



City Council

Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

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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	December 1, 2025 - City Council Meeting - Monday, December 1, 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 as follows: remove from the consent agenda item 5.6. Designation of Staff to Issue Municipal Tickets - Police and place on the deliberative agenda as item 6.6. (per City Council President Traverse per Councilor Grant)

2. Executive Session (25 mins.)

Subject	2.1. Executive Session to confer with City Attorney's office regarding overdose prevention center
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Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	2. Executive Session (25 mins.)
Department	City Attorney
Type	Action Procedural
Recommended Action	1. To make a specific finding that premature general public knowledge of confidential attorney-client communications made for purposes of providing professional legal services to the City Council would clearly place the City at a substantial disadvantage by discussing privileged matters and attorney work product in public; and 2. To move into executive session based upon the foregoing specific finding, pursuant to 1 V.S.A. § 313(a)(1)(F), to confer with the City Attorney regarding funding under Act. 178 (2024) for an overdose prevention center, to include the members of the City Council, the City Attorney and her staff, the Mayor and her staff, and the Chief Administrative Officer and her staff.

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

Subject	3.1. Verbal Comments
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 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
Recommended Action	open Public Forum close Public Forum

4. Mayor - General City Affairs (up to 10 mins.)

Subject	4.1. Verbal reports
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	4. Mayor - General City Affairs (up to 10 mins.)
Department	Council and Board
Type	Information

5. Consent Agenda

Subject	5.1. Motion to adopt the consent agenda and take the actions indicated
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 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 - CT
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Department of Finance and Administration
Type	Action (Consent) Communication Information
Recommended Action	waive the reading, accept the communication and place it on file
Subject	5.3. November 17, 2025 Local Control Commission Meeting Minutes - DFA
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Department of Finance and Administration
Type	Action (Consent) Minutes
Recommended Action	approve the minutes
Subject	5.4. November 17, 2025 Local Cannabis Control Commission Meeting Minutes - DFA
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Department of Finance and Administration
Type	Action (Consent) Minutes
Recommended Action	approve the minutes
Subject	5.5. November 17, 2025 Regular City Council Meeting Minutes - DFA
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda

Department	Department of Finance and Administration
Type	Action (Consent) Minutes
Recommended Action	approve the minutes
Subject	5.6. Designation of Staff to Issue Municipal Tickets - Police **NOW AGENDA ITEM 6.6**
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Police Department
Type	Action (Consent)
Recommended Action	to approve the designation of CSO Ratna Polk as a municipal enforcement officer for purposes of enforcing the Burlington City Ordinances, authorizing CSO Polk to issue civil tickets for violations of the same; and, to further authorize the Burlington Police Department to submit the attached designation form so designating CSO Polk to the Vermont Judicial Bureau, subject to approval as to form by the City Attorney's Office
Subject	5.7. Great Streets Main Street Project Budget Amendment - DPW
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Public Works Department
Type	Action (Consent)
Recommended Action	1. To approve the increase in the Great Streets Main Street by \$559,215.50 for the PCF, Ravine Sewer, and Grant funds; with \$640,000 in TIF Earnings subject to the review and approval by VEPC; for a total increase in the overall project budget of up to \$1,199,215.50. Resulting in the total authorized amount from \$35,391,395.09 to \$36,590,610.59 for the Great Streets Main Street project. 2. To approve the amendment of the Downtown TIF Substantial Change application dated October 6, 2025 to VEPC to include the PCF funds that have been reimbursed to the City. 3. To authorize the Chief Administrative Officer, or their designee, to effect all necessary budget amendments and transfers of funds to and from the above-referenced funding sources as needed to pay the above-referenced project expenses and Overall Project Budgets, in substantial conformance with the attached budget transfer request.
Subject	5.8. BHS/BTC Project Update - Burlington School District
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Burlington School District

Type	Action (Consent) Information Communication
Recommended Action	waive the reading, accept the communication and place it on file
Subject	5.9. Reclassification of one (1) DPI - Zoning Division Manager as summarized
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Permitting & Inspections
Type	Action (Consent)
Recommended Action	☐ to approve the reclassification of the Department of Permitting and Inspections Zoning Division Manager/Principal Planner a Regular, Full-time Exempt, Non-union Grade 22 step 15 position to Zoning Division Manager/Principal Planner, a Regular, Full- time Exempt, Non-union Grade 24 step 13 position, retroactive to July 1, 2025
Subject	5.10. Communication: Troy Headrick, re: Strong Support for Dormitory Inspection Resolution - Agenda Item 6.4
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Department of Finance and Administration
Type	Action (Consent) Communication
Recommended Action	waive the reading and place the communication on file
Subject	5.11. UVM Student Tenant Union Testimonials, CC Public Forum 11/17/25
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Department of Finance and Administration
Type	Action (Consent) Communication Information
Recommended Action	waive the reading and place the communication on file
Subject	5.12. Burlington Local Health Office Annual Report: 2025
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda

Department	Department of Finance and Administration
Type	Action (Consent) Information Report
Recommended Action	waive the reading and place the report on file
Subject	5.13. Robert Miller Community Center Energy Improvement and Equipment Replacement Project - BPRW
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Parks, Recreation, & Waterfront
Type	Action (Consent)
Recommended Action	to approve and authorize that the City Council approve and authorize the execution of a contract with Energy Efficient Investments, Inc., for the Robert Miller Community Center Energy Improvement and Equipment Replacement project, in the amount of \$1,325,300, plus a project contingency of \$132,000, for a total authorized contract expenditure including contingency not to exceed \$1,457,300, and to authorize the Director of Parks, Recreation and Waterfront, or designee to execute the contract and any related documents necessary or convenient to effecting the contract or carrying out the project, subject to the review and approval as to form of the City Attorney's Office
Subject	5.14. Innovative Finance and Asset Concession (IFAC) Grant - Spending Authorization - CEDO
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Community & Economic Development Office (CEDO)
Type	Action (Consent)
Recommended Action	1. To approve the increase in the IFAC (USDOT Innovative Finance and Asset Concession) Grant project budget by \$850,000.00, resulting in the total authorized amount increasing from \$150,000.00 to \$1,000,000.00 for the IFAC Grant project supporting the South End Coordinated Redevelopment (SECORD) and Memorial Block initiatives. 2. To authorize the Chief Administrative Officer, or their designee, to effect all necessary budget amendments and transfers of funds to and from the above-referenced funding sources as needed to pay the above-referenced project expenses and Overall Project Budgets, in substantial conformance with the attached budget transfer request.
Subject	5.15. FIO Documents
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Department of Finance and Administration

Type	Action (Consent) Communication Information
Recommended Action	for information only
Subject	5.16. Ordinance: ZA-26-01 (Office of City Planning, Planning Commission)
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Planning
Type	Action (Consent) Ordinance - First Reading
Recommended Action	waive the first reading, schedule a public hearing for January 12, 2026, and refer to the Ordinance Committee for a report back to the full City Council no later than its January 12, 2026 meeting
Subject	5.17. Resolution: Authorization For \$1,808,000 Construction Loan From Vermont Drinking Water State Revolving Fund For Upgrade Of Distribution System (Board of Finance)
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Public Works Department - Water Resources
Type	Action (Consent) Resolution
Recommended Action	waive the reading and adopt the resolution

6. Deliberative Agenda

Subject	6.1. Authorization to Sign a Cooperation Agreement with HowardCenter Inc. - Mayor's Office (25 mins.)
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Deliberative Agenda
Department	Mayor's Office
Type	Action
Recommended Action	to authorize the Mayor to execute the agreement and to take all such further actions, and to execute all such further instruments approved as to form by the City Attorney, as may be necessary or convenient to effectuate the transactions contemplated hereby
Subject	6.2. Ordinance: Parking Enforcement (Public Works Commission)(15 mins.)

Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Deliberative Agenda
Department	City Attorney
Type	Action Ordinance - Second Reading
Recommended Action	(1) To waive and approve the second reading of the proposed ordinance amending Chapters 20 and 27 of the Burlington Code of Ordinances. (2) To refer provisions of the ordinance regarding noticing of temporary parking restrictions back to the Ordinance Committee for review and to report back concerning any further recommended actions.
Subject	6.3. Authorization to Execute Cooperative Agreement with Heineberg Senior Center - Mayor's Office (20 mins.)
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Deliberative Agenda
Department	Mayor's Office
Type	Action
Recommended Action	authorize the Mayor to provide a grant to, and execute a cooperative agreement with, the Heineberg Senior Center, subject to review and approval by the City Attorney's Office; authorize also the Parks and Recreation Department to make all necessary grant payments to the Heineberg Senior Center per the terms of the executed agreement
Subject	6.4. Authorization to Execute Subrecipient Agreement with Vermonters for Criminal Justice Reform (VCJR) - Mayor's Office (35 mins.)
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	6. Deliberative Agenda
Department	Mayor's Office
Type	Action
Recommended Action	<u>Updated Motion Language at 8 pm, 12/1/25:</u> 1. Authorize the Mayor to execute the subrecipient agreement with VCJR, subject to review and approval by the City Attorney's Office, and subject further to negotiation of a modification of Section 4.d, to read substantially as follows: "Subject to Section 14(a) and all Applicable Laws, including any additional requirements of the Guidelines and the Passthrough Requirements, Provider shall provide reasonable access to the OPC to the Mayor, the Mayor's designee, and members of the City Council upon request to determine compliance with this Agreement. under a policy to be developed in collaboration with the City, pursuant to Section 1.n of the Scope of Work. The City shall provide no less than forty-eight (48) hours prior notice to Provider to access the OPC. The parties further acknowledge that any policies and procedures submitted to the City for review pursuant to Section 1.n of the Scope of Work will be

2. Authorize the Chief Administrative Officer to make all necessary amendments to the approved budget to reflect the execution of the subrecipient agreement.
3. Designate the Board of Health to collaborate with the City and the OPC Provider in developing a plan for addressing community concerns related to the OPC operated pursuant to the Subrecipient Agreement, in an advisory capacity to the City Council.

1. Authorize the Mayor to execute the subrecipient agreement with VCJR, subject to review and approval by the City Attorney's Office, and subject further to negotiation of a modification of Section 4.d, to read substantially as follows:
"Subject to Section 14(a) and all Applicable Laws, including any additional requirements of the Guidelines and the Passthrough Requirements, Provider shall provide reasonable access to the OPC to the Mayor and/or the Mayor's designee upon request to determine compliance with this Agreement. Members of the City Council shall be provided reasonable access to the OPC under a policy to be developed in collaboration with the City, pursuant to Section 1.n of the Scope of Work. The City shall provide no less than forty-eight (48) hours prior notice to Provider to access the OPC."
2. Authorize the Chief Administrative Officer to make all necessary amendments to the approved budget to reflect the execution of the subrecipient agreement.
3. Designate the Board of Health to collaborate with the City and the OPC Provider in developing a plan for addressing community concerns related to the OPC operated pursuant to the Subrecipient Agreement, in an advisory capacity to the City Council.

Authorize the Mayor to execute the subrecipient agreement with VCJR, subject to review and approval by the City Attorney's Office.
 Authorize the Chief Administrative Officer to make all necessary amendments to the approved budget to reflect the execution of the subrecipient agreement.

Recommended Action

Department Police Department

Type	Action
Recommended Action	to approve the designation of CSO Ratna Polk as a municipal enforcement officer for purposes of enforcing the Burlington City Ordinances, authorizing CSO Polk to issue civil tickets for violations of the same; and, to further authorize the Burlington Police Department to submit the attached designation form so designating CSO Polk to the Vermont Judicial Bureau, subject to approval as to form by the City Attorney's Office

7. Committee Reports

Subject	7.1. Verbal reports
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Committee Reports
Department	Council and Board
Type	Information

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

Subject	8.1. Verbal reports
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	8. 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

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

Subject	9.1. Verbal reports
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	9. City Council President - Council Updates (up to 5 mins.)
Department	Council and Board
Type	Information

10. Adjournment

Subject	10.1. Motion to adjourn
Meeting	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	10. Adjournment
Department	Council and Board

Type	Action Procedural
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Recommended Action	Motion to adjourn
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11. Informational and Non-Discrimination Statements

Subject	11.1. This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, 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	December 1, 2025 - City Council Meeting - Monday, December 1, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	11. Informational and Non-Discrimination Statements
Department	Council and Board
Type	Information



Office of Mayor Emma Mulvaney-Stanak

149 CHURCH STREET • BURLINGTON, VT 05401 • (802) 865-7272

MEMORANDUM

To: City Council
From: Mayor Emma Mulvaney-Stanak
Date: December 1, 2025
Re: Mayor's Update to City Council

Please find below a written summary of the Mayor's Updates to City Council for December 1, 2025.

Staffing and Administrative Updates

Human Resources Director: The Mayor's Office is midway through the hiring process for a new Human Resources Director. The job posting closes in early December, and interviews will be conducted in mid-December. We are condensing the hiring process to accelerate the process as we have had an Interim Director in place for over a year. The hiring committee and Mayor will meet with candidates together to do one round of interviews. I hope to select a final candidate by the end of December and bring the candidate to the first January City Council meeting for confirmation.

Burlington Parks, Recreation and Waterfront: Our new BPRW Director Phil Lewis joined the City for his first day on November 25th.

Mayor Monthly Press Conferences: I will be adjusting my monthly press conferences from focusing just on community safety matters to discussing broader city general affairs. We will continue to provide regular updates on community safety, but each month will also include other major news from the administration. The next press conference will be December 11th at 10:30am and will focus on FY27 budget and the City's finances. The January press conference will be on the 14th at 9:30am and will announce our comprehensive housing strategy to advance our second priority of creating ample, affordable and safe housing in the City. The press conferences will be held in the Sharon Bushor Conference Room on the 1st floor of City Hall.

AFSCME and IBEW Bargaining: We will commence bargaining with AFSCME and IBEW in January and look forward to strong, good faith negotiations with our labor partners. AFSCME represents the bulk of city employees across many departments. IBEW represents Burlington Electric Department employees. Their current contracts expire June 30, 2026.

2026 Legislative Priorities: The Council unanimously approved the top 4 legislative priorities at its December 1st Council meeting. Those top 4 items include: earmark more state funding and support to stand up shelters and wrap around

services for unhoused individuals; earmark more state funding for water infrastructure upgrades by municipalities; allowance of the use of license plate reader technology for traffic enforcement; and advance our charter change items currently pending in the legislature. We are working with the cities of Winooski and Montpelier to develop a proposal to the State to further protect non-citizen voter registration information, similar to provisions that exist for citizen voters.

FY27 Budget Cycle: The Department is preparing for the FY27 budget cycle, including finalizing capital project prioritization criteria and procedure for implementation for the FY27 Capital Budget. We will bring a high-level draft of the FY27 budget to the Board of Finance on December 15th.

Community Health and Safety Updates

Police Chief Search Survey: The City of Burlington is working with the International Association of Chiefs of Police (IACP) to understand what qualities community members would like to see in Burlington's next police chief. The feedback will help guide the City's hiring process. The survey is available in English, French, Spanish, Maay Maay, Vietnamese, Swahili, Nepali, Kirundi, Burmese, and Arabic. The survey is open until **December 12th**:

<https://www.burlingtonvt.gov/871/Community-Safety>

OPC Community Survey: The City of Burlington and Vermonters for Criminal Justice Reform are working with the Pacific Institute for Research and Evaluation (PIRE) to better understand community perspectives on the incoming Overdose Prevention Center (OPC). The feedback will guide future planning and address key public health and safety topics. The survey is available in English, French, Spanish, Swahili, Nepali, and Arabic. OPC Survey by **December 15**:

<https://survey.alchemer.com/s3/8493864/Burlington-VT-OPC-Community-Survey>. This survey and the Police Chief survey are anonymous and takes around 5 minutes or less to complete. We encourage everyone to participate and to share the surveys widely with your networks!

CARES Program Wind Down: The BTV CARES program within the Burlington Police Department will conclude by the end of the month once its grant funding ends. CARES was launched in 2024 with one-time, short-term funding from the State to expand the City's ability to respond to residents experiencing mental health challenges. With no grant renewal or other funding sources available, we will discontinue the program and support similar services already provided by the Howard Center, Chittenden County's Designated Mental Health Agency. As the program comes to an end, I want to acknowledge the dedicated staff who worked tirelessly to meet people where they were and offer compassionate assistance. The decision to wind down the program was not made lightly. It reflects our continued effort to ensure that services are delivered in the most effective and sustainable way possible. Going forward, we remain committed to strengthening our crisis response systems citywide. This includes continuing to partner with important community service providers and continuing to explore and expand collaborative models like our new Situation Tables that bring mental-health professionals, social-service providers, and public safety personnel together to better serve vulnerable Burlingtonians.

Extreme Cold Weather Emergency Shelter: The City is preparing to operate an extreme cold weather shelter again this winter similar to our practice last winter. The shelter will operate out of the Miller Center per our City's Emergency Response Plan approved by City Council earlier this year. It is an emergency measure that will open when temperatures reach minus-10 degrees (with the wind chill) for four or more consecutive hours and/or a combination of significant

precipitation in our area. This year, our partners at CVOEO will be the lead entity operating the shelter and City staff will be offering supplemental staffing and resources (ex: transportation) to support shelter operation hours.

Department Updates

Burlington City Arts (BCA): This is a busy season for BCA! There are big marketing pushes for the New Year's Eve Highlight 2025 event as well as for winter and spring class registrations. Staff are engaging in year-end fundraising appeals and rolling out a broader BCA awareness campaign; a part of this is the new "Celebrate Burlington" initiative, which now has a webpage on the Love Burlington website. There is also upcoming winter programming, including the BTV Winter Market (indoors this year on three dates in November and December), and a new Downtown Lights production starting on December 12 on Church Street.

Burlington Electric Department (BED): On November 25, 2025, the City Council's Transportation, Energy, and Utilities Committee (TEUC) discussed the third-party Velerity report at its meeting. This report was envisioned in a Council Resolution from November 2023 to help BED identify ways to improve efficiency, reduce stack emissions, and promote innovation at the McNeil Generating Station.

Patrick Leahy Burlington International Airport (BTV Airport): We will provide an update in the next Mayor Update.

Community & Economic Development Office (CEDO): CEDO staff are implementing their annual Holidays on the Marketplace programming. This includes mainstays like the Tree Lighting Ceremony, Holiday Window Contest, and North Pole Express Mailboxes, as well as new offerings – a Postcard Club and a Snowflake Hunt.

Office of the City Attorney: We will provide an update in the next Mayor Update.

Office of City Planning: A consultant team has been selected for planBTV: 2050, and contract negotiations have begun. The SECORD Phase 1 application was submitted at the end of November. OCP staff presented Neighborhood Code and South End zoning/development at the annual conference of the Northern New England chapter of the American Planning Association in Portland last month. Director Charles Dillard will also be speaking on a housing panel at the Lincoln Institute/Harvard Journalist Forum on December 6, 2025, in Cambridge, MA. The Planning Commission held a public hearing for the Open Space Plan on November 13, 2025, and referred the Plan out with a recommendation to adopt.

Department of Finance and Administration (DFA): DFA has been preparing for external audit staff to visit City Hall for on-site field work from December 1-3, 2025. The Department is also compiling financial reporting and tax parcel information for the Downtown and Waterfront TIF for the VEPC FY25 Annual Reports due on December 10, 2025. The Department is collaborating with the State on a potential proof-of-concept system for an opt-in state-wide system to manage real property records. This is part of the state's land records modernization initiative that would allow for e-recording of land records. A resolution related to strengthening the City's relationship with Neighborhood Planning Assemblies (NPAs) was passed by City Council on November 3, 2025. The Clerk's Office is now planning for implementation of the resolved clauses related to NPA support. A major phase of our land records digitization project was recently completed. Members of the public can now search our [online database](#) for Burlington land documents

dating back to 1910. This is a big accomplishment and has been in the works for years! It is paid for with the money that the city collects as a part of each transaction.

Department of Public Works (DPW): DPW completed three of seven nights of its Fall Clean Sweep (NNE and downtown) before snow cancelled the remaining four nights. Staff are spot sweeping key areas in the next couple of weeks by posting no parking signs. Staff provided the Public Works Commission with great short presentations on November 19, 2025, on DPW's five-year plans for maintaining our [streets](#) and [sidewalks](#). DPW received Development Review Board approval to continue its snow storage using the Flying A parcel on the waterfront. Seasonal speed humps have been removed from North Avenue, Gosse Court, and Austin Drive. There is a Main Street Scoping Study underway that will look at the entire Main Street corridor as well as the East/Spear/Main Street 'jug handle' intersection. The advisory committee kick off meeting was on November 7, 2025; Councilors Schachter and Broderick are on this committee. DPW is debriefing with Local Motion and looking at the speed data collected from the one-week installation of the Local Motion North Avenue Demonstration Project in late October 2025. The first stage of the wastewater plant upgrades that are being done to the headworks of Main WWTP are going well. The Water Plant also successfully orchestrated a planned shut-down as a training opportunity for the plant operators to learn how to bring the plant back online after a power failure. DPW is working with the Safety Manager to get safety trainings done in the non-construction season. DPW staff are working with the Transportation, Energy, and Utilities Committee (TEUC) on developing a consistent process to address the maintenance needs of private streets in the city.

Burlington Fire Department (BFD): Our Fire Department has been serving our city with quick response and coordinated operations – including phenomenal work to address three residential fires during the week of Thanksgiving (two 2nd alarm fires and one 3rd alarm). Emergency Cold Weather Shelter planning has been underway, including development of an MOU between the City and CVOEO. Operation Fire Cuffs has kicked off with the collection of toys for the Children's Hospital. Any firehouse is a drop-off location; delivery to the Children's Hospital will be on December 18, 2025. The Department has finalized acceptance of its radio infrastructure upgrade and has a plan to replace all defibrillators in the department. BFD continues to engage in meaningful community recruitment efforts, including through outreach and relationship building with the Burlington High School Guidance team, VT Works for Women, Vermont Youth Conservation Corps, King Street Youth Center, and the Boys and Girls Club.

Fletcher Free Library (FFL): The Fourth Annual Non-Fiction Comics Festival on November 15, 2025, was a great success with over 900 attendees! Director Mary Danko continues to assist the Friends of the Fletcher Free Library with fundraising for its \$35M remodeling project. The preservation work on the exterior of the 1904 building is expected to be done by mid-December. Refurbished windows arrived in mid-November. Parts of the Youth area may be closed for short periods of time. The library was open on Thanksgiving from 12-4pm this year, and staff are planning for it to be open on Christmas.

Burlington Police Department (BPD): Chief Shawn Burke continues to work with state law enforcement partners toward a reasonable and coherent policing plan.

Department of Parks, Recreation & Waterfront (BPRW): New BPRW Director Phil Lewis began his work for the City on November 25, 2025. After weathering a staff shortage due to staff departures and a retirement, the Miller Center is back open on weekday evenings and weekends. BPRW will be promoting the rental of Miller spaces in the weeks going

forward, so please do encourage any community groups seeking space to consider the Miller Center. The Harbor dredging project is out to bid. Burlington's new Bike Park, located at Leddy Park, has been hugely successful since it officially opened in late October 2025, and the feedback to date has been very positive.

Department of Permitting & Inspections (DPI): Director Bill Ward inspected a UVM dorm suite in late November 2025 based on a written complaint the City received. DPI conducted an inspection and order to UVM. They responded and indicated their staff had already begun their investigation of the issue. In early December, Director Ward will be convening a meeting with Department Heads to review vacant or problem properties, with a primary focus on the downtown core.

Office of Racial Equity, Inclusion & Belonging (REIB): On November 17, 2025, the City Council voted unanimously to approve an amendment to the City Charter to permanently establish an REIB Office and Director; now residents will vote on this Charter amendment on 2026 Town Meeting Day, March 3, 2026. Public Hearings are planned at City Hall on January 20, 2026, and January 22, 2026. Trusted Community Voices (TCVs) will begin collaborative work with the Burlington School District to support multilingual liaisons. Staff are also working with TCVs to implement a holiday food/clothing drive at City Hall. The first Juneteenth planning meeting with BCA took place in late November. The Aging Council, which Councilors Carpenter and Schachter sit on, will have its first convening on December 2, 2025.

Community Engagement by the Mayor in November

- 11/6: North District Mayor Meet Up at The Bagel Cafe
- 11/6: BCA Sculpture Unveiling of Anthology by Lydia Kern
- 11/11: Veteran's Day Commemoration in Battery Park
- 11/12: Panelist on "Perspectives on Politics" event hosted by UVM's Political Science Club
- 11/12: Joined Cats-Giving event to prepare meal kits for UVM's on-campus food pantry
- 11/13: Vermont Mayor's Coalition Meeting
- 11/13: Meeting with UVM President Marlene Tromp
- 11/13: King Street High Five Appreciation Awards
- 11/14: Meeting with Burlington Hotel and Hospitality Industry
- 11/18: Burlington High School Student Safety Panel
- 11/19: South District Mayor Meet Up at Zero Gravity
- 11/19: Ribbon cutting for new bike/walk path across from BTV Airport
- 11/19: Meeting with Vermont Interfaith Action's Committee on Affordable Housing & Homelessness
- 11/19: Destination BTV Summit
- 11/20: Ride Along and Lunch with Burlington Fire Department
- 11/20: Vermont League of Cities and Towns Board Meeting
- 11/20: AC Hotel Burlington Grand Opening Celebration
- 11/20: Burlington 2030 District Annual Gathering and Celebration

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, Council and Licensing Coordinator

12/1/2025

	Meeting Date	Type of Document and Title	Action Requested	Updated Next Steps in the Process
1	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
2	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
3	9/23/2024	Resolution: The Establishment Of A Downtown Public Safety HUB	the Public Safety Committee shall engage the community on its vision for a public safety hub, and this engagement shall include consultation with interested community partners, including, but not limited to, Neighborhood Planning Assemblies, the DPW Commission, Board of Health, Director of Business and Workforce Development and Church Street Marketplace Commission, Burlington Police Department & Crisis Advocacy Intervention Programs (CAIP), Burlington Fire Department and its Critical Response Team (CRT), Howard Center Street Outreach Team, Burlington Community Justice Center, Burlington Business Association and the general business community	the Public Safety Committee shall report back on the process and input from the community to the City Council on or by January 21, 2025, including any specific options or recommendations for a public safety hub (e.g.) new or existing freestanding structures, existing storefront space, a mobile public safety hub, etc.); and BE IT FURTHER RESOLVED that after receiving this report from the Public Safety Committee, it is the stated intent of the full City Council to act on specific options or recommendations from the Public Safety Committee on or by March 10, 2025
4	1/27/2025	Resolution: Establishing A Violation Reporting Incentivization Pilot (VRIP)	referred to the Ordinance Committee, to report back to the City Council; CJC to report back to the City Council and Ordinance Committee	on or before March 24, 2025; by March 10, 2025 UPDATE: The note with the action should state that the attorney-client privilege was waived for this communication by the Ordinance Committee and approved for publication at our September 18, 2025 committee meeting and that the committee deliberated and decided to table the matter to an unspecified future date.
5	7/14/2025	Ordinance: An Amendment to Appendix D, Sections 2 and 5, Updating Parks Rules and Regulations	referred to to the Parks, Arts and Culture Committee	not-specified
6	8/25/2025	Resolution: Welcoming President Marlene Tromp, Re-affirming Our Longstanding Partnership With the University of Vermont, And Acknowledging Our Shared Commitment to Affordable, Safe, and High Quality Housing for Students	it was requested that the Mayor provide an update on the City and UVM's shared goals on housing, safety, and well-being	end of this calendar year
7	9/8/2025	Resolution: Consumer Choice And Disclosure For Fuel Purchases Made With Debit Cards	referred to the Ordinance Committee	not-specified
8	9/8/2025	Resolution: Consumer Choice And Disclosure Of Parking Terms & Rates In Privately Owned Lots	referred to the Ordinance Committee	not-specified
9	10/6/2025	Resolution: Financial Disclosure For Local Elected Officials	referred to the Ordinance Committee	not-specified
10	10/21/2025	Resolution: March 3, 2026 Annual City Meeting - Charter Change re: General Fund Tax Fairness (Referral to Charter Change Committee)	referred to the Charter Change Committee	12/1/2025
11	10/21/2025	Resolution: March 3, 2026 Annual City Meeting - Charter Change re: City Council Authority to Pledge Credit of the City (Referral to Charter Change Committee)	referred to the Charter Change Committee	12/1/2025
12	11/17/2025	2025 Open Space Plan	to refer the Open Space Plan for public hearing and adoption by the City Council	12/15/2025
13	11/17/2025	Ordinance: Sidewalk Interference BCO Chaper 27, Art. I	referred to the Ordinance Committee	not-specified
14	11/17/2025	Ordinance: Unlawful Entry Into A Motor Vehicle	referred to the Ordinance Committee	not-specified



**BURLINGTON LOCAL CONTROL COMMISSION
CONTOIS AUDITORIUM, 149 CHURCH STREET, 2ND FLOOR
MINUTES OF MEETING
November 17, 2025**

1. Agenda

1. Agenda

City Council President Traverse convened the meeting at 7:35 pm.

Members present: City Council President Traverse, Commissioners Barlow, Bergman, Broderick, Carpenter, Grant, Litwin, McKnight, Neubieser, Schachter, Singh and Mayor Mulvaney-Stanak (all in person); Commissioner Kane (online)

Others present: City Attorney Brown, COS Jacobsen, Deputy COS Monroe-Zakaras, Lori Olberg and Barbara Turnbull

Subject

1.1. Motion to adopt agenda

Meeting

November 17, 2025 - Local Control Commission Meeting - Monday, November 17, 2025, 7:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category

1. Agenda

Department

Council and Board

Type

Action
Procedural

Recommended Action

Motion to amend/adopt agenda as follows: add Little Istanbul Burlington (2nd class license renewal) to consent agenda item 2.2.

1.1. Motion to adopt agenda

Motion made by Commissioner Broderick, seconded by Commissioner Singh, to adopt the agenda as presented. Motion passed unanimously.

2. Consent Agenda

2. Consent Agenda

Subject

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

Meeting

November 17, 2025 - Local Control Commission Meeting - Monday, November 17, 2025, 7:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category

2. 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

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

Motion made by Commissioner Broderick, seconded by Commissioner Schachter, to adopt the consent agenda (as amended) and take the actions indicated. Motion passed unanimously.

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

Meeting November 17, 2025 - Local Control Commission Meeting - Monday, November 17, 2025, 7:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 2. Consent Agenda

Department Department of Finance and Administration

Type Action (Consent)

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

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

3. Deliberative Agenda

3. Deliberative Agenda

Subject 3.1. First and Second Class Liquor License Applications (2025-2026); Alimentari, 196 Saint Paul Street

Meeting November 17, 2025 - Local Control Commission Meeting - Monday, November 17, 2025, 7:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 3. Deliberative Agenda

Department Department of Finance and Administration

Type Action

Recommended Action approve the 2025-2026 First and Second Class Liquor License Applications for Alimentari, 196 Saint Paul Street with the following conditions: all City Permits need to be closed out, contingent upon Fire Marshal approval and with all standard conditions

3.1. First and Second Class Liquor License Applications (2025-2026); Alimentari, 196 Saint Paul 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

November 17, 2025 - Local Control Commission Meeting - Monday, November 17, 2025, 7:00 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 7:36 pm.



**BURLINGTON LOCAL CANNABIS CONTROL COMMISSION
CONTOIS AUDITORIUM, 149 CHURCH STREET, 2ND FLOOR
MINUTES OF MEETING
November 17, 2025**

1. Agenda

1. Agenda

City Council President Traverse convened the meeting at 7:36 pm.

Members present: City Council President Traverse, Commissioners Barlow, Bergman, Broderick, Carpenter, Grant, Litwin, McKnight, Neubieser, Schachter, Singh and Mayor Mulvaney-Stanak (all in person); Commissioner Kane (online)

Others present: City Attorney Brown, COS Jacobsen, Deputy COS Monroe-Zakaras, Lori Olberg and Barbara Turnbull

Subject

1.1. Motion to adopt agenda

Meeting

November 17, 2025 - Local Control Cannabis Commission Meeting - Monday,
November 17, 2025, 7:15 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category

1. Agenda

Department

Council and Board

Type

Action
Procedural

Recommended Action Motion to adopt agenda

1.1. Motion to adopt agenda

Motion made by Commissioner Broderick, seconded by Commissioner Singh, to adopt the agenda as presented. Motion passed unanimously.

2. Consent Agenda

2. Consent Agenda

Subject

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

Meeting

November 17, 2025 - Local Control Cannabis Commission Meeting - Monday,
November 17, 2025, 7:15 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category

2. Consent Agenda

Department

Council and Board

Type Action (Consent)
Procedural

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 Schachter, to adopt the consent agenda and take the actions indicated. Motion passed unanimously.

Subject 2.2. 2025-2026 Cannabis License Renewals (retailers): see attached list

Meeting November 17, 2025 - Local Control Cannabis Commission Meeting - Monday,
November 17, 2025, 7:15 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 2. Consent Agenda

Department Department of Finance and Administration

Type Action (Consent)

Recommended Action to approve and authorize transmission of local approval of the following local
cannabis control retailer renewals as listed to the State Cannabis Control Board,
subject to all municipal conditions currently in effect on such local licenses

2.2. 2025-2026 Cannabis License Renewals (retailers): see attached list

3. Adjournment

3. Adjournment

Subject 3.1. Motion to adjourn

Meeting November 17, 2025 - Local Control Cannabis Commission Meeting - Monday,
November 17, 2025, 7:15 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 3. Adjournment

Department Council and Board

Type Action
Procedural

Recommended Action Motion to adjourn

3.1. Motion to adjourn

City Council President Traverse adjourned the meeting at 7:37 pm.

Communication

2.1. BTV Cares (20 mins.)

Interim Police Chief Burke, Fire Chief Curtin and IT Director Barker spoke to this agenda item.

Subject	2.2. 2026 Legislative Priorities discussion (20 mins.)
Meeting	November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	2. Work Sessions
Department	Mayor's Office
Type	Communication Discussion Information

2.2. 2026 Legislative Priorities discussion (20 mins.)

Mayor Mulvaney-Stanak spoke to this agenda item.

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 the Public Forum at 6:38 pm.

City Council President Traverse closed the Public Forum at 7:03 pm.

Subject	3.1. Verbal Comments
Meeting	November 17, 2025 - Regular City Council Meeting - Monday, November 17, 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
Recommended Action	open Public Forum close Public Forum

3.1. Verbal Comments

BTV residents (in person):

Gabriella Grean: student housing

Benjamin Robke: student housing

Yeraz Kaligin: Student Housing at UVM

Baxter Pierce: Student Housing

Evan Bray: Student Housing

Kelsey Adams: student housing

Floyd Campbell: UVM Housing

Charlie Messing: 6 things-reinstate the bus 11 to the hospital/airport

BTV resident (online):

Sharon Bushor: Cares/Inspection of UVM Housing

Pike Porter: McNeil's property assessment is too low or the insuane valuation is too high/trespass ordinance-

unlawful entry

Non BTV resident (online):

Keren Sita: haters/severe ignorance

4. Mayor - General City Affairs (up to 10 mins.)

4. Mayor - General City Affairs (up to 10 mins.)

Subject **4.1. Verbal reports**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 4. Mayor - General City Affairs (up to 10 mins.)

