanups in neighborhoods and runs the Block2Block Same Day Pay program, providing low-barrier employment for community members to assist with cleanup for remuneration of \$50 per day for up to 12 days per year. Additionally, the Needle Drop Box Program installs freestanding, conveniently placed boxes for needle disposal, and offers smaller wall-mounted drop boxes outside of local organizations.²⁴

Montreal has a 311 hotline to which residents can report syringe waste.²⁵ CACTUS Montreal also actively engages service users, their work team, and community volunteers to reduce

discarded syringes in public areas, including through bi-annual syringe recovery blitzes.²⁶ Through Quebec's Syringe Recovery System, free disposal containers can be picked up, and dropped off when full, at pharmacies, hospitals, clinics, and SSPs.²⁷

Portland, Oregon's Adopt One Block program provides cleaning supplies to volunteer Block Ambassadors, who agree to keep a city block of their choice free of litter, including syringe litter, for one year, through weekly pick-ups. The program has expanded every year since its inception.²⁸

The New York State OASAS program offers treatment and employment services for those living with substance use disorder.²⁹ All hospitals and nursing homes are mandated by law to accept home-generated syringe waste as a free, community service through their sharps collection programs. In addition, pharmacies, health clinics, community-based organizations, mobile van programs, public transportation facilities, housing projects, police stations, waste transfer stations and other venues have become settings for syringe waste disposal and offer drop boxes (or "kiosks") for safe disposal.

5. Recommendations to address syringe litter in Burlington

To effectively address syringe litter in Burlington, the Board recommends a multi-faceted approach that includes:

- **Recommendation 1:** Enhance efforts to collect syringe litter
- **Recommendation 2:** Tackle the root causes of syringe litter
- **Recommendation 3:** Build community support for harm reduction programs related to substance use
- **Recommendation 4:** Establish comprehensive data collection to monitor the effectiveness of syringe litter mitigation and prevention services.

5.1. Recommendation 1: Collect syringe litter

Passive syringe litter collection

The Board recommends expanding passive syringe litter collection efforts. The City should permanently install and maintain locked drop boxes attached to a wall or concrete pad in areas with the highest concentration of syringe litter. These drop boxes should be secure, easily operable, accessible 24 hours a day, seven days a week, and include pictorial disposal instructions and SeeClickFix contact information. Either in conjunction with this effort or separately, the City should strongly encourage the two SSPs to install drop boxes outside their facilities for safe syringe disposal when the facility is closed. The City should also work with hospitals and pharmacies to encourage them to maintain syringe disposal units in emergency departments and near drug disposal units.

The Board also recommends that the City work with SSPs to ensure safe disposal options are available to all their clients, including those who may not use centralized drop boxes. One such option would be to distribute small, portable syringe disposal containers, which clients can return to SSPs for emptying.

The City should also expand upon successful community cleanup events, such as those already organized by the Greater Burlington YMCA and Vermont Cares, establishing regular events,

considering a model such as Portland, Oregon’s Adopt One Block program. Such efforts, as well as those undertaken by City staff should prioritize areas with elevated levels of syringe litter.

For passive syringe litter efforts to be successful, the City should streamline the collection process for syringe disposal boxes located in the community through SeeClickFix such that users can report full boxes to the City for collection, counting, and disposal of syringes, as well as provision of replacement boxes.

Staffed syringe litter collection

If the City finds that passive syringe collection expansions do not sufficiently reduce syringe litter, the Board then recommends introducing a weekly, mobile syringe collection program, modeled after the successful program in Boston, but adapted to meet Burlington’s needs. Partnerships with community organizations, local universities, and volunteer groups could support such a service. The Board recommends a mobile program that would travel to high-need areas to provide syringe disposal options, as well as on-the-spot harm reduction services. This program could also offer medical, nursing, and public health students with opportunities for professional engagement.

The Board recommends that such initiatives support and build upon established local programs with a proven history in engaging individuals with substance use disorder, both before and during recovery. Doing so will help ensure inclusive and equitable programming that addresses the needs of all community members, particularly those living with substance use disorder. These programs can help train and employ current and former clients to engage their peers, promote safe syringe disposal, and actively participate in syringe collection. This model not only empowers individuals in recovery by providing training but also fosters a sense of community ownership and responsibility. Involving individuals with lived experience of substance use disorder in collection efforts, Burlington can create a more compassionate, informed, and effective approach to harm reduction, while reducing the stigma often associated with substance use disorder.

Funding for litter collection

The Board further recommends exploring funding opportunities that may be available through the Consolidated Appropriations Act of 2025, Title II: “Health Extenders.” This act may authorize the use of Department of Health and Human Services (HHS) funds to support SSPs, excepting the purchase of needles or syringes. Other funding might be available through the State of Vermont’s Opioid Settlement Funds. While the State has already distributed Fiscal Year 2025 allocations, the Board encourages the city to review these allocations and consider partnerships with local Burlington awardees. Additionally, the City should determine whether funds from Act 22 could support new or expanded syringe collection.

Historically, the Substance Abuse and Mental Health Services Administration (SAMHSA) offered grants to support harm reduction initiatives, including SSPs, which could serve as a valuable resource to enhance local programs and infrastructure. While the federal funding landscape is undergoing significant changes, the Board suggests exploring State Opioid Response Grants, Targeted Capacity Expansion: Special Projects, and/or Building Communities of Recovery funds if they are available now or in the future.

The City can also support expanded syringe collection by identifying ways to reduce the cost of safe disposal of syringe waste. The City of Barre, Vermont has effectively worked with Central Vermont Medical Center to establish a flat rate for syringe disposal. A similar relationship between Burlington and the University of Vermont Medical Center could decrease the cost of this effort.

Given the current funding constraints resulting from changes at the federal level, the City could also play a role in supporting existing service providers and ensuring a unified plan for continued services. In the current funding environment, the City may need to more actively engage and coordinate with organizations that previously had consistent funding to avoid interruptions in service provision.

5.2. Recommendation 2: Tackle the root causes of syringe litter

The Board also recommends that the City continue to pursue and facilitate solutions to the underlying and intertwined causes of syringe litter, including substance use disorder, mental health, and housing insecurity.

Substance use disorder

Address limitations of treatment and support services

In Vermont, there is limited access to substance use treatment, particularly for individuals relying on Medicaid. While private treatment centers are available, their costs can be a barrier. Currently, only two treatment centers in the state accept Medicaid, offering a 14-day program with minimal follow-up care. Expanding respite programs that provide transitional care and long-term support may also improve recovery outcomes.

Reduce barriers to medication-assisted treatment

Limited access to methadone treatment in the area presents a significant challenge for individuals seeking recovery. A barrier to medication-assisted treatment is the fact that there are limited transportation options to the location of existing clinics. Expanding services by introducing free bus transportation, relocating or adding bus stops near clinics, and assessing the need for an additional downtown methadone clinic could improve access to those wishing to engage with medication-assisted treatment.

Implement overdose prevention strategies

Overdose Prevention Centers provide a supervised environment where individuals using substances can access immediate intervention and essential support services. Establishing such a center in Burlington will facilitate harm reduction efforts, offer connections to treatment and support services, and reduce overdose-related fatalities.

Increase youth-focused education and prevention

To address the impact of substance use on the community, the City should collaborate with local prevention organizations to implement comprehensive youth education programs. These initiatives can equip young people with the knowledge and resources needed to make informed decisions about substance use while also providing education on harm reduction strategies, such as safe syringe disposal and reporting of syringe litter. By fostering partnerships with prevention

coalitions, schools, and community organizations, the City can enhance youth resilience, reduce risk for poor health and wellbeing outcomes, and promote public health.

Mental health

An integral component to addressing substance use is to simultaneously increase access to local mental health care facilities, treatment, and long-term care. The City should increase on-site mental health support in public spaces such as parks and transit stations with mental health workers or trained City employees available to offer immediate assistance and/or referrals. One potential format for such services is temporary, small-scale support booths in high-traffic community areas. This program could quickly connect individuals to counseling, mental health resources, and harm reduction education. Additionally, continuing to train frontline City employees including park maintenance and transit operators, in mental health and trauma-informed care will allow them to respond to individuals more readily and effectively in need.

Housing insecurity

Vermont ranks fourth highest in the nation for per capita rate of individuals experiencing housing insecurity, reflecting a broader national trend of increasing housing insecurity.³⁰ The lack of stable housing in our state contributes to challenges in proper syringe disposal, as individuals without shelter may not have the ability to consistently dispose of syringes safely. Additionally, when those facing housing insecurity are displaced from encampments, they may be unable to retrieve or properly dispose of syringes left behind. Furthermore, barriers such as the lack of a permanent address or phone number can prevent access to essential health and harm reduction services. The Board recommends that the City explore strategies to expand shelter capacity and work with the State legislature to increase long-term housing availability, recognizing the critical role housing plays in public health and harm reduction efforts.