Department Council and Board

Type Information

4.1. Verbal reports

5. Consent Agenda

5. Consent Agenda

Subject **5.1. Motion to adopt the consent agenda (as amended) and take the actions indicated**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 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 (as amended) and take the actions indicated

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

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

Subject **5.2. Accountability List - DFA**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 5. Consent Agenda

Department Department of Finance and Administration

Type Action (Consent)
Information

Communication

Recommended Action	waive the reading, accept the communication and place it on file
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5.2. Accountability List - DFA

Subject **5.3. November 3, 2025 Regular City Council Meeting Minutes - DFA**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category	5. Consent Agenda
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Department of Finance and Administration

Type	Action (Consent) Information Minutes
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Recommended Action	approve the minutes
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5.3. November 3, 2025 Regular City Council Meeting Minutes - DFA

Subject **5.4. November 3, 2025 Local Control Commission Meeting Minutes - DFA**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category	5. Consent Agenda
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Department of Finance and Administration

Type	Action (Consent) Information Minutes
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Recommended Action	approve the minutes
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5.4. November 3, 2025 Local Control Commission Meeting Minutes - DFA

Subject **5.5. March 3, 2026 Annual City Election Calendar - DFA**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category	5. Consent Agenda
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Department of Finance and Administration

Type	Action (Consent) Communication Information
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Recommended Action	waive the reading, accept the communication and place it on file
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5.5. March 3, 2026 Annual City Election Calendar - DFA

Subject	5.6. UVM Student Tenant Union November 3, 2025 City Council Public Forum Comments
Meeting	November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Department of Finance and Administration
Type	Action (Consent) Information Communication
Recommended Action	waive the reading and place the communication on file
5.6. UVM Student Tenant Union November 3, 2025 City Council Public Forum Comments	

Subject	5.7. Petition to Present to Burlington City Council - SU Traffic Petition
Meeting	November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Department of Finance and Administration
Type	Action (Consent) Communication Information
Recommended Action	waive the reading and place the communication on file
5.7. Petition to Present to Burlington City Council - SU Traffic Petition	

Subject	5.8. Chittenden Solid Waste District (CSWD) Fiscal Year 2025 Summary
Meeting	November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	5. Consent Agenda
Department	Department of Finance and Administration
Type	Action (Consent) Information Communication
Recommended Action	waive the reading and place the communication on file
5.8. Chittenden Solid Waste District (CSWD) Fiscal Year 2025 Summary	

Subject **5.9. Authorization to Sign a Cooperation Agreement with HowardCenter, Inc. - Mayor's Office **now agenda item 6.7****

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 5. Consent Agenda

Department Mayor's Office

Type Action (Consent)

Recommended Action to authorize the Mayor to execute the agreement and to take all such further actions, and to execute all such further instruments approved as to form by the City Attorney, as may be necessary or convenient to effectuate the transactions contemplated hereby

5.9. Authorization to Sign a Cooperation Agreement with HowardCenter, Inc. - Mayor's Office ****now agenda item 6.7****

Subject **5.10. CSWD contract extension - Electric**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 5. Consent Agenda

Department Burlington Electric Department

Type Action (Consent)

Recommended Action to approve that the General Manager or their delegee may execute the attached contract extension with Chittenden Solid Waste District

5.10. CSWD contract extension - Electric

Subject **5.11. B.E.D.'s Property/Boiler and Machinery (B&M) 2025-2026 Insurance renewal - Electric**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 5. Consent Agenda

Department Burlington Electric Department

Type Action (Consent)

Recommended Action to authorize the General Manager of the Burlington Electric Department or their designee, to execute the Property, Boiler & Machinery insurance coverage renewal contract with AIG/ZURICH/STARR TECH/AEGIS for the policy period 11/20/2025 through 11/20/2026 with a not to exceed premium of \$718,024, as outlined in this

memo, subject to review and approval of the City Attorney's Office and the Board of Finance

5.11. B.E.D.'s Property/Boiler and Machinery (B&M) 2025-2026 Insurance renewal - Electric

Subject 5.12. 25 Cherry Street - Temporary Encumbrance of East bound Cherry Street and Sidewalk - DEW Construction

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 5. Consent Agenda

Department Public Works Department

Type Action (Consent)

Recommended Action to approve the Encumbrance Application for DEW Construction INC. at 25 Cherry Street requesting use City Right of way for a construction right of way to assist in hotel rebranding 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

5.12. 25 Cherry Street - Temporary Encumbrance of East bound Cherry Street and Sidewalk - DEW Construction

Subject 5.13. Missing Person Christopher Harper

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 5. Consent Agenda

Department Council and Board

Type Action (Consent)
Information
Communication

Recommended Action waive the reading and place the communications on file

5.13. Missing Person Christopher Harper

Subject 5.14. 2025 Open Space Plan - Burlington Conservation Board

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 5. Consent Agenda

Department Permitting & Inspections

Type Action (Consent)

Recommended Action to refer the Open Space Plan for public hearing and adoption by City Council on December 15, 2025

5.14. 2025 Open Space Plan - Burlington Conservation Board

Subject 5.15. FIO Documents

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 5. Consent Agenda

Department Department of Finance and Administration

Type Action (Consent)
Communication
Information

Recommended Action for information only

5.15. FIO Documents

Subject 5.16. Ordinance: RAISING THE MANDATORY RETIREMENT AGE FOR CLASS A EMPLOYEES (Councilors Barlow, Grant, Singh, Ordinance Committee)

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 5. Consent Agenda

Department Council and Board

Type Ordinance - Second Reading
Action (Consent)

Recommended Action **Updated Motion Language:**

waive the reading, adopt the ordinance amendment and authorize the Chief Administrative Officer, or their designee, to effectuate any changes to municipal retirement plan documents required by this amendment, with any related changes being subject to any necessary approval by the Board of Finance and City Council

Original Motion Language:

waive the reading, adopt the ordinance, and authorize the Chief Administrative Officer, or their designee, to effectuate any changes to municipal retirement plan documents required by this amendment and to engage in any subsequent effects bargaining with the municipal unions representing Class A employees, with any related changes being subject to any necessary approval by the Board of Finance and City Council

5.16. Ordinance: RAISING THE MANDATORY RETIREMENT AGE FOR CLASS A EMPLOYEES (Councilors Barlow, Grant, Singh, Ordinance Committee)

6. Deliberative Agenda

6. Deliberative Agenda

Subject **6.1. Indoor Entertainment Permit Application (2025-2026): Citizen Cider, 180 Flynn Avenue**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 6. Deliberative Agenda

Department Department of Finance and Administration

Type Action

Recommended Action approve the 2025-2026 Indoor Entertainment Permit Application for Citizen Cider, 180 Flynn Avenue with all standard conditions

6.1. Indoor Entertainment Permit Application (2025-2026): Citizen Cider, 180 Flynn Avenue
Motion made by Councilor Broderick, seconded by Councilor Grant, to approve the motion as prest

Subject **6.2. FY25 Annual Report City of Burlington Chittenden County RPC (20 mins.)**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 6. Deliberative Agenda

Department Council and Board

Type Action
Discussion
Information
Report

Recommended Action waive the reading, accept the report and place it on file

6.2. FY25 Annual Report City of Burlington Chittenden County RPC (20 mins.)
Charlie Baker and Andy Montroll spoke to this item.
No action was taken.

Subject **6.3. Resolution: March 3, 2026 Annual City Meeting -- Charter Change Re: Establishment Of The Office Of Racial Equity, Inclusion, And Belonging (Charter Change Committee)(15 mins.)**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 6. Deliberative Agenda

Department Council and Board

Type Action
Resolution

Recommended Action waive the reading and adopt the resolution

6.3. Resolution: March 3, 2026 Annual City Meeting -- Charter Change Re: Establishment Of The Office Of Racial Equity, Inclusion, And Belonging (Charter Change Committee)(15 mins.)

REIB Director Perkins spoke to this item.

Motion made by Councilor McKnight, seconded by Councilor Grant, to waive the reading and adopt the resolution. Motion passed unanimously.

Subject **6.4. Resolution: The Adequacy Of The Exemption For University Or College Dormitories From The Minimum Housing Code Requirement For Periodic Inspections To The City's Minimum Housing Standards (Councilors Broderick, Bergman, Grant, Kane, Litwin, and Neubieser)(40 mins.)**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 6. Deliberative Agenda

Department Council and Board

Type Action
Resolution

Recommended Action waive the reading and adopt the resolution

6.4. Resolution: The Adequacy Of The Exemption For University Or College Dormitories From The Minimum Housing Code Requirement For Periodic Inspections To The City's Minimum Housing Standards (Councilors Broderick, Bergman, Grant, Kane, Litwin, and Neubieser)(40 mins.)

City Council President Traverse allowed various representatives to speak to this item:

Champlain College: Nic Anderson

UVM: Erica Caloiero, Amanda Clayton, Wendy Koenig

Student Tenant Union Housing person

DPI Director Bill Ward

Motion made by Councilor Broderick, seconded by Councilor Bergman, to waive the reading and adopt the resolution. Motion passed unanimously.

Subject **6.5. Ordinance: SIDEWALK INTERFERENCE BCO Chapter 27, Art. I (Department of Permitting and Inspections)(10 mins.)**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 6. Deliberative Agenda

Department Permitting & Inspections

Type Ordinance - First Reading
Action

Recommended Action waive the reading and refer the ordinance amendment to the City Council Ordinance Committee

6.5. Ordinance: SIDEWALK INTERFERENCE BCO Chapter 27, Art. I (Department of Permitting and Inspections)(10 mins.)

DPI Director Ward spoke to this item.

Motion made by Councilor Bergman, seconded by Councilor Litwin, to waive the reading and refer the ordinance amendment to the City Council Ordinance Committee. Motion passed unanimously.

Subject **6.6. Ordinance: UNLAWFUL ENTRY INTO A MOTOR VEHICLE (Councilor Traverse)(10 mins.)**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 6. Deliberative Agenda

Department Council and Board

Type Action
Ordinance - First Reading

Recommended Action waive the reading and refer the ordinance amendment to the City Council Ordinance Committee

6.6. Ordinance: UNLAWFUL ENTRY INTO A MOTOR VEHICLE (Councilor Traverse)(10 mins.)

City Council President Traverse spoke to this item.

Motion made by Councilor Bergman, seconded by Councilor Barlow, to waive the reading and refer the ordinance amendment to the City Council Ordinance Committee. Motion passed unanimously.

Subject **6.7. Authorization to Sign a Cooperation Agreement with HowardCenter Inc. - Mayor's Office **was agenda item 5.9****

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category 6. Deliberative Agenda

Department Mayor's Office

Type Action

Recommended Action to authorize the Mayor to execute the agreement and to take all such further actions, and to execute all such further instruments approved as to form by the City Attorney, as may be necessary or convenient to effectuate the transactions contemplated hereby

6.7. Authorization to Sign a Cooperation Agreement with HowardCenter Inc. - Mayor's Office ****was agenda item 5.9****

COS Jacobsen spoke to this item.

Motion made by Councilor Bergman, seconded by Councilor Schachter, to move to delay to the December 1st meeting. Motion passed unanimously.

7. Committee Reports

7. Committee Reports

Subject **7.1. Verbal reports**

Meeting November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor

Category	7. Committee Reports
Department	Council and Board
Type	Information

7.1. Verbal reports

Subject	7.2. Communication From Assistant City Attorney Erik Ramakrishnan to City Council Ordinance Committee September 3, 2025 via Email
Meeting	November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	7. Committee Reports
Department	Council and Board
Type	Action Communication
Recommended Action	the attorney-client privilege was waived for this communication by the Ordinance Committee and approved for publication at our September 18, 2025 committee meeting and that the committee deliberated and decided to table the matter to an unspecified future date

7.2. Communication From Assistant City Attorney Erik Ramakrishnan to City Council Ordinance Committee September 3, 2025 via Email

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

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

Subject	8.1. Verbal reports
Meeting	November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	8. 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

8.1. Verbal reports

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

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

Subject	9.1. Verbal reports
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Meeting	November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	9. City Council President - Council Updates (up to 5 mins.)
Department	Council and Board
Type	Information

9.1. Verbal reports

10. Adjournment

10. Adjournment

Subject	10.1. Motion to adjourn
Meeting	November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	10. Adjournment
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to adjourn
10.1. Motion to adjourn	
City Council President Traverse adjourned the meeting at 10:30 pm.	

11. Informational and Non-Discrimination Statements

11. Informational and Non-Discrimination Statements

Subject	11.1. This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, 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	November 17, 2025 - Regular City Council Meeting - Monday, November 17, 2025, 6:00 PM, Contois Auditorium, 149 Church Street, 2nd Floor
Category	11. Informational and Non-Discrimination Statements
Department	Council and Board

Type

Information

11.1. 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.



MEMORANDUM

TO: City Council

FROM: Community Service Manager Cassandra Stirling, Burlington Police Department

DATE: December 1, 2025

RE: Designation of Staff to Issue Municipal Tickets

The Burlington Police Department has hired a new Community Service Officer who will need to be issued an Officer Number by the Vermont Judicial Bureau in order to issue civil Municipal Tickets. In order for them to be issued an Officer Number, the City Council is required to designate the CSO as a Municipal Enforcement Officer. We would like to ask the City Council to designate CSO Ratna Polk as a municipal enforcement officer.

ATTACHMENTS:

- a. Vermont Judicial Bureau Municipal Enforcement Officer Designation Form
- b. Request for Vermont Civil Violation Complaints

Proposed Motion

To approve the designation of CSO Ratna Polk as a municipal enforcement officer for purposes of enforcing the Burlington City Ordinances, authorizing CSO Polk to issue civil tickets for violations of the same; and, to further authorize the Burlington Police Department to submit the attached designation form so designating CSO Polk to the Vermont Judicial Bureau, subject to approval as to form by the City Attorney's Office.

JUDICIAL BUREAU DESIGNATION OF MUNICIPAL OFFICIALS

NAME OF MUNICIPALITY: City of Burlington, Burlington Police Department (#0403)

Issuing Official:

Name: RATNA POLK

Title: COMMUNITY SERVICE OFFICER

Address: 1 NORTH AVE.

BURLINGTON, VT 05401

Telephone: 802-658-2700

Issuing Official:

Name: _____

Title: _____

Address: _____

Telephone: _____

Issuing Official:

Name: _____

Title: _____

Address: _____

Telephone: _____

Custodial Official Signature: /s/ Robert A. Parzych

Date: November 17, 2025

Provide a copy of the selectboard approval letter for any issuing officials.

Issuing officials (or town attorney) must appear at court hearings

4/2/2025

Board of Finance and City Council Submission Checklist

Department: Police Submitter: Cassandra Stirling

Title/Subject: CSO Municipal Ticket Designation

	Approval:	Meeting Date:
☐	Board of Finance	
☒	City Council	12/1/2025
☐	Concurrent	

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

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	11/18/2024	S. Burke
Mayor's Office informed and approved memo	Yes	11/18/2025	E. Jacobsen
Board/Commission, if required	N/A		
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A		
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	11/21/2025	H. McClenahan
CAO has reviewed budget, financing, and memo	N/A		
Human Resources, if personnel action -Identify HR Manager in note	N/A		
CIO, if an IT-related investment/purchase	N/A		

Materials Included

	Included?	Note
Final Memo Attached?	Yes	
Contract Attached, if applicable?	N/A	
Additional Materials, if necessary	N/A	
Draft Resolution or Motion?	Yes	In attached memo
If for submission to Council, are sponsors identified?	N/A	



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine St. Suite A
Burlington, VT 05401
802.865.7200 VOX
802.863.0466 FAX
802.863.0450 TTY

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

MEMORANDUM

To: Board of Finance/City Council
Fr: Laura Wheelock, Division Director – Technical Services, City Engineer, P.E.

CC: Chapin Spencer, DPW Director
Madeline Suender, Public Works Engineer
Kara Alnasrawi, Director, CEDO
Ashley Parker, Capital Program Director, DFA

Re: Great Streets Main Street Project Budget Amendment

Date: December 1, 2025

The Department of Public Works (DPW) is seeking to amend the Great Streets Main Street Project budget to:

- Accept \$149,215.50 in Petroleum Cleanup Funds (PCF)
- Incorporate the Ravine Sewer Filling at the Post Apartments work into the overall project budget
- Add \$200,000 in Downtown Transportation Funds Grant to the project
- Add \$640,000 of Downtown Tax Increment Funding to the overall budget pending VEPC approval of the Substantial Change

PETROLEUM CLEANUP FUNDS (PCF)

During the course of the project petroleum contaminated soil was encountered near the Main and Church Street intersection. This soil is related to a known site that the Vermont Department of Environmental Conservation (DEC) tracks. During planning for the project we anticipated that some of these soils could be encountered but it was not guaranteed. DEC has a reimbursement program where petroleum contamination soil disposal costs can be mitigated by the municipality by submitting documentation to be reimbursed for those costs. It was not known at the start of the project if and how significantly they project might interrupt these soils, therefore the original project budget was not approved in such a way that anticipated receipt of these funds. Additionally, the volume of soil, costs to dispose, and ultimately the eligible amount for reimbursement is difficult to estimate until work is complete.

Upon completing work in the Main/Church intersection DPW submitted a request to DEC for PCF reimbursement of our costs for soils in this intersection that would qualify. DEC has subsequently approved our request and issued payment to the City in the amount of \$149,215.50.

DPW is requesting that we amend the project budget and apply the received funds to Great Streets Main Street Project, and directly apply them to the S.D. Ireland Brothers (SDI) construction contract. This will not change the maximum limiting contract amount, but rather replace Tax Increment Financing (TIF) funds that would have originally been used to pay for the work. This will be done by adjusting the next invoice following acceptance of the funds.

RAVINE SEWER/POST APARTMENTS WORK

As DPW worked with Community and Economic Development Office (CEDO), Department of Finance and Administration (DFA), and our TIF Consultant David White of White + Burke on the City's Downtown TIF Substantial Change as approved by the [City Council on October 6, 2025](#) it was determined that the work approved by the [Board of Finance on September 29, 2025](#) also needs to be included in the overall project budget for the Great Streets Main Street Project.

The separate contract to support the filling of the Ravine Sewer under the Post Apartments located at 176 South Winooski Ave was broken out as specialty work. A portion of the City's ravine sewer is located under this parcel and impacts the ability for the Post Apartments to occupy their nearly complete building. This work is described in the City's project to the Vermont Economic Progress Council (VEPC), and is included in our financial reporting as the project makes use of TIF funding to support the contract.

DOWNTOWN TRANSPORTATION FUND IMPROVEMENT GRANT

DPW working with the DFA applied for a Downtown Transportation Fund Improvement Grant in January of 2025 and were successful in our application allowing the City to add \$240,000 in funds back into the Great Streets Main Street project in the form of supporting surface amenities such as benches, bike racks, and bus shelter. These amenities were initially removed from the project due to budget constraints and were to be added back in as contingency supported the work or as other funds were identified.

These funds are composed of \$200,000 in state funds for the grant and \$40,000 in local match funds. The City, in our substantial change request to VEPC, has proposed we use TIF earnings on our bond for the local match, and if approved this request seeks authorization from the City Council to add those funds to the overall project budget. Should the VEPC board reject or amend our request DPW will return to the City Council to identify the source of the local match.

DOWNTOWN TIF EARNINGS - \$600,000

The City Council approved an amendment to the Great Streets Main Street contract with SDI in [June 23, 2025](#), to modify the traffic control under the project. At that meeting DPW and DFA proposed to fund this change with TIF Earnings and noted we would need to seek final approval for use of these funds from VEPC. The [City Council on October 6, 2025](#) supported our application for a Substantial Change to VEPC which seeks to use those funds. DPW is formalizing our project budget amendment and the request to use \$600,000 in TIF Earnings by the City Council to be depending on the findings from VEPC with this memo. We are expecting a response from VEPC after their December meeting.

PROJECT BUDGET

The summary of the four changes as noted above are best shown in the detailed project budget that is attached. This budget shows the changes to project revenue and expenses from September 23, 2025 and the difference in each line or expenditure type.

The summary of changes is as follows:

- Add \$149,215.50 in PCF Funds
- Incorporate Ravine Sewer Budget (non-TIF or previously authorized sewer) of \$210,000
- Add \$200,000.00 in Downtown Transportation State Grant Funds
- Add \$40,000 of TIF Earnings as Local Match for the Grant
- Add \$600,000 of TIF Earnings for Traffic Control change/contract amendment

The resulting change is a \$559,215.50 for the PCF, Ravine Sewer, and Grant funds with \$640,000 in TIF Earnings subject to the review and approval by VEPC for a total increase in the overall project budget of \$1,199,215.50.

VEPC SUBSTANTIAL CHANGE REQUEST

To ensure consistency in our documents and approvals it is important that City Staff and our TIF Consultant submit an amendment to our active Downtown TIF Substantial Change that will go in front of the VEPC Board in December of 2025. That application included many of the budget amendments noted above but did not include the recently received PCF funds.

If you have any questions about this material, please feel free to reach out at 802-338-2125.

Attachments:

- 1) Proposed Detailed Budget

References

- 1) City Council Meeting - [June 23, 2025](#) – Memo for Traffic Mitigation
- 2) [Board of Finance on September 29, 2025](#) – Ravine Sewer Contract
- 3) [City Council on October 6, 2025](#) – Downtown TIF Substantial Change Application

MOTIONS

Board of Finance:

1. To approve and recommend that the City Council authorize the increase in the Great Streets Main Street by \$559,215.50 for the PCF, Ravine Sewer, and Grant funds; with \$640,000 in TIF Earnings subject to the review and approval by VEPC; for a total increase in the overall project budget of up to \$1,199,215.50. Resulting in the total authorized amount from \$35,391,395.09 to \$36,590,610.59 for the Great Streets Main Street project.
2. To approve and recommend that the City Council authorize the amendment of the Downtown TIF Substantial Change application dated October 6, 2025 to VEPC to include the PCF funds that have been reimbursed to the City.
3. To approve and recommend that the City Council authorize the Chief Administrative Officer, or their designee, to effect all necessary budget amendments and transfers of funds to and from the above-referenced funding sources as needed to pay the above-referenced project expenses and Overall Project Budgets, in substantial conformance with the attached budget transfer request.

City Council:

1. To approve the increase in the Great Streets Main Street by \$559,215.50 for the PCF, Ravine Sewer, and Grant funds; with \$640,000 in TIF Earnings subject to the review and approval by VEPC; for a total increase in the overall project budget of up to \$1,199,215.50. Resulting in the total authorized amount from \$35,391,395.09 to \$36,590,610.59 for the Great Streets Main Street project.
2. To approve the amendment of the Downtown TIF Substantial Change application dated October 6, 2025 to VEPC to include the PCF funds that have been reimbursed to the City.
3. To authorize the Chief Administrative Officer, or their designee, to effect all necessary budget amendments and transfers of funds to and from the above-referenced funding sources as needed to pay the above-referenced project expenses and Overall Project Budgets, in substantial conformance with the attached budget transfer request.

GS - Main Street

NEW WORLD Project Na 853 Main St

Project Manager: Madeline Suender
Project Supervisor: Laura Wheelock
Last Updated: 11/4/2025

G/L NUMBER AND NAM Detailed Project Name		NOTES	Proposed 11/4/2025	Current 9/23/2025	Change	Notes/Description of Change
SOURCES:						
853-19-700.4990_236	853 MAIN ST, DT TIF - Capital	DT TIF VA BOND - Construction	\$23,391,722.00	\$23,391,722.00	\$0.00	
853-19-700.4990_236	853 MAIN ST, DT TIF - Capital Premiums	DT TIF VA PREMIUMS	\$4,261,971.06	\$4,261,971.06	\$0.00	
853-19-700.4990_236	853 MAIN ST, DT TIF - Public Art	Public Art	\$500,000.00	\$500,000.00	\$0.00	
853-19-700.4990_236	853 MAIN ST, DT TIF - Ravine Sewer	Ravine Sewer	\$6,228,278.00	\$6,228,278.00	\$0.00	
853-19-700.4875_135	853 MAIN ST, DT TIF - Capital	State - DEC PCF Reimbursement	\$149,215.50	\$0.00	\$149,215.50	New Funding. Petroleum Cleanup Fund.
853-19-700.4875_130	Street Reconstruction - Paving	Street Capital	\$546,477.03	\$546,477.03	\$0.00	Approved by Annual Budget Authorization
861-19-700.4990_460	861 Water Capital Projects	Water Capital	\$105,000.00	\$105,000.00	\$0.00	
862-19-700.4990_480	862 Wastewater Capital Projects	Wastewater Capital	\$333,947.00	\$357,947.00	(\$24,000.00)	Reduced by \$24,000 used for ravine sewer closure - see below.
	HUD Grant		\$135,000.00	\$0.00	\$135,000.00	Next three sources pay for added ravine sewer abandonmen costs.
	Champlain Housing Trust		\$75,000.00	\$0.00	\$75,000.00	
	DPW	Wastewater Capital	\$24,000.00	\$0.00	\$24,000.00	
853-19-700.4990_236	853 MAIN ST, DT TIF - Capital Earnings	Capital Construction and Grant Match	\$640,000.00	\$0.00	\$640,000.00	Pending VEPC Approval of the Substantial Change
853-19-700.4830_130	853 MAIN ST, DT TIF - Downtown Grant	Downtown Grant Funds	\$200,000.00	\$0.00	\$200,000.00	Awarded June 2025

Board of Finance and City Council Submission Checklist

Department: Public Works Submitter: Laura Wheelock, Madeline Suender

Title/Subject: Great Streets Main Street – Project Budget Amendment

	Approval:	Meeting Date:
☐	Board of Finance	
☐	City Council	
☒	Concurrent	12/1/2025

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

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	11/19/2025	Chapin Spencer
Mayor's Office informed and approved memo	Yes	11/24/2025	Erin Jacobsen
Board/Commission, if required	N/A	12/1/2025	Board of Finance
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	11/20/2025	Erik Ramakrishnan
CAO has reviewed budget, financing, and memo	Yes	11/20/2025	Katherine Schad
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	N/A	Click or tap here to enter text.
Additional Materials, if necessary	Choose an item.	Click or tap here to enter text.
Draft Resolution or Motion?	Yes	Motions - Memo
If for submission to Council, are sponsors identified?	Yes	Board of Finance

MEMORANDUM

To: Mayor Mulvaney-Stanak and Burlington City Council
From: Tom Flanagan, Superintendent
CC: Nathan Lavery, Executive Director of Finance and Operations
Date: 11/17/2025
Subject: BHS/BTC Project Update

Purpose: The purpose of this memo is to update the Mayor and City Council on the status of the BHS/BTC Project in support of the recent borrowing authorization.

Project Update: We remain on track to open next year, and the project remains on budget. The big news is that it is looking like we will not have to borrow the full \$165 million that voters approved for the project. To date, and inclusive of the borrowing recently authorized by the City Council, BSD has accessed \$159 million of the \$165 million total. We are hopeful that no further borrowing will be required, meaning we will have borrowed \$6 million less than the approved amount.

Limiting borrowing reduces costs directly in the form of lower annual debt service and has the added benefit of allowing the City of Burlington to retain additional borrowing capacity to meet other community needs. Our team has worked hard to make sure we are being good stewards of resources, and I am grateful that they are taking this work seriously while also delivering on incredible learning spaces!

Based on our current construction schedule, we anticipate that the construction phase will be substantially complete in late spring of the coming year. Teachers and staff will pack up DowntownBHS at the end of the current school year, and the move back to Institute Road will occur over the summer, with students attending school in the new facility on the first day of school next fall.

We encourage anyone interested in more frequent and detailed updates on the project to visit our project [website](#) and our most recent [project update](#) (with lots of great photos!).

Thank you again for your continued support and championing of this exciting project.



Permitting and Inspections Department
645 A Pine St, PO Box 849
Burlington, VT 05402-0849
VOICE (802) 863-0442
FAX: (802) 652-4221

MEMO

Date: November 10, 2025

To: Board of Finance/City Council

From: William M. Ward, Director of Permitting and Inspections
Timothy Clancy, Human Resources Manager

CC: Katherine Schad, Chief Administrative Officer, Clerk/Treasurer's Office

Subject: Reclassification of one (1) DPI – Zoning Division Manager as summarized

Executive Summary

I propose the reclassification of one (1) position in the Department of Permitting and Inspections (DPI) Zoning Division Manager as summarized below:

- Reclassification of Permitting and Inspections Zoning Division Manager/Principal Planner a Regular, Full-time, Exempt, Non-union Grade 22 step 15 position to Zoning Division Manager/Principal Planner, a Regular, Full-time, Exempt, Non-union Grade 24 step 13 position

Background for Reclassification

This is a reclassification request based on a job description with duties and responsibilities which have evolved since the creation of the department and the Zoning Manager position. The complexity and scope of the work currently being performed required a grading adjustment.

Transformed Role: The Zoning Division Manager position was created in 2019 when the Department was created. The job description was developed 6 years ago based on the anticipated functions required in a brand new department for a position that never existed previously. The reclassification request is a result of an evaluation of the actual job functions and responsibilities that naturally fall to the Zoning Division Manager/Principal Planner.

Departmental Responsibilities: The Zoning Division Manager/Principal Planner position carries with it an enormous responsibility for development in Burlington. The position is responsible for oversight and implementation of the city's land use policies and regulations, environmental initiatives, and state and federal standards including the National Flood Insurance Program. The position supervises the zoning staff and oversees zoning enforcement and compliance staff.



Permitting and Inspections Department
645 A Pine St, PO Box 849
Burlington, VT 05402-0849
VOICE (802) 863-0442
FAX: (802) 652-4221

The position serves as the city Conservation Planner in support of the Conservation Board and the Conservation Legacy Program. This position is responsible for maintaining the Comprehensive Development Ordinance as amended while coordinating with Planning Commission and Planning Director regarding intent of new or revised ordinances.

The reclassified position is the result of responsibilities which are required of the position, are currently being performed and have not been reevaluated since 2019. This includes high level administrative functions including management of the department web-site and drafting/overseeing execution of department protocols. The position also supervises coordinated services for zoning and building permits for improved cross-functional efforts, provides zoning interpretations/determinations and acts as the City's primary liaison with the Vermont Agency of Natural Resources for administration of the City's delegated shore land regulation.

The reclassification amends the job description to reflect the role's existing responsibilities, required skills, job complexity, and level of authority within the department.

Financial Impact

The increase in salary is equal to \$5,528.44.65 annually, retroactive to July 1, 2025. The overall FY26 budget impact will be neutral due to increased revenue from zoning enforcement and a two month vacancy in a zoning position that will be not be filled until November, 2025. Any FY27 impact will be built into the FY27 budget during its development.

Position Title	FY 25 Budgeted Salary	Proposed Reclassification Salary
Zoning Division Manager/Principal Planner	\$109,444.6766	\$114,973.1231

Proposed motions

Board of Finance Motion:

- To approve and recommend that the City Council approve the reclassification of the Department of Permitting and Inspections Zoning Division Manager/Principal Planner a Regular, Full-time Exempt, Non-union Grade 22 step 15 position to Zoning Division Manager/Principal Planner, a Regular, Full-time Exempt, Non-union Grade 24 step 13 position, retroactive to July 1, 2025.

City Council Motion:

- To approve the reclassification of the Department of Permitting and Inspections Zoning Division Manager/Principal Planner a Regular, Full-time Exempt, Non-union Grade 22 step 15 position to Zoning Division Manager/Principal Planner, a Regular, Full-time Exempt, Non-union Grade 24 step 13 position, retroactive to July 1, 2025.

City of Burlington Job Description

Position Title: Zoning Manager and Principal Planner – Development Review/Assistant Zoning Administrative Officer

Department: Permitting & Inspections

Reports to: Director of Permitting & Inspections

Pay Grade: ~~2224TBD~~

Job Code: ~~1329TBD~~

Exempt/Non-Exempt: Exempt

Union: Non-Union

Remote Work Rating: Tier 2

General Purpose: This position is responsible for oversight and implementation of the city's land use policies and regulations. These include zoning and subdivision standards, environmental initiatives, and state and federal standards such as shorelands and the National Flood Insurance Program (NFIP). The position oversees and engages in the work of lead the Department's Development Review Team and play a central leadership role in the administration of the City's *Comprehensive Development Ordinance*, including supervision of permitting staff, processing and review~~ing of~~ zoning and subdivision applications, issuance of zoning permits, drafting ordinance amendments, supervising staff, collaborating on zoning compliance and enforcement matters, and providing staff support to the Development Review Board, Design Advisory Board, and the Conservation Board relative to their role in the development review process. The position supervises zoning enforcement and compliance staff and is the primary liaison with the City Attorney's Office in enforcement and litigation matters. The position serves as the City's Conservation Planner in support of, and collaboration with, the Conservation Board and the Conservation Legacy Program. This position also represents the Department in collaborations is also the primary liaison with the City's Office of City Planning and Policy staff in and the Planning Commission for the development of land use and development plans and policies and for the drafting of related ordinance amendments and engages with the Planning Commission regarding the intent of Ordinance development or revisions.

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

- **Land Use Regulatory Oversight and Implementation**

- Provide staff support to the Conservation Board, Design Advisory Board, and Development Review Board; assist in pursuing and evaluating annual goals and objectives.
- Provideing direction and assistance to applicants in meeting applicable regulatory requirements for proposed development, and in preparing the necessary submission materials required for a zoning or subdivision permit application.
- Maintain a caseload of assigned development projects including:

- Examine received permit application submission materials for completeness in accordance with applicable regulatory requirements and department procedures.
- Serve as a Project Manager and the departments' lead point of contact in the review of permit applications before the Development Review Board including preparing staff recommendations and findings of facts, conducting site visits, and making presentations before the Conservation Board, Design Advisory Board, and Development Review Board as applicable.
- Write up and distribute Development Review Board decisions and related permits.
- Take final administrative action on permit applications that do not require Development Review Board approval.
- Administer the City's impact fee regulations and adjust annually for inflation.
- Issuance of Certificates of Occupancy upon successful completion of work conducted pursuant to a zoning permit. Coordinate closure of older expired permits concurrent with closure of current permits.
- Track and evaluate trends in development review, permit issuance, and permit closure (Certificates of Occupancy)
- Review and act upon all zoning determination requests filed with the Department, in collaboration with the City Attorney's Office as needed.
- ~~○ Recruit, supervise, schedule, train and evaluate personnel within the Zoning division of the Permitting & Inspections Department.~~
- ~~○ Effectively communicate with staff to ensure all work is carried out at acceptable levels.~~
- ~~○ Perform various budget tasks, including but not limited to, recommending annual budget appropriations for the division to the Department director and assuming responsibility for expenditure control, revenue forecasting, fee alterations, and monitor overtime while ensuring that operating budget is kept within expected levels.~~
- Provide overall management, supervision and leadership of the Departments Development Review Team and the day-to-day operation and functions of the department's Development Review process under the Burlington Comprehensive Development Ordinance including but not limited to:
- ~~○ Providing direction and assistance to applicants in meeting applicable regulatory requirements for proposed development, and in preparing the necessary submission materials required for a zoning or subdivision permit application.~~
- ~~○ Acceptance, review, and referral/action on zoning permit applications and related administrative determinations.~~
- Serve as the City's NFIP Coordinator in review of all development activities within the special flood hazard area. Assist in post-flood recovery efforts including Manage administration of FEMA-based grants for flood hazard mitigation as needed.
- ~~○ Serve as the City's primary liaison with the Vermont Agency of Natural Resources for administration of the City's delegated shoreland regulations.~~
- ~~○ Issuance of Certificates of Occupancy upon successful completion of work conducted pursuant to a zoning permit.~~
- Enforcement actions the City's Comprehensive Development Ordinance, including the issuance of Notices of Violations, imposition of fines and related legal actions in collaboration with the City Attorney's Office.

- **Supervisory Duties**

- Recruit, supervise, schedule, train and evaluate personnel within the Zoning division of the Permitting & Inspections Department.
- Supervise development review and zoning enforcement staff; provide managerial support and technical supervision, and in collaboration with the Director provide annual employee performance evaluations establishing performance improvement and development objectives.
- Effectively communicate with staff to ensure all work is carried out at acceptable levels.
- Collaborate with managerial staff to identify problems and to create and implement solutions. Consistently work to improve workflows and desired outcomes.

-

- **Administrative Duties**

- Assistant Administrative Officer duties as assigned per 24 V.S.A §4448 and Comprehensive Development Ordinance Article 2, Part 3.
- Identify and coordinate execution of department priorities in collaboration with management and other department staff.
- Perform various budget tasks, including but not limited to, recommending annual budget appropriations for the division to the Department director and assuming responsibility for expenditure control, revenue forecasting, fee alterations, and monitor overtime while ensuring that operating budget is kept within expected levels.
- Solicit and administer state and federal grants.
- Create and distribute board packets and agendas both directly and in a supervisory role.
- Draft and oversee execution of departmental protocols.
- Manage the permit system and department website in collaboration with IT office as needed.

-

- **Policy, Procedures, and Implementation**

- ~~Represent the Department in collaborations~~ Act as the Department's primary liaison with the City's Office of City Planning and Policy staff in the development of land use and development plans and policies and drafting related ordinance amendments. Collaborate with the Planning Commission, City Council, and related committees.
- Prepare and issue zoning administrative interpretations to provide guidance and clarity to staff and the public as to sections of the Comprehensive Development Ordinance.
- Maintain and update the Comprehensive Development Ordinance as amended. Track and maintain amendment status online with the Planning Commission and the City Council. Coordinate with City Attorney's Office as to amendment status, public hearings, and adoption. Engage with the Planning Commission and Planning Director regarding intent of developed or revised Ordinances.
- Act as the Department's liaison to the Conservation Legacy Program. Coordinate with the City's Land Steward in consideration of land acquisition and conservation proposals and usher them through the stages of CLP and Conservation Board review. and in the administration of the city's Conservation Legacy Grant program.
- Act as the staff lead for Conservation Board planning and policy initiatives such as with the Open Space Plan and related implementation measures.
- Develop, and regularly evaluate for opportunities for continuous improvement:

- Informational and educational materials and processes necessary to assist applicants and members of the public's ability to effectively participate in the development review process.
- Departmental customer service practices and standards; establish performance and improvement objectives.
- Departmental operating procedures.
- Ongoing training programs for [department](#) staff and volunteer board members

•

• Other Duties

- ~~Supervise development review and zoning enforcement staff; provide managerial support and technical supervision, and in collaboration with the Director provide annual employee performance evaluations establishing performance improvement and development objectives.~~
 - ~~Serve as the Director of Permitting and Inspections and Zoning Administrative Officer in their absence.~~
 - ~~Serve as the department's principal liaison with the City Attorney's Office regarding all regulatory, compliance and enforcement matters acting as department representative in applicable development matters under litigation.~~
 - ~~Serve as the Director of Permitting and Inspections and Zoning Administrative Officer in their absence.~~
- ~~Maintain a caseload of assigned development projects including:~~
 - ~~Examine received permit application submission materials for completeness in accordance with applicable regulatory requirements and department procedures.~~
 - ~~Serve as a Project Manager and the department's lead point of contact in the review of permit applications before the Development Review Board including preparing staff recommendations and findings of facts, conducting site visits, and making presentations before the Conservation Board, Design Advisory Board, and Development Review Board as applicable.~~
 - ~~Take final administrative action on permit applications that do not require Development Review Board approval.~~
 - ~~Administer the City's impact fee regulations.~~
- ~~Develop, and regularly evaluate for opportunities for continuous improvement:~~
 - ~~Informational and educational materials and processes necessary to assist applicants and members of the public's ability to effectively participate in the development review process.~~
 - ~~Departmental customer service practices and standards; establish performance and improvement objectives.~~
 - ~~Departmental operating procedures.~~
 - ~~Ongoing training programs for staff and volunteer board members~~
- ~~Represent the Department in collaborations with the City's Planning and Policy staff in the development of land use and development plans and policies and drafting related ordinance amendments.~~
- ~~Maintain and update the Comprehensive Development Ordinance as amended. Track and maintain amendment status online with the Planning Commission and the City Council. Coordinate with City Attorney's Office as to amendment status, public hearings, and adoption.~~

~~Engage with the Planning Commission and Planning Director regarding intent of developed or revised Ordinances.~~

- ~~• Act as the Department's liaison to the Conservation Legacy Program. Coordinate with the City's Land Steward in consideration of land acquisition and conservation proposals and usher them through the stages of CLP and Conservation Board review.~~

- Solicit and administer state and federal grants.

- Represent the City and serve as an expert witness in litigation related to land use and development regulation, and prepare and submit testimony on behalf of the City before State courts.
- Respond to public and media inquiries regarding specific development projects and department functions and policies.

- ~~• Assistant Administrative Officer duties as assigned per 24 V.S.A §4448 and Comprehensive Development Ordinance Article 2, Part 3.~~

Non-Essential Job Functions:

- Performs other duties as required.

Qualifications/Basic Job Requirements:

- Master's Degree in City, Regional, and/or Urban Planning; Geography, Architecture, Landscape Architecture, Historic Preservation, Engineering, Public Administration, or closely related field, and a minimum of five (5) years' experience in municipal land use and development planning and regulation is required.
- Bachelor's Degree in City, Regional, and/or Urban Planning; Geography, Architecture, Landscape Architecture, Historic Preservation, Engineering, Public Administration, or closely related field, and a minimum of seven (7) years' experience in municipal land use and development planning and regulation may be substituted for a Master's degree.
- Minimum of ~~three~~ five (53) years' experience in a senior-level management / supervisory capacity involved in direct land use and development regulation is required.
- Additional experience may be substituted for a degree requirement on a two-for-one year basis.
- American Institute of Certified Planners (AICP) certification is preferred.
- Certified Floodplain Manager (CFM) certification is preferred.
- Ability to work independently, manage, and prioritize multiple initiatives, and to engage in collaborative decision-making are essential.
- Direct experience in the administration of municipal regulatory processes and project management is required, as is a demonstrated ability to oversee and monitor professional consulting contracts and the work of interns and support staff.
- Direct experience in the development of land use planning policy and related ordinances is required, as is a demonstrated ability to work within the local legislative process in developing such plans and ordinances.
- Direct experience with conservation planning and implementation, including but not limited to water quality, land conservation, and climate adaptation, is required.
- A demonstrated ability to communicate effectively graphically, orally, and in writing to a wide range of audiences.
- Ability to regularly exercise significant independent professional judgement and discretion within the bounds of local, state and federal legal procedures and statutory authority.

- Ability to read and understand plats, plans, blueprints, elevations, photometric studies, landscaping plans, construction detail submissions, specification sheets, traffic studies, lighting plans, shading analyses, consultant reports, or other related documents.
- Ability to comprehend the development ordinances [and comprehensive plans](#) as well as a working knowledge of other related State and City codes and regulations.
- Ability to work effectively with elected and appointed city boards and commissions.
- Experience or background in litigation procedures regarding the zoning and subdivision ordinances by which approvals or denial can and are based upon.
- A strong background in urban development and design, and a commitment to sustainable development practices.
- Ability to establish and maintain effective employee and public relations, including the ability to mediate conflicts that may arise between citizen groups and developers.
- Demonstrated professionalism, tact, and discretion in addressing controversial and emotionally charged issues, and the ability to establish and maintain positive and effective employee and public relations.
- Ability to establish and maintain collaborative working relationships with other City and non-city departments and agencies involved in the development review and permitting process.
- Ability to plan and forecast department workloads, including equipment and staffing requirements; develop objectives and arrange resources to assure the accomplishment of objectives.
- Proficiency and working knowledge of a variety of software applications including permit management systems, social media, Sketch-Up, ArcGIS, and other Windows-based computer applications.
- Regular attendance at evening meetings is required.
- Ability to actively support City diversity, equity, and cultural competency efforts within stated job responsibilities and work effectively across diverse cultures and constituencies.
- Demonstrated commitment to diversity, equity and inclusion as evidenced by ongoing trainings and professional development.
- Regular attendance is necessary and is essential to meeting the expectations of the job functions.
- Ability to understand and comply with City standards, safety rules and personnel policies.

Physical & Mental/Reasoning Requirements; Work Environment:

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

x	seeing	x	ability to move distances within warehouses and offices
x	color perception (red, green, amber)	x	lifting (specify 30 pounds)
x	hearing/listening	x	carrying (specify 30 pounds)
x	clear speech		climbing
x	touching	x	driving
x	dexterity x hand x finger		ability to mount and dismount forklift
	reading – basic		pushing/pulling

x	reading – complex		shift work
	math skills – basic		moving objects
x	math skills – complex		pressurized equipment
	writing – basic		extreme heat
x	writing – complex		extreme cold
x	analysis/comprehension		high places
x	judgment/decision making		noise
x	clerical		fumes/odors
x	inside		dirt/dust
	outside		hazardous materials
x	works alone		electrical equipment
x	works with others		mechanical equipment
x	face-to-face contact		
x	verbal contact w/others		

Supervision:

Directly Supervises: 5

Indirectly Supervises: _____

Disclaimer:

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

Approvals:

Department Head: _____ Date: _____

Human Resources: _____ Date: _____

Revised ~~November 2018. Revised December 2022 with Remote Work Rating.~~ ~~February 2025~~ September 18, 2025.

Board of Finance and City Council Submission Checklist

Version: April 2025

Department: Permitting and Inspections Submitter: William M. Ward

Title/Subject: Reclassification of Zoning Manager position

Approval Requested:

☒ Board of Finance

☒ City Council

☐ Both BOF and Council

Meeting Date:

11/17/2025

12/1/2025

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	10/24/2025	William Ward
Mayor's Office	Yes	11/11/2025	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	N/A	Click or tap to enter a date.	
City Attorney's Office for memo and motion(s) or resolution(s)	Yes	11/10/2025	Kim Sturtevant
CAO for budget, financing, and memo	Yes	6/27/2025	Katherine Schad
Human Resources, if personnel action or policy	Yes	10/24/2025	Tim Clancy
CIO, if IT-related	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Lori Olberg

From: Troy Headrick <THeadrick@leg.state.vt.us>
Sent: Sunday, November 16, 2025 1:16 PM
To: Marek Broderick; Carter Neubieser; Allie Schachter; Gene Bergman; Joe Kane; Sarah Carpenter; Benjamin Traverse; Becca Brown McKnight; Evan Litwin; Melo Grant; Mark Barlow; Buddy Singh; Lori Olberg
Cc: Mayor's Office; Kate Logan; Brian Cina; Chloe Tomlinson; Emilie Krasnow; Martine L. Gulick; Tanya Vyhovsky; Mary-Katherine Stone; Barbara Rachelson; Tiff Bluemle; Bram Kleppner; Abbey Duke; Robert Hooper; Carol Ode; Jill Krowinski; Philip Baruth
Subject: Strong Support for Dormitory Inspection Resolution – Agenda Item 6.4

Some people who received this message don't often get email from theadrick@leg.state.vt.us. [Learn why this is important](#)

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

Dear Members of the Burlington City Council,

I am writing to offer my unequivocal support for the resolution under Agenda Item 6.4, *The Adequacy Of The Exemption For University Or College Dormitories From The Minimum Housing Code Requirement For Periodic Inspections To The City's Minimum Housing Standards*. I also respectfully request that this message be entered into the public record.

Some of you will recall that the state of housing for UVM students, both on and off campus, has been a consistent concern of mine since I began my tenure with the Vermont Legislature in 2023. I first outlined these concerns in a [letter to the Burlington City Council](#) in December, 2023. I have dedicated significant time and effort to addressing the consequences of unchecked university enrollment growth, substandard living conditions, and the resulting pressure on Burlington's broader housing market.

Despite the resistance these concerns have met in the General Assembly, I have persisted. My legislative efforts, including [H.311](#) during the 2023-2024 biennium and [H. 170](#) during the current biennium, aim to foster accountability and help the City reclaim its ability to ensure safe, habitable housing for all residents. I've also made these issues public through continued collaboration with students, constituents, and the new UVM administration. [The 2024 State Auditor's report](#) further validates the urgency of this issue and the need for structural reform.

This resolution reflects a meaningful step forward. I commend Councilor Broderick and the co-sponsors for their leadership and investigative diligence, and I urge the Council to adopt this measure unanimously. A clear, united message from the City Council would not only affirm the right of students to safe and dignified housing, it would help reestablish a more balanced, collaborative, and accountable relationship between our institutions and our city.

Thank you for your continued service to our community, and thank you for taking this issue seriously.

Respectfully,
Troy Headrick

Troy Headrick (he/him)

State Representative for

Chittenden 15 | Burlington, VT

Ranking Member, House Committee on Corrections and Institutions

House Sexual Harassment Prevention Panel



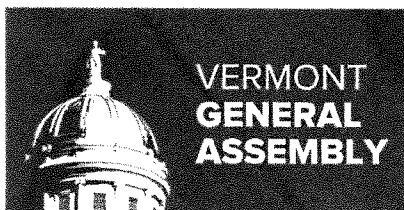
802.828.2228 | State House

802.391.9552 | Personal

Legislative Webpage

THeadrick@leg.state.vt.us

115 State St. | Montpelier, VT 05633



UVM STUDENT TENANT UNION



The following testimonials are a sampling of those collected over the course of three hours by asking students in common areas in the Dudley H. Davis Center if they had lived in poor housing conditions during their times in UVM dorms.

Christie Hall

"I lived in a forced triple in Christie last year. The room was the size of a double and extremely packed for 3 people. There was no possibility for getting 3 beds on the floor."

"I lived in a forced quad freshman year that was a converted common room. It was super hot like a greenhouse and didn't have basic amenities like plugs or proper ventilation".

"The drain backed up in the only handicap stall (shower) in the building and they just didn't fix it"

Davis Hall

"Lived in WDW on Redstone both years. Insane silverfish infestation both years. Ate through my friend's clothes! Bathroom constantly flooded leaving trail of water all over the hallway carpet."

Richardson Hall

"...my shower leaked through the floor the entire year, even after people were called to repair it. It ended up permanently damaging the floor beneath our room and the ceiling was always leaking."

"The bathroom consistently leaks from poor seals under the toilet. Res life is unresponsive... and the moulding is quite literally black."

Simpson Hall

"Black mold on ceiling of Simpson bathroom and dorms. Black water flooding out of the toilets and sinks."

Millis Hall

"Millis ceiling caved into shower likely due to water damage, thankfully no one was in the shower. It has since not been fixed."

"I have really bad mold allergies, which are flaring up due to the black mold in the showers and in the room"

"Freshman year my dorm got so cold I would see my breath every morning in the winter."

"I feel so trapped in my forced triple. I have hardly anywhere to keep my personal things and often dread going back to my dorm at night."

Living and Learning

"My L/L suite flooded up from the shower drain - not clean water. It was gross. I did not enjoy the experience."

Wright Hall

"Our floor has had problems with maintenance not fixing clogged sinks and broken toilets and it affects quality of living."

"Dryer maintenance requests have been ignored (clothes don't dry). Mold in showers."

Living and Learning

"had a problem with black mold continuously growing"

Marsh Hall

"This happened 2024-2025. In MAT last year on the 3rd floor of Marsh they had a leak of mystery fluid coming from the Janitors closet. They 'fixed' it with a fan that blew the sewage smelling water through the hallway for weeks. Also there was sewage raining from the ceiling in front of the front desk. They left it dripping into buckets for an extended period of time."

"UVM maintenance constantly ignores maintenance tickets and has provided no help in emergencies with our bathroom, so we currently cannot use it."

Coolidge Hall

"...on top of the building's very old age, experienced flooding on the second floor which was not dealt with until the next morning - waste water dripped down hallway walls and carpets were never cleaned. + mold."

Davis Hall

"I was in a forced triple freshman year in Davis where my lofted bed made it so the sprinkler was less than a foot above my chest as I slept. I couldn't sit up in bed. Only after insisting and showing pictures did they remove the room as a triple."

Converse Hall

"...a part of the roof fell on me and we had to boil water for a week after a bacteria leakage."

McAuley Hall

"Mold in vents... Forced triple in McAuley. Mold in showers, never cleaned even after maintenance requests."

McAuley Hall

"Black mold in communal showers."

Ready Hall

"2 separate incidents of ground floor flooding and plumbing issues leading to flooding in suite bathroom."

Burlington Local Health Office Annual Report: 2025

Twelve Local Health Offices around the state are your community connection with the Vermont Department of Health. The Burlington District Office provides essential services and resources to municipalities in Chittenden County. Some highlights of our work in 2025 are below. For more information, visit HealthVermont.gov/local/Burlington.

If you need help accessing or understanding this information, contact Melissa.Needham@Vermont.gov.

Improve Family and Child Health

We provide families with healthy foods, nutrition education, lactation support, and referrals to health care providers and community resources. This year, our office:

- Served 2,900 pregnant people, new parents, and young children participating in the WIC program.
- Helped participants access over \$9,000 in fruits and vegetables through the Farm to Family Program.

Enhance Community Health and Safety

We work to advance equity, protect against disease and injury, and prepare for health emergencies. This year, our office:

- Hosted 26 vaccination clinics and monitored infectious diseases in Chittenden County communities.
- Supported the distribution of prescription drug mail-back envelopes to residents in 16 of 18 municipalities served by the Burlington District Office.
- Hosted 22 Stop the Bleed courses and four recurring foot and wound care clinics and distributed over 220 Stop the Bleed kits, 100 hot weather kits, 120 tick removal kits and 500 Be Bright at Night reflectors to municipalities, community partners and the public.

Build Healthier Communities

We work with municipalities, schools, worksites, healthcare providers, and community organizations to create equitable opportunities for all Vermonters to lead healthy lives. Our office:

- Offers support to Chittenden County communities interested in enhancing community well-being through input on municipal plans, support conducting walk audits, and expertise in school and worksite wellness policies.
- Supported worksite wellness initiatives, with 48 worksites in 11 Chittenden County municipalities earning the Governor's Excellence in Worksite Wellness Award in 2025.
- Partnered with schools to promote asthma awareness and management, resulting in 16 Chittenden County schools achieving Asthma-Friendly School designations in 2025.



HealthVermont.gov/local/burlington
802-863-7323



MEMO

Date: November 17, 2025

To: Board of Finance and City Council

From: Kim Bleakley, Central Facilities Manager Department of Parks, Recreation & Waterfront

CC: Deryk Roach, Parks and Central Facilities Division Director

Re: Robert Miller Community Center Energy Improvement and Equipment Replacement Project

I. Purpose

This memo seeks approval to execute all necessary contracts to furnish and install equipment designed to improve energy efficiency and reduce operating costs at the Robert Miller Community Center in Burlington, VT.

II. Background

The Robert Miller Community Center was originally built in 1958, and was renovated in 2008. This building hosts City employee office space, leased spaces for a day care and teen center, recreational gym spaces, and a community gathering space. The Miller Center is over 21,000 SF and is constructed with masonry bearing walls, steel beams with open web joists. It has a flat roof and a brick veneer exterior. In 2014, the City had a Level I assessment conducted on the building and it was determined to have significant deferred maintenance. The study also found that the building systems had realized or exceeded their typical expected useful lives. With the Heating Ventilation and Air Conditioning (HVAC) system being antiquated, we are certain to have emergency, costly repairs. Waiting until the system fails will not only result in a possible unexpected closure of the building, but also doesn't allow us to plan well to get the best equipment for our money. In addition, these older units are using more and more energy to keep up with the demand and are struggling to make this a comfortable and healthy building for the visitors and employees. Replacing the HVAC system is a must at this point.

In 2024, the Central Facilities Manager worked with City approved Energy Efficient Investments to make a comprehensive plan to upgrade the failing building HVAC system. The goal of the project is to make the Miller Center the first City owned building to achieve Net Zero Energy.

The full scope of work for this project will include:

- Lower Roof – replace package units with heat pump units with energy recovery unit
- Consolidate gym to (1) unit with energy recovery unit and heat pump
- Consolidate (3) water heaters to a single heat pump water heater
- Replace boiler with electric heaters in restrooms

Back-up gas heating will remain for extreme cold weather. The City will purchase renewable natural gas credits from Vermont Gas Systems to ensure the building complies with the Net Zero Energy modeling. When this project is complete we will see an \$11,000 per year reduction in natural gas. The electrical usage will increase because of the new equipment for a net decrease of <\$6,000> per year. In



addition to cost savings, the new system brings the building up to current codes with respect to fresh air ventilation, filtration and air changes per hour - something that is critically important in public spaces with diverse community users in a post-COVID world.

Doing our due diligence to make sure that we are focusing on items which must be done, we looked at a planning menu with (14) separate items. Of these (14) items, two are an immediate need, and two must be done within an estimated year from now. Having them done as a package saves both time and money in mobilization of installation crews and equipment, let alone yearly increases in material and equipment costs. In the menu below, the four items which represent these needs are # 1, #2A or #2B as immediate needs and #6 and #8 as needed in the next probable year. The following menu is an Energy Conservation Measures (ECM) matrix showing a scope of options. Approval of this project will lead to an Energy Performance Contract (EPC) which will clearly define the responsibilities of each party and will include a Measurement and Verification (M & V) procedure that will be used to measure the energy performance of the new systems and equipment installed in the facility. In layman's terms, EEI will work with the City following the installation to make sure daily that all of the equipment is running as it should. At the end of a full year, we will be reviewing energy costs saved, and, if we do not meet or exceed what is projected, EEI writes the City a check for the difference and takes care of any equipment which needs to be altered or replaced to make it correct.

-What happens if we just do #1 and #2A or B now and wait on the other two items until next year?
Once the later two are complete we can then be Net Zero Energy in the building.

-What happens if the items being replaced by #6 and #8 fail before we can replace them?
Best case scenario it happens in the summer and there is no hot water in the building, not great for cleanliness and not great for a day care.

-How does this plan work to get the Miller Center to Net Zero Energy (NZE)?
The standard accepted definition of NZE is that the building produces as much energy via renewables as it consumes either on or off site. Since BED is powered 100% by renewables (wood chips), our electrical usage already qualifies to be called NZE.
By purchasing renewable natural gas from Vermont Gas for backup heating, you "cover" the small amount of natural gas the building will utilize with renewables, which brings the entire building under the definition of NZE.

-What happens in the future years for additional upgrades like window replacement, replacing door weatherstripping or adding solar?
Some of it will HAVE to be done, and it will make the building even more efficient, saving additional money on future electrical bills.



Robert Miller Community & Recreation Center							
ECM Priority	Description	Budgetary Cost for Installed Measure (\$)	Projected Grant (\$)	Estimated Annual Fuel Savings (kBtu)	Estimated Annual Electric Savings (kWh)	Estimated Annual Total Energy Reductions (kBtu)	Estimated Annual CO ₂ Emission Reductions (lbs.)
1	Lower Roof - Replace Package Units with Heat Pump Units with ERU	\$836,500	\$9,000	507,500	-31,000	401,728	25,924
2A	Upper Roof - Replace with Heat Pump Units with ERU (4)	\$371,778	\$4,000	273,500	-22,747	195,887	7,370
2B	Consolidate Gym to (1) Unit with ERU and Heat Pump	\$373,800	\$2,000	276,800	7,749	303,240	40,393
3	Convert Building to a Geothermal HVAC System	\$3,330,704	\$999,211	631,400	-58,639	431,324	17,642
4	Replace Windows (2008)	\$257,310	N/A	9,875	6,913	33,460	14,525
5	Replace Door Weather Stripping	\$15,000	N/A	80	12	121	53
6	Consolidate Water Heaters (3) to a Heat Pump Water Heater (1)	\$75,000	\$800	36,000	-940	32,793	10,976
7	Replace Existing Appliances with Low Flow Appliances	\$50,000	\$800	N/A	N/A	N/A	N/A
8	Replace Boiler with Electric Heaters in Restrooms	\$40,000	N/A	30,000	-114	29,611	11,590
9	Add Catch Basins to Roof Drains/Re-Pipe	\$300,000	N/A	N/A	N/A	N/A	N/A
10	Re-Pitch and Replace Lower Roof	\$286,920	N/A	N/A	N/A	N/A	N/A
11	Secure Roof Access Ladder (Unsafe)	\$2,500	N/A	N/A	N/A	N/A	N/A
12	Provide & Install New Generator	\$250,000	N/A	N/A	N/A	N/A	N/A
13	Replace Fire Alarm System	\$40,799	N/A	N/A	N/A	N/A	N/A
14	Add Solar (Gym Roof 7600 sq-ft)	\$225,000	\$57,375	N/A	78,507	267,866	151,285

III. APPROVALS

The City is working with Energy Efficient Investments (EEI) to have professional engineering, procurement and installation done of a highly efficient HVAC system for this project. In March 2023, BPRW publicly posted an RFP to work with an Energy Performance Contractor (EPC) for City buildings. EEI received the award. Energy Performance Contractors improve occupant comfort and productivity, reduce energy consumption and operating costs, and increase property value through renovation. An EPC will help the City to design and implement upgrades to bring City buildings as close as possible to Net Zero Energy within the constraints of building structure, age and budget. As of November 2025, EEI has successfully contributed to working with the City on a small City Hall project, and a large Capital Improvement at the Burlington Police Department. Spring of 2026 EEI



will be working with us on a large Capital Improvement for the City Hall/BCA campus, and has completed planning to bring this campus to Net Zero Energy by the end of 2030. Should we decide to mobilize the construction crew and equipment, plus the additional cost of the units and additional materials a year later, and divide these few items into (2) projects, we will be adding approximately \$150,000 to the cost of the project. This also assumes that the existing water heaters and boiler last another two years. This will also delay the City's commitment to Net Zero Energy.

IV. PROJECT FUNDING SOURCES, BUDGET AND ESTIMATES

Funding for this project was set aside from the sale of 200 Church Street and City Capital Funds from Bond Series 2024A as approved in the annual Capital Budget. This budget was approved by the Capital Committee.

Funding Sources & Budget	
Capital Outlay Bond Expenditures	\$1,000,000
Capital Bond Series 2024A	\$500,000
Total Budget	\$1,500,000
Contractor bid	\$1,325,300.00
~10% Contingency (on above items)	\$132,000.00
Total Bid with Contingency	\$1,457,300.00
Probable Rebates	(\$11,800.00)
Assuming rebates funding and surplus contingency, funds available for additional energy saving projects in this building within the engineered energy conservation measure matrix.	
	\$143,800.00

The contingency on the bid amount above is intended to cover any unanticipated costs that may come up as part of the project.

Based on the EEI plan, any remaining funds from contingency and rebates for this project budget would be used towards the top priority for additional energy savings in the building, which is replacing a portion of the exterior windows.

V. SCHEDULE

The anticipated project schedule is as follows:

- 11/17/2025: Board of Finance approval
- 12/01/25: City Council approval
- 12/2025: Contract signed
- Late Winter/Early Spring (February – March) 2025: Construction begins



DEPARTMENT RECOMMENDATION

Board of Finance Motion:

To approve and recommend that the Board of Finance approve and authorize the execution of a contract with Energy Efficient Investments, Inc., for the Robert Miller Community Center Energy Improvement and Equipment Replacement project, in the amount of \$1,325,300, plus a project contingency of \$132,000, for a total authorized contract expenditure including contingency not to exceed **\$1,457,300**, and to authorize the Director of Parks, Recreation and Waterfront, or designee to execute the contract and any related documents necessary or convenient to effecting the contract or carrying out the project, subject to the review and approval as to form of the City Attorney's Office.

City Council Motion:

To approve and authorize that the City Council approve and authorize the execution of a contract with Energy Efficient Investments, Inc., for the Robert Miller Community Center Energy Improvement and Equipment Replacement project, in the amount of \$1,325,300, plus a project contingency of \$132,000, for a total authorized contract expenditure including contingency not to exceed **\$1,457,300**, and to authorize the Director of Parks, Recreation and Waterfront, or designee to execute the contract and any related documents necessary or convenient to effecting the contract or carrying out the project, subject to the review and approval as to form of the City Attorney's Office.



To: Board of Finance / City Council

From: Kara Alnasrawi, CEDO Director

CC: Katherine Schad, CAO
Nicole Losch, DFA

Date: November 11th, 2025

RE: Innovative Finance and Asset Concession (IFAC) Grant – Spending Authorization

Request:

CEDO requests Board of Finance and City Council approval and authorization for a budget amendment to fully record the remaining project costs associated with the Innovative Finance and Asset Concession (IFAC) Grant.

Background:

On December 16, 2024, the Board of Finance and City Council approved and authorized the acceptance of a \$1,000,000 grant under the USDOT Innovative Finance and Asset Concession Grant Program to support infrastructure-related expenses tied to the South End Coordinated Redevelopment (SECORD) initiative. In 2025, USDOT approved a request for costs associated with the Memorial Block project to be eligible under this same grant. To date, \$150,000 of the total award has been budgeted.

This amendment seeks to record the remaining life-to-date project costs to ensure that the full grant amount and related expenditures are properly reflected in the City's accounting system for project tracking and reimbursement purposes.

Budget Impact:

This amendment increases the IFAC project budget by \$850,000, bringing the total to \$1,000,000. The adjustment is fully reimbursable under the terms of the IFAC grant and has no impact on the City's general fund.

Attachments:

- 1) Project Budget Amendment Details
- 2) 2024.12.16 CC Resolution re USDOT IFACGP Acceptance – Signed
- 3) Memo re USDOT SECORD Grant Acceptance

Motions:

Board of Finance:

1. To approve and recommend that the City Council authorize the increase in the IFAC (USDOT Innovative Finance and Asset Concession) Grant project budget by \$850,000.00, resulting in the total authorized amount increasing from \$150,000.00 to \$1,000,000.00 for the IFAC Grant project supporting the South End Coordinated Redevelopment (SECORD) and Memorial Block initiatives.
2. To approve and recommend that the City Council authorize the Chief Administrative Officer, or their designee, to effect all necessary budget amendments and transfers of funds to and from the above-referenced funding sources as needed to pay the above-referenced project expenses and Overall Project Budgets, in substantial conformance with the attached budget transfer request.

City Council:

1. To approve the increase in the IFAC (USDOT Innovative Finance and Asset Concession) Grant project budget by \$850,000.00, resulting in the total authorized amount increasing from \$150,000.00 to \$1,000,000.00 for the IFAC Grant project supporting the South End Coordinated Redevelopment (SECORD) and Memorial Block initiatives.
2. To authorize the Chief Administrative Officer, or their designee, to effect all necessary budget amendments and transfers of funds to and from the above-referenced funding sources as needed to pay the above-referenced project expenses and Overall Project Budgets, in substantial conformance with the attached budget transfer request.

CITY OF BURLINGTON, VT
PROJECT BUDGET AMENDMENT REQUEST

Department: CEDO

Requested by: Kara Alnasrawi

Date: 11/12/2025

Briefly explain the reason for the amendment:

Budget IFAC reimbursable grant and related expenses for project tracking; grant is \$1,000,000 and \$150k has already been budgeted, this is to record the remaining life-to-date expected project costs.

BUDGET AMENDMENT DETAILS

Org Set	GL Account	Account Name	Project/Sub/Detail Name	Increase/ (Decrease)
301-31-330-399	. 4875_100	CEDO, CEDO, Special Projects, Misc. Special Projects.Grants - Federal Operating Direct	CEDO SPEC PROJ-DOT IFAC - SPECIAL PROJECTS GRANTS, Dept of Transportation Innovative Finance and Asset Concession	850,000
301-31-330-399	. 5000_100	CEDO, CEDO, Special Projects, Misc. Special Projects.Salaries and Wages - Regular, Full Time	CEDO SPEC PROJ-DOT IFAC - SPECIAL PROJECTS GRANTS, Dept of Transportation Innovative Finance and Asset Concession	150,000
301-31-330-399	. 6246	CEDO, CEDO, Special Projects, Misc. Special Projects.Outreach	CEDO SPEC PROJ-DOT IFAC - SPECIAL PROJECTS GRANTS, Dept of Transportation Innovative Finance and Asset Concession	75,000
301-31-330-399	. 6500_118	CEDO, CEDO, Special Projects, Misc. Special Projects.Professional and Consultant Svs - Contractual Services	CEDO SPEC PROJ-DOT IFAC - SPECIAL PROJECTS GRANTS, Dept of Transportation Innovative Finance and Asset Concession	625,000
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COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

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

TO: Board of Finance and City Council
FROM: Brian Pine, CEDO Director
DATE: December 9, 2024
RE: Acceptance of \$1M grant under the USDOT innovative Finance and Asset Concession Grant Program

The memo accompanies the resolution for your consideration at the concurrent meetings to be held on December 16, 2024. Specifically, we are seeking BoF and Council authorization for the City accept the grant award that is described in this memo.

As you may recall, the City Council approved a Pre-Development Agreement among the Parties in March 2024 to engage in joint planning for the “South End Coordinated Redevelopment (SECORD)” of parcels owned by the Burlington Community Development Corporation, Ride Your Bike, LLC and Champlain College in a coordinated fashion with a mixed-use development project.

Faced with constrained staff capacity across the participating City departments, CEDO developed a grant application in conjunction with the Clerk/Treasurer’s Office Grant Team for funding to the US Department of Transportation under the Innovative Finance and Asset Concession Grant Program. This new program was created under the Infrastructure Investment and Jobs Act (Pub. L. 117-58) (also referred to as the Bipartisan Infrastructure Law or BIL) to provide grants to enhance the technical capacity of eligible public entities to facilitate and evaluate public-private partnerships. The USDOT prioritized projects that advance the Departmental priorities of safety, equity, climate and sustainability, and workforce development, job quality, and wealth creation consistent with the USDOT Strategic Plan.

A grant of \$1M was sought to assist the city and its partners in delivering the desired Transit-Oriented Development (TOD) neighborhood. Fortunately, the City’s application was successful and the USDOT awarded \$1 million to fund pre-development activities over a three-year period with no local match requirements. The funding will enable the City to procure additional technical expertise to complete financial modeling, legal negotiations, project management, civil engineering, environmental site assessments, landscape architecture, feasibility studies, and engagement activities as further detailed in the City’s May 2024 application to the USDOT.

As always, please reach out if you wish to discuss this request.

Resolution Relating to

AUTHORIZATION TO ACCEPT U.S. DEPARTMENT OF
TRANSPORTATION INNOVATIVE FINANCE AND ASSET
CONCESSION GRANT OF \$1 MILLION FOR SOUTH END
COORDINATED REDEVELOPMENT

RESOLUTION 6.29

Sponsor(s): Bd. of Finance

Introduced: 12/16/24

Referred to: _____

Action: adopted

Date: 12/16/24

Signed by Mayor: 12/18/24

CITY OF BURLINGTON

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

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

1 That WHEREAS, the city's South End has evolved from an active industrial and manufacturing hub,
2 through a period of high vacancy rates in the 1970s, and into a creative district that is still the geographic and
3 economic hub of industry and manufacturing in Burlington; and

4 WHEREAS, the South End represents just 4% of the city's total land area, and is home to nearly half
5 of the city's office and industrial space – employing over 6,000 people in ~500 businesses, from artists and
6 makers to companies large and small; and

7 WHEREAS, Burlington residents and the greater community called for zoning amendments that
8 continue to support arts and artists, light manufacturing, and innovation sector start-ups, while allowing
9 residential use and limit heavy manufacturing (planBTV South End, 2019); and

10 WHEREAS, in July 2023, the City Council unanimously approved the South End Innovation District
11 (SEID) Zoning Amendment, which was intended to promote a vibrant urban district with a mix of uses,
12 including hundreds of new homes and neighbors coexisting with new spaces for the arts, light manufacturing,
13 higher education and other commercial uses; and

14 WHEREAS, Burlington Community Development Corporation, a nonprofit affiliate of the City, owns
15 68 Sears Lane; Ride Your Bike, LLC owns 125 Lakeside Avenue; and Champlain College owns 175 Lakeside
16 Avenue, and collectively these parties (the "Parties") own contiguous parcels totaling 13.3 acres in the core of
17 the new SEID; and

18 WHEREAS, on January 31, 2023, the Parties entered into a Memorandum of Understanding to
19 facilitate a conceptual design framework and infrastructure assessments for the coordinated redevelopment of
20 these parcels resulting in a vibrant, sustainable and accessible mixed-use neighborhood; and

21 WHEREAS, the Parties view this is a unique opportunity to develop a new sustainable, walkable, bike-
22 friendly, mixed-income neighborhood with public open spaces and resilient green infrastructure, and that
23 coordinated redevelopment will result in a sum that is far greater than its parts; and

AUTHORIZATION TO ACCEPT U.S. DEPARTMENT OF
TRANSPORTATION INNOVATIVE FINANCE AND ASSET CONCESSION
GRANT OF \$1 MILLION FOR SOUTH END COORDINATED
REDEVELOPMENT

WHEREAS, the Parties acknowledge the ongoing conceptual design must be informed by the overall water, wastewater, stormwater, traffic and parking projections – which in turn will enable the Parties to better understand the magnitude of infrastructure constraints and develop strategies to address such constraints; and

WHEREAS, the Parties have been working together for nearly 2 years to develop a shared understanding of the infrastructure opportunities and constraints for a transit-oriented-development with funding from the Chittenden County Regional Planning Commission and the Vermont Agency of Commerce and Community Development; and

WHEREAS, on March 11, 2024, the City Council approved a Pre-Development Agreement among the Parties to engage in joint planning for the “South End Coordinated Redevelopment (SECORD)” of the subject parcels noted above in a coordinated fashion with a mixed-use development project; and

WHEREAS, in May 2024, the Community & Economic Development (CEDO) in conjunction with the Clerk/Treasurer’s Office Grant Team submitted an application for funding to the US Department of Transportation under the Innovative Finance and Asset Concession Grant Program to assist the city and its partners in delivering the desired Transit-Oriented Development (TOD) neighborhood by procuring additional technical expertise to complete financial modeling, legal negotiations, civil engineering, environmental site assessments, landscape architecture, feasibility studies, and engagement activities; and

WHEREAS, the City’s application was successful and the U.S. Department of Transportation awarded \$1 million in grant funding to be used for the purposes detailed in the above paragraph over a three-year period with no local match requirements; and

WHEREAS, on December 16, 2024, the Board of Finance recommended to the City Council that the Director of CEDO be authorized to execute a U.S. Department of Transportation Innovative Finance and Asset Concession Grant Program Cooperative Agreement for \$1,000,000 to enable the City to procure additional technical expertise as detailed in the following paragraph;

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the Director of CEDO to execute a U.S. Department of Transportation Innovative Finance and Asset Concession Grant Program Cooperative Agreement for \$1,000,000 to enable the City to procure additional technical expertise to complete financial modeling, legal negotiations, civil engineering, environmental site assessments, landscape architecture, feasibility studies, and engagement activities as further detailed in the City’s May 2024 application to the U.S. DOT; and

AUTHORIZATION TO ACCEPT U.S. DEPARTMENT OF
TRANSPORTATION INNOVATIVE FINANCE AND ASSET CONCESSION
GRANT OF \$1 MILLION FOR SOUTH END COORDINATED
REDEVELOPMENT

53 BE IT FURTHER RESOLVED that the City Council authorizes the Director of CEDO to take such
54 further actions, and to execute such further instruments approved as to form by the City Attorney, as may be
55 necessary or convenient to facilitate the transactions contemplated hereby; and

56 BE IT FURTHER RESOLVED that the Director of CEDO may execute amendments to the
57 cooperative agreement, provided that any City match associated with such an amendment is within staff's
58 approval authority pursuant to the City's purchasing policy.

59

60 *BTP/Resolutions 2024/Authorization To Accept U.S. Department Of Transportation Innovative Finance And Asset Concession Grant Of \$1 Million*
61 *For South End Coordinated Redevelopment*
62 *12/06/2024*

* * * * *

ORIGINAL

DISTRIBUTION:

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

Brian Pine, CEDO Director

RESOLUTION RELATING TO

Authorization To Accept U.S. Department Of Transportation Innovative Finance And
Asset Concession Grant Of \$1 Million For South End Coordinated Redevelopment

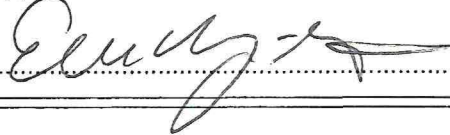
Adopted by the City Council

December 16, 2024



Clerk

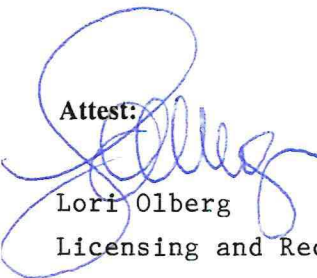
Approved Dec 18, 2024



Mayor

Vol. Page

Attest:



Lori Olberg

Licensing and Records Coordinator

* * * * *

Board of Finance and City Council Submission Checklist

Version: April 2025

Department: CEDO Submitter: Kara Alnasrawi

Title/Subject: IFAC Grant Budget Amendment

Approval Requested:

☒ Board of Finance

☒ City Council

☐ Both BOF and Council

Meeting Date:

11/17/2025

12/1/2025

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	11/12/2025	Kara Alnasrawi
Mayor's Office	Yes	11/12/2025	Erin Jacobsen
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	Choose an item.	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)	Yes	11/12/2025	Emmett Wood
CAO for budget, financing, and memo	Yes	11/12/2025	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.