Integrated support services

Given the interconnected nature of substance use disorder, mental health, and housing insecurity, the City should actively support collaboration among organizations providing services across these domains and ensure any new programs address all three. Ideally, individuals living with substance use disorder, mental health issues, and/or housing instability should have access to a dedicated case worker to coordinate care and ensure they receive the full spectrum of necessary support. Currently, most service providers operate through informal referral networks based on trust between individual staff members. Establishing structured, purpose-driven meetings between organizations could enhance coordination, improve service delivery, and reduce inefficiencies.

Additionally, the Board encourages the City to launch public awareness campaigns aimed at reducing stigma surrounding substance use, mental illness, and housing insecurity, fostering greater community collaboration and support. New services, including any mobile syringe collection efforts should offer services to support those living with substance use, mental illness, and/or housing insecurity.

5.3. Recommendation 3: Build community support for substance use harm reduction programs

The Board recommends that the City continues to provide education and outreach to build public support for efforts to address both syringe litter and the underlying causes of syringe litter. Lack

of support for such services threatens their existence and thus public health. Ongoing dialogue, efforts to improve existing services, and transparency will benefit the relationship between substance use harm reduction providers and the broader Burlington community.

Public forums

The City should host regular public forums or town hall meetings to foster open dialogue between harm reduction providers, city officials, and the broader community. Such meetings should include voices of individuals with lived experiences with substance use disorder, public health experts, and community leaders to create understanding and address every constituency's concerns. These presentations could also take the form of workshops or listening sessions for affected communities to share their experiences and gather immediate, actionable ideas for addressing syringe litter. Such forums will provide an opportunity to share evidence documenting how harm reduction programs save money for taxpayers by reducing emergency medical responses, hospital admissions, and other public costs, while benefiting individual and public health. The Mayor has established successful public safety forums that could serve as an example of how to successfully bring focus to syringe mitigation efforts and their effects.

School and youth outreach

As noted previously, the City should partner with local schools and local substance prevention coalitions to provide educational workshops on substance use prevention and harm reduction tailored to youth. These partnerships could also lead to the formation of peer-led programs where young people can learn from relatable role models about making choices that support their health and wellbeing.

Neighborhood engagement

The City should work to establish neighborhood-based working groups that, in addition to leading clean-up events, allow residents to provide input on harm reduction services and syringe litter mitigation strategies. Additionally, all clean-up events should aim to also build community and provide education on the benefits of harm reduction.

Cultural sensitivity

The City should partner with local organizations representing culturally and linguistically diverse communities in Burlington to identify their specific needs and concerns related to substance use and syringe litter. These partnerships should lead to inclusive and effective harm reduction messaging, educational materials, and outreach efforts.

5.4. Recommendation 4: Establish comprehensive data collection practices

It is crucial that all efforts to address and prevent syringe litter in the City be data-driven. We recommend establishing a unified and systematic data collection system. The City should lead the development and implementation of such a data collection system for tracking syringe litter and disposal. This system should be centralized such that all relevant stakeholders, including harm reduction service providers, public health organizations, and community groups all report data to this system. The system should track:

- **Number of syringes** collected by time period, including how frequently programs or the City empty disposal units to assess frequency of use over time.

- **Location of syringes** collected to identify areas with high concentrations of syringe litter and how locations change over time.
- **Method of syringe collection** (e.g., drop box, mobile collection unit, SeeClickFix report, community clean-up) to identify the most effective collection methods over time.

The success of a unified data collection system relies on collaboration among organizations and transparency with the community. The City must ensure buy-in and continued use of this system by facilitating regular meetings with service providers and other data contributors to ensure the system works for all stakeholders. These meetings can also serve as an opportunity to share best practices for data collection and an opportunity to solicit feedback for system improvement. As part of ongoing data collection efforts, the City might also build partnerships with SSPs to collect data on their services, which the City could then transparently share with the public. These data could include information on the programs' impact on participants.

In turn, the City must continue to routinely analyze collected data to identify trends in syringe litter and rapidly adjust service strategies accordingly. Such analyses could also attempt to identify correlations between syringe litter and factors like housing instability, access to harm reduction services, mental health resources, and syringe litter mitigation efforts. The Board encourages the City to continue using GIS programs, mobile applications, and data dashboards for enhanced data collection and analysis. Importantly, the City must make results easily accessible to data contributors so that they have access to this evidence to support their ongoing efforts to mitigate the ill effects of substance use. Through such iterative collaboration with data contributors, the City and these service providers will be better able to identify challenges quickly and implement changes that may meet community needs.

In addition to making data accessible for contributors, the City must engage and build trust with the broader community by making data accessible and understandable. The City should share data using infographics and in other easily digestible formats. Furthermore, an annual report on syringe litter remediation and prevention efforts, including key findings, program updates, and future goals would inform the community and ensure yearly program updates informed by evidence from the prior year. Programs could also use such a document in fundraising for their efforts. The Board hopes that by establishing transparent, routine communication with the broader community, Burlingtonians will be more supportive of harm reduction services and evidence-based decision making about syringe litter. Furthermore, the City should consider regularly soliciting community feedback to assess the impact of syringe litter mitigation efforts on community concerns and quality of life. Public forums suggested earlier in this report offer an ideal setting for such feedback solicitation.

6. Staffing recommended programs and systems

To effectively implement these recommendations, the City must obtain funding, develop programming, and engage in ongoing evidence-based quality improvement. Therefore, the Board recommends that the City hire a coordinator to oversee existing and new syringe collection efforts, including seeking funds for this work. Implementing the Board's recommendations will require concerted effort that would be best managed through a central role in the City government. This role will allow for the systematic expansion of syringe collection and harm reduction efforts associated with addressing this challenge for our City. Additionally, this person

could manage collaboration with government entities such as Burlington Parks and Public Works and with community organizations, including SSPs. However, as the City considers efforts to reduce upcoming years' budgets, creative strategies to integrate this work into existing roles may be necessary.

7. Conclusion

The recommendations presented in this report are consistent with, and build upon, the Board's previous work. They reflect a continued commitment to addressing the complex issue of syringe litter while considering the broader social factors contributing to substance use disorder, mental health, and housing insecurity. Moving forward, the Board remains committed to supporting the City Council, local organizations, and community partners in advancing these initiatives and ensuring that Burlington continues to prioritize the health and safety of all residents. The Board is confident that with ongoing collaboration and evidence-based approaches, Burlington can make meaningful progress in reducing syringe litter, expanding harm reduction services, and fostering an inclusive and supportive environment for all individuals.

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RunVermont Presentation to Burlington City Council



About RunVermont

RunVermont is a nonprofit organization committed to the promotion of running as a lifelong activity through complementary programs that celebrate the athletic spirit. RunVermont programs are recognized nationally and warmly embraced by the Vermont Community.

The M&T Bank Vermont City Marathon & Relay is a fast and spectator-friendly race with over a quarter century history of success. The event reaches more than 5,000 registrants and is held in conjunction with a two-day sports & fitness expo, which attracts more than 10,000 visitors—including M&T Bank Vermont City Marathon & Relay participants, friends, family, and sports and fitness enthusiasts from across the nation and even from some international destinations.

The Vermont City Marathon was established in 1989 by a small group of local runners who believed that Burlington, VT was the idyllic location for a large marathon event held in the spring. The Relay was organized in conjunction with the full marathon and this became the first marathon with a relay event in the United States.

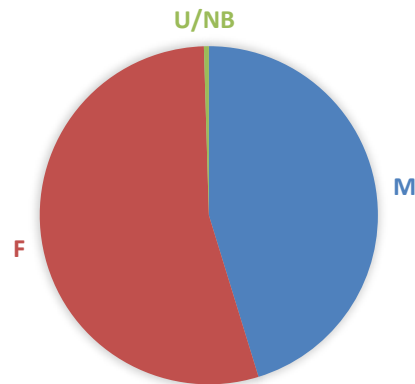
The M&T Bank Vermont City Marathon is now the third largest marathon in New England and the largest single-day sporting event in Vermont. It is a source of “good vibes” for Burlington and the surrounding area and brings repeat visitors back to Burlington and the surrounding area year after year.



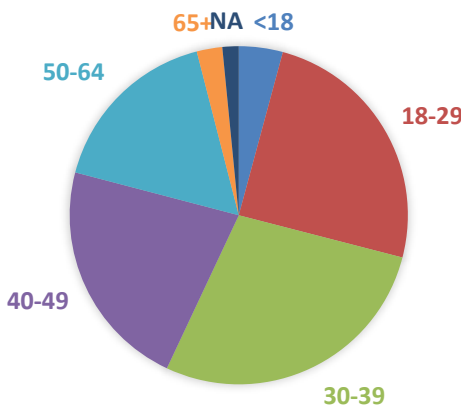
About M&T Bank Vermont City Marathon & Relay

- Average number of registrants 2016–2024 (exclusive of 2020 & 2021) – 6,710
 - 2,337 in the Marathon
 - 1,508 in the 2-Person Relay
 - 2,866 in the Marathon Relay (aka 3-5 Person Relay)
- Total registrants in 2024 – 4,536 (trending ahead by 400+ registrants for 2025)
 - 1,756 in the Marathon
 - 866 in the 2-Person Relay
 - 1,914 in the Marathon Relay (aka 3-5 Person Relay)

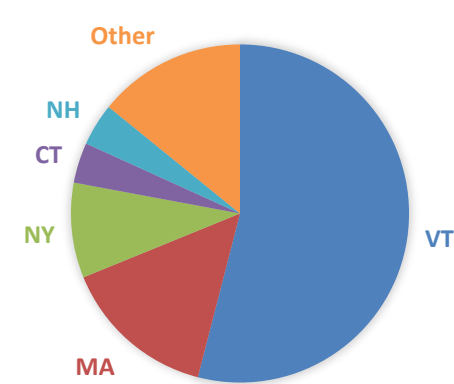
TOTAL REGISTRANTS -
GENDER BREAKDOWN*



TOTAL REGISTRANTS -
AGE BREAKDOWN*



TOTAL USA REGISTRANTS –
STATE BREAKDOWN**

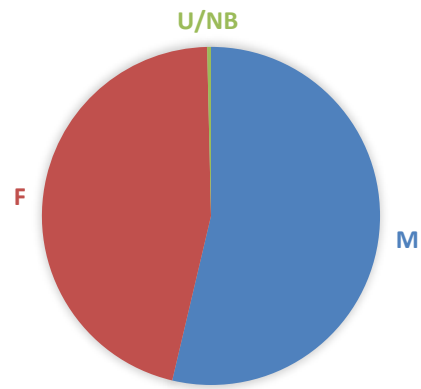


* 2016–2024 (exclusive of 2020 & 2021) ** 2018–2024 (exclusive of 2020 & 2021)

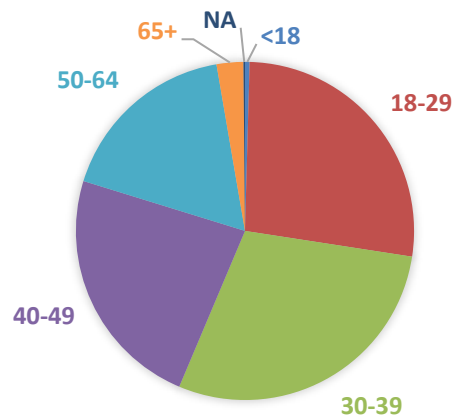


About M&T Bank Vermont City Marathon & Relay (continued)

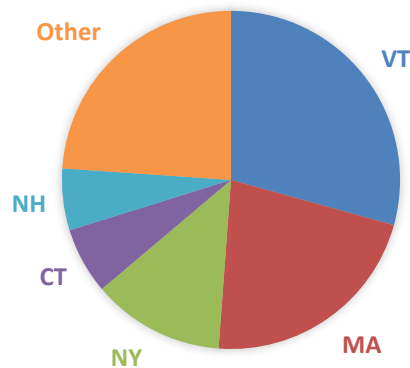
MARATHON REGISTRANTS -
GENDER BREAKDOWN*



MARATHON REGISTRANTS -
AGE BREAKDOWN*



USA MARATHON REGISTRANTS -
STATE BREAKDOWN**

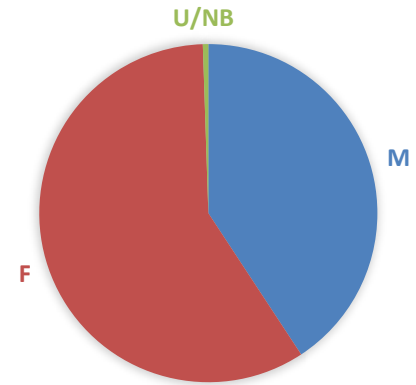


* 2016–2024 (exclusive of 2020 & 2021) ** 2018–2024 (exclusive of 2020 & 2021)

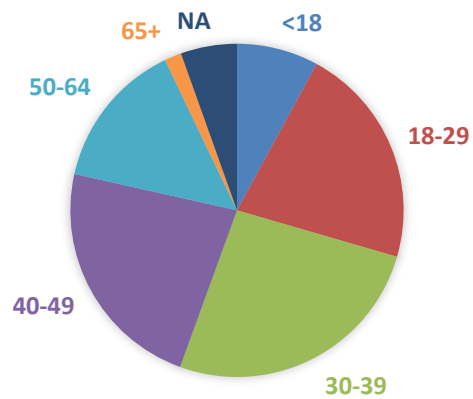


About M&T Bank Vermont City Marathon & Relay (continued)