Lori Olberg

From: Lapierre, Laura <Laura.Lapierre@vermont.gov>
Sent: Thursday, November 13, 2025 4:59 PM
To: ANR - WSMD Wetlands
Subject: RE: Housing Construction Order and Wetlands

10-14-2025 10:14 AM
 10-14-2025 10:14 AM
 10-14-2025 10:14 AM

You don't often get email from laura.lapierre@vermont.gov. [Learn why this is important](#)
 [WARNING]: This email was sent from someone outside of the City of Burlington.

Vermont Wetland Rule Edits open for comment:

Edits to the Vermont Wetland Rules were filed with the Secretary of State and are now posted for public comment through January 14th. The edits are intended to allow for the implementation of the wetland modification portion of the Executive Order 06-25 "Promoting Housing Construction and Rehabilitation". The Vermont Wetland Rule edits would allow certain residential housing projects in designated areas to proceed without a wetlands permit.

The following meetings are available for anyone who wants to learn more or to provide a comment:

- Monday, December 15th at 5pm, 1st Floor Conference Room, 100 Mineral Street, Springfield, VT or Virtual. [Register Here](#)
- Tuesday December 16th at 1pm, Dewey 1st Floor Conference Room, 1 National Life Drive, Montpelier, VT or Virtual. [Register Here](#)

Written comments will also be accepted. Send comments to WetlandsRulemakingComment@vermont.gov before January 15th, 2026.

Laura Lapierre, PWS NHCWS | Wetlands Program Manager
 Vermont Agency of Natural Resources | Department of Environmental Conservation
 Watershed Management Division, Wetlands Program
 Davis 3, 1 National Life Dr | Montpelier, VT 05620-3901
 802-490-6177 (office)
<https://dec.vermont.gov/watershed/wetlands>
 Flood Recovery Resources: <https://anr.vermont.gov/flood#wwtf>

From: Lapierre, Laura
Sent: Monday, October 20, 2025 7:30 AM
To: ANR - WSMD Wetlands <ANR.WSMDWetlands@vermont.gov>
Subject: Housing Construction Order and Wetlands

Have you heard about Executive Order 06-25, "Promoting Housing Construction and Rehabilitation"? This Order includes steps to be taken by the Department of Environmental Conservation with the intent of supporting specific types of housing projects. We are receiving

Lori Olberg

From: ANR - ENB Administrator <ANR.ENBAdministrator@vermont.gov>
Sent: Thursday, November 13, 2025 5:17 PM
To: Burlington Town Clerk
Subject: Vermont Environmental Notice Bulletin Stakeholder Update by Location

[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

Changes to Activities I'm Following

Activity Type	Activity/Project Name	Permit # / ID	Applicant	Town	Most Recent Update	Date	Status
Wetlands Determination	Community Sailing Center- Burlington	2025-0387.D	Owen Milne	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	2025-11-13	Draft Decision - Public Comment Period

Lori Olberg

FOR THE VILAGE ONLY 25 NOV 2025

From: VLCT News <info@vlct.org>
Sent: Friday, November 14, 2025 10:07 AM
To: Lori Olberg
Subject: REMINDER: Insights on Budgeting, New Resources, Some New Act 250 Info, and more

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

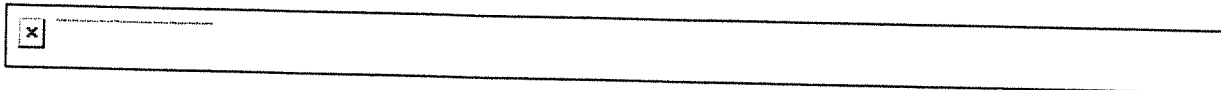
[News](#)

[Resources](#)

[Events](#)

[Advocacy](#)

[Jobs](#)



This new resource from VLCT's Municipal Operations Support team sheds very useful light on operations budgeting, borrowing, and capital budgeting.

Announcements & Updates

Thanks to DHCD for the Town Report Contest

We extend a big Thank You to the Vermont Department of Housing and Community Development for sponsoring the Town Report Contest – and to all the judges for the significant care and time they put into scoring every entry.

VLCT's Unemployment Insurance Trust Remains Steady and Reliable

The directors of the VLCT Employment Resource and Benefits Trust, aka the UI Trust, have lowered the overall rates and set the taxable wage base for 2026. They also approved returning \$100,000 to UI Trust members as credits toward 2026 contributions.

State Has Posted All Road Salt Contracts for This Season

See the five new road salt contracts that are now available on the Vermont Department of Buildings and General Services (BGS) website.

New Resources

Best Practices for Committees to Work Effectively with Municipal Leaders

Explore tips for committees to build trust and coordinate effectively with local government leaders, align their work with local priorities and capacity, and implement plans.

Short-Term Rental Regulations Overview and Model Ordinance

This new model ordinance, with guidance, is from VLCT's Municipal Assistance Center attorneys.

Presentations from 11/8/25 Short-Term Rental Policy Retreat

These resources support a deeper understanding of Vermont law on short-term rental regulation and the statewide effects of short-term rentals.

Lori Olberg

From: Act250.Essex@vermont.gov
Sent: Tuesday, November 18, 2025 1:50 PM
To: dmullin@vermonthabitat.org; dmullin@vermonthabitat.org;
dmullin@vermonthabitat.org; Christopher.Kinnick@vermont.gov; astout@legvt.com;
heterodoxguy@gmail.com; Act250.Agenda@vermont.gov; Benjamin Traverse; Andrew
Montroll; permitting@ccrpcvt.org; Act250.Essex@vermont.gov; Burlington Town Clerk;
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: 4C0122-12 Permit and Findings -- 72 Temple St.
Attachments: Findings 4C0122-12.pdf; Permit_Final 4C0122-12.pdf; Permit and Findings COS
4C0122-12.pdf

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

Hello,

Please see attached Act 250 Land Use Permit and Findings, along with Certificate of Service.

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.

Lori Olberg

From: Act250.Essex@vermont.gov
Sent: Tuesday, November 18, 2025 3:47 PM
To: patrick@appletreebay.com; clare@watershedca.com; Act250.Legal@vermont.gov; Act250.Agenda@vermont.gov; Benjamin Traverse; Andrew Montroll; permitting@ccrpcvt.org; Act250.Essex@vermont.gov; Burlington Town Clerk; 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: JO 4-485 Jurisdictional Opinion -- Lake Forest Drive
Attachments: JO 4-485.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>

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Lori Olberg

From: ANR - ENB Administrator <ANR.ENBAdministrator@vermont.gov>
Sent: Tuesday, November 18, 2025 5:17 PM
To: Burlington Town Clerk
Subject: Vermont Environmental Notice Bulletin Stakeholder Update by Location

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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
Air Pollution Control Title V Operating Permit	Burlington (City of) BED Joseph C McNeil Electric Generating Station	AOP-22-023	Burlington (City of) BED Joseph C McNeil Electric Generating Station	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. Please visit the ENB to view the changes on the activity profile.	2025-11-18	Draft Decision - Public Comment Period
					The administrative record set for this activity has been modified. Please visit the ENB to view the activity profile.		

Lori Olberg

From: ANR - ENB Administrator <ANR.ENBAdministrator@vermont.gov>
Sent: Wednesday, November 19, 2025 5:12 PM
To: Burlington Town Clerk
Subject: Vermont Environmental Notice Bulletin Stakeholder Update by Location

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Regards,
ENB Support
Vermont Agency of Natural Resources

New Activities

Activity Type	Activity/Project Name	Permit / AD	Applicant	Town	Status
Approval to Sell Bottled Water in Vermont	VT0021502 - NIAGARA BOTTLING LLC - NEWNAN GA	21502-23.0	NIAGARA BOTTLING LLC	Statewide	Final Decision Reached - Appeal Period
Approval to Sell Bottled Water in Vermont	VT0021408 - NIAGARA BOTTLING LLC - GAHANNA OH	21408-23.0	NIAGARA BOTTLING LLC	Statewide	Final Decision Reached - Appeal Period
Approval to Sell Bottled Water in Vermont	VT0021399 - CROSSROADS BEVERAGE GROUP LLC	21399-23.0	CROSSROADS BEVERAGE GROUP LLC	Statewide	Final Decision Reached - Appeal Period
Approval to Sell Bottled Water in Vermont	VT0021408 - NIAGARA BOTTLING LLC - GAHANNA OH	21408-24.0	NIAGARA BOTTLING LLC	Statewide	Final Decision Reached - Appeal Period

Lori Olberg

From: ANR - ENB Administrator <ANR.ENBAdministrator@vermont.gov>
Sent: Thursday, November 20, 2025 5:16 PM
To: Burlington Town Clerk
Subject: Vermont Environmental Notice Bulletin Stakeholder Update by Location

[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

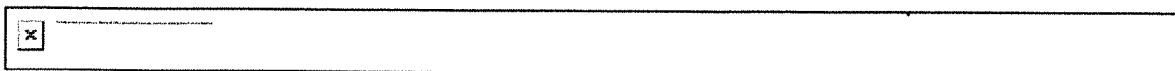
New Activities

Activity Type	Activity/Project Name	Permit # / ID	Applicant	Town	Status
Approval to Sell Bottled Water in Vermont	VT0021633 - UNIX PACKAGING LLC	21633-22.2	UNIX PACKAGING LLC	Statewide	Final Decision Reached - Appeal Period
Approval to Sell Bottled Water in Vermont	VT0021583 - NIAGARA BOTTLING LLC - BLOOMFIELD CT	21583-23.0	NIAGARA BOTTLING LLC	Statewide	Final Decision Reached - Appeal Period
Approval to Sell Bottled Water in Vermont	VT0021611 - PATRIOT BOTTLING	21611-23.0	PATRIOT BOTTLING	Statewide	Final Decision Reached - Appeal Period
Approval to Sell Bottled Water in Vermont	VT0021632 - AMERICAN SOY PRODUCTS INC	21632-23.0	AMERICAN SOY PRODUCTS INC	Statewide	Final Decision Reached - Appeal Period

Lori Olberg

From: VLCT Journal <info@vlct.org>
Sent: Saturday, November 22, 2025 7:01 AM
To: Lori Olberg
Subject: UI Rate Reduction, Holiday Displays, Funding Opportunities, and More!

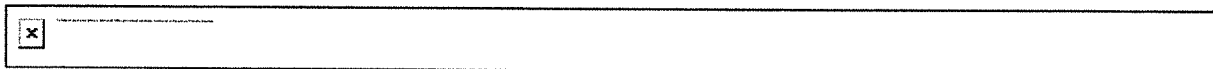
[WARNING]: This email was sent from someone outside of the City of Burlington.



November 2025

Lori Olberg,

November is a month of transition as the last remnants of fall are overtaken by winter's chill and darkness. If you have a student in your life, you might be preparing for another transition: college. Make sure to apply for VLCT's [Municipal Service Scholarship](#) if they are considering municipal work. The end of the year often triggers retirements or retirement announcements. [Vermont Town Careers](#) is now advertising selected municipal job openings in *Seven Days*. Submit your listing for a chance to be included.



[News](#)

[Resources](#)

[Claims](#)

[Careers](#)

[Events](#)

Legal Notes

Holiday Displays on Municipal Property

Each year, holiday displays of all kinds are set up across the state, especially in November and December. Some of those displays are on municipal property – which may have significant legal and political implications. This resource covers what you should take into consideration ahead of time.

Annual Auditors' Report FAQs

Vermont law requires that municipalities distribute the annual auditors' report to residents. This set of FAQs addresses the responsibilities involved in preparing, producing, and distributing the report.

Is Your Municipality Considering Short-Term Rental Regulations?

This overview provides options and considerations for regulating short-term rentals (STRs) in your municipality. Additionally, you can use the Model Short-Term Rental Ordinance as a starting point when first considering whether and how to regulate STRs.

Risk Management

PACIF Member Benefits: \$200k in Grant Funding; \$1.5M in Contribution Credits

CITY OF BURLINGTON

ORDINANCE _____

Sponsor: Office of City Planning,
Planning Commission

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: _____

In the Year Two Thousand Twenty-Five

An Ordinance in Relation to

CDO—Technical Amendments and Minor Revisions
ZA-26-01

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

1 That Appendix A, Comprehensive Development Ordinance of the Code of Ordinances of the City of Burlington be and
2 hereby is amended by: amending Sec. 3.1.2 (c) Exemptions, Table 3.5.2-1 Zoning Districts, and Removes Sec. 3.5.3
3 (c); Corrects a footnote referenced in Table 4.4.2-1 Dimensional Standards and Density; Amends Sec. 4.4.2 (d) 3. B.
4 Senior Housing; Deletes and reserves footnote 8 in Table 4.4.5-1; Corrects reference to Table 4.4.5-1 made under Sec.
5 4.4.5. (d) 2. B.; Corrects reference made to Article 3 under Sec. 4.4.5. (d) 4. D.; Amends Table 4.4.5-6 Housing for
6 Older Persons and Individuals with Disabilities Bonus and Table 4.4.5-7 Maximum Intensity, Lot Coverage and
7 Building Heights with Bonuses; Amends Table 4.5.6-2 Frontage and Activation Standards and Sec. 4.5.5 (c) 2. C.
8 Ground Floor Entries; Amends Sec. 3.5.3. A. 1. Changes and Modifications; Amends Sec. 5.3.5 (a) to remove
9 reference to Sec. 5.2.3 (b) 10; Corrects reference made to Sec. 5.2.6 (d) under Sec. 6.2.2 (m); Amends Sec. 7.1.1
10 Authority and Intent and Sec. 7.1.3 (h) Historic Marker; Removes reference to Adaptive Reuse under Sec. 9.1.5 (b);
11 Aligns table in Sec. 9.1.12 Additional Density and Other Development Allowances to reflect base allowances amended
12 under ZA-25-02; Amends Sec. 9.2.10 (c); Corrects a reference to Table 11.1.5-2 in Article 11; Amends reference to
13 and the Footnotes 1 and 2 in Table 11.1.5-2 Residential District Planned Unit Development Setback Standards;
14 modifies Article 13 by deleting definitions for "Elderly Housing", "Housing, Senior", and "Senior Housing", moves the
15 definition for "Building" from Article 13, and amends the definition for Planned Unit Development, thereof to read as
16 follows:

17 ***

Article 3: APPLICATIONS, PERMITS, AND PROJECT REVIEWS

PART 1: GENERAL PROVISIONS AND ZONING PERMITS

20 ***

3.1.2 Zoning Permit Required

22 Except for that development which is exempt from a permit requirement under Sec. 3.1.2(c) below, no development
23 may be commenced within the city without a zoning permit issued by the administrative officer including but not
24 limited to the following types of exterior and interior work:

(a - b) As Written

(c) Exemptions

The following shall be exempt from the requirements of this Ordinance and shall not be required to obtain a zoning permit:

1. – 10. As Written

11. All ~~structures~~ **Buildings, as defined in Article 13**, of 24 square feet or less and no taller than 15 feet, as long as they are located in compliance with applicable setbacks. This exemption is limited to 1 such structure, or multiple structures in aggregate up to 24 square feet, per property. This exemption does not apply to properties located within the Special Flood Hazard Area.

12. – 21. As Written

(d) As written

Article 3: APPLICATIONS, PERMITS, AND PROJECT REVIEWS

PART 5: CONDITIONAL USE AND MAJOR IMPACT REVIEW

Sec. 3.5.2 Applicability**(a) Conditional Use Review – As Written****(b) Major Impact Review**

Major Impact Review shall be required for the approval of all development involving any one or more of the following:

Table 3.5.2-1 Zoning Districts					
	Downtown Mixed Use and Form Districts	Neighborhood Mixed Use, Institutional, Enterprise, <u>Residential Corridor</u>	Residential- Medium Density<u>Intensity</u>, Residential – High Density<u>Intensity</u>	Residential- Low Density<u>Intensity</u>	RCO-A, RCO-C, RCO-RG, UR
Dwelling Units	Creation of fifty (50) or more dwelling units	Creation of twenty-five (25) or more dwelling units	Creation of ten (10) or more dwelling units	Creation of five (5) or more dwelling units	NA
Land Subdivision	NA	NA	Creation of ten (10) or more lots;	Creation of five (5) or more lots	NA
Non-residential or Mixed Use Development	A development footprint ¹ of fifty thousand (50,000) sf or more, or the creation of one hundred thousand (100,000) sf or more of gross floor area.	A development footprint ¹ of twenty thousand (20,000) sf or more, or the creation of forty thousand (40,000) sf or more of gross floor area.	A development footprint ¹ of eight thousand (8,000) sf or more, or the creation of fifteen thousand (15,000) sf or more of gross floor area.	A development footprint ¹ of five thousand (5,000) sf or more, or the creation of ten thousand (10,000) sf or more of gross floor area.	Creation of five thousand (5,000) sf or more of gross floor area ²

¹ Development Footprint: total area of impervious coverage – buildings and parking.

² Farm structures are exempt per 10 VSA 6001.

In addition, Major Impact Review shall also be required for multiple projects undertaken by the same applicant or responsible party within any consecutive twelve (12) month period on the same or adjacent property that in the aggregate equal or exceed the above criteria.

Sec. 3.5.3 Exemptions

Major Impact Review shall not be required for applications involving one or more of the following:

- (a) Temporary structures that do not otherwise involve a conditional use;
- (b) Rehabilitation that does not expand the floor area of an existing building or the structural capacity of existing development;
- (c) Projects that do not result in a change of use ~~or increased parking demand~~;
- (d) Subsurface site improvements including but not limited to underground utility lines and subsurface drainage ways; and,
- (e) Projects where the scope and authority of municipal regulation is limited by statute pursuant to 24 VSA 4413.

Article 4: ZONING MAPS AND DISTRICTS

PART 4: BASE ZONING DISTRICT REGULATIONS

Sec. 4.4.2 Neighborhood Mixed Use Districts

(a) Purpose – As Written

(b) Dimensional Standards and Density:

The density and intensity of development, dimensions of building lots, the heights of buildings and their setbacks from property boundary lines, and the limits on lot coverage shall be governed by the following standards:

Table 4.4.2 -1 Dimensional Standards and Density

Districts	Max. Intensity (floor area ratio ¹)	Max. Lot Coverage	Minimum Building Setbacks (feet)			Building Height (feet)
			Front ³	Side	Rear	
NAC	2.0 FAR	80% ⁴	0	0 ²	0 ²	Min: 22', 2 stories Max: 35
NMU	2.0 FAR	80%	0 ⁵	0 ²	0 ²	Min: 22', 2 stories Max: 35
NAC-Riverside	2.0 FAR	80%	0	0 ²	0 ²	Min: 22', 2 stories Max: 35
NAC-CR	2.0 FAR	60%	Min. 0 ⁷ Max. 20 ⁷	10 ⁶	20 ⁶	Min: 22', 2 stories Max: 65'

1 – 2. As Written

3. Structures shall be setback a minimum of 12-feet from the curb on a public street.

4. Exceptions to maximum lot coverage are provided in (d)2.

5. Notwithstanding footnote-4.3, the NMU district at the intersection of Pine St. and Flynn Avenue shall have a minimum front yard setback of 10 feet.

6 – 7. As Written

(c) Permitted and Conditional Uses – As Written

(d) District Specific Regulations

1. – 2. As Written

3. Development Bonuses/Additional Allowances

A. Inclusionary Housing – As Written

B. ~~Senior Housing~~ **Housing for Older Persons and Individuals with Disabilities**

A maximum of an additional 10-feet of building height, and corresponding FAR, may be permitted at the discretion of the DRB in the NAC and NAC-Riverside districts where no less than twenty-five per cent (25%) of the total number of onsite units are reserved for projects including exclusively housing for Older Persons (as defined by the federal Fair Housing Act), housing for Individuals with Disabilities (as defined by the federal Americans with Disabilities Act), or a mixture exclusively thereof ~~low-moderate income senior households as defined by state or federal guidelines~~, including no less than ten percent (10%) reserved for low income households. The total gross floor area dedicated to the senior housing housing for older persons and individuals with disabilities shall be equivalent to the gross floor area resulting from the additional allowance. Increased lot coverage allowance for ~~senior housings~~ such projects in these districts shall be the same as for inclusionary housing (see Sec. 9.1.12)

C. Maximum Bonus: --As written

Sec. 4.4.5 Residential Districts

(a) Purpose – As Written

(b) Dimensional Standards

The intensity of development, dimensions of building lots, the heights of buildings and their setbacks from property boundary lines, and the limits on lot coverage shall be governed by the following standards:

Table 4.4.5-1 Lot Size, Frontage, Setback, and Lot Coverage Standards in Residential Districts

District	Min. Lot Frontage ^{2,3,4,5} (linear feet)	Setbacks ^{1,6,7,8,9}			Lot Coverage ^{1,9} 10
		Front	Side	Rear	
Residential Low (RL)	30'	Min: Avg. of front setback 2 adjacent lots on both sides +/- 5 feet Max required: 25 ft	Min: 10% of lot width or avg. of side setback of 2 adjacent lots on both sides Max required: 20 ft	20 ft.	45%
Residential Medium (RM)				15 ft.	55%
Residential High (RH)	N/A				80%
Residential Corridor (RC)	N/A	Min required: 5 ft Max permitted: 20 ft			80%

1 – 7: As Written

8. ~~Reserved For properties in the RL and RM zones with frontage along Lake Champlain or the Winooski River, the front yard setback shall not be required to exceed 50 feet.~~

9. As Written - An additional ten per cent (10%) lot coverage may be permitted for accessory residential features per (d) 2C below.

Table 4.4.5-2 Principal & Secondary Structures Massing and Placement Standards in Residential Districts
As written

(c) Permitted and Conditional Uses – As written

(d) District Specific Regulations

The following regulations are district-specific exceptions, bonuses, and standards unique to the residential districts. They are in addition to, or may modify, city-wide standards as provided in Article 5 of this ordinance and district standards as provided above.

1. Additional Residential Development Permitted – As written

2. Exceptions to Dimensional Standards

A. Encroachment into Side Setback for Residential Driveways – As written

B. Encroachment into the Waterfront Setback

The following exceptions to the required waterfront setback for Lake Champlain and the Winooski River established under ~~Sec. 4.5.4: Article 4, Table 4.4.5-1, footnotes 7 and 8.~~

(i) and (ii) *As written*

C. - D. As written

3. Exception for Neighborhood Commercial Uses – As written

4. Miscellaneous Standards

A. – C. As written

D. Additional Unit on lot or within Owner-Occupied Single Detached Dwelling

Where an existing Principal Structure in any Residential Zoning District contains only an owner-occupied Single Detached Dwelling, and an applicant proposes to add a single additional dwelling unit within the Principal Structure or within a detached Secondary Structure on the same lot as the owner-occupied home, the application shall be subject to administrative review and approval according to Sec.3.2.7 (a) 13, and exempt from paying impact fees, according to Sec. 3.3.~~13.~~, except where otherwise required.

5. Residential Development Bonuses

The following exceptions to maximum allowable residential standards in Tables 4.4.5-1 and 4.4.5-2 may be approved in any combination subject to the maximum limits set forth in Table 4.4.5-6 at the discretion of the DRB. Any bonuses that are given pursuant to this ordinance now or in the future shall be regarded as an exception to the limits otherwise applicable.

A. Housing for Older Persons and Individuals with Disabilities Bonus

Residential development in excess of the limits set forth in Tables 4.4.5-1 and 4.4.5-2 may be permitted by the DRB for projects including exclusively housing for Older Persons (as defined by the federal Fair Housing Act), housing for Individuals with Disabilities (as defined by the federal Americans with Disabilities Act), or a mixture exclusively thereof provided the following conditions are met:

(i) – (iii) *As Written*

Table 4.4.5-6: Housing for Older Persons and Individuals with Disabilities Bonus

District	Maximum Lot Coverage	Maximum Development Intensity	Maximum Height
RL	55%	1.5 FAR	4 stories, 50 ft
RM	65%	1.75 FAR	
RH, <u>RC</u>	90%	2.0 FAR	5 stories, 62 ft.

B. Residential Conversion Bonus – As written

C. Limitations on Residential Development Bonuses:

For projects where the conditions of more than one applicable bonus listed above and under Sec. 5.4.8 (e) are met, and where any applicable development allowances per Article 9 are utilized, the applicant may use the most permissive exemption to the underlying lot coverage or residential intensities applicable.

In no case shall any development bonuses and allowances granted, either individually or in combination, enable a building to exceed the maximum development intensity, lot coverage, and building height permitted in any district as defined below:

Table 4.4.5-7: Maximum Intensity, Lot Coverage and Building Heights with Bonuses

District	Maximum FAR*	Maximum Height	Maximum Lot Coverage*
RL	1.5 FAR	50-feet	55%
RM	1.75 FAR	50-feet	65%
RH, <u>RC</u>	2.0 FAR	62-feet	90%

*- or 125% of the pre-application gross floor area or coverage of the qualifying principal building as may be applicable per Table 5.4.8-1 Historic Building Rehabilitation Bonus

(c) Effective Date – As Written

Article 4: ZONING MAPS AND DISTRICTS

PART 5: OVERLAY ZONING DISTRICT REGULATIONS

Sec. 4.5.6 South End Innovation District Overlay

(a) – (b) – As written

(c) District Specific Regulations

Table 4.5.6-1 SEID Dimensional Standards & Density As written

1. Dimensional Standards & Density – As Written

Table 4.5.6-2: Frontage and Activation Standards

Frontage Type	Min lot frontage occupied by buildings ^{1,2}	Percent of ground floor building frontage containing non-residential uses ¹	Ground floor level entries required
Primary	80% min	80% min	Every 60' min
Secondary	70% min	20% min or 500 sq. ft. whichever is greater	<u>N/A</u>
1. Measured linearly. 2. A courtyard on a building façade adjacent to a street or Public Path, with minimum dimensions 12 feet minimum and 35 feet maximum, shall be counted in the calculation of frontage to satisfy this requirement.			

2. Frontage and Ground Floor Activation Standards

A – B. – As Written

- C. Ground ~~Floor Level~~ Entries: At least one ground ~~level floor public~~ entry into a building or interior courtyard or open space, not including service doors, is required each 60' linear feet along a Primary frontage of each building façade fronting on a Street, Public Path or open space on the same lot.

3. – 4. As written

Article 5: CITYWIDE GENERAL REGULATIONS

PART 3: NON-CONFORMITIES

Sec. 5.3.5 Nonconforming Structures

(a) Changes and Modifications

Nothing in this Part shall be deemed to prevent normal maintenance and repair or structural repair, or moving of a non-complying structure pursuant to any applicable provisions of this Ordinance.

Any change or modification to a nonconforming structure, other than to full conformity under this Ordinance, shall only be allowed subject to the following:

1. Such a change or modification may reduce the degree of nonconformity and shall not increase the nonconformity except as provided below.

Within the residential districts, and subject to Development Review Board approval, existing nonconforming single family homes and community centers (existing enclosed spaces only) that project into side and/or rear

yard setbacks may be vertically expanded so long as the expansion does not encroach further into the setback than the existing structure. Such expansion shall be of the existing nonconformity (i.e. setback) and shall:

- i) Be subject to conformance with all other dimensional requirements (i.e. height, lot coverage, density and intensity of development);
- ii) Not have an undue adverse impact on adjoining properties or any public interest that would be protected by maintaining the existing setbacks; and,
- iii) Be compatible with the character and scale of surrounding structures.

Existing accessory buildings of 15 feet in height or less shall not exceed 15 feet tall as expanded.

~~Within all districts, and subject to the Development Review Board approval, structures for the purpose of creating an ADU may be constructed on lots with legally non-conforming lot coverage per Sec.5.2.3 (b) 10.~~

2. – 3. As written

(b) As written

Article 6: DEVELOPMENT REVIEW STANDARDS

PART 2: SITE PLAN DESIGN STANDARDS

Sec. 6.2.2 Review Standards

(a) – (l) As written

(m) Landscaping, Fences, and Retaining Walls

Landscaping shall be used to beautify the development site and to provide specific functions and benefits to the uses and buildings on the site. These include but are not limited to stormwater retention and erosion control, winter windbreaks and summer shade, recreational and habitat corridors, buffers and screening of parking areas, and creating privacy for and from adjacent property.

Existing trees shall be retained and incorporated into a landscape plan to the extent possible, and existing trees to be retained shall be protected during construction in accordance with specifications provided by the city arborist. Contiguous green space, both within the site and with adjacent properties, should be provided on a site whenever possible and be designed to provide wildlife travel corridors and habitat preservation, as well as enabling recreational access. If open space is intended to be publicly accessible, it shall be designed to maximize accessibility for all individuals including the disabled, encourage social interaction, and facilitate ease of maintenance. Along the street edge, landscaping shall be used to provide a visual buffer into parking areas from the public street and reinforce the streetscape.

The selection of plant materials and planting sites should create a sustainable landscape, and consideration shall be given to factors such as hardiness, salt tolerance, disease resistance, invasiveness, root and canopy spread, underground and overhead utilities, soil conditions, and microclimates. The use of native plant materials is encouraged, and the use of plants considered invasive by VT Agency of Agriculture shall be prohibited. For more information on sustainable landscapes, applicants are encouraged to consult Planting Sustainable Landscapes: A Guide for Plan Reviewers prepared for the Vermont Department of Forests Parks and Recreation by the Vermont Chapter of the American Society of Landscape Architects.

New or replacement street trees shall be provided consistent with the city's Street Tree Master Plan. All proposed street trees shall be selected and planted in accordance with specifications provided by the city arborist.

Fences may be placed within the required setback along a property line, but shall be setback sufficiently to provide for the maintenance of both sides of the fence without entering onto the adjacent property and shall present a finished side to the adjoining property and public street. Fences placed within a clear sight triangle shall adhere to the standards of Sec. 5.2.6 (~~ed~~). Styles, materials, and dimensions of the proposed fence shall be compatible with the context of the neighborhood and the use of the property.

Retaining walls greater than 5 feet tall shall incorporate textured surfaces, terracing, and/or vegetation to avoid long monotonous unarticulated expanses and to minimize adverse visual impacts to neighboring properties. As with fences, retaining wall styles, materials, and dimensions shall be compatible with the context of the neighborhood and use of the property.

(n) – (o) As written

Article 7: SIGNS

PART 1: GENERAL PROVISIONS

Sec. 7.1.1 Authority and Intent

These regulations are enacted under the provisions of 24 V.S.A. Section 4411 with the intent to ensure that all Signs and advertising features:

(a) – I. As written

Any sign or advertising feature not expressly permitted by this ordinance shall be prohibited.

Sec. 7.1.3 Exemptions

Repainting, refacing, repair, or change of lettering, logo, or colors using the same materials within an existing permitted Sign frame shall be exempt from the requirements of this Article and allowed without the requirement to obtain a new zoning permit.

The following types of Signs are permitted in all parts of the city, and shall also be exempt from the requirements of this Article and the necessity to obtain a permit:

(a) – (g) As written

(h) *Historic Marker*: A non-illuminated sign, either a Wall Sign sixteen square feet or less in size or a Freestanding Yard sign of 14 square feet or less and 12 feet tall or less, commemorating the historic significance of a building or site.

(i) – (j) As written

Article 9: INCLUSIONARY AND REPLACEMENT HOUSING**PART 1: INCLUSIONARY ZONING**

Sec. 9.1.5 Applicability

This ordinance provision shall apply to any development of five or more residential units in a single structure. Multiple developments or projects by the same applicant or responsible party within any consecutive twelve (12) month period that in the aggregate equal or exceed the above criteria shall be subject to these regulations.

Except as otherwise provided in this ordinance, these regulations shall apply in the instances specified below.

(a) The creation of five (5) or more residential units through new construction and/or substantial rehabilitation of existing structures, including the development of housing units utilizing development provisions other than those specified in Sec 9.1.5 (b).

(b) Where units are created using the ~~Adaptive Reuse or~~ Residential Conversion criteria pursuant to the provisions of Art 4, Sec 4.4.5, this article shall be applicable when at least ten (10) or more dwelling units are created.

(c) – (d) *As written*

Sec. 9.1.12 Additional Density and Other Development Allowances

All covered projects shall be entitled to increases in the development allowances of the underlying zoning district in accordance with the provisions of this section.

(a) Any covered project shall be entitled by right to an increase in the maximum lot coverage density/intensity, and, where applicable, height allowed for the lot(s) on which the project is located when all required Inclusionary Units are constructed on the same lot, or lots subject to Article 11 Planned Development. Calculations for these entitlements shall be based on the following tables:

Zoning District	Maximum Units/Acre	<u>Maximum FAR</u>	FAR/Height	Maximum Lot Coverage
RH, RC	46	<u>2.0 FAR</u>	<u>5 Stories, 62 ft.</u> 12' height set back 10' along street facade ¹	92 <u>90</u> %
RM	25	<u>1.75 FAR</u>	n/a 4 Stories, 50 ft.	48 <u>65</u> %
RM-W	25		12' height set back 10' along street facade¹	72 %
RL, RL-W	8.75	<u>1.5 FAR</u>	<u>4 Stories, 50 ft.</u> n/a	44 <u>55</u> %
FD6, FD5	n/a	<u>0.5 FAR</u>	0.5 FAR	100%
NMU, NAC, NAC-R	n/a	<u>0.5 FAR</u>	0.5 FAR +12' height set back 10' along street facade	92%
NAC-CR	n/a	<u>0.5 FAR</u>	0.5 FAR +12' height set back 10' along street facade	72%
E-LM-SEID	n/a	<u>0.25 FAR</u>	0.25 FAR	n/a
¹ In the RH and RM-W Neighborhood Mixed Use-residential zones an additional 12 feet of building height shall be allowed by right only for an additional 5% of inclusionary housing units provided in excess of the minimum requirements of Sec. 9.1.8.				

(b) – (d) As written

Article 9: INCLUSIONARY AND REPLACEMENT HOUSING

PART 2: HOUSING PRESERVATION AND REPLACEMENT/DEMOLITION AND CONVERSION

Sec. 9.2.10 Exemptions

This article shall not be applicable to:

(a) – (b) As written

(c) The demolition, loss, or conversion to a nonresidential use of a single attached or detached housing unit or duplex that is occupied by the owner as his or her primary residence for the twelve-(12) month period preceding the date of application for ~~conditional-use~~ approval. Nor shall this section be applicable in its replacement requirement to that portion of a multi-unit building of three (3) units or more that is occupied by the owner as his or her primary residence for the thirty-six-(36) month period preceding the date of application for ~~conditional-use~~ approval. Any exemption allowed under this provision shall be void if the owner sells any of the applicable units within twenty-four (24) months of the date of ~~conditional-use~~ approval; and,

(d) As written

Article 11: PLANNED DEVELOPMENT**Part 1: PLANNED UNIT DEVELOPMENT**

Sec. 11.1.5 Residential District Planned Unit Developments.**(a) Dimensional Standards**

Unless otherwise stated, Planned Unit Development standards are required to follow the underlying district dimensional standards.

1. A Planned Unit Development with Project Size of less than 0.5 acres and consisting of a Pocket Neighborhood or Rowhouse project, shall be allowed, subject to underlying standards in Sec. 4.4.5(d)1.
2. A Planned Unit Development with Project Size of 0.5 acres or more shall be allowed, subject to the standards established below in Table 11.1.5 -1 and Table 11.1.5-2.

Table 11.1.5-1 Residential District Planned Unit Development Intensity Standards – As written

The Development Review Board may exempt Planned Unit Developments existing as of January 1, 2024 from any standard in Table 11.1.35-2.

Table 11.1.5-2 Residential District Planned Unit Development Setback Standards

District	Setback				
	Project Periphery			Front Internal ROW ³	Rowhouse Party Wall Boundary (Lot or Building)
	Rear ¹	Front ²	Side		
RL	20 ft.	Avg. of front setback 2 adjacent lots on both sides +/- 5 feet Max Required: 20'	Min: 10% of lot width or avg. of side setback of two adjacent lots on both sides, whichever is less Max Required: 20' Min Required: 0 ft.	0' Min 20' Max	0 ft.
RM	15 ft.				
RH					
RC					

1. Buildings with a footprint greater than 5,000 sq. ft. must be set back at least 50 feet from any adjacent Lot not within the PUD and located in an RL or RM district. However, this footnote shall not apply to the Residential - Special Uses specified in footnote 6 of Table 4.4.5-2.
2. Buildings fully contained in the RL and RM districts with a footprint greater than 5,000 sq. ft. must have a front project periphery setback of at least 50 feet. This footnote does not apply to any building that partially occupies any portion of a lot zoned RC, nor does it apply to Residential – Special Uses specified in footnote 6 of Table 4.4.5-2.
3. Front setbacks shall be measured from the edge of the Right-of-Way that is fully internal to the project, to which the building draws its frontage. Buildings must be at least 10' from the curb or edge of a public Right-of-Way if no curb exists, except where the ROW is a Public Path, in which case the building must be at least 5' from the edge of the Public Path.

Article 13: DEFINITIONS

Sec. 13.1.2 Definitions.

For the purpose of this ordinance certain terms and words are herein defined as follows:

Unless defined to the contrary in Section 4303 of the Vermont Planning and Development Act as amended, or defined otherwise in this section, definitions contained in the building code of the City of Burlington, Sections 8-2 and 13-1 of the Code of Ordinances, as amended, incorporating the currently adopted edition of the American Insurance Association's "National Building Code" and the National Fire Protection Association's "National Fire Code" shall prevail.

Additional definitions specifically pertaining to Art. 14 planBTV: Downtown Code can be found in Sec. 14.8, and shall take precedence without limitation over any duplicative or conflicting definitions of this Article.