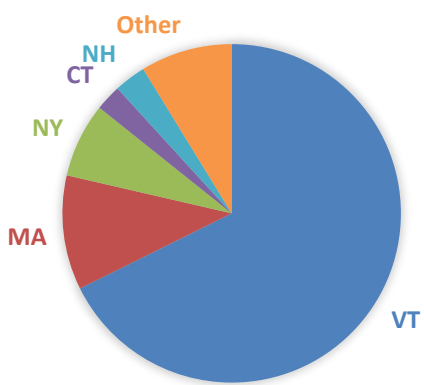
RELAY REGISTRANTS -
GENDER BREAKDOWN*



RELAY REGISTRANTS –
AGE BREAKDOWN*

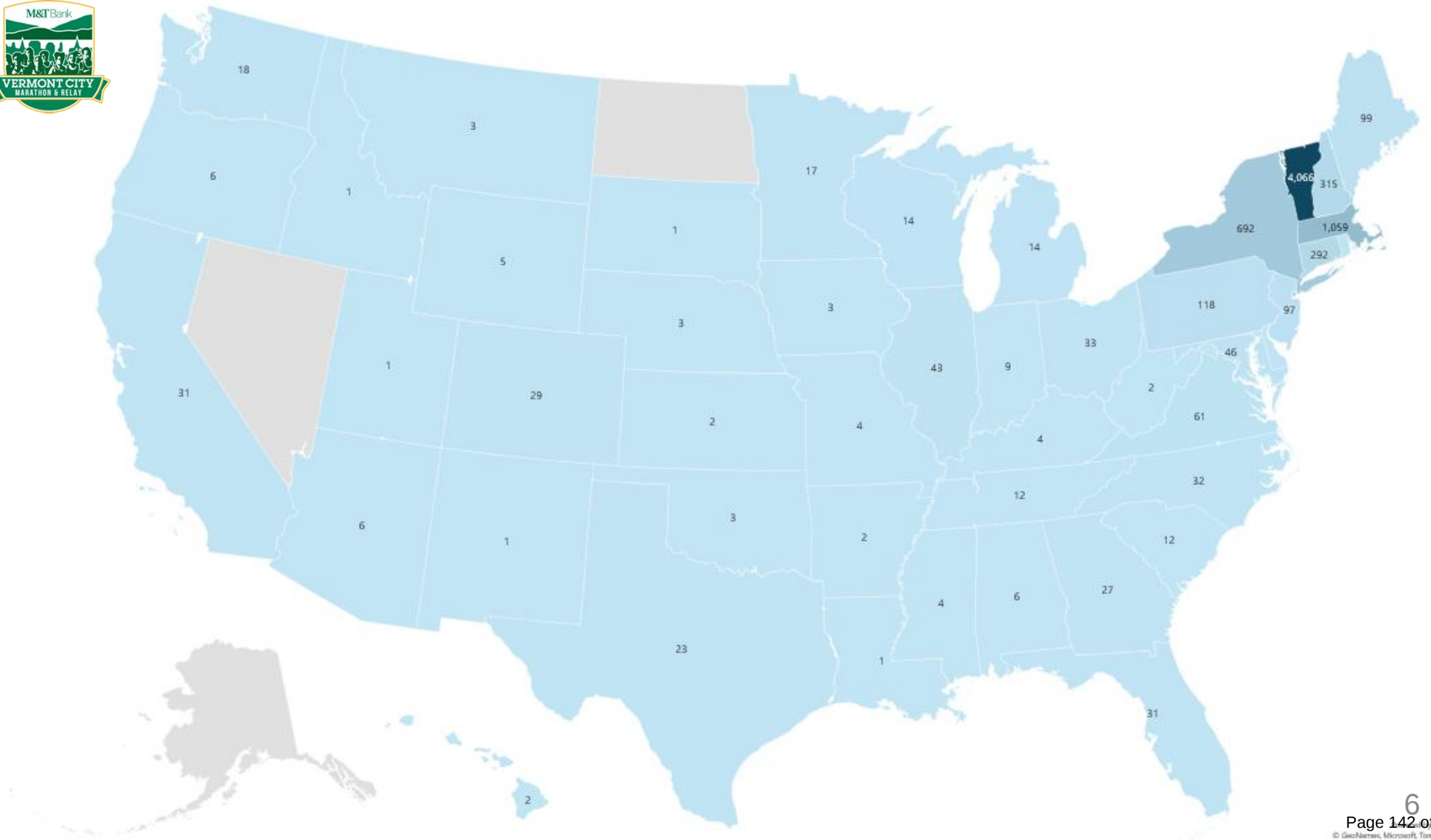


USA RELAY REGISTRANTS -
STATE BREAKDOWN**



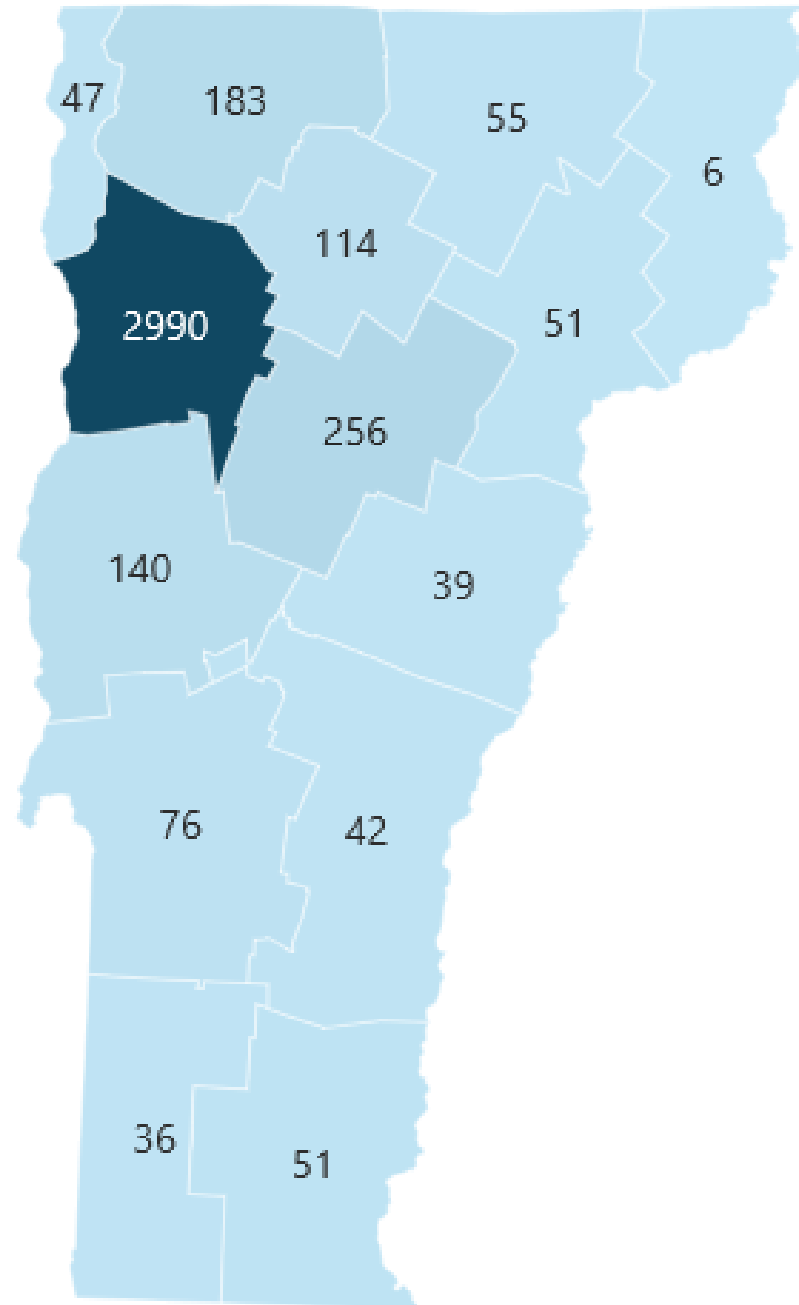
* 2016–2024 (exclusive of 2020 & 2021) ** 2018–2024 (exclusive of 2020 & 2021)

2019 People's United Bank Vermont City Marathon & Relay - Registrants by State





2019 People's United Bank Vermont City Marathon & Relay - Registrants by County





About M&T Bank Vermont City Marathon & Relay (continued)

The Best Marathons for First Timers – [Runner's World, July 2024](#)

Best First Timers Race - *Runner's World*, January 2016

Fast, Family Friendly Race - Annual Marathon issue of *Runner's World*, January 2015

Top 10 Best Places to Hit the Road - *Runner's World* 2009 and featured in *USA Today*

Seven Daysies Best of Vermont, Best Foot Race in 2014, 2015, 2016, 2017, 2018, 2019, and 2022
(not held in 2020 & 2021, not a category in 2023 & 2024)



About M&T Bank Vermont City Marathon & Relay (continued)





About M&T Bank Vermont City Marathon & Relay (continued)

Course Map available at:

<https://www.runvermont.org/vermont-city-marathon-relay/course-map/>



Street Closures and Delays Map available at:

<https://www.runvermont.org/faqs-resources/spectator-guide/>



STREET CLOSURES AND DELAYS

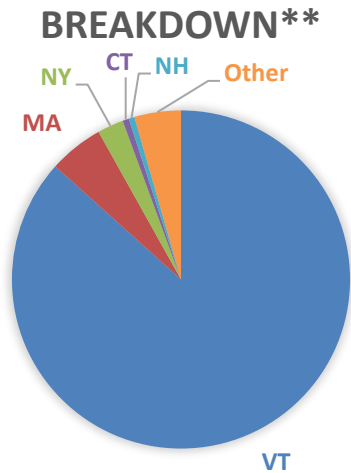




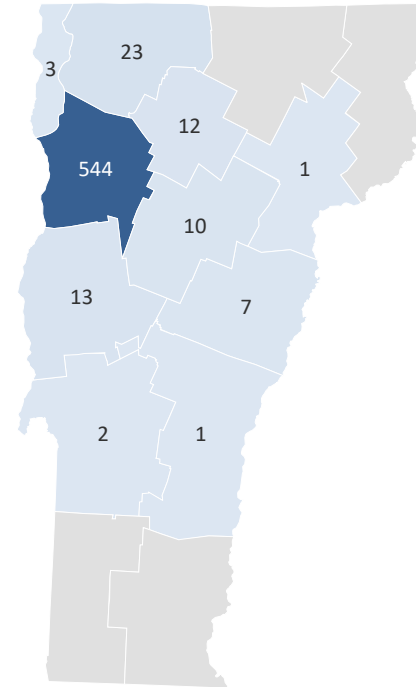
About Mini Marathon

- Average number of registrants 2016–2024 (exclusive of 2020 & 2021) – 590
- Total registrants in 2024 – 476

TOTAL USA REGISTRANTS - STATE



2019 Mini Marathon - Registrants by County



Powered by Bing
© GeoNames, TomTom

** 2018–2024 (exclusive of 2020 & 2021)



About M&T Bank Vermont City Marathon & Relay (continued)



RUN. CHEER. VOLUNTEER.

Memorial Day Weekend 2025

5.23 - 5.25



SCAN TO RUN



COME AND CHEER!



www.runvermont.org

SCAN TO VOLUNTEER



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Estimating the Economic Impact of Marathons

- It is very typical for a large and impactful race, such as a marathon, to either prepare an official economic impact analysis or to make an estimate of economic impact. Examples:
 - [TCS New York City Marathon](#)
 - ~\$425 million to NYC statewide in 2019
 - 40% bump over baseline for businesses along course in 2023
 - NOTE: 50,000+ finishers in 2024 (another race that weekend)*
 - [2024 Boston Marathon presented by Bank of America](#)
 - ~\$500 million and ~3,000 jobs statewide, predominately localized in Boston
 - NOTE: 25,000+ finishers in 2024 (another race that weekend)*
 - [2024 California International Marathon](#)
 - ~\$15 million to Sacramento and surrounding area
 - NOTE: 8,000+ finishers in 2024 (relay that same day)

* [The 25 Largest Marathons in the United States in 2024](#)



Estimating the Economic Impact of Marathons (continued)

- [2023 Flying Pig Marathon presented by P&G and Prysmian Group](#)
 - ~\$20 million and ~550 jobs created or sustained
 - Estimated that out-of-town guests spent more than \$1,200/person and local guests spent almost \$940/person over the weekend
 - Lodging was the largest economic driver with an estimated \$3.2 million on overnight accommodations (more than \$2.2 million on restaurants, bars, and entertainment)
 - NOTE: 4,000+ finishers (other races on the same day and weekend)*
- [2024 Foot Levelers Blue Ridge Marathon](#)
 - \$2 million in economic impact
 - NOTE: ~480 finishers in the marathon** (3,000+ for all races that day)***

* [The 25 Largest Marathons in the United States in 2024](#)

** [2024 Foot Levelers Blue Ridge Marathon Results](#)

*** [2024 Foot Levelers Blue Ridge Marathon](#)



Estimating the Economic Impact of the M&T Bank Vermont City Marathon

- A **conservative** estimate is that the M&T Bank Vermont City Marathon & Relay brings in between \$2.9 and \$3.3 million in revenue (exclusive of state and local tax revenue) for Burlington and the surrounding area in hotels, food, drinks, and registration revenue for RunVermont (the majority of which is put back into the community).
- **Lodging**: Assumes 750 lodging night reservations in Burlington at \$300/night and 2,250 lodging night reservations outside Burlington at \$200/night. Yields approximately \$675,000 in lodging revenue.
- **Food & Drink Participants**: Assumes that
 - 25% of Vermont participants spend \$0 on food and drink;
 - 25% of Vermont participants and 25% of non-Vermont participants spend \$50 on food and drink;
 - 25% of Vermont participants and 50% of non-Vermont participants spend \$100 on food and drink; and
 - 25% of Vermont participants and 25% of non-Vermont participants spend \$300 on food and drink.Yields approximately \$620,000 in food and drink revenue for participants.



Estimating the Economic Impact of VCM (continued)

- **Food & Drink Spectators:** Assumes that
 - 10% of Vermont spectators spend \$0 on food and drink;
 - 75% of Vermont spectators spend \$25 on food and drink;
 - 5% of Vermont spectators and 25% of non-Vermont spectators spend \$50 on food and drink;
 - 5% of Vermont spectators and 50% of non-Vermont spectators spend \$100 on food and drink; and
 - 5% of Vermont spectators and 25% of non-Vermont spectators spend \$300 on food and drink.Yields approximately \$815,000 in food and drink revenue for participants.
- This conservative estimate does not include significant M&T Bank Vermont City Marathon & Relay participant expenditures such as:
 - Transportation (rental cars, revenue to the airport, vehicles for hire (cabs and Uber/Lyft), parking);
 - Entertainment (tourist activities, movies);
 - Purchases at the Sports & Fitness Expo (many local vendors);
 - Purchases at local businesses (souvenirs); and
 - Other miscellaneous travel expenses.
- This conservative estimate also does not include an estimate of the economic impact of the RunVermont youth running events that take place the day before VCM and draw ~500 youth and their families to Waterfront Park on Saturday morning or RunVermont's year-round programming.



Thank you, and please reach out with any questions.

Anthea Dexter-Cooper, Executive Director of RunVermont (she/her)
anthea@runvermont.org || (802) 863-8412 (office) || www.runvermont.org



NET ZERO ENERGY

BURLINGTON VERMONT



About Burlington Electric Department (BED)

Burlington's municipal electric utility

- Public power since 1905
- 123 employees, including the McNeil Generating Station; 86 are IBEW members
- Third-largest electric utility in Vermont

21,800+ customers

- 17,800 residential, 4,000 commercial and industrial
- 5,500-6,000 residential accounts turn over each year

Electricity facts:

- Summer peak: ~65 MW; annual energy use: ~330,000 MWH
- 100% of power from renewable generation as of 2014





2030 Vision: Make Burlington a Net Zero Energy city by eliminating fossil fuel usage across electric, thermal, and ground transportation sectors.

- The City Council adopted the Net Zero Roadmap in September 2019.
- Burlington's Net Zero goal is the most ambitious local climate change plan in the nation that BED is aware of, recognized by the Smart Electric Power Alliance as *the "first US Net-Zero 2030 plan."*
- All Departments of the City play a role in supporting implementation.
- Synapse Energy Economics updates the Roadmap progress data, drawn from BED, VGS, DMV, and Vermont and Chittenden County travel data.



Emery Nichols, Ms. Rochman Champlain Elementary





2025 Net Zero Energy Roadmap Update Highlights

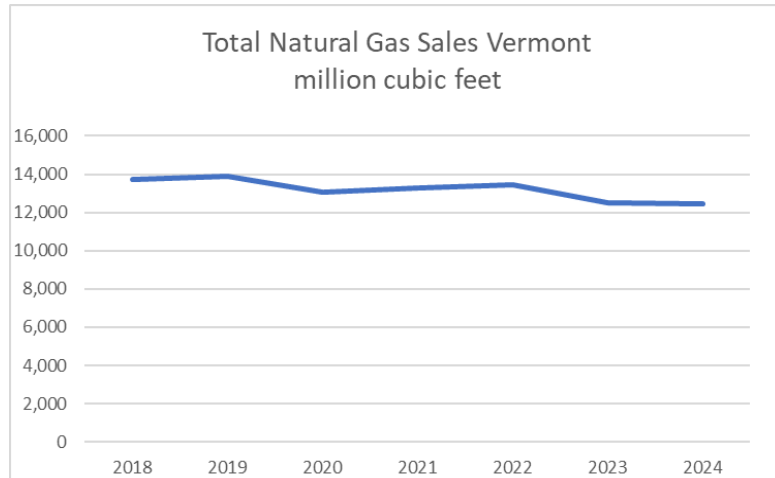
- Burlington's greenhouse gas emissions in ground transportation and thermal/buildings sector **down 19% in 2024** relative to 2018 baseline. Emissions in these sectors are **2.8% lower in 2024** than updated 2023 emissions numbers.
- Comparatively, Vermont gasoline/diesel sales were up in 2024, and the State projected no significant change in overall thermal/transportation emissions from 2023-2024. U.S. overall emissions change 2023-2024 also projected to be flat.
- Burlington seeing fewer vehicle registrations, and higher percentage of EV/PHEV vehicles in fleet with 5.7% of all light duty vehicles registered.
- Reductions driven by thermal/buildings sector, with **natural gas consumption in 2024 at its lowest levels** since Roadmap tracking started in 2018.



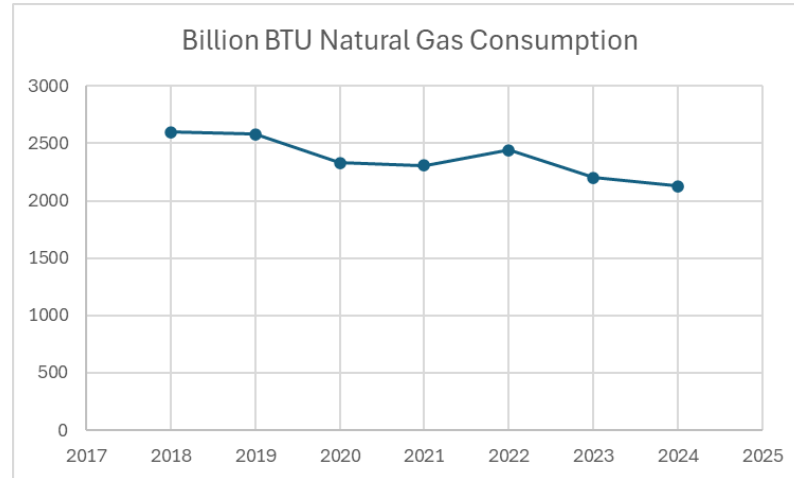


Burlington's progress on thermal sector/buildings is ahead of state pace

Vermont Natural Gas Sales
(not weather normalized)
9.4% reduction 2018-2024



Burlington Natural Gas Consumption (including RNG)
(not weather normalized)
18.1% reduction 2018-2024