Building: Not synonymous with Structure; man-made construction completely enclosed by a roof, window, doors and solid exterior walls, and designed, built, or occupied as a shelter of enclosure for persons, animals, or property.

~~Elderly Housing:~~ ~~See Housing, Senior.~~

~~Housing, Senior:~~ ~~Housing that is designed for, and is occupied primarily by, those persons fifty-five (55) years of age or older.~~

~~Planned Unit Development:~~ ~~A development plan for one or more lots, tracts, or parcels to be developed as a single, integrated entity. See Article 11 for specific provisions. One or more lots, tracts, or parcels of land to be developed as a single entity, the plan for which may propose any authorized combination of density or intensity transfers or increases, as well as the mixing of land uses. This plan, as authorized, may deviate from bylaw requirements that are otherwise applicable to the area in which it is located with respect to lot size, bulk, or type of dwelling or building, use, density, intensity, lot coverage, parking, required common open space, or other standards, pursuant to the authority and limitations set forth in the comprehensive master plan and 24 V.S.A. §4417 as amended.~~

~~Senior Housing:~~ ~~See Housing, Senior~~

Article 14 PlanBTV Downtown Code

Section 14.8: Glossary

This Section provides definitions for certain terms found in this Article 14. Additional definitions are to be found in Article 13 of the BCDO.

The following terms, as used in this Article 14, shall have the following meanings:

~~Building:~~ ~~not synonymous with Structure; man-made construction completely enclosed by a roof, window, doors and solid exterior walls, and designed, built, or occupied as a shelter of enclosure for persons, animals, or property. See definition for "Building" in Article 13.~~

* Material stricken out deleted.

** Material underlined added.

370 Planning/KS/ Ordinances 2026/ZA-26-01 Technical Corrections and Minor Revisions
371 CDO Sections 3.1.2 (c), Table 3.5.2-1, 3.5.3 (c), Table 4.4.2-1, 4.4.2 (d) 3. B, Table 4.4.5-1, 4.4.5. (d) 2. B, 4.4.5. (d) 4. D, 4.4.5-6, 4.4.5-7, Table
372 4.5.6-2, 4.5.5 (c) 2. C, 3.5.3. A. 1, 5.3.5 (a), 6.2.2 (m), 7.1.1, 7.1.3 (h), 9.1.5 (b), 9.1.12, 9.2.10 (c), Article 11, Table 11.1.5-2, Article 13
373 CC 1st read 11/24/25



City of Burlington, VT
149 Church Street, 3rd Floor
Burlington, VT 05401
Phone: (802) 865-7194
www.burlingtonvt.gov/plan

TO: Burlington City Council
FROM: Sarah Morgan, AICP, Principal Planner
Charles Dillard, AICP, Director of City Planning
DATE: November 19, 2025
RE: Proposed ZA-26-01 Technical Amendments and Minor Revisions

This memo is intended to provide an overview about the set of proposed changes included in ZA-26-01, which was warned for a Public Hearing by the Planning Commission during its meeting on September 23rd.

1. Overview & Background

The revisions proposed in ZA-26-01 include technical corrections to the ordinance as well as minor revisions to standards related to the South End Innovation District.

Following the Planning Commission meeting on September 23rd, proposed changes to the planBTV Downtown Code regarding fences were removed to be discussed as their own amendment (ZA-26-02) and are not included as part of ZA-26-01.

3. Technical Corrections

In collaboration with the Department of Permitting and Inspections, this amendment includes a number of technical amendments, which are included and outlined in Section 4c of this memo.

2. Minor revision related to the South End Innovation District

The proposed amendment to the SEID Ground Floor Entries standards addresses a primary challenge that has arisen in reviewing ongoing development plans in the overlay. These entry standards were based on a desire for highly-activated ground floors, particularly those occupied by retail uses. However, local and national trends continue to demonstrate reduced viability of retail and non-residential uses, particularly those in ground floor podiums that are costly to build. As such, the ground floor standards should be amended, both to facilitate greater amounts of private entries into ground floor residential uses on Primary Frontages, and to acknowledge the aforementioned concerns regarding retail viability. Furthermore, the amendment proposes to eliminate the requirement for ground floor entries on Secondary Frontages to extend flexibility to site development and to facilitate marketable residential ground floor uses on these less prominent streets.

Finally, City staff has encountered several site-specific challenges related to topographical and infrastructural conditions that make meeting the current standards challenging. For example, Lakeside Avenue, long proposed as a Secondary Frontage in the first phase of the SECORD project, is approximately eight feet below the developable portion of the parcel. As the ROW width, particularly as it crosses under the railroad, does not accommodate a sidewalk, the requirement to locate ground floor entries along this Frontage is not reasonable. Similar challenges have been seen at other locations in the SEID.

Ultimately, this proposed amendment will increase flexibility in the SEID and allow for much-needed housing within a larger South End that continues to see successful business activity in existing buildings.

4. Proposed Amendment: ZA-26-01

a) Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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b) Purpose Statement

The proposed changes in ZA-26-01 all aim to support greater flexibility within current zoning regulations to accommodate development needs and seeks to correct several errors in the CDO, enhancing clarity and consistency in administration for both staff and applicants.

c) Proposed Amendment

1. Amendments to Article 3: Applications, Permits, and Project Reviews

- Revises Sec. 3.1.2 (c) 11. to apply to “Buildings, as defined in Article 13” instead of “structures”.
- Amends Table 3.5.2-1 Zoning Districts (Major Impact) to reflect changes made under the Neighborhood Code, including the creation of the Residential Corridor district.
- Amends Sec. 3.5.3 (c) Major Impact Exemptions to reflect the elimination of minimum parking standards under ZA-22-07.

2. Amendments to Article 4: Zoning Maps and Districts

- Corrects footnote reference in Table 4.4.2-1
- Amends Sec. 4.4.2 (d) 3. B. to reflect the changes made under ZA-25-04, including referring to Senior Housing as Housing for Older Persons and Individuals with Disabilities.
- Modifies Table 4.4.5-1 Lot Size, Frontage, Setback, & Lot Coverage Standards in Residential Districts:
 - Corrects a footnote reference in the column related to Lot Coverage.
 - Deletes and reserves Footnote 8, which is now irrelevant given the standard related maximum required front yard setback.
- Corrects reference made in Sec. 4.4.5 (d) 2. B. Encroachment to the Waterfront Setback
- Corrects reference made in Sec. 4.4.5 (d) 4. D. Additional Unit on lot or within Owner-Occupied Single Detached Dwelling
- Amends Tables 4.4.5-6 Housing for Older Persons and Individuals with Disabilities Bonus and Table 4.4.5-7 Maximum Intensity, Lot Coverage and Building Heights with Bonuses to include the Residential Corridor District.
- Amends Table 4.5.6-2 Frontage & Activation Standards to reflect changes proposed in Sec.4.5.6(c)2.D.
- Amends Sec. 4.5.6 (c) 2. D. SEID Ground Floor Entries to facilitate greater amounts of private entries into ground floor residential uses on Primary Frontages, and to acknowledge the aforementioned concerns regarding retail viability.

3. Amendments to Article 5: Citywide General Regulations

- Amends Sec. 5.3.5 (a) to remove reference to Sec. 5.2.3 (b) 10, which was eliminated under ZA-25-04.

4. Amendments to Article 6: Development Review Standards

- Corrects reference made in Sec. 6.2.2. (m) Landscaping, Fences, and Retaining Walls

5. Amendments to Article 7: Signs

- Amends Sec. 7.1.1 Authority and Intent to clarify that signs of advertising features not expressly permitted in this ordinance are prohibited.
- Amends Sec. 7.1.4 Historic Marker Exemptions to incorporate Freestanding Yard signs.

6. Amendments to Article 9: Inclusionary and Replacement Housing

- Amends Sec. 9.1.5 Applicability to remove reference to Adaptive Reuse.
- Amends table under Sec. 9.1.12 Additional Density and Other Development Allowances to align with changes made via the Neighborhood Code.
- Amends Sec. 9.2.10 (b) to remove reference to conditional use and incorporate the loss of non-residential uses.

7. Amendments to Article 11: Planned Development

- Corrects typo in the reference to Table 11.1.5-2, which previously referenced a non-existent table.
- Amends Footnotes 1 in Table 11.1.5-2 Residential District Planned Unit Development Setback Standards to clarify that Residential Special Uses are exempt from the requirement of 50ft rear setbacks for buildings greater than 5,000ft² in the Residential Low and Residential Medium Intensity Districts.
- Amends Table 11.1.5-2 Residential District Planned Unit Development Setback Standards to indicate that the Residential – Special Uses listed in Table 4.4.5-2 are also exempt from Footnotes 1 and 2.

8. Amendments to Article 13: Definitions

- Moves the definition for “Building” in Article 14 to Article 13 to consolidate definitions.
- Deletes definitions for “Elderly Housing”, “Housing, Senior”, and “Senior Housing” to reflect changes made in ZA-25-04, where Housing for Older Persons uses the definition established under the Fair Housing Act.
- Simplifies the definition of “Planned Unit Development” and references Article 11 for specific provisions.

d) Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme:	Dynamic	Distinctive	Inclusive	Connected
Land Use:	Conserve	Sustain	Grow	

Compatibility with Proposed Future Land Use & Density

The proposed amendment is consistent with the Land Use and Density related policies of planBTV. As frequently discussed with the Planning Commission, the rise in housing costs and slow pace of construction are some of the biggest challenges related to housing in Burlington. The “Dynamic” theme prioritizes innovative solutions that are environmentally, economically, and socially sound, echoing this amendment’s need to support greater flexibility within current zoning regulations to accommodate development needs.

Additionally, many of these amendments are primarily and are intended to clarify for the public and staff the standards and processes regulating development and growth across the city.

Impact on Safe & Affordable Housing

This amendment has no direct impact on safe and affordable housing, except in that it corrects errors and provides greater flexibility and clarity for applicants.

Planned Community Facilities

This amendment has no direct impact on planned community facilities, except in that it corrects errors and provides greater clarity.

h) Process Overview

The following chart summarizes the current stage in the zoning amendment process, and identifies any recommended actions:

Planning Commission Process					
Draft Amendment prepared by Staff 9/18/25	Presentation to & discussion by Commission: 9/23/25	Approve for Public Hearing 9/23/25	Public Hearing 11/13/25	Approved & forwarded to Council 11/13/25	
City Council Process					
First Read, Referral to Ordinance Committee, and Warn Public Hearing 12/1/2025	Ordinance Committee discussion	Ordinance Committee recommend	Second Read	Public Hearing	Council Approval & Adoption

Motion: Waive the reading, refer ZA-26-01 to the Ordinance Committee and warn for a public hearing before the City Council on January 12, 2026.

Board of Finance and City Council Submission Checklist

Version: April 2025

Department: Office of City Planning Submitter: Charles Dillard

Title/Subject: ZA-26-01: Technical Amendments and Minor Revisions

Approval Requested:

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

Meeting Date:

[Click or tap to enter a date.](#)

12/1/2025

[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	11/19/2025	Charles Dillard
Mayor's Office	Choose an item.	Click or tap to enter a date.	Erin Jacobsen
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	Choose an item.	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)	Yes	11/21/2025	Kim Sturtevant
CAO for budget, financing, and memo	Yes	11/20/2025	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.

Resolution Relating to

AUTHORIZATION FOR \$1,808,000 CONSTRUCTION
LOAN FROM VERMONT DRINKING WATER STATE
REVOLVING FUND FOR UPGRADE OF DISTRIBUTION
SYSTEM

RESOLUTION_____

Sponsor(s): Board of Finance
Introduced: _____
Referred to: _____
Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Twenty-Five

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

- 1 That WHEREAS, the State of Vermont Drinking Water State Revolving Fund (SRF) provides loans for
2 planning (Step I), final design (Step II) and construction (Step III) of municipal water projects; and
3 WHEREAS, the City has determined the need to continue to replace and modernize sections of the
4 City distribution system (the “Project”) to reduce frequency of water main breaks and ensure adequate water
5 supply and water quality for the City water users; and
6 WHEREAS, on March 4, 2025, the voters of the City of Burlington authorized the issuance of
7 Revenue Bonds of up to \$20,000,000 to provide for the financing of capital additions and improvements to the
8 waterworks system including capital improvements to the City’s underground pipe and water distribution
9 systems, water mains, services, valves and hydrants; and
10 WHEREAS, no bonds from such authorization have been previously issued; and
11 WHEREAS, the standard SRF terms for projects of this type completing construction (Step III) are up
12 to 30 years of repayment starting one year after completion of construction with up to a 1% interest rate and
13 up to a 2% admin fee; and
14 WHEREAS, a Water System Revenue General Bond Resolution, authorizing the issuance of revenue
15 bonds for the City’s Water system was adopted by the City Council on May 1, 2017; and
16 WHEREAS, the Water System General Bond Resolution provides for a pledge of the Net Revenues of
17 the City’s Water system for all bonds and notes and obligations incurred under such Water System General
18 Bond Resolution; and
19 WHEREAS, a Supplemental Resolution No. 6 providing for the issuance additional Waterworks
20 System Revenue Bonds in the principal amount not to exceed \$1,808,000 has been prepared for approval to
21 specifically authorize this loan and is attached hereto;
22 NOW, THEREFORE, BE IT RESOLVED that the City Council approves and authorizes the Director of
23 Public Works, or their designee, to complete the Construction Loan Application for Revolving Loan Funds
24 under 24 V.S.A. Chapter 120 and to apply to the Vermont Drinking Water State Revolving Fund and Vermont
25 Municipal Bond Bank (the “Bank”) for financing of a Loan in a principal amount not to exceed \$1,808,000 (the

26 “Loan”) subject to final review and approval by the Chief Administrative Officer, Director of Finance and City
27 Attorney; and

28 BE IT FURTHER RESOLVED that the City Council approves and adopts the attached Supplemental
29 Resolution No.6, attached hereto and incorporated herein, providing for notes and bonds to be issued for the
30 Loan with the repayment of such Loans secured and repaid from the Net Revenues of the Water System as
31 provided in such Supplemental Resolution No. 6; and

32 BE IT FURTHER RESOLVED that the City Council authorizes the Mayor, Chief Administrative
33 Officer and Director of Finance are, and each one of them is, hereby authorized and empowered to execute and
34 deliver: (i) a loan agreement with the Bank to evidence the Loan and the repayment thereof; (ii) one or more
35 bonds or promissory notes in the principal amount of the Loan; (iii) such documents and instruments as the Bank
36 may request in connection with the Loan, in such form and with such terms as they deem necessary and in the
37 City’s best interest; and (iv) such other documents and instruments necessary or convenient in connection with
38 the Loan, all subject to the prior review and approval of the City Attorney’s Office; and

39 BE IT FURTHER RESOLVED that the City Council designates the following City staff members as
40 alternate authorized representatives of the Project with authority to execute administrative or reimbursement
41 documents (and other ancillary documents other than the loan application or loan agreements): (i) Water
42 Resources Division Director, Megan Moir.

43

44 TM/Resolutions 2025/Authorization for \$1,808,000 Construction Loan from Vermont Drinking Water State Revolving Fund for Upgrade of
45 Distribution System
46 11/13/25

CITY OF BURLINGTON, VERMONT

City Council

SUPPLEMENTAL RESOLUTION NO. 6

Be it Resolved by the City Council of the City of Burlington, Vermont (the “City”) as follows:

Section 1
Authorization

The City Council of the City of Burlington (the “City Council”) hereby authorizes the issuance of revenue bonds and notes in an aggregate principal amount not to exceed **\$1,808,000** to (i) provide for the financing of capital additions and improvements to the waterworks system (the “Water System”), including the City’s underground pipe and water distribution system, water mains, services, valves and hydrants (the “Project”), with the expectation that portion of the Series 2026 Bonds will receive debt forgiveness if certain conditions are met, and (ii) if necessary, to fund a debt service reserve fund and to pay costs of issuance of such revenue bonds. The City Council deems the issuance of revenue bonds and notes as hereby authorized to be in the public interest. At the Annual Meeting of the City, held March 4, 2025, the voters of the City authorized the issuance of Revenue Bonds in one or more series in a combined aggregate amount not to exceed \$20,000,000 to finance and carry out such capital improvements to the Water System.

The Waterworks System Revenue Bonds, Series 2026 (the “Series 2026 Bonds”) are to be issued pursuant to the General Bond Resolution dated May 1, 2017 (as amended and supplemented, the “General Bond Resolution”) and this Supplemental Resolution. It is presently estimated that the aggregate principal amount to be issued for the purpose of financing the Project is not to exceed \$1,808,000, a portion of which is expected to be fully forgiven following completion of such Project. Pursuant to 24 V.S.A. § 4755(a)(4)(D), the City is permitted to incur debt without the need for voter approval for municipal clean water and public water supply projects receiving loan forgiveness, provided that the amount of debt incurred does not exceed the amount to be forgiven or cancelled upon completion of the Project. Accordingly, the final principal amount of the Series 2026 Bonds and the amount of indebtedness to be forgiven are to be set forth in the Series Certificate (as defined herein). It is further estimated that the Series 2026 Bonds will be payable by serial maturities, sinking fund installments, term bonds, or a combination thereof, in the years 2026 through 2056, both dates being approximate.

It is expected that the Series 2026 Bonds will be issued to the Vermont Municipal Bond Bank (the “Bond Bank”) through the State of Vermont Drinking Water State Revolving Loan Fund (DWSRF). The Series 2026 Bonds may be issued through a public offering in the event the City Chief Administrative Officer determines that such a public offering would be more advantageous to the City than the sale to the Bond Bank.

The City Council has determined to issue such bonds pursuant to Sections 2.1, 2.2, and 2.3 of the Bond Resolution as revenue bonds payable and secured and having such terms and details as provided in the Bond Resolution, this Supplemental Resolution No. 6 (this “Supplemental”

Resolution”) and a series certificate to be delivered by the City’s Chief Administrative Officer or the City’s Director of Finance and the Director of the Department of Public Works (the “Series Certificate”) to be delivered prior to the issuance of the Series 2026 Bonds as hereinafter provided.

By adoption of the Series Certificate to be delivered by the City’s Chief Administrative Officer or the City’s Director of Finance and the Director of Public Works at the time of and in connection with the sale of the Series 2026 Bonds, the City shall award the Series 2026 Bonds to the Bond Bank or the purchaser thereof, as the case may be, and shall complete this supplemental resolution by establishing the dates, maturities, principal amounts, amount of loan forgiveness, interest rates, interest payment dates, redemption provisions, the amounts of proceeds of the Series 2026 Bonds and Revenues, if any, to be deposited in the Debt Service Reserve Fund and/or the Renewal and Replacement Fund, the inclusion of provisions for bond insurance, and any other terms and provisions which do not materially alter the substance of the transaction authorized hereby, all of which are to be determined by and in the discretion of the City’s Chief Administrative Officer or the City’s Director of Finance and the Director of Public Works and set forth in the Series Certificate; provided, however, that if the average true interest cost rate on the Series 2026 Bonds, as determined by the Chief Administrative Officer, is to exceed **4.50%**, the issuance and sale of the Series 2026 Bonds shall be subject to the approval of the City’s Board of Finance.

Section 2

Definitions

Unless the context clearly indicates some other meaning, the terms used in this Supplemental Resolution that are defined in the General Bond Resolution, have the same meaning in this Supplemental Resolution as in the General Bond Resolution. The General Bond Resolution as amended or supplemented from time to time by Supplemental Resolutions is hereinafter referred to as the “Resolution.”

The following terms shall have the following meanings in this Supplemental Resolution unless the context otherwise requires:

“Bond Insurer” means, if the Series 2026 Bonds are to be insured, such Bond Insurer as identified in the Series Certificate.

“Bond Insurance Policy” shall mean such financial guaranty insurance policy, if any, as may be designated in the Series Certificate for the Series 2026 Bonds.

“Series Certificate” shall have the meaning given in Section 1 of this Supplemental Resolution.

Section 3

Authorization of Series 2026 Bonds

There is hereby authorized to be issued a Series of Bonds designated “Waterworks System Revenue Bonds, Series 2026” in the total principal amount not to exceed ONE MILLION EIGHT HUNDRED EIGHT THOUSAND DOLLARS (**\$1,808,000.00**), with the principal amount and the amount of any loan forgiveness as determined by the City’s Chief Administrative Officer or the

City's Director of Finance and the Director of the Department of Public Works and set forth in the Series Certificate. The Series 2026 Bonds shall be issued to provide for the financing of capital additions and improvements to the Water System, including (i) capital improvements to the City's underground pipe and water distribution system, water mains, services, valves and hydrants, and (ii) if necessary and as may be set forth in the Series Certificate, to fund a debt service reserve fund and to pay costs of issuance of such revenue bonds. The Series 2026 Bonds shall bear interest at the rates per annum and shall be payable in principal installments on November 1 (or such other dates) in each of the years and in the principal amounts as determined by the Chief Administrative Officer or Director of Finance of the City and the Director of the Department of Public Works and as provided in the Series Certificate. The Series 2026 Bonds may include Series Bonds and Term Bonds as provided in the Series Certificate.

The Series 2026 Bonds shall be issued only as fully-registered bonds in the minimum principal denominations of \$5,000 and in any whole multiple thereof. If the Series 2026 Bonds are issued to the Bond Bank, the denominations may be \$1,000, or such other amount as established by the City under the Loan Agreement with the Bond Bank. The Series 2026 Bonds shall be dated the date of issuance, and shall be numbered in numerical order from R-1 upwards in chronological order as issued.

The Series 2026 Bonds shall bear interest from the date of issuance, payable on each interest payment date as established in the Series Certificate. Interest shall be paid by the Trustee by check or draft mailed to the registered owner at the owner's address as it appears on the registration books kept pursuant to the Resolution. Interest may be paid directly by the City to the holder of the Series 2026 Bonds, with the City notifying the Trustee of each payment so made. The principal of and premium, if any, on the Series 2026 Bonds shall be payable at the corporate trust office of the Trustee or as may otherwise be specified in the Series Certificate.

The Series 2026 Bonds, registration provisions and forms of authentication and assignment pertaining thereto shall be in substantially the form set forth in Section 6 hereof, with necessary or appropriate variations, omissions and insertions which are incidental to their numbers, denominations, maturities, interest rates, paying agencies, registration provisions, redemption provisions and other details.

Section 4

Redemption of Series 2026 Bonds

The Series 2026 Bonds shall be subject to redemption, either in whole or in part, from moneys held in the Special Redemption Fund or from redemption at the option of the City; provided that the Series 2026 Bonds may be subject to such limitations and restrictions on redemption as the Chief Administrative Officer or the Director of Finance of the City and the Director of the Department of Public Works determine in their discretion and as provided in the Series Certificate.

The Series 2026 Bonds shall be subject to redemption prior to maturity, at the option of the City, either in whole or in part, at a redemption price of par plus accrued interest to the redemption date, on and after such date as provided in the Series Certificate.

The Series 2026 Bonds that are term bonds, unless called for redemption as provided above, shall be subject to scheduled mandatory redemption at the principal amount of the Series 2026 Bonds to be redeemed plus accrued interest to the date of redemption in the years and amounts as provided in the Series Certificate

Section 5

Notice of Redemption of Series 2026 Bonds

Notice of intention to redeem shall be given by the Trustee at least 30 days but not more than 60 days before the redemption date by mail, postage prepaid, to the owners of any Series 2026 Bonds which are to be redeemed. Failure to mail any such notice or any defect in such notice shall not affect the validity of the proceedings for such redemption with respect to the owners to whom such notice was so given. If any Series 2026 Bond is to be redeemed in part only, the notice of redemption shall state also that on or after the redemption date, upon surrender of such Bond, a new Series 2026 Bond or Bonds in principal amount equal to the unredeemed portion of such Bond and of the same series and maturity and bearing interest at the same rate will be issued.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the Trustee on or prior to the redemption date of moneys sufficient to pay the principal of and premium, if any, and interest on such Series 2026 Bonds to be redeemed and that if such moneys are not so received, such notice shall be of no force or effect and such Series 2026 Bonds shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay the principal of and premium, if any and interest on such Series 2026 Bonds are not received by the Trustee on or prior to the purported redemption date, the redemption shall not be made, and the Trustee shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.

If less than all of the Series 2026 Bonds of any one maturity shall be called for redemption, the particular Series 2026 Bonds or portions thereof to be redeemed shall be selected by the Trustee in such manner as the City in its discretion may determine; provided, however, that the portion of any Series 2026 Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Series 2026 Bonds for redemption, each Series 2026 Bond shall be considered as representing that number of Series 2026 Bonds which is obtained by dividing the principal amount of such Bond by \$5,000.

Section 6

Form of Series 2026 Bonds

The Series 2026 Bonds, registration, exchange and transfer provisions and forms of authentication and assignment pertaining thereto shall be in substantially the form set forth below, with necessary or appropriate variations, omissions and insertions which are incidental to their numbers, denominations, maturities, payment dates, interest rate and other details:

**THIS BOND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY OF
BURLINGTON, VERMONT BUT IS PAYABLE SOLELY FROM THE NET
REVENUES OF ITS WATERWORKS SYSTEM.**

No. R-

\$

UNITED STATES OF AMERICA
STATE OF VERMONT
CITY OF BURLINGTON WATERWORKS SYSTEM REVENUE BONDS
SERIES 2026

Maturity Date: [As set forth in the Series Certificate]
Interest Rate: _____ % Per annum
Bond Date: _____, 20____
Registered Owner: _____
Principal Amount: _____ Dollars
CUSIP: _____

The City of Burlington, Vermont (the “City”), for value received, promises to pay to the Registered Owner of this bond, or registered assigns, but solely from the Net Revenues provided under the Resolution mentioned in this bond, on the Maturity Date, the Principal Amount, upon presentation and surrender hereof, and to pay interest, but solely out of the Net Revenues, at the Interest Rate on such Principal Amount as follows:

[Insert Debt Service Schedule]

The principal or redemption price of and interest on this bond are payable in any coin or currency of the United States of America which at the time of payment is legal tender for public and private debts. The principal or redemption price of this bond shall be payable at the corporate trust office of Zions Bancorporation, National Association, in the City of Chicago, Illinois, the Trustee under the Resolution, or its successor in trust. Interest on this bond shall be payable by check or draft mailed to the Registered Owner at its address appearing on the registration books of the City kept for that purpose at the corporate trust office of the Trustee, determined as of the close of business on the applicable record date. The record date for payment of interest shall be the 15th day of the month next preceding the date on which the interest is to be paid or, if such 15th day is not a business day, the next preceding business day, provided that, with respect to overdue interest or interest payable on redemption of this bond other than on an interest payment date or interest on any overdue amount, the Trustee may establish a special record date. The special record date may not be more than 20 days before the date set for payment. The Trustee will give notice of a special record date by mailing a copy of such notice to the registered owners of all the Bonds outstanding at least 10 days before the special record date or in such other time and manner as the Trustee may deem appropriate.

This bond is one of a series of bonds aggregating One Million Eight Hundred Eight Thousand Dollars (\$1,808,000) in principal amount, issued by the City for the purposes of its

Water System pursuant to City Charter, Part I, Title III, Section 507, and a Resolution duly adopted by the City Council of the City on May 1, 2017 (as supplemented and amended by one or more supplemental resolutions including a supplemental resolution duly adopted by the City Council) (the “Resolution”). Bonds may be issued under the Resolution in one or more series from time to time. A portion of the series of bonds equaling _____ Dollars (\$_____) is issued by the City pursuant to 24 V.S.A. § 4755(a)(4)(D), which portion is expected to be forgiven upon completion of the projects funded by such portion of bonds and for which voter approval was not required.

This bond is issued pursuant to Section 507 of the City Charter and does not constitute general indebtedness of the City nor an obligation or liability upon the City to pay from any funds of the City other than the Net Revenues of the City’s Water System.

THE BONDS SHALL NOT CONSTITUTE A GENERAL OBLIGATION OF THE CITY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISION OR LIMITATION, BUT SHALL BE LIMITED OBLIGATIONS OF THE CITY PAYABLE SOLELY FROM, AND SECURED SOLELY BY, THE PLEDGE AND LIEN ON THE NET REVENUES SPECIFICALLY PLEDGED THERETO PURSUANT TO THE RESOLUTION. NEITHER THE FAITH AND CREDIT NOR THE TAXING POWER OF THE CITY, THE STATE OF VERMONT OR ANY OTHER POLITICAL SUBDIVISION THEREOF IS PLEDGED TO THE PAYMENT OF THE PRINCIPAL OR PREMIUM (IF ANY) ON THE BONDS AND NEITHER THE STATE OF VERMONT NOR ANY POLITICAL SUBDIVISION THEREOF, OTHER THAN THE CITY, SHALL BE OBLIGATED TO PAY THE PRINCIPAL OR PREMIUM (IF ANY) THEREON.

Reference is made to the Resolution (as supplemented and amended) for, among other things, definitions of terms; the nature and extent of the security for the Bonds; the covenants securing the Bonds; the properties constituting the Water System of the City; the manner of enforcement of the pledge; the terms and conditions upon which additional Bonds may be issued; the conditions upon which the Resolution may be amended or supplemented with and without the consent of the holders of the Bonds; acceleration of principal in the event of default; remedies and limitations of remedies; and the terms upon which Bonds may no longer be secured by the Resolution if sufficient moneys or specified securities are deposited with the Trustee in trust for their payment. Copies of the Resolution (including any supplemental resolutions) may be inspected at the office of the Chief Administrative Officer of the City and in the corporate trust office of the Trustee.

[The Bonds maturing on or after November 1, 20[] shall be subject to redemption prior to maturity, at the option of the City, on November 1, 20[], and on any date thereafter, either in whole or in part, at a redemption price of par plus accrued interest to the redemption date.

The Bonds maturing on November 1, 20[], unless called for redemption as provided above, shall be subject to scheduled mandatory redemption prior to maturity commencing November 1, 20[] and on each November 1 thereafter, in the years and in the principal amounts below, at a price equal to the principal amount to be redeemed plus accrued interest to the redemption date, but without premium:

November 1	Amount
[]	\$ []
[]*	[]

*Maturity

In the event this bond is called for redemption, notice shall be mailed not less than thirty (30) days prior to the redemption date, to the Registered Owner at the owner's address as shown on the books of registry. If this bond is of a denomination in excess of \$5,000, portions of the Principal Amount in the amount of \$5,000 or any multiple of \$5,000 may be redeemed. If less than all of the Principal Amount is to be redeemed, upon the surrender of this bond to the Trustee there shall be issued to the Registered Owner hereof at the corporate trust office of the Trustee, without charge, registered Bonds for the unredeemed balance of the Principal Amount. If this bond (or any portion) is duly called for redemption and notice is duly given, and if on or before the redemption date there are on deposit with the Trustee or any paying agent for this bond sufficient funds to pay the redemption price and the interest on the principal amount redeemed to the date of redemption, this bond (or the portion to be redeemed) shall become due and payable upon the redemption date and interest shall cease to accrue from and after the redemption date on the principal amount to be redeemed.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the Trustee on or prior to the redemption date of moneys sufficient to pay the principal of and premium, if any, and interest on such Bonds to be redeemed and that if such moneys are not so received, such notice shall be of no force or effect and such Bonds shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay the principal of and premium, if any and interest on such Bonds are not received by the Trustee on or prior to the purported redemption date, the redemption shall not be made, and the Trustee shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.] [This Bond is subject to prepayment at the City's option, without penalty]

The Bonds of this series are issuable as fully registered bonds in denominations of \$5,000 or any integral multiple in excess thereof.

This Bond is transferable, subject to the limitations and upon the payment of the charges, if any, provided in the Resolution, at the corporate trust office of the Trustee by the Registered Owner hereof in person or by the owner's attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Trustee duly executed by the Registered Owner or the owner's duly authorized attorney, and thereupon the City shall issue in the name of the transferee a new registered bond or bonds of the same aggregate principal amount and series, interest rate and maturity as the surrendered bond. This bond may also be exchanged, alone or with other Bonds of the same series, interest rate and maturity, at the corporate trust office of the Trustee, for a new Bond or Bonds of the same aggregate principal amount, series, interest rate and maturity, without transfer to a new registered owner, subject to the limitations and upon the payment of the charges, if any, provided in the Resolution.

The Bonds issued under the Resolution do not constitute an indebtedness of the City but are payable solely from and are equally and ratably secured by a pledge of the Net Revenues derived by the City from the ownership and operation of its Water System.

The terms and provisions of this Bond and definitions of certain terms used herein are continued on the reverse side hereof and such continued terms and provisions and definitions shall for all purposes have the same effect as though fully set forth at this place.

This Bond shall not be valid unless the Certificate of Authentication hereon is signed by the Trustee.

CITY OF BURLINGTON, VERMONT

By: _____
Chief Administrative Officer

(SEAL)

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the Resolution mentioned in the Bond.

Zions Bancorporation, N.A.,
as Trustee

Date of Authentication:

_____, 20____

By: _____

Authorized Signature

For value received the undersigned sells, assigns and transfers this bond to

(Name and Address of Assignee)

Social Security or Other Identifying Number of Assignee

and irrevocably appoints _____ attorney-in-fact to transfer it on the
books kept for registration of the bond, with full power of substitution.

NOTE: The signature of this assignment
must correspond with the name as written on
the face of the bond without alteration or
enlargement or other change.

Dated:

Signature Guaranteed:

Participant in a Recognized
Signature Guarantee Medallion Program

By: _____

Authorized Signature

[Statement of Insurance, if applicable]

[End of Bond Form]

-9-

Section 7
Disposition of Proceeds of Series 2026 Bonds

From the proceeds derived from the sale of the Series 2026 Bonds, there shall be deposited:

- (a) an amount, if any, required to be deposited in the Debt Service Reserve Fund in order to comply with the Debt Service Reserve Fund Requirement, taking into account the issuance of the Series 2026 Bonds, as set forth in the Series Certificate;
- (b) an amount equal to the premium for any credit enhancement purchased for any or all of the Series 2026 Bonds, if applicable, shall be paid to the provider of such credit enhancement in immediately available funds, as set forth in the Series Certificate; and
- (c) the balance in the Construction Fund to pay the costs of issuance of the Series 2026 Bonds and the Project Costs of the Projects.

The amounts provided under clause (c) may be invested in securities eligible for investment in the Construction Fund. Any earnings thereon shall be added thereto.

Section 8
Debt Service Reserve Fund

The Resolution requires that, at the time of issuance of each Series of Bonds, there shall be deposited, from the proceeds of such Series of Bonds or from other available funds, an amount necessary so that the total amount in the Debt Service Reserve Fund is not less than the Debt Service Reserve Fund Requirement (taking into account the issuance of the Additional Bonds). The Debt Service Reserve Fund Requirement is established as the lesser of (i) the maximum annual Debt Service on Outstanding Bonds during the then current or any future Fiscal Year, (ii) 125% of the average annual Debt Service on Outstanding Bonds, or (iii) 10% of the aggregate proceeds of all Outstanding Bonds upon original issuance thereof; provided, however, that in determining maximum annual Debt Service the City is not required to include the repurchase or redemption price of the Bonds subject to repurchase or redemption at the option of the Bondholder. A deposit of cash into the Debt Service Reserve Fund will occur upon the issuance of the Series 2026 Bonds, to the extent necessary to comply with the Debt Service Reserve Fund Requirement (taking into account the issuance of the Series 2026 Bonds). If the amount on deposit in the Debt Service Reserve Fund is less than the Debt Service Reserve Fund Requirement on the last day of any Fiscal Year, the City shall make up the deficiency from the Revenue Fund. If the amount in the Debt Service Reserve Fund is greater than the Debt Service Reserve Fund Requirement on the last day of any Fiscal Year, the excess shall be dealt with in the manner provided for earnings from investment of the Debt Service Reserve Fund.

Section 9
Renewal and Replacement Fund

The Renewal and Replacement Fund Requirement for the Series 2026 Bonds shall be maintained at \$100,000. The City shall, upon the issuance of the Series 2026 Bonds, deposit, from

cash on hand from Revenues, and not from proceeds of the Series 2026 Bonds, such cash as may be necessary into the Renewal and Replacement Fund so that the balance of such fund is at least \$100,000. In the event that, after the forgoing deposits have been made, there is a draw on the Renewal and Replacement Fund such that the amount on deposit is less than the Renewal and Replacement Fund Requirement, the City shall make the monthly deposits from Revenues as set forth in Section 5.5 of the General Bond Resolution.

Section 10 **Tax Exemption**

In the event that the City Chief Administrative Office designates the Series 2026 Bonds to be tax exempt under Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”), as set forth in the Series Certificate, the following covenant shall apply to the Series 2026 Bonds:

The City hereby covenants and agrees to take all lawful action necessary to ensure that interest on the Series 2026 Bonds will remain excluded from gross income for federal income tax purposes under the Code and to refrain from taking any action which would cause such interest to become includable in gross income under the Code. Without limiting the foregoing, to the extent required to maintain the exclusion of interest on the Series 2026 Bonds from gross income under the Code, the City will file any information report and pay any rebate due to the United States in connection with the issuance of the Series 2026 Bonds and will restrict yield on investments of the proceeds of the Series 2026 Bonds and of moneys held in funds and accounts under the Resolution and allocable to the Series 2026 Bonds, all in accordance with the directions of Bond Counsel to the City which may be given from time to time. The City’s Chief Administrative Officer, Director of Finance, and the Director of the Department of Public Works is hereby authorized and directed to execute and deliver from time to time, on behalf of the City, such certificates, instruments and documents as shall be deemed necessary or advisable to evidence compliance by the City with the Internal Revenue Code and the applicable regulations of the United States Treasury promulgated under the Internal Revenue Code, with respect to the investment and use of the proceeds of the Series 2026 Bonds.

Section 11 **Certain Findings and Determinations**

The City Council hereby finds and determines as follows:

(a) The City has previously issued the following bonds under the General Bond Resolution:

(i) \$3,250,000 Water System Revenue Bonds, Series 2017, issued on June 6, 2017;

(ii) \$2,000,000 Water System Revenue Bonds, Series 2018, issued on May 22, 2018;

(iii) \$2,000,000 Water System Revenue Bonds, Series 2018B, issued on November 28, 2018; and

(iv) \$1,571,022 Water System Revenue Bonds, Series 2022, issued on November 23, 2022.

(b) there are no outstanding bonds, notes or other evidence of indebtedness payable from and secured by a lien or charge upon the Net Revenues pledged under the Resolution other than the foregoing bonds and the prior obligations consisting of a note issued by the City to the Vermont Department of Environmental Conservation Clean Water State Revolving Fund in the original principal amount of \$228,006, which is payable from the Net Revenues pledged under the Resolution.

Section 12

Special Covenants

The City hereby covenants and agrees that the following provisions shall be in effect so long as the Series 2026 Bonds are Outstanding under the Resolution, provided that any or all of such provisions may be waived in accordance with the terms of Sections 9.1 and 9.2 of the General Bond Resolution:

(a) The City shall notify the Trustee of the proposed issuance of obligations supported by any inferior or subordinate pledge of Revenues; and

(b) The City shall proceed with due diligence to carry out and complete the Projects financed by the issuance of Bonds or, in the case of Bonds issued under Section 2.3(C) of the Resolution, to complete the work financed by the Bonds. Notwithstanding the foregoing, the City may discontinue a Project (or work financed under Section 2.3(C)) of the Resolution by written notice to the Trustee with a certificate of the Consulting Engineer stating that, by reason of change of circumstance not reasonably expected at the time of issuance of the Bonds, completion of the Project (or work) is no longer consistent with Prudent Utility Practice or, in the case of a jointly-owned Project, the Project may be discontinued as provided in the applicable ownership agreement. The moneys for the Project in the Construction Fund not needed to pay Project Costs of the Project (as determined by a certificate of the Consulting Engineer) shall be deposited, as the City shall determine, in the Renewal and Replacement Fund, the Construction Fund (for the purpose of paying Project Costs or Projects designated by the Issuer) or the Special Redemption Fund; provided, however, that if the moneys are not deposited in the Special Redemption Fund, the Issuer shall obtain an Opinion of Bond Counsel that such application will not adversely affect the tax status of any outstanding Bonds. Such opinion shall not be required if the applicable series of Bonds are not issued as tax-exempt obligations.

(c) Funds held in the General Fund may be invested in the same manner as provided for moneys held in the Revenue Fund.

Section 13

Bond Insurance

In the event that the Chief Administrative Officer or Director of Finance of the City and the Director of the Department of Public Works determine that it is in the best interest of the City to obtain bond insurance for the Series 2026 Bonds, the Chief Administrative Officer or Director of Finance of the City and the Director of the Department of Public Works may include provisions

in the Series Certificate as may be reasonably required by the Bond Insurer providing the Bond Insurance Policy to insure the payment of principal and interest on the Series 2026 Bonds (or any maturity thereof).

Section 14

Successor Trustee

The Chief Administrative Officer is hereby authorized to appoint a successor trustee to serve as Trustee under the General Bond Resolution. The Chief Administrative Officer is authorized to execute and deliver such further agreements and instruments as may be necessary in order to transfer the duties and responsibilities of the current Trustee to a successor trustee.

Section 15

Award of Bonds; Official Statement; Further Action

The City's Chief Administrative Officer, the City's Director of Finance, and the Director of Public Works are, and each of them hereby is, authorized either singly or together:

(a) to execute and deliver a loan application and a loan agreement with the Bond Bank for a loan from the State of Vermont under the Drinking Water State Revolving Loan Fund program, in such form as the signing officer shall approve;

(b) if the Series 2026 Bonds are not issued to the Bond Bank under the Drinking Water State Revolving Loan Fund program, to execute and deliver an underwriting agreement, bond purchase agreement, or contract of purchase negotiated with a financial institution engaged to underwrite, market and sell the Series 2026 Bonds (the "Underwriter") with respect to the Series 2026 Bonds, in such form as the signing officer shall approve;

(c) to prepare, make public, execute and deliver to and authorize distribution by the Underwriter to prospective purchasers and investors of a Preliminary Official Statement with respect to the Series 2026 Bonds;

(d) to prepare, make public, execute and deliver to and authorize distribution by the Underwriter to prospective purchasers and investors of an Official Statement and by making such other changes or corrections as the signing officer or officers may approve, such officer's or officers' execution to be conclusive evidence of such approval;

(e) if required in connection with the issuance of the Series 2026 Bonds, to execute and deliver a Continuing Disclosure Undertaking with respect to the Series 2026 Bonds, under which the City will be obligated to provide financial information, operating data and financial statements with respect to the City and the Water System, notice of certain events if material, and certain other notices, to nationally recognized municipal securities information repositories and others, all as described therein;

(f) execute a Series Certificate evidencing determinations or other actions taken pursuant to the authority granted hereby, and such Certificate shall be conclusive evidence of the action or determination of the Chief Administrative Officer or Director of Finance of the City and the Director of the Department of Public Works as stated therein, which Series Certificate shall

specify the following, which are to be determined in the discretion of the Chief Administrative Officer or Director of Finance of the City and the Director of the Department of Public Works, subject to the authorization and restrictions contained in this Resolution:

- i. To determine the aggregate principal amount of the Series 2026 Bonds, in an amount not to exceed the amount authorized under the section captioned, "Authorization" hereof, and to determine that the proceeds to be derived from the issuance of such Bonds, to set forth any amounts that are to be forgiven following completion of the Project, and to cause the execution and delivery of one or more debt instruments representing the same;
- ii. To determine the maturities, maturity amounts of each of the Series 2026 Bonds and interest payment dates of the Series 2026 Bonds, and the manner of payment to the Bond Bank is such bonds are issued to the Bond Bank under the Drinking Water State Revolving Loan Fund program;
- iii. To determine which Series 2026 Bonds are to be designated as Serial Bonds and which Series 2026 Bonds are to be designated as Term Bonds, and to determine the sinking fund requirements for any such term Bonds;
- iv. To determine the interest rate or rates for the Series 2026 Bonds; provided, however, that if the average true interest cost rate on the Series 2026 Bonds is to exceed **4.50%**, the issuance and sale of the Series 2026 Bonds shall be subject to the approval of the City's Board of Finance;
- v. To determine the redemption provisions of the Series 2026 Bonds in accordance with the provisions of Section 4 and Section 5 hereof,
- vi. To determine if the Series 2026 Bonds are to be issued as tax-exempt obligations;
- vii. To determine the dated date of the Series 2026 Bonds;
- viii. To determine the date or dates of sale and issuance of the Series 2026 Bonds;
- ix. To determine whether the Series 2026 Bonds, or any portion thereof, shall benefit from the issuance of an insurance policy or other form of credit enhancement; provided, however, that in making such determination, Chief Administrative Officer or Director of Finance of the City and the Director of the Department of Public Works shall be entitled to rely upon a certificate or certificates of the Underwriter to the effect that the present value of the premium paid to obtain the such credit enhancement is less than the present value of the interest reasonably expected to be saved as a result of having such enhancement, using the yield on the Series 2026 Bonds (determined with regard to the premium paid for the such enhancement) as the discount rate for this purpose;
- x. If a form of credit enhancement supports the payment of the principal of and interest on all or a portion of the Series 2026 Bonds, to accept provisions which are a condition precedent to the issuance of the form of credit enhancement to the extent such provisions are not inconsistent with the Bond Resolution;
- xi. To provide for the establishment of a separate account to be maintained in the Debt Service Reserve Fund to secure the Series 2026 Bonds and the manner in which it shall be funded, all in accordance with Section 5.4 of the Resolution, or to

determine that the Debt Service Reserve Fund shall not secure the Series 2026 Bonds and waive the Debt Service Reserve Fund Requirement with respect to the Series 2026 Bonds;

- xii. If the Series 2026 Bonds are issued to the Bond Bank for a loan from the State of Vermont under the Drinking Water State Revolving Loan Fund, to provide for direct payment of principal and interest to the Bond bank as the holder of the Series 2026 Bonds;
- xiii. If the Series 2026 Bonds are issued to the Bond Bank for a loan from the State of Vermont under the Drinking Water State Revolving Loan Fund, to determine what principal amount of the Series 2026 Bonds may be issued subject to debt forgiveness without voter approval pursuant to 24 V.S.A. § 4755(a)(4)(D); and

(g) to execute such other documents, enter into such covenants and take such other actions as are necessary or advisable to effect the issuance and delivery of the Series 2026 Bonds, the loan from the Bond Bank under the Drinking Water State Revolving Loan Fund, and the application of the proceeds thereof in accordance with the provisions of this Supplemental Resolution.



MEMORANDUM

TO: Board of Finance / City Council

FROM: Martin Lee, PE DPW Water Resources Engineering Manager
Mary Bourque, PE DPW Water Resources Engineer

CC: Chapin Spencer, DPW Director
Megan Moir, Division Director Water Resources

DATE: November 17, 2025 Board of Finance
December 1, 2025 City Council

RE: 2026 Water Distribution Improvements – Step III DWSRF Loan Application

REQUEST

The Department of Public Works (“DPW”) and its Water Resources Division (WRD) seeks authorization, through the attached resolution, to apply for a Drinking Water State Revolving Fund (“DWSRF”) loan amount of \$1,808,000 for 2026 Water Distribution Improvements and to designate the Mayor and appropriate City staff to execute associated documents.

INTRODUCTION:

The 2026 Water Distribution Improvements project includes approximately 2,500 feet of pipe replacement in the following locations:

- Pine Street from Home Avenue south to the Champlain Parkway project limits
- Summit Street between Main Street and Maple Street
- Bennington Court

These locations and the final timing will continue to be coordinated with DPW Technical Services that oversees the paving program. Bennington Court must be completed in calendar year 2026, but the other two projects can potentially be completed later (2027) to allow for improved contractor pricing based on contractor availability. However, the intent is to bid the project as a package. The portion of Pine Street that has water main replacement will receive full width paving as part of the same contract. The full width paving will be funded by Street Capital funds which are not detailed in this memo because the paving funding source will be specified in a City Council memo once construction bids are received. Bennington Court and Summit Street also have full width paving planned by Technical Services in the near future but the full width paving will be part of the City’s paving contract.

The water main rehabilitation work will be funded from the 2025 voter approved WATER bond Sustainable Infrastructure Plan. There is \$7,250,000 set aside for water main renewal work. The scope of work detailed in this memo would be the first draw on the voter approved WATER bond for water main renewal work. More information about the Sustainable Infrastructure Plan is here:

<https://www.burlingtonvt.gov/885/2025-Bonds>

Burlington's water main renewal (replacement or relining) is guided by asset management decision making. Factors that guide the selection of water main renewal projects include: coordination of subsurface improvements in advance of other capital projects such as street paving, age of pipe, break history on specific pipes, and criticality of pipes to the larger drinking water distribution system. The water mains selected for renewal in the asset management plan are regularly reviewed and updated to help minimize risk within available funding. The method of water main renewal (replacement or relining) is project specific. Whereas water main relining was once more cost effective (50 year increase in useful life at a lower cost than open dig replacement), the cost savings are now not as significant. As such, when feasible, replacement of water mains is preferred because it provides a an even more robust product with a longer estimated useful life and in most cases a long-term life cycle analysis shows pipe replacement is more cost effective. Relining water mains has proven very useful for projects with limited space and will continue to be an option in Burlington. Renewing Burlington's aging water mains is an ongoing process that happens incrementally and additional bond funding will be requested to sustain the continual pipe renewal projects.

In order to reduce rate payer impacts DPW Water Resources is planning on using a Drinking Water State Revolving Fund ("DWSRF") Loan. The DWSRF carries specific requirements during the procurement, design, and construction phases of projects. While this adds some time and effort on the front end, it is balanced by the lower cost (up to 2% administrative fee and up to 1% interest rate), the ability to extend repayment out to 30 years and a delayed repayment period (1 year from the completion of construction) which gives us some flexibility in budgeting for debt service. These benefits will result in mitigated rate increases for our residents and customers.

This memo seeks approval to submit a loan application to the DWSRF program to cover up to \$1,808,000 of the water distribution construction costs. This project is close to being competitively bid for construction. DPW is seeking to apply for this loan now based on recommendation from the State because the project is close to being competitively bid for construction and because loan processing timelines can be long. The final loan amount will be based on the final cost of the project (within the loan limit).

Construction contractor procurement will start once the State has confirmed the project can be publicly advertised. Some of the steps required prior to advertising the project include ensuring a Water Construction Permit is in place and all necessary environmental reviews are complete. We will return to Board of Finance and City Council to seek approval to execute construction contracts after project bids are received.

Separately, Water Resources is close to advancing procurement of a resident engineering consultant to provide construction support for the project that will be eligible for loan funding (see project cost and loan summary below). The current budget for engineering services, including billable City staff engineering support, is a not to exceed value of \$225,000. As such, the contract falls within Mayoral approval threshold and is not anticipated to require Board of Finance or Council approval. As with all contracts greater than \$50,000, it will be posted on the [Purchase Tracking Page](#).

PROJECT COST AND LOAN SUMMARY:

The following summary table outlines the costs that comprise the total DWSRF Loan amounts for which we are seeking approval. DPW engineering project management time is eligible for loan reimbursement. We plan on leveraging this opportunity in select circumstances. We have estimated not-to-exceed (NTE) values for our loan applications to ensure there is contingency to make reasonable scope of work adjustments during the final review of the scope by the State and during the bid process.

2026 Water Distribution Improvements Project

Item	Estimated Costs	Loan Type
Step III: Force Account Engineering	\$225,000 combined value of force account engineering and consultant*	TOTAL NTE \$1,808,000**
Step III: Resident Engineering Consultant		
Step III: Construction Cost Estimate with 20% Contingency	\$1,583,000	

*The combined value of force account engineering and the consultant is based on the State engineering fee curve. We are seeking approval to sign a contract with a consultant up to the maximum amount allowed by the fee curve to provide flexibility in the resolution. The final consultant contract amount will be determined after the consultant is procured in accordance with the City purchasing policy. Force account engineering will be a value within the balance of the fee curve to maximize DWSRF borrowing for eligible expenses.

**Seeking approval from City Council for the NTE DWSRF loan \$1,808,000.

The next step in advancing the project is obtaining approval from the Board of Finance and City Council to pursue the various steps in applying for and executing the associated DWSRF Loan.

The annual debt service, which starts the fiscal year after the completion of construction, is estimated to be \$80,816¹ a year, not including the benefit of any potential construction subsidy. The 5-year Water Resources Rate Plan presented as part of the [2025 LAKE and WATER bonds](#) included this borrowing and the estimated rate increases needed for repayment of this project starting as early as FY27.

¹ Using most recent DWSRF issuance borrowing terms of 2% administrative fee, 0% interest, payable over 30 years.

ATTACHMENTS:

- Attachment A: Resolution with Supplemental Bond Resolution No. 6 attached

MOTIONS:

The Department of Public Works' Water Resources Division respectfully requests that the Board of Finance and City Council approve the following motions:

Board of Finance Actions:

1. "To approve and recommend that the City Council waive the reading and adopt the attached resolution authorizing a Step III \$1,808,000 loan from the Vermont Drinking Water State Revolving Fund for the construction of 2026 Water Distribution Improvements as more specifically set forth in the attached resolutions."

City Council Actions:

2. "To waive the reading and to adopt the attached resolution authorizing a Step III \$1,808,000 loan from the Vermont Drinking Water State Revolving Fund for the construction of 2026 Water Distribution Improvements as more specifically set forth in the attached resolutions."

Thank you for your consideration of this request.

Board of Finance and City Council Submission Checklist

Version: April 2025

Department: DPW-Water Resources Submitter: Martin Lee

Title/Subject: 2026 Water Distribution Improvements – Step III DWSRF Loan Application

Approval Requested:	Meeting Date:
☒ Board of Finance	11/17/2025
☒ City Council	12/1/2025
☐ Both BOF and Council	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	11/10/2025	Chapin Spencer
Mayor's Office	Yes	11/12/2025	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	11/12/2025	Erik Ramakrishnan
City Attorney's Office for memo and motion(s) or resolution(s)	Yes	11/12/2025	Erik Ramakrishnan
CAO for budget, financing, and memo	Yes	11/12/2025	Katherine Schad
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.

Resolution Relating to

**AUTHORIZATION FOR \$1,808,000 CONSTRUCTION
LOAN FROM VERMONT DRINKING WATER STATE
REVOLVING FUND FOR UPGRADE OF DISTRIBUTION
SYSTEM**

RESOLUTION 5.17

Sponsor(s): Board of Finance

Introduced: 12/01/25

Referred to: _____

Action: adopted

Date: 12/01/25

Signed by Mayor: 12/03/25

CITY OF BURLINGTON

In the year Two Thousand Twenty-Five

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

1 That WHEREAS, the State of Vermont Drinking Water State Revolving Fund (SRF) provides loans for
2 planning (Step I), final design (Step II) and construction (Step III) of municipal water projects; and

3 WHEREAS, the City has determined the need to continue to replace and modernize sections of the
4 City distribution system (the "Project") to reduce frequency of water main breaks and ensure adequate water
5 supply and water quality for the City water users; and

6 WHEREAS, on March 4, 2025, the voters of the City of Burlington authorized the issuance of
7 Revenue Bonds of up to \$20,000,000 to provide for the financing of capital additions and improvements to the
8 waterworks system including capital improvements to the City's underground pipe and water distribution
9 systems, water mains, services, valves and hydrants; and

10 WHEREAS, no bonds from such authorization have been previously issued; and

11 WHEREAS, the standard SRF terms for projects of this type completing construction (Step III) are up
12 to 30 years of repayment starting one year after completion of construction with up to a 1% interest rate and
13 up to a 2% admin fee; and

14 WHEREAS, a Water System Revenue General Bond Resolution, authorizing the issuance of revenue
15 bonds for the City's Water system was adopted by the City Council on May 1, 2017; and

16 WHEREAS, the Water System General Bond Resolution provides for a pledge of the Net Revenues of
17 the City's Water system for all bonds and notes and obligations incurred under such Water System General
18 Bond Resolution; and

19 WHEREAS, a Supplemental Resolution No. 6 providing for the issuance additional Waterworks
20 System Revenue Bonds in the principal amount not to exceed \$1,808,000 has been prepared for approval to
21 specifically authorize this loan and is attached hereto;

22 NOW, THEREFORE, BE IT RESOLVED that the City Council approves and authorizes the Director of
23 Public Works, or their designee, to complete the Construction Loan Application for Revolving Loan Funds
24 under 24 V.S.A. Chapter 120 and to apply to the Vermont Drinking Water State Revolving Fund and Vermont
25 Municipal Bond Bank (the "Bank") for financing of a Loan in a principal amount not to exceed \$1,808,000 (the

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DISTRIBUTION:

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

ORIGINAL

RESOLUTION RELATING TO

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Adopted by the City Council

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

..... Clerk

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

..... Mayor

Vol. Page

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AUTHORIZATION FOR \$1,808,000 CONSTRUCTION LOAN FROM
VERMONT DRINKING WATER STATE REVOLVING FUND FOR
UPGRADE OF DISTRIBUTION SYSTEM

“Loan”) subject to final review and approval by the Chief Administrative Officer, Director of Finance and City Attorney; and

BE IT FURTHER RESOLVED that the City Council approves and adopts the attached Supplemental Resolution No.6, attached hereto and incorporated herein, providing for notes and bonds to be issued for the Loan with the repayment of such Loans secured and repaid from the Net Revenues of the Water System as provided in such Supplemental Resolution No. 6; and

BE IT FURTHER RESOLVED that the City Council authorizes the Mayor, Chief Administrative Officer and Director of Finance are, and each one of them is, hereby authorized and empowered to execute and deliver: (i) a loan agreement with the Bank to evidence the Loan and the repayment thereof; (ii) one or more bonds or promissory notes in the principal amount of the Loan; (iii) such documents and instruments as the Bank may request in connection with the Loan, in such form and with such terms as they deem necessary and in the City’s best interest; and (iv) such other documents and instruments necessary or convenient in connection with the Loan, all subject to the prior review and approval of the City Attorney’s Office; and

BE IT FURTHER RESOLVED that the City Council designates the following City staff members as alternate authorized representatives of the Project with authority to execute administrative or reimbursement documents (and other ancillary documents other than the loan application or loan agreements): (i) Water Resources Division Director, Megan Moir.

TM/Resolutions 2025/Authorization for \$1,808,000 Construction Loan from Vermont Drinking Water State Revolving Fund for Upgrade of Distribution System
11/13/25

* * * * *

DISTRIBUTION:

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

DPW/Water Resources

ORIGINAL

RESOLUTION RELATING TO

Authorization For \$1,808,000 Construction Loan From Vermont Drinking Water State
Revolving Fund For Upgrade Of Distribution System

Adopted by the City Council

December 1....., 20 25

Bobby W. King..... Clerk

Approved..... Dec 3, 20 25

Lori Olberg..... Mayor

Vol. Page

Attest:
Lori Olberg
Lori Olberg
Council and Licensing Coordinator

* * * * *

CITY OF BURLINGTON, VERMONT

City Council

SUPPLEMENTAL RESOLUTION NO. 6

Be it Resolved by the City Council of the City of Burlington, Vermont (the “City”) as follows:

Section 1
Authorization

The City Council of the City of Burlington (the “City Council”) hereby authorizes the issuance of revenue bonds and notes in an aggregate principal amount not to exceed **\$1,808,000** to (i) provide for the financing of capital additions and improvements to the waterworks system (the “Water System”), including the City’s underground pipe and water distribution system, water mains, services, valves and hydrants (the “Project”), with the expectation that portion of the Series 2026 Bonds will receive debt forgiveness if certain conditions are met, and (ii) if necessary, to fund a debt service reserve fund and to pay costs of issuance of such revenue bonds. The City Council deems the issuance of revenue bonds and notes as hereby authorized to be in the public interest. At the Annual Meeting of the City, held March 4, 2025, the voters of the City authorized the issuance of Revenue Bonds in one or more series in a combined aggregate amount not to exceed \$20,000,000 to finance and carry out such capital improvements to the Water System.

The Waterworks System Revenue Bonds, Series 2026 (the “Series 2026 Bonds”) are to be issued pursuant to the General Bond Resolution dated May 1, 2017 (as amended and supplemented, the “General Bond Resolution”) and this Supplemental Resolution. It is presently estimated that the aggregate principal amount to be issued for the purpose of financing the Project is not to exceed \$1,808,000, a portion of which is expected to be fully forgiven following completion of such Project. Pursuant to 24 V.S.A. § 4755(a)(4)(D), the City is permitted to incur debt without the need for voter approval for municipal clean water and public water supply projects receiving loan forgiveness, provided that the amount of debt incurred does not exceed the amount to be forgiven or cancelled upon completion of the Project. Accordingly, the final principal amount of the Series 2026 Bonds and the amount of indebtedness to be forgiven are to be set forth in the Series Certificate (as defined herein). It is further estimated that the Series 2026 Bonds will be payable by serial maturities, sinking fund installments, term bonds, or a combination thereof, in the years 2026 through 2056, both dates being approximate.

It is expected that the Series 2026 Bonds will be issued to the Vermont Municipal Bond Bank (the “Bond Bank”) through the State of Vermont Drinking Water State Revolving Loan Fund (DWSRF). The Series 2026 Bonds may be issued through a public offering in the event the City Chief Administrative Officer determines that such a public offering would be more advantageous to the City than the sale to the Bond Bank.

The City Council has determined to issue such bonds pursuant to Sections 2.1, 2.2, and 2.3 of the Bond Resolution as revenue bonds payable and secured and having such terms and details as provided in the Bond Resolution, this Supplemental Resolution No. 6 (this “Supplemental

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

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Vol., Page

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Resolution”) and a series certificate to be delivered by the City’s Chief Administrative Officer or the City’s Director of Finance and the Director of the Department of Public Works (the “Series Certificate”) to be delivered prior to the issuance of the Series 2026 Bonds as hereinafter provided.

By adoption of the Series Certificate to be delivered by the City’s Chief Administrative Officer or the City’s Director of Finance and the Director of Public Works at the time of and in connection with the sale of the Series 2026 Bonds, the City shall award the Series 2026 Bonds to the Bond Bank or the purchaser thereof, as the case may be, and shall complete this supplemental resolution by establishing the dates, maturities, principal amounts, amount of loan forgiveness, interest rates, interest payment dates, redemption provisions, the amounts of proceeds of the Series 2026 Bonds and Revenues, if any, to be deposited in the Debt Service Reserve Fund and/or the Renewal and Replacement Fund, the inclusion of provisions for bond insurance, and any other terms and provisions which do not materially alter the substance of the transaction authorized hereby, all of which are to be determined by and in the discretion of the City’s Chief Administrative Officer or the City’s Director of Finance and the Director of Public Works and set forth in the Series Certificate; provided, however, that if the average true interest cost rate on the Series 2026 Bonds, as determined by the Chief Administrative Officer, is to exceed **4.50%**, the issuance and sale of the Series 2026 Bonds shall be subject to the approval of the City’s Board of Finance.

Section 2

Definitions

Unless the context clearly indicates some other meaning, the terms used in this Supplemental Resolution that are defined in the General Bond Resolution, have the same meaning in this Supplemental Resolution as in the General Bond Resolution. The General Bond Resolution as amended or supplemented from time to time by Supplemental Resolutions is hereinafter referred to as the “Resolution.”

The following terms shall have the following meanings in this Supplemental Resolution unless the context otherwise requires:

“Bond Insurer” means, if the Series 2026 Bonds are to be insured, such Bond Insurer as identified in the Series Certificate.

“Bond Insurance Policy” shall mean such financial guaranty insurance policy, if any, as may be designated in the Series Certificate for the Series 2026 Bonds.

“Series Certificate” shall have the meaning given in Section 1 of this Supplemental Resolution.

Section 3

Authorization of Series 2026 Bonds

There is hereby authorized to be issued a Series of Bonds designated “Waterworks System Revenue Bonds, Series 2026” in the total principal amount not to exceed ONE MILLION EIGHT HUNDRED EIGHT THOUSAND DOLLARS (**\$1,808,000.00**), with the principal amount and the amount of any loan forgiveness as determined by the City’s Chief Administrative Officer or the

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City's Director of Finance and the Director of the Department of Public Works and set forth in the Series Certificate. The Series 2026 Bonds shall be issued to provide for the financing of capital additions and improvements to the Water System, including (i) capital improvements to the City's underground pipe and water distribution system, water mains, services, valves and hydrants, and (ii) if necessary and as may be set forth in the Series Certificate, to fund a debt service reserve fund and to pay costs of issuance of such revenue bonds. The Series 2026 Bonds shall bear interest at the rates per annum and shall be payable in principal installments on November 1 (or such other dates) in each of the years and in the principal amounts as determined by the Chief Administrative Officer or Director of Finance of the City and the Director of the Department of Public Works and as provided in the Series Certificate. The Series 2026 Bonds may include Series Bonds and Term Bonds as provided in the Series Certificate.

The Series 2026 Bonds shall be issued only as fully-registered bonds in the minimum principal denominations of \$5,000 and in any whole multiple thereof. If the Series 2026 Bonds are issued to the Bond Bank, the denominations may be \$1,000, or such other amount as established by the City under the Loan Agreement with the Bond Bank. The Series 2026 Bonds shall be dated the date of issuance, and shall be numbered in numerical order from R-1 upwards in chronological order as issued.

The Series 2026 Bonds shall bear interest from the date of issuance, payable on each interest payment date as established in the Series Certificate. Interest shall be paid by the Trustee by check or draft mailed to the registered owner at the owner's address as it appears on the registration books kept pursuant to the Resolution. Interest may be paid directly by the City to the holder of the Series 2026 Bonds, with the City notifying the Trustee of each payment so made. The principal of and premium, if any, on the Series 2026 Bonds shall be payable at the corporate trust office of the Trustee or as may otherwise be specified in the Series Certificate.

The Series 2026 Bonds, registration provisions and forms of authentication and assignment pertaining thereto shall be in substantially the form set forth in Section 6 hereof, with necessary or appropriate variations, omissions and insertions which are incidental to their numbers, denominations, maturities, interest rates, paying agencies, registration provisions, redemption provisions and other details.

Section 4 **Redemption of Series 2026 Bonds**

The Series 2026 Bonds shall be subject to redemption, either in whole or in part, from moneys held in the Special Redemption Fund or from redemption at the option of the City; provided that the Series 2026 Bonds may be subject to such limitations and restrictions on redemption as the Chief Administrative Officer or the Director of Finance of the City and the Director of the Department of Public Works determine in their discretion and as provided in the Series Certificate.

The Series 2026 Bonds shall be subject to redemption prior to maturity, at the option of the City, either in whole or in part, at a redemption price of par plus accrued interest to the redemption date, on and after such date as provided in the Series Certificate.

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Vol. Page

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The Series 2026 Bonds that are term bonds, unless called for redemption as provided above, shall be subject to scheduled mandatory redemption at the principal amount of the Series 2026 Bonds to be redeemed plus accrued interest to the date of redemption in the years and amounts as provided in the Series Certificate

Section 5

Notice of Redemption of Series 2026 Bonds

Notice of intention to redeem shall be given by the Trustee at least 30 days but not more than 60 days before the redemption date by mail, postage prepaid, to the owners of any Series 2026 Bonds which are to be redeemed. Failure to mail any such notice or any defect in such notice shall not affect the validity of the proceedings for such redemption with respect to the owners to whom such notice was so given. If any Series 2026 Bond is to be redeemed in part only, the notice of redemption shall state also that on or after the redemption date, upon surrender of such Bond, a new Series 2026 Bond or Bonds in principal amount equal to the unredeemed portion of such Bond and of the same series and maturity and bearing interest at the same rate will be issued.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the Trustee on or prior to the redemption date of moneys sufficient to pay the principal of and premium, if any, and interest on such Series 2026 Bonds to be redeemed and that if such moneys are not so received, such notice shall be of no force or effect and such Series 2026 Bonds shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay the principal of and premium, if any and interest on such Series 2026 Bonds are not received by the Trustee on or prior to the purported redemption date, the redemption shall not be made, and the Trustee shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.

If less than all of the Series 2026 Bonds of any one maturity shall be called for redemption, the particular Series 2026 Bonds or portions thereof to be redeemed shall be selected by the Trustee in such manner as the City in its discretion may determine; provided, however, that the portion of any Series 2026 Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Series 2026 Bonds for redemption, each Series 2026 Bond shall be considered as representing that number of Series 2026 Bonds which is obtained by dividing the principal amount of such Bond by \$5,000.

Section 6

Form of Series 2026 Bonds

The Series 2026 Bonds, registration, exchange and transfer provisions and forms of authentication and assignment pertaining thereto shall be in substantially the form set forth below, with necessary or appropriate variations, omissions and insertions which are incidental to their numbers, denominations, maturities, payment dates, interest rate and other details:

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

..... Mayor

Vol. Page

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**THIS BOND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY OF
BURLINGTON, VERMONT BUT IS PAYABLE SOLELY FROM THE NET
REVENUES OF ITS WATERWORKS SYSTEM.**

No. R-

\$

UNITED STATES OF AMERICA
STATE OF VERMONT
CITY OF BURLINGTON WATERWORKS SYSTEM REVENUE BONDS
SERIES 2026

Maturity Date: [As set forth in the Series Certificate]
Interest Rate: _____ % Per annum
Bond Date: _____, 20____
Registered Owner:
Principal Amount: _____ Dollars
CUSIP: _____

The City of Burlington, Vermont (the "City"), for value received, promises to pay to the Registered Owner of this bond, or registered assigns, but solely from the Net Revenues provided under the Resolution mentioned in this bond, on the Maturity Date, the Principal Amount, upon presentation and surrender hereof, and to pay interest, but solely out of the Net Revenues, at the Interest Rate on such Principal Amount as follows:

[Insert Debt Service Schedule]

The principal or redemption price of and interest on this bond are payable in any coin or currency of the United States of America which at the time of payment is legal tender for public and private debts. The principal or redemption price of this bond shall be payable at the corporate trust office of Zions Bancorporation, National Association, in the City of Chicago, Illinois, the Trustee under the Resolution, or its successor in trust. Interest on this bond shall be payable by check or draft mailed to the Registered Owner at its address appearing on the registration books of the City kept for that purpose at the corporate trust office of the Trustee, determined as of the close of business on the applicable record date. The record date for payment of interest shall be the 15th day of the month next preceding the date on which the interest is to be paid or, if such 15th day is not a business day, the next preceding business day, provided that, with respect to overdue interest or interest payable on redemption of this bond other than on an interest payment date or interest on any overdue amount, the Trustee may establish a special record date. The special record date may not be more than 20 days before the date set for payment. The Trustee will give notice of a special record date by mailing a copy of such notice to the registered owners of all the Bonds outstanding at least 10 days before the special record date or in such other time and manner as the Trustee may deem appropriate.

This bond is one of a series of bonds aggregating One Million Eight Hundred Eight Thousand Dollars (\$1,808,000) in principal amount, issued by the City for the purposes of its

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..... Clerk

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

..... Mayor

Vol. Page

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Water System pursuant to City Charter, Part I, Title III, Section 507, and a Resolution duly adopted by the City Council of the City on May 1, 2017 (as supplemented and amended by one or more supplemental resolutions including a supplemental resolution duly adopted by the City Council) (the “Resolution”). Bonds may be issued under the Resolution in one or more series from time to time. A portion of the series of bonds equaling _____ Dollars (\$ _____) is issued by the City pursuant to 24 V.S.A. § 4755(a)(4)(D), which portion is expected to be forgiven upon completion of the projects funded by such portion of bonds and for which voter approval was not required.

This bond is issued pursuant to Section 507 of the City Charter and does not constitute general indebtedness of the City nor an obligation or liability upon the City to pay from any funds of the City other than the Net Revenues of the City’s Water System.

THE BONDS SHALL NOT CONSTITUTE A GENERAL OBLIGATION OF THE CITY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISION OR LIMITATION, BUT SHALL BE LIMITED OBLIGATIONS OF THE CITY PAYABLE SOLELY FROM, AND SECURED SOLELY BY, THE PLEDGE AND LIEN ON THE NET REVENUES SPECIFICALLY PLEDGED THERETO PURSUANT TO THE RESOLUTION. NEITHER THE FAITH AND CREDIT NOR THE TAXING POWER OF THE CITY, THE STATE OF VERMONT OR ANY OTHER POLITICAL SUBDIVISION THEREOF IS PLEDGED TO THE PAYMENT OF THE PRINCIPAL OR PREMIUM (IF ANY) ON THE BONDS AND NEITHER THE STATE OF VERMONT NOR ANY POLITICAL SUBDIVISION THEREOF, OTHER THAN THE CITY, SHALL BE OBLIGATED TO PAY THE PRINCIPAL OR PREMIUM (IF ANY) THEREON.

Reference is made to the Resolution (as supplemented and amended) for, among other things, definitions of terms; the nature and extent of the security for the Bonds; the covenants securing the Bonds; the properties constituting the Water System of the City; the manner of enforcement of the pledge; the terms and conditions upon which additional Bonds may be issued; the conditions upon which the Resolution may be amended or supplemented with and without the consent of the holders of the Bonds; acceleration of principal in the event of default; remedies and limitations of remedies; and the terms upon which Bonds may no longer be secured by the Resolution if sufficient moneys or specified securities are deposited with the Trustee in trust for their payment. Copies of the Resolution (including any supplemental resolutions) may be inspected at the office of the Chief Administrative Officer of the City and in the corporate trust office of the Trustee.

[The Bonds maturing on or after November 1, 20[] shall be subject to redemption prior to maturity, at the option of the City, on November 1, 20[], and on any date thereafter, either in whole or in part, at a redemption price of par plus accrued interest to the redemption date.

The Bonds maturing on November 1, 20[], unless called for redemption as provided above, shall be subject to scheduled mandatory redemption prior to maturity commencing November 1, 20[] and on each November 1 thereafter, in the years and in the principal amounts below, at a price equal to the principal amount to be redeemed plus accrued interest to the redemption date, but without premium:

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Vol. Page

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November 1	Amount
[]	\$ []
[]*	[]

*Maturity

In the event this bond is called for redemption, notice shall be mailed not less than thirty (30) days prior to the redemption date, to the Registered Owner at the owner's address as shown on the books of registry. If this bond is of a denomination in excess of \$5,000, portions of the Principal Amount in the amount of \$5,000 or any multiple of \$5,000 may be redeemed. If less than all of the Principal Amount is to be redeemed, upon the surrender of this bond to the Trustee there shall be issued to the Registered Owner hereof at the corporate trust office of the Trustee, without charge, registered Bonds for the unredeemed balance of the Principal Amount. If this bond (or any portion) is duly called for redemption and notice is duly given, and if on or before the redemption date there are on deposit with the Trustee or any paying agent for this bond sufficient funds to pay the redemption price and the interest on the principal amount redeemed to the date of redemption, this bond (or the portion to be redeemed) shall become due and payable upon the redemption date and interest shall cease to accrue from and after the redemption date on the principal amount to be redeemed.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the Trustee on or prior to the redemption date of moneys sufficient to pay the principal of and premium, if any, and interest on such Bonds to be redeemed and that if such moneys are not so received, such notice shall be of no force or effect and such Bonds shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay the principal of and premium, if any and interest on such Bonds are not received by the Trustee on or prior to the purported redemption date, the redemption shall not be made, and the Trustee shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.] [This Bond is subject to prepayment at the City's option, without penalty]

The Bonds of this series are issuable as fully registered bonds in denominations of \$5,000 or any integral multiple in excess thereof.