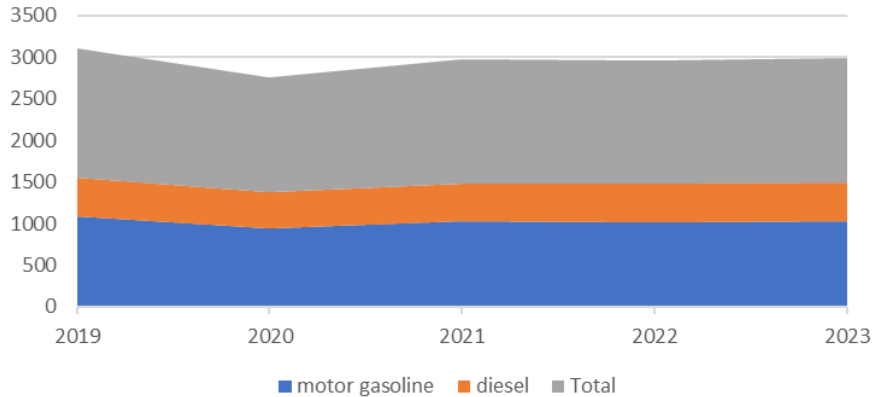


Burlington's progress on ground transportation is ahead of national pace

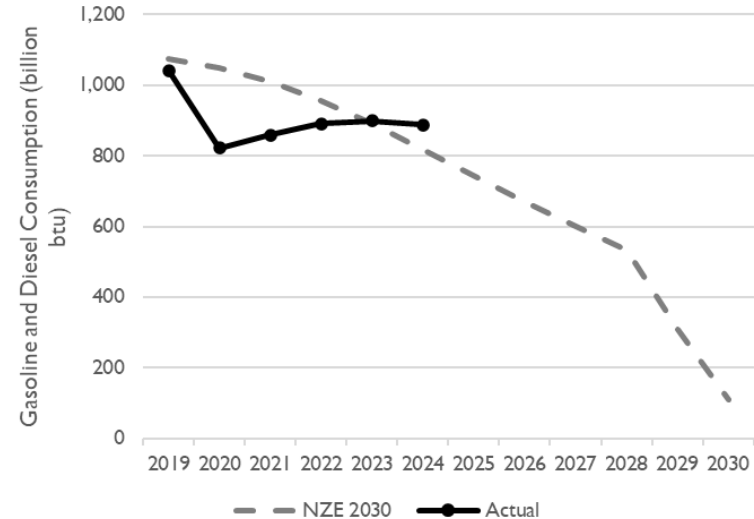
U.S. Motor Gasoline and Diesel CO₂ Emissions
4% reduction 2019-2023

Burlington Gasoline & Diesel Consumption
14.8% reduction 2019-2024

US Transportation CO₂ emissions by Fuel Source
million metric tons



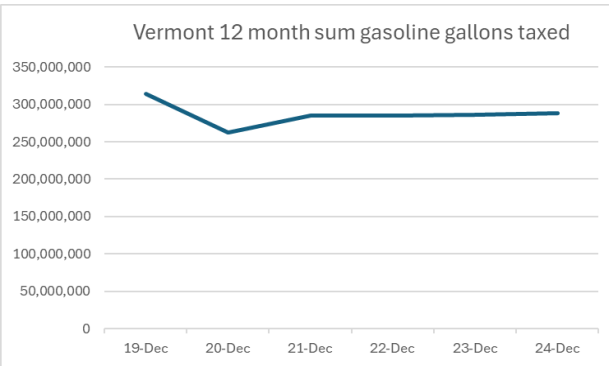
<https://www.eia.gov/environment/emissions/carbon/>



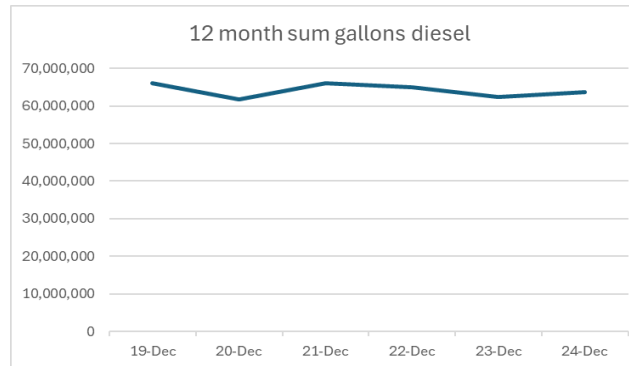


Burlington's progress on ground transportation is ahead of state pace

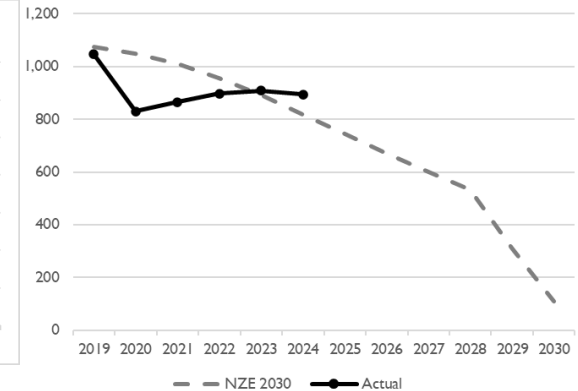
Vermont Gasoline Gallons Taxed
Estimated 8% reduction 2019-2024



Vermont Diesel Gallons Taxed
Estimated 4% reduction 2019-2024



Burlington Motor Gasoline and Diesel Consumption
14.8% reduction 2019-2024



<https://anr.vermont.gov/content/preliminary-emissions-data-2024-show-little-change-2023-levels> and
December 2024 Gasoline and Diesel gallons taxed JFO -
<https://ljfo.vermont.gov/search/filter/keywords/gallons+taxed>



2025 Net Zero Energy Roadmap Update

Challenges and Context –

- **Revision to 2023** – Synapse updates with most recent available data, and several updates (bus diesel, RNG, VMT) led to revision of initial 2023 numbers. Last year we reported emissions being down 18.2% in 2023, but current data indicates that 2023 represented a 17% reduction compared to 2018 levels.
- **Warmer Weather** - Heating Degree Day declines are a cause of at least a portion of thermal emissions reductions. EAN report attributed warmer weather as reason for approximately 50% of reduction in fossil heating fuel sales statewide - <https://eanvt.org/wp-content/uploads/2024/06/Thermal-fuels-research-paper-June-20-2024-1.pdf>. However, Burlington is seeing significantly larger natural gas reductions than the statewide percentage. A colder winter season would likely cause some rebound in thermal sector emissions. Important to continue to deploy heat pumps to reduce risk of rebound and reduce use of fossil fuels for heating.
- **Vehicle Miles Traveled** - While vehicle registrations are down in 2024, vehicle miles traveled have rebounded since pandemic (note: 2024 VMT based on statewide numbers; 2023 and prior are Chittenden County).
- **Impacts of Carbon Fee Ordinance** - Impact of carbon fee ordinance only began in 2024; will support continued reductions and help avoid increases in emissions from new construction going forward.
- **Rental Weatherization** - Additional progress needed on rental weatherization.
- **Federal** - Uncertainty on federal EV charging grant.



Initiatives to-date that have supported progress –

- Carbon Fee/Rental Weatherization
- BED heat pump, EV, efficiency, and dozens of electrification incentives, with enhanced incentives for income-qualified customers
- State/federal/VGS incentives
- EV charging infrastructure – public charging, multi-family buildings, CarShare, home charging
- NZE revenue bond - \$20 million investment
- Electrifying City fleet and GMT buses (10% of GMT fleet)
- BED Energy Assistance Program
- VMT reductions remote work; land use planning



For more info see new law journal article - One City's Journey to Net Zero Energy: A Burlington, VT Five-Year Retrospective :

https://drive.google.com/file/d/14CFjWmK9k_TmO-mZm5rF43DoM_5YUf7b/view



BED Electrification/Efficiency Rebates To-Date (various program launch dates between 2017 and 2022)

Heat Pumps	2,960
EV/PHEVs	1,038
EV chargers	
▪ Home chargers	301
▪ Workplace chargers	35
▪ Multi-family building chargers	31
E-Bikes	786
E-Buses	7
E-Mowers	801
E-Trimmers	114
E- Leaf Blowers	108
Induction cook stoves	97
E-Chainsaws	26
E snow blowers	35