This Bond is transferable, subject to the limitations and upon the payment of the charges, if any, provided in the Resolution, at the corporate trust office of the Trustee by the Registered Owner hereof in person or by the owner's attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Trustee duly executed by the Registered Owner or the owner's duly authorized attorney, and thereupon the City shall issue in the name of the transferee a new registered bond or bonds of the same aggregate principal amount and series, interest rate and maturity as the surrendered bond. This bond may also be exchanged, alone or with other Bonds of the same series, interest rate and maturity, at the corporate trust office of the Trustee, for a new Bond or Bonds of the same aggregate principal amount, series, interest rate and maturity, without transfer to a new registered owner, subject to the limitations and upon the payment of the charges, if any, provided in the Resolution.

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Vol. Page

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The Bonds issued under the Resolution do not constitute an indebtedness of the City but are payable solely from and are equally and ratably secured by a pledge of the Net Revenues derived by the City from the ownership and operation of its Water System.

The terms and provisions of this Bond and definitions of certain terms used herein are continued on the reverse side hereof and such continued terms and provisions and definitions shall for all purposes have the same effect as though fully set forth at this place.

This Bond shall not be valid unless the Certificate of Authentication hereon is signed by the Trustee.

CITY OF BURLINGTON, VERMONT

By: _____
Chief Administrative Officer

(SEAL)

* * * * *

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CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the Resolution mentioned in the Bond.

Zions Bancorporation, N.A.,
as Trustee

Date of Authentication:

_____, 20 ____

By: _____
Authorized Signature

For value received the undersigned sells, assigns and transfers this bond to

(Name and Address of Assignee)

Social Security or Other Identifying Number of Assignee

and irrevocably appoints _____ attorney-in-fact to transfer it on the
books kept for registration of the bond, with full power of substitution.

NOTE: The signature of this assignment
must correspond with the name as written on
the face of the bond without alteration or
enlargement or other change.

Dated:

Signature Guaranteed:

Participant in a Recognized
Signature Guarantee Medallion Program

By: _____
Authorized Signature

[Statement of Insurance, if applicable]

[End of Bond Form]

-9-

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Section 7
Disposition of Proceeds of Series 2026 Bonds

From the proceeds derived from the sale of the Series 2026 Bonds, there shall be deposited:

(a) an amount, if any, required to be deposited in the Debt Service Reserve Fund in order to comply with the Debt Service Reserve Fund Requirement, taking into account the issuance of the Series 2026 Bonds, as set forth in the Series Certificate;

(b) an amount equal to the premium for any credit enhancement purchased for any or all of the Series 2026 Bonds, if applicable, shall be paid to the provider of such credit enhancement in immediately available funds, as set forth in the Series Certificate; and

(c) the balance in the Construction Fund to pay the costs of issuance of the Series 2026 Bonds and the Project Costs of the Projects.

The amounts provided under clause (c) may be invested in securities eligible for investment in the Construction Fund. Any earnings thereon shall be added thereto.

Section 8
Debt Service Reserve Fund

The Resolution requires that, at the time of issuance of each Series of Bonds, there shall be deposited, from the proceeds of such Series of Bonds or from other available funds, an amount necessary so that the total amount in the Debt Service Reserve Fund is not less than the Debt Service Reserve Fund Requirement (taking into account the issuance of the Additional Bonds). The Debt Service Reserve Fund Requirement is established as the lesser of (i) the maximum annual Debt Service on Outstanding Bonds during the then current or any future Fiscal Year, (ii) 125% of the average annual Debt Service on Outstanding Bonds, or (iii) 10% of the aggregate proceeds of all Outstanding Bonds upon original issuance thereof; provided, however, that in determining maximum annual Debt Service the City is not required to include the repurchase or redemption price of the Bonds subject to repurchase or redemption at the option of the Bondholder. A deposit of cash into the Debt Service Reserve Fund will occur upon the issuance of the Series 2026 Bonds, to the extent necessary to comply with the Debt Service Reserve Fund Requirement (taking into account the issuance of the Series 2026 Bonds). If the amount on deposit in the Debt Service Reserve Fund is less than the Debt Service Reserve Fund Requirement on the last day of any Fiscal Year, the City shall make up the deficiency from the Revenue Fund. If the amount in the Debt Service Reserve Fund is greater than the Debt Service Reserve Fund Requirement on the last day of any Fiscal Year, the excess shall be dealt with in the manner provided for earnings from investment of the Debt Service Reserve Fund.

Section 9
Renewal and Replacement Fund

The Renewal and Replacement Fund Requirement for the Series 2026 Bonds shall be maintained at \$100,000. The City shall, upon the issuance of the Series 2026 Bonds, deposit, from

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cash on hand from Revenues, and not from proceeds of the Series 2026 Bonds, such cash as may be necessary into the Renewal and Replacement Fund so that the balance of such fund is at least \$100,000. In the event that, after the forgoing deposits have been made, there is a draw on the Renewal and Replacement Fund such that the amount on deposit is less than the Renewal and Replacement Fund Requirement, the City shall make the monthly deposits from Revenues as set forth in Section 5.5 of the General Bond Resolution.

Section 10

Tax Exemption

In the event that the City Chief Administrative Office designates the Series 2026 Bonds to be tax exempt under Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”), as set forth in the Series Certificate, the following covenant shall apply to the Series 2026 Bonds:

The City hereby covenants and agrees to take all lawful action necessary to ensure that interest on the Series 2026 Bonds will remain excluded from gross income for federal income tax purposes under the Code and to refrain from taking any action which would cause such interest to become includable in gross income under the Code. Without limiting the foregoing, to the extent required to maintain the exclusion of interest on the Series 2026 Bonds from gross income under the Code, the City will file any information report and pay any rebate due to the United States in connection with the issuance of the Series 2026 Bonds and will restrict yield on investments of the proceeds of the Series 2026 Bonds and of moneys held in funds and accounts under the Resolution and allocable to the Series 2026 Bonds, all in accordance with the directions of Bond Counsel to the City which may be given from time to time. The City’s Chief Administrative Officer, Director of Finance, and the Director of the Department of Public Works is hereby authorized and directed to execute and deliver from time to time, on behalf of the City, such certificates, instruments and documents as shall be deemed necessary or advisable to evidence compliance by the City with the Internal Revenue Code and the applicable regulations of the United States Treasury promulgated under the Internal Revenue Code, with respect to the investment and use of the proceeds of the Series 2026 Bonds.

Section 11

Certain Findings and Determinations

The City Council hereby finds and determines as follows:

- (a) The City has previously issued the following bonds under the General Bond Resolution:
- (i) \$3,250,000 Water System Revenue Bonds, Series 2017, issued on June 6, 2017;
 - (ii) \$2,000,000 Water System Revenue Bonds, Series 2018, issued on May 22, 2018;
 - (iii) \$2,000,000 Water System Revenue Bonds, Series 2018B, issued on November 28, 2018; and

* * * * *

DISTRIBUTION:

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

ORIGINAL

RESOLUTION RELATING TO

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Adopted by the City Council

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

..... Mayor

Vol. Page

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(iv) \$1,571,022 Water System Revenue Bonds, Series 2022, issued on November 23, 2022.

(b) there are no outstanding bonds, notes or other evidence of indebtedness payable from and secured by a lien or charge upon the Net Revenues pledged under the Resolution other than the foregoing bonds and the prior obligations consisting of a note issued by the City to the Vermont Department of Environmental Conservation Clean Water State Revolving Fund in the original principal amount of \$228,006, which is payable from the Net Revenues pledged under the Resolution.

Section 12

Special Covenants

The City hereby covenants and agrees that the following provisions shall be in effect so long as the Series 2026 Bonds are Outstanding under the Resolution, provided that any or all of such provisions may be waived in accordance with the terms of Sections 9.1 and 9.2 of the General Bond Resolution:

(a) The City shall notify the Trustee of the proposed issuance of obligations supported by any inferior or subordinate pledge of Revenues; and

(b) The City shall proceed with due diligence to carry out and complete the Projects financed by the issuance of Bonds or, in the case of Bonds issued under Section 2.3(C) of the Resolution, to complete the work financed by the Bonds. Notwithstanding the foregoing, the City may discontinue a Project (or work financed under Section 2.3(C)) of the Resolution by written notice to the Trustee with a certificate of the Consulting Engineer stating that, by reason of change of circumstance not reasonably expected at the time of issuance of the Bonds, completion of the Project (or work) is no longer consistent with Prudent Utility Practice or, in the case of a jointly-owned Project, the Project may be discontinued as provided in the applicable ownership agreement. The moneys for the Project in the Construction Fund not needed to pay Project Costs of the Project (as determined by a certificate of the Consulting Engineer) shall be deposited, as the City shall determine, in the Renewal and Replacement Fund, the Construction Fund (for the purpose of paying Project Costs or Projects designated by the Issuer) or the Special Redemption Fund; provided, however, that if the moneys are not deposited in the Special Redemption Fund, the Issuer shall obtain an Opinion of Bond Counsel that such application will not adversely affect the tax status of any outstanding Bonds. Such opinion shall not be required if the applicable series of Bonds are not issued as tax-exempt obligations.

(c) Funds held in the General Fund may be invested in the same manner as provided for moneys held in the Revenue Fund.

Section 13

Bond Insurance

In the event that the Chief Administrative Officer or Director of Finance of the City and the Director of the Department of Public Works determine that it is in the best interest of the City to obtain bond insurance for the Series 2026 Bonds, the Chief Administrative Officer or Director of Finance of the City and the Director of the Department of Public Works may include provisions

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Vol. Page

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in the Series Certificate as may be reasonably required by the Bond Insurer providing the Bond Insurance Policy to insure the payment of principal and interest on the Series 2026 Bonds (or any maturity thereof).

Section 14 **Successor Trustee**

The Chief Administrative Officer is hereby authorized to appoint a successor trustee to serve as Trustee under the General Bond Resolution. The Chief Administrative Officer is authorized to execute and deliver such further agreements and instruments as may be necessary in order to transfer the duties and responsibilities of the current Trustee to a successor trustee.

Section 15 **Award of Bonds; Official Statement; Further Action**

The City's Chief Administrative Officer, the City's Director of Finance, and the Director of Public Works are, and each of them hereby is, authorized either singly or together:

(a) to execute and deliver a loan application and a loan agreement with the Bond Bank for a loan from the State of Vermont under the Drinking Water State Revolving Loan Fund program, in such form as the signing officer shall approve;

(b) if the Series 2026 Bonds are not issued to the Bond Bank under the Drinking Water State Revolving Loan Fund program, to execute and deliver an underwriting agreement, bond purchase agreement, or contract of purchase negotiated with a financial institution engaged to underwrite, market and sell the Series 2026 Bonds (the "Underwriter") with respect to the Series 2026 Bonds, in such form as the signing officer shall approve;

(c) to prepare, make public, execute and deliver to and authorize distribution by the Underwriter to prospective purchasers and investors of a Preliminary Official Statement with respect to the Series 2026 Bonds;

(d) to prepare, make public, execute and deliver to and authorize distribution by the Underwriter to prospective purchasers and investors of an Official Statement and by making such other changes or corrections as the signing officer or officers may approve, such officer's or officers' execution to be conclusive evidence of such approval;

(e) if required in connection with the issuance of the Series 2026 Bonds, to execute and deliver a Continuing Disclosure Undertaking with respect to the Series 2026 Bonds, under which the City will be obligated to provide financial information, operating data and financial statements with respect to the City and the Water System, notice of certain events if material, and certain other notices, to nationally recognized municipal securities information repositories and others, all as described therein;

(f) execute a Series Certificate evidencing determinations or other actions taken pursuant to the authority granted hereby, and such Certificate shall be conclusive evidence of the action or determination of the Chief Administrative Officer or Director of Finance of the City and the Director of the Department of Public Works as stated therein, which Series Certificate shall

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Vol. Page

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specify the following, which are to be determined in the discretion of the Chief Administrative Officer or Director of Finance of the City and the Director of the Department of Public Works, subject to the authorization and restrictions contained in this Resolution:

- i. To determine the aggregate principal amount of the Series 2026 Bonds, in an amount not to exceed the amount authorized under the section captioned, "Authorization" hereof, and to determine that the proceeds to be derived from the issuance of such Bonds, to set forth any amounts that are to be forgiven following completion of the Project, and to cause the execution and delivery of one or more debt instruments representing the same;
- ii. To determine the maturities, maturity amounts of each of the Series 2026 Bonds and interest payment dates of the Series 2026 Bonds, and the manner of payment to the Bond Bank if such bonds are issued to the Bond Bank under the Drinking Water State Revolving Loan Fund program;
- iii. To determine which Series 2026 Bonds are to be designated as Serial Bonds and which Series 2026 Bonds are to be designated as Term Bonds, and to determine the sinking fund requirements for any such term Bonds;
- iv. To determine the interest rate or rates for the Series 2026 Bonds; provided, however, that if the average true interest cost rate on the Series 2026 Bonds is to exceed **4.50%**, the issuance and sale of the Series 2026 Bonds shall be subject to the approval of the City's Board of Finance;
- v. To determine the redemption provisions of the Series 2026 Bonds in accordance with the provisions of Section 4 and Section 5 hereof;
- vi. To determine if the Series 2026 Bonds are to be issued as tax-exempt obligations;
- vii. To determine the dated date of the Series 2026 Bonds;
- viii. To determine the date or dates of sale and issuance of the Series 2026 Bonds;
- ix. To determine whether the Series 2026 Bonds, or any portion thereof, shall benefit from the issuance of an insurance policy or other form of credit enhancement; provided, however, that in making such determination, Chief Administrative Officer or Director of Finance of the City and the Director of the Department of Public Works shall be entitled to rely upon a certificate or certificates of the Underwriter to the effect that the present value of the premium paid to obtain the such credit enhancement is less than the present value of the interest reasonably expected to be saved as a result of having such enhancement, using the yield on the Series 2026 Bonds (determined with regard to the premium paid for the such enhancement) as the discount rate for this purpose;
- x. If a form of credit enhancement supports the payment of the principal of and interest on all or a portion of the Series 2026 Bonds, to accept provisions which are a condition precedent to the issuance of the form of credit enhancement to the extent such provisions are not inconsistent with the Bond Resolution;
- xi. To provide for the establishment of a separate account to be maintained in the Debt Service Reserve Fund to secure the Series 2026 Bonds and the manner in which it shall be funded, all in accordance with Section 5.4 of the Resolution, or to

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DISTRIBUTION:

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determine that the Debt Service Reserve Fund shall not secure the Series 2026 Bonds and waive the Debt Service Reserve Fund Requirement with respect to the Series 2026 Bonds;

- xii. If the Series 2026 Bonds are issued to the Bond Bank for a loan from the State of Vermont under the Drinking Water State Revolving Loan Fund, to provide for direct payment of principal and interest to the Bond bank as the holder of the Series 2026 Bonds;
- xiii. If the Series 2026 Bonds are issued to the Bond Bank for a loan from the State of Vermont under the Drinking Water State Revolving Loan Fund, to determine what principal amount of the Series 2026 Bonds may be issued subject to debt forgiveness without voter approval pursuant to 24 V.S.A. § 4755(a)(4)(D); and

(g) to execute such other documents, enter into such covenants and take such other actions as are necessary or advisable to effect the issuance and delivery of the Series 2026 Bonds, the loan from the Bond Bank under the Drinking Water State Revolving Loan Fund, and the application of the proceeds thereof in accordance with the provisions of this Supplemental Resolution.

* * * * *

DISTRIBUTION:

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

DPW/Water Resources

ORIGINAL

RESOLUTION RELATING TO

Supplemental Resolution No. 6

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Adopted by the City Council

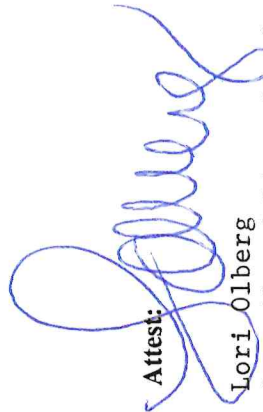
December 1, 2025

 Clerk

Approved Dec 3, 2025

 Mayor

Attest:



Lori Olberg
Council and Licensing Coordinator

Vol. Page

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Office of Mayor Emma Mulvaney-Stanak

149 CHURCH STREET • BURLINGTON, VT 05401 • (802) 865-7272

TO: City of Burlington, Finance Board
City of Burlington, City Council

FROM: Erin Jacobsen, Chief of Staff
Ingrid Jonas, Senior Advisor on Community Safety

DATE: November 3, 2025

SUBJECT: Authorization to Sign a Cooperation Agreement with HowardCenter Inc.

REQUEST

Mayor Mulvaney-Stanak seeks Board of Finance recommendation and City Council authorization to sign a Cooperation Agreement with HowardCenter, Inc. for \$249,000.00 for Fiscal Year '26. ¹ City Council's approval is required to comply with Article 12.b of the Purchasing Policy, which reads:

All grants made by the City shall require City Council approval unless the City is acting solely as a pass-through entity under a grant received by it from a federal, state, or private source, in which case the approval authority shall be the same as the approval authority for the acceptance of the grant funds.

EXECUTIVE SUMMARY

Background:

The purpose of the Cooperation Agreement between the City and the Howard Center is to help ensure that the Howard Center has adequate funding to continue programming through its Howard Center Street Outreach Team ("HCSOT"), which provides critical services to the Burlington community. The Howard Center is a 501(c)(3) nonprofit organization serving children, adults, and families and is the designated agency for mental health and developmental disability services in Chittenden County. HCSOT has been in existence since 1999 under the designated agency's infrastructure. HCSOT works closely with the BPD and other city services. Their role focuses on building trust, assessing needs, and

¹ HowardCenter Inc.is not a typo. As registered with the Secretary of State, there is not a space between "Howard" and "Center".



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connecting people with housing, healthcare, mental health support, substance use treatment, and other social, behavioral, and practical interventions and services.

The City of Burlington considers HCSOT a critical resource for community safety and a key partner in a shared safety response system, which also includes the BPD, the BFD, Park Rangers, and the Burlington Community Justice Center. As such, the City has determined it will provide funding to HCSOT in the amount of two-hundred and forty-nine thousand dollars (\$249,000.00) for FY26, and in turn, Howard Center has agreed its Street Outreach Team will provide both responsive and proactive outreach services to people experiencing behavioral challenges, which are services the Howard Center is uniquely positioned to provide and which helps to address a core need in Burlington. These services are specified in a Scope of Work that is an attachment within the Cooperation Agreement.

Project Funding:

Funding from the City to HCSOT would be in the amount of two-hundred and forty-nine thousand dollars (\$249,000.00) for FY26. This amount was budgeted in the Regional Programs Budget.

Grantee Information:

Howard Center is the designated agency (DA) for Chittenden County. A designated agency is a contracted, private nonprofit organization responsible for providing integrated mental health, developmental disability, and substance use disorder services within a specific geographic region of the state. These agencies are overseen by Vermont's Department of Mental Health and the Department of Disabilities, Aging, and Independent Living (DAIL) and are key to the state's safety net, serving individuals with complex needs by coordinating services and supports.

While the City of Burlington has consistently provided funding to HCSOT, the City decided to significantly increase its contribution to HCSOT in the FY26 budget (\$249,000 this FY as compared to \$77,500 in FY25 and FY24). This increase is in response to Howard Center facing significant reductions in State funding that put the Street Outreach program in peril, a program the City considers critical to our overall health and safety response system. With this increase in City funding, and for the first time since HCSOT's services to the City have been provided, the City and Howard Center agreed to formalize an Agreement that outlines a Scope of Work and Metrics for the service provision.

Department Contact:

If you have any questions, please contact Erin Jacobsen, Chief of Staff to Mayor Emma Mulvaney-Stanak, at ejacobsen@burlingtonvt.gov.



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ATTACHMENTS

Cooperation Agreement with addenda

MOTIONS

The Mayor respectfully requests the Board of Finance and City Council approve the following motions:

Board of Finance:

1. “To approve and recommend that City Council authorizes the Mayor to execute the agreement, and to take all such further actions, and to execute all such further instruments approved as to form by the City Attorney, as may be necessary or convenient to effectuate the transactions contemplated hereby.”

City Council:

1. “To authorize the Mayor to execute the agreement and to take all such further actions, and to execute all such further instruments approved as to form by the City Attorney, as may be necessary or convenient to effectuate the transactions contemplated hereby.”

Thank you for your continued support.

COOPERATION AGREEMENT

This Cooperation Agreement (this "Agreement") is entered on _____, 2025 (the "Effective Date") between the City of Burlington, a Vermont municipal corporation (the "City"), with a principal address of 149 Church Street, Burlington, VT 05401, and HowardCenter, Inc., a Vermont nonprofit corporation ("Provider"), with a principal address of 102 South Winooski Avenue, Burlington, VT 05401, with respect to the following facts:

A. The purpose of this Agreement is to help ensure that Howard Center has adequate funding to continue programming through Howard Center Street Outreach Team ("HCSOT"), which provides critical services to the Burlington community, **and to help support information-sharing by Howard Center to the City of Burlington regarding data collected through its Street Outreach program.** The Howard Center is a 501(c)(3) nonprofit organization serving children, adults, families. Howard Center is the designated agency for mental health and developmental disability services in Chittenden County.

B. HCSOT has been in existence since 1999 under the designated agency's infrastructure. HCSOT works closely with the BPD and other city services. Their role focuses on building trust, assessing needs, and connecting vulnerable people with housing, healthcare, mental health support, substance use treatment, and other social, behavioral and practical interventions and services.

C. The City of Burlington considers HCSOT a critical resource for community safety and a key partner in our shared safety response system, which also includes the BPD, the BFD, Park Rangers, and the Burlington Community Justice Center. As such, the City has determined it will provide funding to HCSOT in the amount of Two-hundred and forty-nine thousand dollars (\$249,000) for FY26 (the "Financial Support"), and in turn, Howard Center has agreed its Street Outreach Team will provide the services specified in the Scope of Work at Attachment 1 of this Agreement.

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.
2. Funding. Following approval of the Provider's budget for the Program as described in Section 5, below, the City shall provide the Financial Support as a condition precedent of Provider's remaining obligations hereunder.

3. Provider Responsibilities.
- a. Scope of Work. Provider shall operate the Program substantially in conformance with the scope of work attached hereto as **Attachment 1**. Quarterly and prior to June 30, 2026, Provider shall report on its progress in implementing this scope of work using the form attached hereto as **Attachment 2**.
 - b. Compliance with Applicable Laws. Provider shall operate the Program in compliance with all applicable laws, including the City's Livable Wage, Outsourcing, and Union Deterrence Ordinances, as further set forth in the certificates attached as **Attachments 3, 4, and 5**, respectively. For greater clarity, it is agreed and understood that fostering diversity, equity, and inclusion does not violate applicable law.
 - c. Nondiscrimination. In its operations under this Agreement, Provider shall not discriminate against any person on the basis of age, race, creed, color, national origin, protective hairstyle, alienage, family status, gender (including gender identity and expression), sex (including pregnancy), sexual orientation, disability, veteran status, or any basis prohibited by law.
 - d. Indemnification & Insurance. The indemnification and insurance provisions set forth in **Attachment 6** are incorporated herein by reference. Prior to execution of this Agreement by the City, Provider shall provide a certificate of insurance with copies of all required endorsements attached, subject to the review and approval of the City Attorney, which shall be attached as **Attachment 7** hereto for reference purposes.
 - e. Record Keeping. Provider shall retain all financial and other records relating to operations under this Agreement (not including notes and other records not created or intended to be retained in the ordinary course of business), for the longer of: (i) six (6) years, (ii) any longer period required by applicable laws, or (iii) upon the completion of any litigation or audit to which any records relate that were still in existence at the time Provider first knew or should have known of the pendency of the audit or litigation.
4. Compliance Monitoring.

a. Access to Records. On at least fifteen (15) business days' notice, except in case of emergency, if necessary or convenient for the City to determine compliance with this Agreement or necessary for the City to comply with applicable laws, Provider shall make any nonprivileged records (i.e., records not protected by the attorney-client privilege, work product doctrine, or medical privacy laws), available to the City for copying and inspection.

b. Audits. Annually, following the close of its fiscal year, Provider shall have its financial statements audited by an independent auditor to determine conformance with generally accepted accounting principles. A copy of the auditor's findings shall be given to the City upon request.

c. Access to Facilities. Except to the extent prohibited by applicable laws or the requirements of other funding sources, and upon reasonable prior request, Provider shall provide reasonable access to Program facilities to City employees to determine compliance with this Agreement.

5. Budget.

a. Budget Approval. As a condition precedent to the Financial Support, Provider shall submit to the City for the City's review and approval, a budget reflecting the portion of the HCSOT services supported by this Agreement. The City's review and approval shall be limited to verifying the allocation of \$249,000 toward eligible expenses that are consistent with the Scope of Work set forth in Attachment 1. The City acknowledges that its funding supports approximately 1.96 Full-Time Equivalent (FTE) positions within the overall HCSOT program, which is staffed at a higher level through a combination of City, State, and other partner resources. Approval of the budget by the City shall not be construed as obligating Howard Center to maintain specific staffing levels beyond what is sustainable with the aggregate of available funding sources.

b. Budget Amendment. Provider may amend the City-funded portion of the budget without further approval if the amendment is (i) budget-neutral or funded by previously unanticipated revenues, and (ii) does not materially alter the Scope of Work described in Attachment 1. Cumulative budget-neutral amendments shall not exceed twenty-five percent (25%) of the City's total grant allocation without prior City

approval. The City's budget review is solely for the purpose of confirming compliance with the terms of this Agreement and shall not be construed as providing financial, legal, or operational advice to Provider.

6. Representations & Warranties of Provider. By entering this Agreement, Provider represents and warrants the following to the City:

- a. Provider is a nonprofit public benefit corporation, duly formed and validly existing under the laws of the State of Vermont;
- b. There are no judicial or administrative actions pending, or, to the best of Provider's knowledge, threatened against Provider that would interfere with Provider's ability to carry out its obligations under this Agreement;
- c. This Agreement is legally enforceable against Provider, and Provider has done everything necessary to enter this Agreement, including by obtaining the consent of its board of directors; and
- d. The person executing this Agreement on Provider's behalf is authorized to bind Provider hereto.

7. Communication & Dispute Resolution.

- a. Cooperation. Both parties agree to cooperate and to communicate openly, to meet regularly with appropriate personnel present, and to discuss issues to identify solutions for orderly and efficient Program delivery.
- b. Regular Meetings. At the outset of any performance, the parties shall each designate an authorized representative to act as its primary point of contact for purposes of this Agreement, and the authorized representatives shall mutually agree upon an initial regular meeting schedule for checking in regarding performance. This schedule shall be flexible and may be changed by mutual oral or written agreement at any time.
- c. Dispute Resolution. Neither party shall file any litigation arising from this Agreement without first attempting in good faith to resolve the parties' dispute through negotiated settlement or mediation; provided, however, that any applicable statute of limitations shall toll

during any period in which the parties are actively and mutually engaged in dispute resolution; and provided further that nothing herein shall prevent either party from seeking emergency relief in appropriate circumstances from a court of competent jurisdiction.

8. Termination. This Agreement shall remain in full force and effect through June 30, 2026, unless either party gives the other notice of termination for one or more of the following reasons:

a. By Provider, subject to compliance with Section 10, below;

b. By the City following an event of insolvency by Provider. Events of insolvency include the initiation of voluntary bankruptcy proceedings or any involuntary bankruptcy proceedings that are not dismissed within sixty (60) days, any assignment for the benefit of creditors, the appointment of a receiver or liquidator, Provider's admission that it is unable to pay financial obligations when due, Provider's failure to meet financial obligations when due, or any other circumstance evidencing that bankruptcy or liquidation are imminent;

c. By either party in case of the other party's material breach following notice and a reasonable opportunity to cure. Unless a material breach is incapable of cure, poses an imminent threat to health or safety, or constitutes criminal conduct or fraud, the cure period shall not be less than thirty (30) days, and reasonable extensions shall be granted so long as the breaching party is diligently pursuing a cure; and

d. By the City if any of Provider's representations and warranties hereunder cease to be true.

9. Survival. The following provisions of this Agreement shall survive termination hereof: Section 10, any indemnification or defense obligation hereunder, and any ongoing obligation hereunder to retain records and to make them available for copying and inspection.

10. Return of Money and Property. If, without fault of the City, this Agreement is terminated by Provider prior to June 30, 2026, and unless the Program goals set forth in **Attachment 1** have been substantially met, Provider shall return unexpended Grant funds and will take commercially reasonable steps to assign or transfer to the City all assets, plans, entitlements, equipment, technology, software licenses, service

agreements, or subcontracts paid for in whole or in part from the Grant, provided that Provider shall not be responsible for the City's or another provider's use of the same.

11. Interpretation.

- a. Nothing herein shall be deemed to waive the City's land use or other regulatory authority with respect to Provider and the Program.
- b. This Agreement shall not be construed against its drafter, but instead any ambiguity shall be construed liberally in furtherance of its purposes as expressed in the Recitals.
- c. This Agreement contains the entire understanding of the parties with respect to the subject matter hereof and supersedes all prior agreements or understandings relating to the same, whether written, oral, or implied.
- d. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall continue in force to the extent necessary to effectuate the original intent of the parties as expressed in the Recitals as closely as possible.
- e. There are no third-party intended beneficiaries of this Agreement.
- f. This Agreement controls in case of any conflict with one of the attachments incorporated herein by reference.

12. Amendment. This Agreement may not be amended except in a writing duly authorized and executed by both parties. By approving this Agreement, the City Council authorizes the Chief Administrative Officer to execute amendments hereto approved as to form by the City Attorney without further approval of the City Council, provided that no such amendment should materially alter the objects of this Agreement as expressed in the Recitals. Such amendments may include the renewal of this Agreement for the following and any subsequent fiscal years if, (i) funds for such purpose have been appropriated by the City Council, and (ii) Provider provides updated insurance and ordinance certificates approved as to form by the City Attorney.

13. Choice of Law & Litigation. This Agreement shall be construed according to Vermont law, notwithstanding conflicts of law principles. Venue for any dispute under this Agreement shall be proper in Chittenden County, Vermont, notwithstanding any other law. In case of any litigation arising from this Agreement, the prevailing party shall be entitled to an award of reasonable attorneys' fees and costs of suit. Both parties freely and voluntarily waive the right to a jury trial in case of any civil litigation arising hereunder.

14. Miscellaneous Provisions

a. The parties are independent contractors, and neither party is the agent or principal of the other. By entering this Agreement, neither party intends to form a partnership, joint venture, or similar enterprise. It is agreed and understood that the City is not a co-employer of Provider's officers, employees, or volunteers.

b. Neither party shall be responsible for any circumstance beyond its reasonable control, provided that a party whose performance is hindered by a force majeure event shall give the other party prompt written notice of the circumstances in reasonable detail. In no case shall such notice be given more than ten (10) days after the party required to give notice knows or reasonably ought to know the circumstances giving rise to the delay or failure of performance.

c. Neither party shall assign this Agreement without the written consent of the other party.

d. No waiver of this Agreement shall be valid unless in writing, notwithstanding the passage of time, and no waiver shall constitute a continuing waiver of the same or another provision.

e. Any notice required under this Agreement shall be given to the receiving party at the address in the opening paragraph, unless another address is given by notice. In case of personal delivery, notice shall be deemed given upon receipt. In case of notice by U.S. mail, notice shall be deemed given three (3) days after deposit in the mail. In case of notice by overnight courier, notice shall be deemed given the day after deposit with a reputable courier. In case of notice by electronic means, notice shall be deemed given upon written acknowledgment of receipt.

15. Execution. The signatories hereto represent and warrant their authority to bind their respective parties and shall produce evidence of such authority prior to execution by the other party. This Agreement may be executed in counterparts, each of which shall be deemed an original. This Agreement may be executed electronically, and an electronic copy or other facsimile shall be treated as an original.

[Signatures on Following Page]

IN WITNESS WHEREOF, this Agreement has been executed as of the Effective Date.

CITY OF BURLINGTON

HOWARDCENTER, INC.

By: _____
Katherine Schad, CAO

By: _____
Sandra McGuire, CEO

Attachment 1

Scope of Work & Metrics

Howard Center Street Outreach Team (HCSOT) will conduct both responsive and proactive outreach services to people experiencing behavioral challenges.

- **Responsive:** HCSOT will respond to requests from Burlington Police Department, Church Street Market Place businesses, and City of Burlington staff regarding behavioral challenges in the community. HCSOT will engage behavioral challenges as they are witnessed, utilizing low-barrier, harm-reduction, and trauma-informed intervention. HCSOT will provide resource navigation, referral, and direct service, primarily focusing on connection, rapport-building, and trust-based provision of support.
- **Proactive:** HCSOT will provide active engagement to people requiring an array of services including mental and medical healthcare, and substance use supports. As HCSOT staff encounter people experiencing unsheltered homelessness, staff will either conduct Coordinated Entry Assessment to ensure connection to sustained services or refer to the Library Outreach Specialist, located at Fletcher Free Library for Coordinated Entry enrollment. HCSOT will document interactions to contribute to documentation of chronic homelessness

The City of Burlington's funding in the amount of \$249,000 will support a proportional share of the Howard Center Street Outreach Team's staffing and operational expenses. This funding equates to approximately 1.96 Full-Time Equivalent (FTE) positions, inclusive of direct salary and fringe benefits, as well as a proportional share of fixed operating costs associated with the program.

While the total Street Outreach Team consists of six (6.00) FTEs, funded through a combination of City, State, and other partner resources, this funding does not obligate Howard Center to maintain specific staffing levels beyond what is supported by available funding. Staffing capacity will be managed dynamically, with adjustments made in accordance with aggregate funding and operational needs.

Howard Center will continue to report service outcomes for the entire Street Outreach Team, ensuring comprehensive data transparency. **Howard Center will provide quarterly and annual reports to the Chief of Staff in the Mayor's Office, who will then share with the Burlington Police Department and the Chair of the City Council's Public Safety Committee.**

In addition, a representative of the Street Outreach team will meet monthly with the Burlington Police Department to provide and discuss a Monthly Utilization and Contacts Report. That report will provide a breakdown of the following data points by month:

- **Total Number of Calls for Service**
- **Total Number of Distinct Individuals with Calls for Service**
- **Number of Calls Initiated by Police**
- **Number of Distinct Individuals with calls initiated by Police**
- **Number of Calls Proactive/Initiated by Street Outreach Team**
- **Number of Distinct Individuals with calls initiated by Street Outreach**

Six (6) Full Time Street Outreach Team Staff

Hours of Coverage:

Monday – Friday: 8am-8pm

Saturday – Sunday: 10:30am-6pm

Attachment 2 Reporting Form

Performance Measures: Provided by Howard Center to City of Burlington quarterly and annually.

Total number of connections made with individuals by outreach staff	
Number of connections that were in-person with client	
Number of connections that were communication with or on behalf of client	
Total number of homeless clients served (unduplicated)	
Number of connections with homeless clients (duplicated)	
Number of Referrals to Library Outreach Specialist for Coordinated Entry Assessment	
Number of Coordinated Entry Assessments completed by HC-SOT	

Total number of connections made with individuals who are engaged with HC services	
--	--

Call for service initiated by: Individual	
Call for service initiated by: Community member	
Call for service initiated by: FCCC	
Call for service initiated by: Police	
Call for service initiated by: Service provider	
Call for service initiated by: Outreach staff/follow-up	

Police Involved Co-response	
Police Divert - PD Dispatched to Outreach Team	

Concerns related to mental health	
Concerns related to substance use	
Concerns related to suicide or non-suicidal self-injury	
Concerns related to housing/homelessness	
Concerns related to domestic /relational conflict	

ED	
Medical Care	
Psychiatric Care	
Both	

Calls from which referrals were made	
--------------------------------------	--

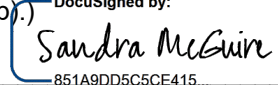
Attachment 3 Livable Wage Ordinance Certificate

Certification of Agreement to Comply with the City of Burlington's Livable Wage Ordinance
I, Sandra McGuire on behalf of HowardCenter, Inc. ("the Contractor"), in connection with a contract for services to be provided to the City of Burlington ("the City"), hereby certify, under oath, that the Contractor (and any of its subcontractors or subgrantees under this contract) shall comply with the City's Livable Wage Ordinance ("LWO"), B.C.O. 21-80 et seq., and that:

- (1) The Contractor shall pay all "covered employees" as defined by the LWO (including covered employees of subcontractors or subgrantees) a livable wage (as determined, or adjusted, annually by the City's chief administrative officer), and shall provide required paid time off for the term of the contract (or the duration of the contracted project);
 - (a) Employees are entitled to 12 days of paid time off per year, which may be prorated subject to B.C.O. Sec. 21-82(c); and
 - (b) For a covered employer that provides employer assisted health care, the livable wage shall be at least \$19.90 per hour; and
 - (c) For a covered employer that does not provide employer assisted health care, the livable wage shall be at least \$22.11 per hour.
- (2) The Contractor shall post a notice regarding the applicability of the LWO in the workplace or in other locations where covered employees normally work, and where such notice can be readily seen;
- (3) Upon request of the City's chief administrative officer, the Contractor, for itself and, as applicable, for any of its subcontractors or subgrantees, shall provide payroll records, health insurance enrollment records, and other relevant documentation, as deemed necessary by the chief administrative officer, within ten (10) business days from receipt of the City's request;
- (4) The Contractor shall cooperate in any investigation conducted pursuant to the LWO by the City's designated accountability monitors or the City's Office of City Attorney & Corporate Counsel;
- (5) The Contractor shall not retaliate, nor allow any of its subcontractors or subgrantees to retaliate, against an employee or other person because such employee or person has exercised rights or is planning to exercise rights protected under the LWO, or has cooperated in an investigation conducted pursuant to the LWO;
- (6) The Contractor is required to insert in all subcontracts the requirements of the LWO. The Contractor is liable for violations of the LWO committed by its covered subcontractors.