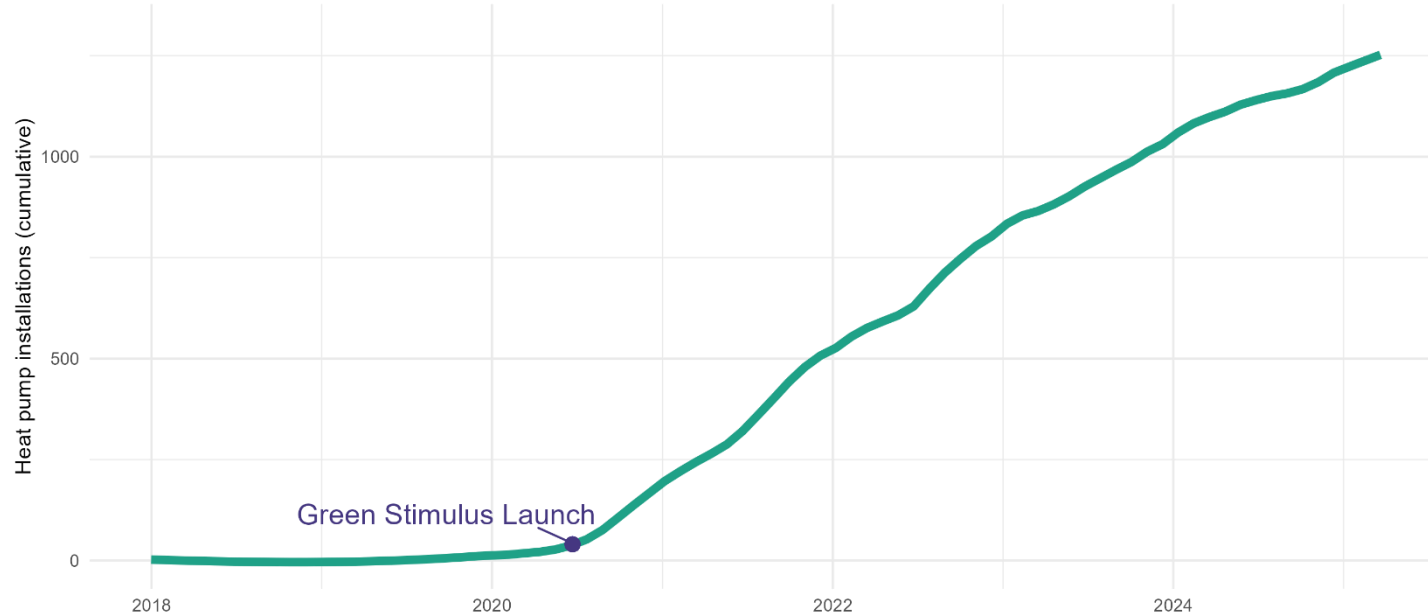




Over 2,900 heat pumps installed in Burlington to-date

Tier 3 incentives increased 30x since launch of Green Stimulus in June 2020

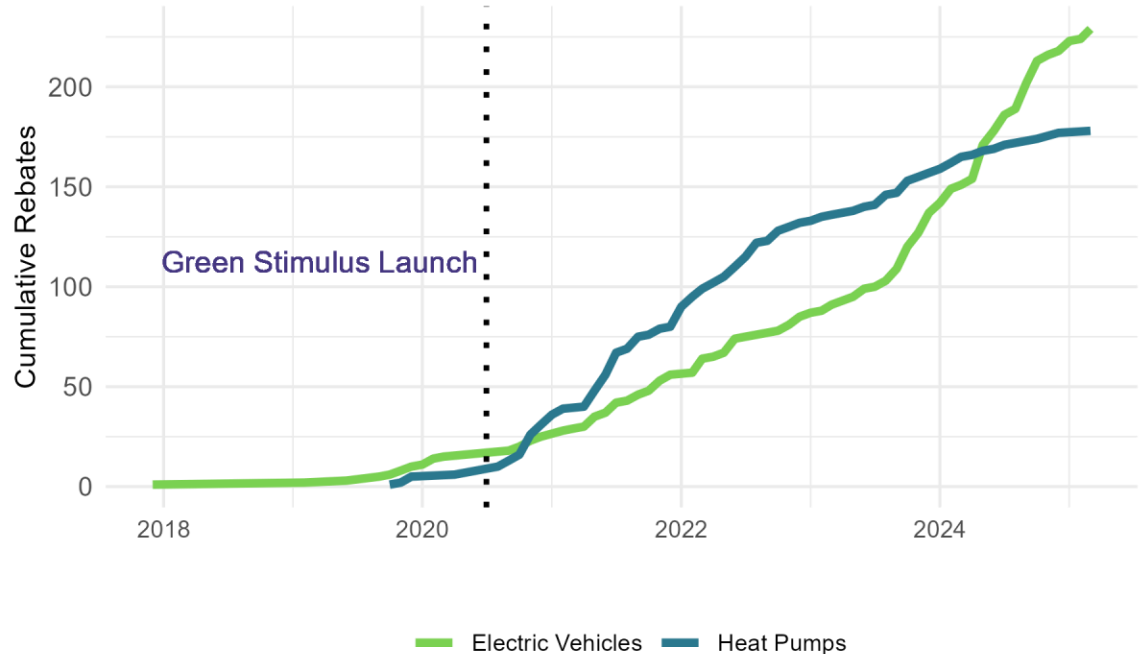
Tier 3 Residential Heat Pump Installations





23% of BED's EV/PHEV rebates and **13%** of heat pump rebates have been enhanced rebates available to income-qualified customers, as of early 2025

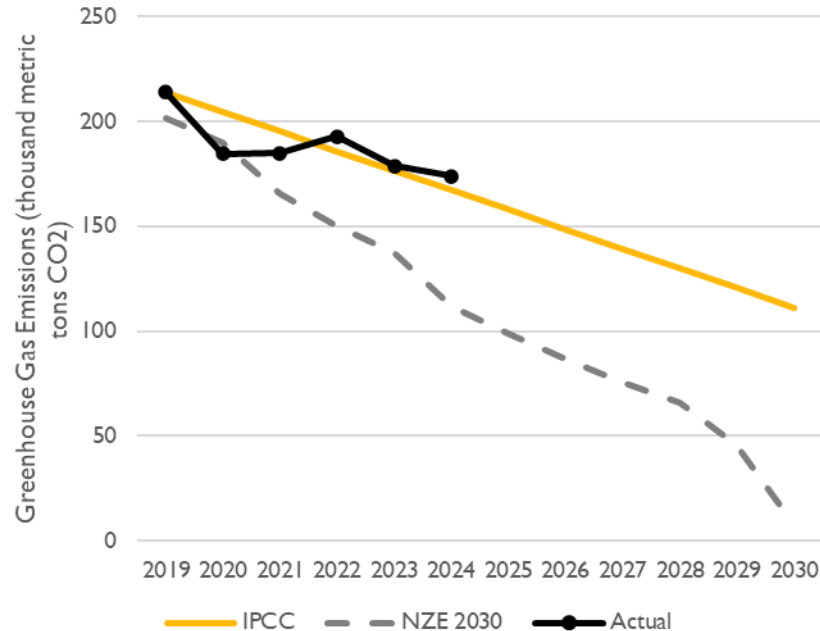
Improved Accessibility to Tier 3 Programs





Burlington NZE data compared to IPCC targets

19% reduction in ground transportation/thermal GHG emissions since 2019





Net Zero Energy Next Steps

- New BED programs launched in January, including improved e-bike incentives, and improved enhanced incentives for income-qualified customers for e-mowers and pre-owned EVs
- Continue to expand affordability work including upcoming expansion of Energy Assistance Program
- Heat pump bill credit pilot program supported by U.S. DOE GRIP grant
- Continued investment in public EV charging through revenue bond (3 fast chargers now deployed). Fight for EV charging grant award.
- Inflation Reduction Act incentives/rebates; awaiting income-qualified rebates from State
- Expanded EV residential rate hours
- Mayor's Climate Advisors
- Tracking progress on Carbon Fee Ordinance
- Benchmarking and building efficiency





OFFICE OF THE CLERK TREASURER

City of Burlington

City Hall, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000

Fax (802) 865-7014

To: Board of Finance and City Council
From: Katherine Schad, Chief Administrative Officer
Date: May 12, 2025
Subject: Extension of Letter of Agreement between City of Burlington and University of Vermont

Executive Summary

The University of Vermont (UVM) and City of Burlington (COB) entered into a letter of agreement in June 2019 that quantified an annual payment made by UVM to COB to cover the impact of UVM on City operations. The initial time period covered by the agreement was July 1, 2018 – June 30, 2022. In accordance with the agreement, in May 2021, UVM informed the City of its intent to opt in to the three-year renewal clause in the agreement. At this time by mutual understanding UVM and the City would like to extend the agreement until June 30, 2026 to allow for thoughtful negotiations to occur.

Background

The University of Vermont (UVM) and City of Burlington (COB) entered into a letter of agreement in June 2019 that quantified an annual payment (called the “omnibus payment”) made by UVM to COB to cover the impact of UVM on City operations including police and fire services as well as any and all other resources the City or its agents render to UVM and its community. The initial time period covered by the agreement was July 1, 2018 – June 30, 2022. Payment from UVM was laid out as follows:

FY19: \$1,340,000

FY20: \$1,366,800

FY21 and further: FY20 rate + 2% per year additional

In addition to the omnibus payment, the letter of agreement clarifies that the other separate agreements between the City and UVM continue to remain in force:

- February 18, 2028 10-year Capital Plan
- March 16, 1989 PILOT agreement for UHC at DeGoesbriand Unit, including amendment #1 May 31, 2001
- Any other agreement between UVM and the City regarding extra Police patrols or special events
- September 15, 2009 Memorandum of Agreement re: 2009 Zoning Amendments “the 2009 Agreement” and any agreement that extends or replaces it

In accordance with the agreement, in May 2021, UVM informed the City of its intent to opt in to the three-year renewal clause in the agreement and the extension was approved by City Council on May 24, 2021.

The agreement is set to expire on June 30, 2025 and as UVM has new leadership and the City would like to allow sufficient time for thoughtful negotiations to occur, both parties are in agreement that the existing agreement should be extended for one year, until June 30, 2026.

Financial

The current agreement includes a 2% increase each year for inflation. The 2% increase will apply to the extension.

Motions

Board of Finance Motion:

- To approve and recommend that the City Council approve a one-year extension to the Letter of Agreement between the City of Burlington and University of Vermont dated June 24, 2019.

City Council Motion:

- To approve the one-year extension to the Letter of Agreement between the City of Burlington and University of Vermont dated June 24, 2019.



FY26 General Fund Budget Update to Board of Finance

May 12, 2025



Priorities in Building the Budget

- FY26 budget prioritizes:
 - Affordability
 - Equity
 - Sustainability
- Demonstrated through:
 - By and large kept department budgets at FY25 level
 - Asked departments not to include new projects or initiatives.
 - All services were reviewed and some that are non-essential were cut.
 - Reviewed user fees to ensure that those who use services pay for them, creating more equitable fee collection where we can.



Budget Pressures

- Growth of 98 FTEs Over 9 Years Without Stable Revenue Source
- Currently Bargaining with Police and Fire Unions
- Vermont's Expensive Health Costs and Health Insurance Rates
- No General Tax Increase Due to Obligation Caused by Voter Approved Bonds
- Impact of Confusing and Outdated Charter, Which Includes System of Dedicated Taxes
- Living with Uncertainty and Budgeting Accordingly
 - Canadian tourism
 - Federal grants



Update from March 2025

Category	March 2025 Estimate
Starting Gap	\$8.0M
Additional Revenues	(\$2.8M)
Mod Gov Efficiencies	(\$1.7M)
Service Inventory Reductions	(\$1.0M)
Remaining Gap	\$2.5M

Category	May 2025 Amount	Notes
Starting Gap	\$8.0M	
Additional Revenues	(\$2.6M)	\$1.7M GL growth + add'l \$.01 police/fire tax \$600K add'l \$.005 tax each on parks + highway \$300K ARPA Not sunsetting gross receipts
Mod Gov Efficiencies	(\$2.0M)	Includes \$750K of previously uncollected revenue
Service Inventory Reductions	(\$2.6M)	\$1M initially identified by Mayor and additional through more collaborative work with DHs
Smaller Cuts	(\$0.8M)	
Remaining Gap	\$0	



May Update

1) Additional Revenues

2) Mod Gov Efficiencies

3) Service Inventory Reductions

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1) Revenue Update

- **Total of \$108.3M estimated for FY26, which is holding at FY25 level.**
- In March estimated additional revenues of \$2.8M expected in FY26 over FY25.
- Made changes to more accurately reflect economic predictions regarding gross receipts, user fees, and local option taxes. This results in less revenue in these areas.
- Note that due to restructuring of DFA that \$750K in additional revenue is expected in overdue gross receipts and/or property taxes.



2) Modern Government Initiative (ModGov)

- Initiative created by Mayor to identify strategic cost savings while improving processes for the delivery of City services to the community.
- Two main areas of focus for FY26:
 - Creation of the Department of Finance & Administration (DFA)
 - Merging of CEDO and BWD



2) Work of ModGov

- Mayor, CAO, CIO, and others, including Department Heads:
- Reviewed the work of core government operations: CT, HR, Assessor's Office, and IT and recommends integration into the Department of Finance and Administration to build on existing cooperation between these closely aligned internal service departments.
- Reviewed the work of CEDO and BWD in detail and recommends new organizational structure to ensure that all essential services both departments currently provide continue in the most effective and cost-efficient way.



2) Cost Savings from Modern Government Initiative (ModGov)

- Savings from DFA come from consolidating satellite finance or accounting staff from other GF departments to DFA and eliminating underutilized positions in this data-driven process.
- Savings from CEDO/BWD merger from consolidating two freestanding departments into one focused and streamlined entity, eliminating underutilized positions or making changes due to state policy and/or mayoral priorities.
- Presentations coming to City Council in the future with details.
- There were reductions in force related to ModGov and specifics related to personnel will be shared in budget presentations.



3) Service Inventory Review

- All 10 GF departments with public facing services completed an inventory of all services they currently provide which included:
 - What requires the City to provide the service;
 - Resources required to deliver it;
 - Benefits received by the City; and
 - Any other organizations offering similar services.
- Each service was first evaluated based on whether it is required by Charter or ordinance – if so, it was deemed essential. If not, service reviewed further.



3) Service Inventory Review

- Mayor and CAO worked with each department head, pulling in others as needed, to evaluate value of service based on these factors:
 - Considering previous results achieved by providing the service
 - Considering resources required from the City to provide the service
 - Do other organizations provide the service? If so, who?
 - Who needs the service?



3) Cost Savings through Service Inventory Review

- In March administration identified strategic cuts totaling **about \$1M.**
- Services we are proposing to cut include:
 - Early Learning Initiative (state policy change with Act 76 and end of ARPA)
 - Pick up Christmas trees
 - BCA community fund grants funded by GF dollars
 - REIB empowerment grants
 - Renting Center of Recreation & Education (CORE)
 - Operating ONE/CORE adult center
- There were reductions in force related to the Service Inventory and specifics related to personnel will be shared in budget presentations.



Impacted Staff Summary

- Total of 25 positions affected:
 - 7 already vacant
 - 12 union
 - 13 non-union (including management)
- Impacted staff notified according to AFSCME Collective Bargaining Agreement which provides 60 days of notice (equivalent to severance pay). Still accrue retirement in those 60 days.
- In addition to 60 days of pay, staff are paid out for all accrued leave.
- Union and non-union staff treated the same.
- All staff and dependents who were on health insurance continue to receive it through July 31.
- Also offered outplacement resources to help in finding a new job.



Smart and Strategic Investments

Investing in community safety and housing work by:

- Maintaining money for public health work
- Leveraging opioid dollars for BFD response
- VT Grant should cover the OPC implementation role
- Continuing year 2 of our community safety system work
- Adding new Senior Advisor on Housing Strategy position in Mayor's Office to create an innovative strategy for housing production of all types within the city
- Increasing City's investment in Howard Center's 20 year street outreach partnership with the City – first significant investment in years.
- Funding for 10 additional sworn officers for a total head count of 72.



FY26 Municipal (City Only) Tax Estimate

\$500,000 House Example

FY22 Municipal Rate = \$.6704 or \$3,352

FY23 Municipal Rate = \$0.7085 or \$3,542 (\$190 increase)

FY24 Municipal Rate = \$0.7523 or \$3,762 (\$220 increase)

FY25 Municipal Rate = \$0.8326 or \$4,163 (\$401 increase)

Current Projected FY26 Municipal Rate = \$0.8395 or \$4,198 (\$35 increase)



Budget Summary

- Overall kept City's general fund budget for next year at last year's level, while honoring negotiated cost of living adjustment (COLAs) and step increases for employees.
- Municipal property tax rate for next year projected to rise less than 1% after increases of at least 6% over the past 3 years.
- Saved \$3.9M through a combination of reducing 25 general fund positions and associated operating costs.
- Keeping 2.5% rate for gross receipts while budgeting a reduction of \$970K in FY26 in gross receipts and local option tax projections given economic realities.



Budget Summary

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Timeline for FY26 and Future Budgeting

- Budget Meetings Continue – May 14, 21, and 28
- By Charter, Mayor must present budget to City Council by June 15 – June 2 is last scheduled CC meeting before deadline
- By Charter, City Council must pass budget by June 30 – June 23 is last scheduled CC meeting before deadline
- This summer: work on modernizing charter begins, budget summit 2.0, engage councilors in better budget process
- Continue work on participatory, multi-year, and equitable budgeting



Questions and Discussion