By signing below, I certify under the pains and penalties of perjury that I have personal knowledge of the foregoing or have made a reasonable inquiry therein, and that to the best of my knowledge and belief, the foregoing is true and correct. (See 13 V.S.A. 2904(b).)

Date: 9/29/2025

By: 
851A9DD5C5CE415
Contractor, or its duly authorized agent

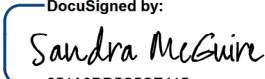
IMPORTANT NOTE: Effective January 1, 2025, for covered employees not under a labor agreement and not working under an agreement subject to Davis-Bacon Act compliance for highway or heavy construction, if the contract or grant amount, inclusive of amendments, is \$50,000 or greater, the vendor is required to certify payroll with each invoice. An acceptable form of certification is attached. Backup documentation may be requested in connection with random compliance audits. Certification of subcontractor or subconsultant payroll is required only upon request.

Attachment 4 Outsourcing Ordinance Certificate

Certification of Compliance with the City of Burlington's Outsourcing Ordinance

I, Sandra McGuire, Chief Executive Officer, on behalf of HowardCenter, Inc.
(Contractor) and in connection with the HCSOT [project], hereby certify under oath that (1)
Contractor shall comply with the City of Burlington's Outsourcing Ordinance (Ordinance §§
21-90 – 21-93); (2) as a condition of entering into this contract or grant, Contractor
confirms that the services provided under the above-referenced contract will be performed
in the United States or Canada.

Dated at Burlington, Vermont this 29th day of September 2025.

By:  851A9DD5C5CE415...
Duly Authorized Agent

Vendor name _____

City of Burlington, Vermont
Certified Payroll Record
Living Wage Ordinance, B.C.O. § 21-84(a)

B.C.O. Ch. 21, Art. VI



BURLINGTON
V E R M O N T

Instructions to Covered Employers: Use this form to report wages and benefits for covered employees, as defined in B.C.O. § 21-81(d). If three or fewer covered employees performed services pursuant to your agreement with the City of Burlington during the Reporting Period, then report information for each covered employee. If more than three covered employees performed services pursuant to your agreement with the City of Burlington during the Reporting Period, then report information for the three lowest paid covered employees only.

Reporting Period: from _____ (date) to _____ (date).

(Note: The Reporting Period should match the period covered by the invoice accompanying this Record.)

Employee No. 1

Initials, Last Four Digits of SSN, or other Unique Identifier: _____

Total Wages, Salary, and Tips Paid by Covered Employer During Reporting Period: _____

Total Number of Hours Worked for Covered Employer During Reporting Period: _____

Was the Covered Employee Provided Employer-provided Health Insurance as Specified in B.C.O. § 21-81(g)? Yes: _____ No: _____

Did the Covered Employer Offer Paid Time Off Pursuant to B.C.O. § 21-82(c)? Yes: _____ No: _____

Employee No. 2

Initials, Last Four Digits of SSN, or other Unique Identifier: _____

Total Wages, Salary, and Tips Paid by Covered Employer During Reporting Period: _____

Total Number of Hours Worked for Covered Employer During Reporting Period: _____

Was the Covered Employee Provided Employer-provided Health Insurance as Specified in B.C.O. § 21-81(g)? Yes: _____ No: _____

Did the Covered Employer Offer Paid Time Off Pursuant to B.C.O. § 21-82(c)? Yes: _____ No: _____

Employee No. 3

Initials, Last Four Digits of SSN, or other Unique Identifier: _____

Total Wages, Salary, and Tips Paid by Covered Employer During Reporting Period: _____

Total Number of Hours Worked for Covered Employer During Reporting Period: _____

Was the Covered Employee Provided Employer-provided Health Insurance as Specified in B.C.O. § 21-81(g)? Yes: _____ No: _____

Did the Covered Employer Offer Paid Time Off Pursuant to B.C.O. § 21-82(c)? Yes: _____ No: _____

I certify under the pains and penalties of perjury that I have personal knowledge of matters asserted herein or that I am readily familiar with, and have reviewed, the books and records of the covered employer, and that to the best of my knowledge and belief the foregoing is true and correct. I understand that the covered employer may be asked to provide reasonable backup documentation, which shall be provided upon request.

Authorized Representative: _____ Date: _____

Attachment 5 Union Deterrence Certificate

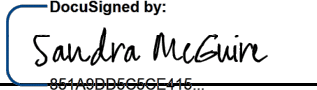
Certification of Compliance with the City of Burlington's

Union Deterrence Ordinance

I, Sandra McGuire, on behalf of HowardCenter, Inc. (Contractor) and in connection with HCSOT (City contract/project/grant), hereby certify under oath that _____ Howard Center, Inc.

(Contractor) has not advised the conduct of any illegal activity, and it does not currently, nor will it over the life of the contract advertise or provide union deterrence services in violation of the City's union deterrence ordinance.

Dated at Burlington, Vermont this 29th day of September 2025.

By:  051A8DD5C6CE415...

Duly Authorized Agent

Attachment 6 Insurance & Indemnification Requirements

As used in this attachment, Contractor means "Provider".

INSURANCE: Prior to beginning any work, the Contractor shall obtain the following insurance coverage from an insurance company registered and licensed to do business in the State of Vermont and having an A.M. Best insurance rating of at least A-, financial size category VII or greater (www.ambest.com). The certificate of insurance coverage shall be documented on forms acceptable to the City. Compliance with minimum limits and coverage, evidenced by a certificate of insurance showing policies and carriers that are acceptable to the City, must be received prior to the Effective Date of the Contract. If this Contract extends to more than one year, evidence of continuing coverage must be submitted to the City on an annual basis. Copies of any insurance policies may be required.

The Contractor is responsible to verify and confirm in writing to the City that: (i) all subcontractors must comply with the same insurance requirements as the Contractor; (ii) all work activities related to the Contract shall meet minimum coverage and limits; and (iii) all coverage shall include adequate protection for activities involving hazardous materials.

No warranty is made that the coverage and limits listed herein are adequate to cover and protect the interests of the Contractor for the Contractor's operations. These are solely minimums that have been developed and must be met to protect the interests of the City.

A. Commercial General Liability: With respect to all operations performed by the Contractor, subcontractors, agents or workers, it is the Contractor's responsibility to ensure that commercial general liability insurance coverage, covering bodily injury and property damage, on an occurrence form, provides all major divisions of coverage including, but not limited to:

1. Premises Operations
2. Independent Contractors' Protective
3. Products and Completed Operations
4. Personal Injury Liability
5. Medical Expenses

Coverage limits shall not be less than:

1. General Aggregate \$2,000,000
2. Products-Completed/Operations \$2,000,000
3. Personal & Advertising Injury \$1,000,000
4. Each Occurrence \$1,000,000
5. Damage to Rented Premises \$ 250,000
6. Med. Expense (Any one person) \$ 5,000

- B. Workers' Compensation/Employer Liability:** With respect to all operations performed, the Contractor shall carry workers' compensation insurance in accordance with the laws of the State of Vermont and ensure that all subcontractors carry the same workers' compensation insurance for all work performed by them under this contract. Minimum limits for Employer's Liability:

1. Bodily Injury by Accident: \$500,000 each accident
2. Bodily Injury by Disease: \$500,000 policy limit,

\$500,000 each employee

For contracts involving work of any kind or nature on Lake Champlain, Workers' Compensation/Employer's Liability policy shall include a Maritime Endorsement (USL&H).

- C. Automobile Liability:** The Contractor shall carry commercial automobile liability insurance covering all motor vehicles, including owned, non-owned and hired, used in connection with the Contract. Each policy shall provide coverage with a limit not less than: \$1,000,000 - Combined Single Limit for each occurrence.

- D. Professional Liability/Errors & Omissions:**

1. General: The Contractor shall carry appropriate professional liability insurance covering errors and omissions made during their performance of contractual duties with the following minimum limits:

(a) \$2,000,000 - Annual Aggregate/Policy Limit

(b) \$1,000,000 - Per Claim/Occurrence

2. Deductibles: The Contractor is responsible for any and all deductibles.
3. Coverage: The Contractor shall maintain continuous professional liability coverage for the period of the Contract and for a period of five years following substantial completion of construction.

E. Special Coverages

- a. Sexual misconduct -- \$1,000,000
- b. Reasonable casualty insurance in connection with premises owned or leased by Contractor in connection with this Agreement.

F. Umbrella/Excess Liability:

1. \$1,000,000 Each Event Limit
2. \$1,000,000 General Aggregate Limit
3. Umbrella/Excess Liability is excess above Commercial General Liability, Automobile Liability, and Workers' Compensation/Employer Liability.

All policies shall be endorsed to provide the City thirty (30) days' notice of cancellation. Each policy (except workers compensation/employers' liability and errors & omissions/professional liability) shall be endorsed to name the City and its officers, employees, agents, successors, and assigns as additional insureds on a primary, non-contributory basis. Each policy (except errors & omissions/professional liability) shall be endorsed to waive subrogation against the City.

INDEMNIFICATION: Contractor shall hold harmless, indemnify, and defend the City and its officers, employees, agents, successors, and assigns (collectively, the “Indemnitees”) from and against all claims, causes of action, lawsuits, damages, liabilities, liens, penalties, fines, and costs (including attorneys’ fees and costs) of every kind and nature whatsoever (collectively, “Claims”) arising from Contractor’s acts or omissions in its operations hereunder, excepting any Claims arising from the City’s own gross negligence or willful misconduct. Contractor’s indemnification and defense obligations shall survive termination of this Contract, and Contractor shall ensure that any subcontract for work under this Contract requires the subcontractor to satisfy the same indemnification and defense obligations in favor of the Indemnitees. Without limiting the generality of the foregoing in any manner whatsoever, Contractor’s indemnification and defense obligations hereunder include any Claims arising from an alleged co-employment relationship between the City and any of Contractor’s officers, agents, employees, volunteers, or subcontractors, and any Claims arising from an alleged violation of disability access laws.

Attachment 7
Insurance Certificate & Endorsements



HOWACEN-01

MKAVANAGH

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/7/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Acrisure New England Partners Insurance Services, LLC 10 Research Parkway, Suite 400 Wallingford, CT 06492	CONTACT NAME: Melissa Kavanagh		
	PHONE (A/C, No, Ext): (802) 383-1621	FAX (A/C, No):	
	E-MAIL ADDRESS: mkavanagh@acrisure.com		
INSURED HowardCenter Inc 208 Flynn Ave. Suite 3J Burlington, VT 05401	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Philadelphia Indemnity Insurance Company		18058
	INSURER B: Arch Insurance Company		11150
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☒ CLAIMS-MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC OTHER:	X	X	PHPK2724093-000	10/1/2025	10/1/2026	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY	X	X	PHPK2724093-000	10/1/2025	10/1/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 10,000	X	X	PHUB923386-000	10/1/2025	10/1/2026	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
B	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☒ Y / N If yes, describe under DESCRIPTION OF OPERATIONS below	N / A	X	ZAWC19964305	10/1/2025	10/1/2026	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Professional Liab.			PHPK2724093-000	10/1/2025	10/1/2026	\$1M each incident 3,000,000
A	Abuse/Molestation			PHPK2724093-000	10/1/2025	10/1/2026	aggregate 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Outreach Specialist Services at the Fletcher Free Library

Additional Insured status applies on a primary and non-contributory basis for the City of Burlington and its officers, employees, agents, successors, and assigns per terms and conditions of policy forms.

Waiver of Subrogation applies for the City of Burlington and its officers, employees, agents, successors, and assigns per terms and conditions of policy forms: General Liability/Auto Liability/Umbrella pending endorsement; Workers Compensation WC 00 03 13 (4-84)
SEE ATTACHED ACORD 101

CERTIFICATE HOLDER

CANCELLATION

City of Burlington
149 Church Street
Burlington, VT 05401

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



ADDITIONAL REMARKS SCHEDULE

AGENCY Acrisure New England Partners Insurance Services, LLC		NAMED INSURED HowardCenter Inc 208 Flynn Ave. Suite 3J Burlington, VT 05401 Chittenden
POLICY NUMBER SEE PAGE 1		
CARRIER SEE PAGE 1	NAIC CODE SEE P 1	EFFECTIVE DATE: SEE PAGE 1

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance

Description of Operations/Locations/Vehicles:
30 days Notice of Cancellation applies per pending endorsements.

POLICY NUMBER: ZAWCI9964304**WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT**

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule. (This agreement applies only to the extent that you perform work under a written contract that requires you to obtain this agreement from us.)

This agreement shall not operate directly or indirectly to benefit anyone not named in the Schedule.

Schedule

AS AGREED BY WRITTEN CONTRACT OR WRITTEN AGREEMENT

This endorsement changes the policy to which it is attached and is effective on the date issued unless otherwise stated.
(The information below is required only when this endorsement is issued subsequent to preparation of the policy.)

Endorsement Effective 10/01/2024 Policy No. ZAWCI9964304
Insured HOWARD CENTER, INC.
Insurance Company ARCH INSURANCE COMPANY

Endorsement No.
Premium INCL.

DATE OF ISSUE: 10-02-24

Countersigned By _____

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Five

An Ordinance in Relation to

PARKING ENFORCEMENT

ORDINANCE _____

Sponsor: Public Works Commission

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:

That Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 1, thereof to read as follows:

As written, with the following definitions inserted in alphabetical order:

Parking enforcement officer: Means any city employee designated by the city pursuant to 23 V.S.A. § 4(11)(B), as the same may be amended or renumbered from time to time.

Traffic commission: Means the public works commission.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 23, thereof to read as follows:

(a) and (b), as written.

(c) The traffic commission may adopt regulations delegating its authority under this section to the director of public works or their designee, for the following purposes:

(1) to designate new no-parking areas, to change or modify the locations of existing no-parking areas, or to make other changes affecting no-parking areas, including, without limitation, removals that are necessitated by safety assessments, whenever the director or designee determines both that, (i) such designation, change, or modification is necessary or convenient in response to a reasonable request from the public or is warranted by changed circumstances or new data, and (ii) existing rules are substantially inconsistent with regulations or safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association of State Highway and Transportation Officials;

(2) to designate new accessible spaces or to change or modify the locations of existing accessible spaces, whenever the director or designee determines both that, (i) such designation, change, or

modification is necessary or convenient to comply with federal and state disability access laws, and (ii) existing parking rules are substantially inconsistent with the Public Right-of-Way Accessibility Guidelines, or other relevant standards published by the United States Access Board;

(3) to designate new school zones, to change or modify the locations of existing school zones, or to make other changes affecting school zones, including, without limitation, adjusting rules for student drop off and pick up, whenever the director or designee determines both that, (i) such designation, change, or modification is necessary or convenient in response to a reasonable request from the school department or is warranted by changed circumstances or new data, and (ii) existing rules are substantially inconsistent with regulations or safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association of State Highway and Transportation Officials;

(4) to prohibit right-hand turns against a traffic signal which is indicating red, whenever the director or designee determines both that, (i) such prohibition is necessary or convenient in response to a reasonable request from the public or is warranted by changed circumstances or new data, and (ii) existing rules are substantially inconsistent with regulations or safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association of State Highway and Transportation Officials, and

(5) to designate new school crossing guard locations, to change or modify the locations of existing school crossing guard locations, or to make other changes affecting school crossing guard locations, whenever the director or designee determines both that, (i) such designation, change, or modification is necessary or convenient in response to a reasonable request from the school department or is warranted by changed circumstances or new data, and (ii) existing rules are substantially inconsistent with regulations or safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association of State Highway and Transportation Officials.,

Such modifications shall become effective and enforceable immediately upon the posting of reasonable signage directing motorists accordingly and shall remain in effect provided that notification is sent to the traffic commission within its next two regularly scheduled meetings. Within a reasonable time after providing the required notification to the commission, the public works director or designee shall propose to the traffic commission a formal amendment to Appendix C to reflect the change. The failure to do so shall not render the change invalid or unenforceable, but if the traffic commission rejects the change, it shall cease to be effective.

55

56 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
57 hereby is amended by amending Sec. 41, thereof to read as follows:

58 The traffic commission is hereby authorized to establish school zones, and to authorize staff to
59 establish primary or secondary school zones, consistent with subsection (c) of section 20-23 of this code, by
60 causing the same to be designated by appropriate signs indicating the speed limit and erected not more than
61 five hundred (500) feet in advance of a school ground or of a pedestrian crossing customarily used by
62 primary or secondary school pupils.

63

64 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
65 hereby is amended by amending Sec. 53, thereof to read as follows:

66 (a), *as written.*

67 (b) The traffic commission may conspicuously place, or authorize the public works director or
68 designee to place, suitable signs in and near the areas affected by the parking regulations of this article,
69 plainly indicating such regulations.

70 (c) Whenever the traffic commission's regulations identify a location for signage to be placed, the
71 location chosen by the public works director or designee shall be entitled to a rebuttable presumption of
72 correctness.

73

74 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
75 hereby is amended by amending Sec. 55, thereof to read as follows:

76 (a) No operator or driver of any vehicle shall stop, stand or park the same in any of the following
77 places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a
78 police officer or official traffic sign or except momentarily to pick up or discharge a passenger:

79 (1) to (7), *as written.*

80 (8) Any street or portion of a street closed pursuant to section 20-63, including, without limitation, in
81 metered parking spaces encumbered pursuant to Section 27-33 of this code; provided that this prohibition
82 shall not apply to vehicles engaged in activities allowed under the permit issued pursuant to Section 27-33;

83 (9), *as written.*

(10) ~~[Reserved]. In a metered parking space where the meter for such space is covered with a hood issued pursuant to Section 27-33. This prohibition shall not apply to vehicles engaged in the activities allowed by the permit issued pursuant to Section 27-33;~~

(11) to (16), as written.

(b) and (c), as written.

(d) No person shall park any vehicle in any parking space designated by the traffic commission for parking for ~~the handicapped individuals with disabilities~~ unless the vehicle displays ~~special handicapped~~ license plates or placards issued pursuant to 23 V.S.A. 304a, or any amendment or renumbering thereof.

(e) and (f), as written.

(g) Effective upon making conforming changes to Appendix D of this code, a violation of rules relating to parking set forth in said Appendix D shall constitute a violation of this section for purposes of ticketing and enforcement.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 61, thereof to read as follows:

No person shall leave a vehicle in the same place within the limits of a street for a period longer than three (3) days. This period starts when the police department or parking enforcement officer observes a vehicle in a space. From that time the vehicle must be moved within three (3) days. For the purposes of this section the term moved is defined as relocating a vehicle at least twenty-five (25) feet from its original location for a time period of thirty-six (36) hours.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 63, thereof to read as follows:

For the purpose of cleaning, clearing, oiling, repairing, surfacing a street, special events, parades, or pruning or removing trees, or for parking encumbered pursuant to Section 27-33, the street department, parks department, or police department may close such street or portion of a street to the parking of vehicles by causing signs to be posted thereon in conspicuous locations and at reasonable intervals indicating the prohibition of parking thereon. The signs shall be posted by 6:00 p.m. and the prohibition shall be effective 12:00 a.m. the following day as indicated thereon, but not sooner than twenty-four (24) hours later. The signs shall indicate in bold face “NO PARKING – TOW AWAY ZONE”. Such prohibition shall remain in effect

until such signs are removed, and during the period when parking is so prohibited, no person shall park a motor vehicle on any such street.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 66, thereof to read as follows:

(a), as written.

(b) Nonmetered Parking Offenses:

(1) ~~Handicapped-Accessible~~ parking. The penalty for ~~handicapped~~ parking violations as set forth in Section 20-55(d) shall be ~~one hundred twenty-five dollars (\$125.00)~~ as set forth in 23 V.S.A. § 304a(e)(1), as the same may be amended or renumbered from time to time.

(2) to (6), as written.

(7) Other nonmetered parking offense. "Nonmetered parking offense" means any parking offense set out in this Code, except violations related to metered parking. The penalty for violations of nonmetered parking offenses except ~~handicapped parking and idling as indicated~~ shall be seventy-five dollars (\$75.00).

(8) and (9), as written.

(c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 67, thereof to read as follows:

(a), as written.

(b) Any person who has violated any ordinance regarding parking in the city may within thirty (30) days from the date of such violation waive in writing the issuance of any process in a trial by jury or hearing and voluntarily pay ~~to the police department of the city~~ the penalty prescribed in Section 20-66. Payments may be made by cash, check, money order, credit card or online payment.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 71, thereof to read as follows:

(a) Under the provisions of this division, any police officer or parking enforcement officer shall cause a motor vehicle parked in violation of the following to be moved or removed to any public garage or other place designated by him within a five-mile radius from the boundaries of the city:

(1), as written.

(2) ~~Designated prohibited areas, as set forth in section 20-55 of this Code;~~ In any manner that violates any provision of this code if:

(i) The vehicle is interfering unreasonably with the free flow of traffic, including through, into, or out of any public or private parking area, driveway, or right of way;

(ii) The vehicle is parked in a manner that interferes unreasonably with any lawful construction activity;

(iii) The violation constitutes or includes a violation of Section 22-55(a)(3), (a)(8), or (d) of this code;

(iv) When allowed pursuant to Section 20-79 of this code;

(v) In any location where, in the opinion of the parking enforcement officer, such vehicle creates an immediate traffic hazard or otherwise endangers the public health, safety, or welfare; or

(vi) The violation continues for a period of not less than twenty-four (24) hours following ticketing.

(vii) The vehicle is parked in any space designated a special parking space pursuant to section 29 of Appendix C to this code, as the same may be renumbered or amended from time to time.

(3) to (5), as written.

(b) and (c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 72, thereof to read as follows:

The ~~chief of police~~ parking enforcement officer and the owner of any public garage to which a vehicle is removed shall keep a record of each vehicle so removed by manufacturer's trade name or make, registration number or motor number if the vehicle is not registered, registered owner if the vehicle bears a Vermont registration, such other descriptive matter as may be necessary to identify such vehicle, and the name and address of any claimant thereof. The ~~chief of police~~ parking enforcement officer shall, in addition, keep a record showing the date of such removal, the place to which such removal is made and the reason for such removal. All such records shall be open to public inspection at all times.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 73, thereof to read as follows:

Before the owner shall be permitted to reclaim a vehicle which has been removed pursuant to this division, he shall:

(a) Furnish satisfactory evidence to the ~~chief of police~~parking enforcement officer and to the owner or person in charge of such public garage of his identity and of his ownership of such vehicle;

(b) Pay ~~to the police department~~ all outstanding charges for violation of the offenses described in ~~section 20-79(a)~~this article, and all charges for removing said vehicle and all charges for the storing and parking thereof, and for publication of record of removal; enter a legally binding payment plan, if eligible based upon ability to pay, pursuant to a policy approved by the director of public works; or

~~(1) p~~Post a bond, ~~certified by the chief of police or his duly authorized representative, which is~~ equal to the amount of charges ~~dueset forth in (b) above~~; and

(c) Sign a written receipt acknowledging delivery of said vehicle;

(d), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 79, thereof to read as follows:

(a) Any motor vehicle parked in violation of city ordinance upon any public highway of the city or at the Burlington International Airport, including such ways, streets, alleys, lanes or other places as may be open to the public, the owner of which has accumulated unpaid parking violations totaling two hundred seventy-five dollars (\$275.00) or more, not including the amount attributable to the present violation, may be removed and stored pursuant to this division. Thereupon, the vehicle may be reclaimed pursuant to Section 20-73. In order to reclaim the impounded vehicle, the owner shall pay charges for outstanding violations such that the total amount owed in fines and fees pursuant to ordinance violations is reduced to less than two hundred seventy five dollars (\$275.00), all outstanding removal charges previously assessed and the charges imposed by this division for such removal and storage or until the requirements of Section 20-73(b)(1) have been met. Fines shall not be avoided by the transference of title or registration, or the purchasing of a different vehicle.

(b) and (c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 83, thereof to read as follows:

The board of public works commissioners is hereby authorized to establish zones to be known as parking meter zones in all or part of such areas on the streets of the city as they may deem necessary. For greater clarity, the term “parking meter zone” includes all on-street paid parking within the city, whether a meter is physically present for each metered space. Nothing in this code or its appendices shall be construed to prevent the city from using parking kiosks, other forms of multi-space metering, or web-based applications, to collect parking fees, whether in parking meter zones or other city owned or operated parking lots or garages.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 84, thereof to read as follows:

(a) ~~The public works commission shall cause parking meters to be installed in parking meter zones established under this division.~~ The public works commission shall ~~also~~ cause the installation of necessary curb and street markings for on-street paid parking, provide for the regulation and operation thereof, and maintain ~~said parking meters, including multi-space meters, instructions for online payment via web-based applications, kiosks, or similar apparatus and/or multi-space meters~~ in workable condition.

(b) ~~Meters and/or multi-space meters~~ Payment devices shall be placed upon the curb next to individual parking spaces or in proximity of designated parking spaces, and shall be so constructed as to accept payment as indicated by instructions upon the ~~meter~~ device.

(c) Except to the extent the city council has otherwise appropriated city funds to pay such charges for the fiscal year in question, whenever any payment processor charges a fee for the use of a credit card to pay for metered parking, the person responsible for payment for the parking shall also be responsible for the payment processor’s charges.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 87, thereof to read as follows:

(a) When any vehicle is parked in any meter zone in accordance with the provisions of this division, the operator of the vehicle shall, upon entering the parking space, immediately pay in accordance with instructions on the ~~meter and/or multi-space meter~~ payment apparatus as indicated by the legend thereon, and failure to make such payment ~~or to operate the meter~~ shall constitute a misdemeanor. Upon payment, the parking space may be lawfully occupied by such vehicle for a period as set out in App. C, Section 19.

(b), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 95, thereof to read as follows:

20-95 ~~Disabled persons exempt from requirements~~ Exemptions for individuals with disabilities.

~~Any person who is blind, who has an ambulatory handicap, or who is temporarily disabled with an ambulatory handicap shall be entitled to~~ Any person who is blind, or who has a permanent or temporary ambulatory disability, may park without fee for an unlimited period in a parking zone which is restricted as to the length of time parking is permitted. This section shall not apply to zones in which parking, standing or stopping of all vehicles is prohibited, which are reserved for special vehicles, or where parking is prohibited by any parking ban. As a condition to this ~~privilege~~ right, the vehicle shall display the ~~special handicapped~~ parking card, plate or placard issued by the state commissioner of motor vehicles as required in 23 V.S.A. 304a, or a ~~handicapped-similar~~ license plate, card or other identification issued by any other state.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 101, thereof to read as follows:

In each lot owned or leased by the city for the purpose of parking, ~~meters and/or multi-space meters~~ payment apparatus shall be placed upon the curb or in proximity to parking spaces, and shall be so constructed as to accept payment as indicated by instructions ~~thereupon~~ said meter.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by adding Sec. 110, thereof to read as follows:

The public works commission may, with the approval of the city council, authorize the mayor to execute leases for space within private parking facilities, wherein the city may charge for parking at rates the same or substantially the same as rates charged in public garages within the city, and wherein the parking enforcement officer shall have the same authority to ticket or tow vehicles as for public garages.

And that Chapter 27, Streets and Sidewalks, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 33, thereof to read as follows:

(a), as written.

(b) Permits for the obstruction of metered parking spaces may be issued for the following purposes only:

(1) Construction, repair or maintenance work on abutting or nearby properties;

(2) Loading or unloading goods, people, materials or equipment, or the use of such equipment, on abutting or nearby properties;

(3) Working in that immediate area of the street;

(4) The parking of vehicles used for events; or

(5) Any other uses as approved by city council.

The permit and the application for the permit shall state the nature of the obstruction, the purpose of the obstruction, and the time allowed for it to remain or continue. The permit shall specify the number of metered spaces to be obstructed. The permit shall be subject to reasonable conditions imposed by the director of public works or designee, including reasonable indemnification provisions approved as to form by the city attorney or designee.

(c) The department of public works shall upon issuance of the permit issue ~~an~~ appropriate ~~number of meter hoods to the applicant for each parking space to be obstructed. Upon the face of each hood shall be indicated in bold face "NO PARKING—TOW AWAY ZONE."~~ The applicant shall place the meter hood over the meter by 6:00 p.m. the preceding day signage to be placed as described in Section 20-63.

(d) to (f), as written.

* Material stricken out deleted.

** Material underlined added.

City Attorney

MEMORANDUM

TO: City of Burlington, City Council

FROM: Erik Ramakrishnan, Assistant City Attorney

CC: Laura Wheelock, Jackie Esperti

DATE: December 1, 2025

SUBJECT: Second Reading: Parking Ordinance Amendments (B.C.O. Ch. 20 & 27)

REQUEST

The City Attorney's Office and Department of Public Works respectfully requests that the City Council waive and approve the second reading of the proposed ordinance amending Chapters 20 and 27 of the Burlington Code of Ordinance.

EXECUTIVE SUMMARY

On September 17, 2025, the Public Works Commission voted to sponsor amendments to Burlington Code of Ordinances Chapters 20 and 27, regarding parking. The proposed amendments fit into three categories:

- (1) Language granting the Public Works Commission power to delegate authority to the Director of Public Works to make certain changes to the City's traffic regulations temporarily without the Commission's approval. Generally, this authority could be exercised only in the interest of complying with state and federal disability access laws or in the interest of public safety;
- (2) Amendments to outdated language to reflect the current practices and needs of the City; and
- (3) Amendments relating to towing authority intended both to clarify the circumstances in which vehicles can be towed and to require vehicle owners towed for excessive outstanding parking tickets to pay down all outstanding tickets to reclaim a vehicle.

On September 29, 2025, the City Council voted to waive and approve the first reading of the ordinance and to refer it to the Ordinance Committee. The Ordinance Committee then considered and marked up the ordinance at its meetings on October 3, 2025, October 16, 2025, and November 7, 2025. At the November 7, 2025 meeting, the committee voted unanimously to recommend the ordinance to the City Council.

Amendments to the ordinance made by the Ordinance Committee include the following:

- (1) A change at B.C.O. § 20-1 aligning the definition of “parking enforcement officer” to a specific statutory reference;
- (2) Non-substantive, clarifying edits to B.C.O. §§ 20-53 and 20-95;
- (3) Clarifications to the delegation of authority described above, more clearly limiting staff’s authority consistent with the intent of the proposed ordinance;
- (4) Language, at the request of staff, at B.C.O. § 20-53(g) clarifying that violations of the City’s parks rules (B.C.O., Appx. D) relating to parking can be prosecuted as parking violations, if Appendix D is amended to be consistent; and
- (5) An amendment at B.C.O. § 20-63, requiring that signage for temporary parking limitations be posted at least twenty-four (24) hours in advance, rather than the currently required six (6) hours.

The ordinance as presented to the City Council includes the following two additional changes:

- (1) At the request of the Ordinance Committee, staff has proposed language at Lines 181 to 182 to provide an option for low-income vehicle owners to enter a payment plan in lieu of reducing their outstanding parking fines to \$0 as a condition to having a vehicle released from scoff; and
- (2) Deletion of the following language formerly proposed for inclusion in B.C.O. § 63: “Where individual parking space meters are provided, such signage shall be provided in the form of parking meter hoods.”

Regarding the second change, above, B.C.O., Ch. 20, as currently enacted states that temporary parking limitations in metered zones need to be noticed by installing parking meter hoods. However, not all metered zones have parking meters, as the City has moved to the use of kiosks and online payment applications. Therefore, the proposed ordinance provides other means to notice temporary parking limitations. However, as presented to the committee, the ordinance would have kept the use of meter hoods in locations where meters still exist.

The problem with the continued use of meter hoods is that the Ordinance Committee requested to provide longer notice of at least twenty-four (24) hours before temporary restrictions take effect. When a parking hood is placed on a meter, the meter immediately becomes unusable. That would mean that where metered hoods are used, paid parking spaces would be taken out of commission a full day prior than necessary, depriving parkers otherwise available spaces, and denying the City parking revenues.

Therefore, staff recommends that language requiring meter hoods be removed from the ordinance. Staff also recommends that the Ordinance Committee retain jurisdiction over this matter even if the ordinance is adopted at tonight’s meeting, so that the Committee can provide any further input it sees appropriate. In the meantime, prior to the ordinance

taking effect, staff intends to draft a policy indicating best practices for noticing temporary parking restrictions, for possible review by the Ordinance Committee and/or the DPW Commission.

ATTACHMENTS

- A. September 29, 2025 Staff Report for First Reading
- B. Proposed Ordinance

MOTIONS

- (1) To waive and approve the second reading of the proposed ordinance amending Chapters 20 and 27 of the Burlington Code of Ordinances.
- (2) To refer provisions of the ordinance regarding noticing of temporary parking restrictions back to the Ordinance Committee for review and to report back concerning any further recommended actions.

Thank you for your continued support.

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Five

An Ordinance in Relation to

PARKING ENFORCEMENT

ORDINANCE _____
Sponsor: Public Works Commission
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:

That Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 1, thereof to read as follows:

As written, with the following definitions inserted in alphabetical order:

Parking enforcement officer: Means any city employee designated by the city pursuant to 23 V.S.A. § 4(11)(B), as the same may be amended or renumbered from time to time.

Traffic commission: Means the public works commission.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 23, thereof to read as follows:

(a) and (b), as written.

(c) The traffic commission may adopt regulations delegating its authority under this section to the director of public works or their designee, for the following purposes:

(1) to designate new no-parking areas, to change or modify the locations of existing no-parking areas, or to make other changes affecting no-parking areas, including, without limitation, removals that are necessitated by safety assessments, whenever the director or designee determines both that, (i) such designation, change, or modification is necessary or convenient in response to a reasonable request from the public or is warranted by changed circumstances or new data, and (ii) existing rules are substantially inconsistent with regulations or safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association of State Highway and Transportation Officials;

(2) to designate new accessible spaces or to change or modify the locations of existing accessible spaces, whenever the director or designee determines both that, (i) such designation, change, or

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modification is necessary or convenient to comply with federal and state disability access laws, and (ii) existing parking rules are substantially inconsistent with the Public Right-of-Way Accessibility Guidelines, or other relevant standards published by the United States Access Board;

(3) to designate new school zones, to change or modify the locations of existing school zones, or to make other changes affecting school zones, including, without limitation, adjusting rules for student drop off and pick up, whenever the director or designee determines both that, (i) such designation, change, or modification is necessary or convenient in response to a reasonable request from the school department or is warranted by changed circumstances or new data, and (ii) existing rules are substantially inconsistent with regulations or safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association of State Highway and Transportation Officials;

(4) to prohibit right-hand turns against a traffic signal which is indicating red, whenever the director or designee determines both that, (i) such prohibition is necessary or convenient in response to a reasonable request from the public or is warranted by changed circumstances or new data, and (ii) existing rules are substantially inconsistent with regulations or safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association of State Highway and Transportation Officials, and

(5) to designate new school crossing guard locations, to change or modify the locations of existing school crossing guard locations, or to make other changes affecting school crossing guard locations, whenever the director or designee determines both that, (i) such designation, change, or modification is necessary or convenient in response to a reasonable request from the school department or is warranted by changed circumstances or new data, and (ii) existing rules are substantially inconsistent with regulations or safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association of State Highway and Transportation Officials..

Such modifications shall become effective and enforceable immediately upon the posting of reasonable signage directing motorists accordingly and shall remain in effect provided that notification is sent to the traffic commission within its next two regularly scheduled meetings. Within a reasonable time after providing the required notification to the commission, the public works director or designee shall propose to the traffic commission a formal amendment to Appendix C to reflect the change. The failure to do so shall not render the change invalid or unenforceable, but if the traffic commission rejects the change, it shall cease to be effective.

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And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 41, thereof to read as follows:

The traffic commission is hereby authorized to establish school zones, and to authorize staff to establish primary or secondary school zones, consistent with subsection (c) of section 20-23 of this code, by causing the same to be designated by appropriate signs indicating the speed limit and erected not more than five hundred (500) feet in advance of a school ground or of a pedestrian crossing customarily used by primary or secondary school pupils.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 53, thereof to read as follows:

(a), as written.

(b) The traffic commission may conspicuously place, or authorize the public works director or designee to place, suitable signs in and near the areas affected by the parking regulations of this article, plainly indicating such regulations.

(c) Whenever the traffic commission's regulations identify a location for signage to be placed, the location chosen by the public works director or designee shall be entitled to a rebuttable presumption of correctness.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 55, thereof to read as follows:

(a) No operator or driver of any vehicle shall stop, stand or park the same in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or official traffic sign or except momentarily to pick up or discharge a passenger:

(1) to (7), as written.

(8) Any street or portion of a street closed pursuant to section 20-63, including, without limitation, in metered parking spaces encumbered pursuant to Section 27-33 of this code; provided that this prohibition shall not apply to vehicles engaged in activities allowed under the permit issued pursuant to Section 27-33;

(9), as written.

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(10) ~~[Reserved]. In a metered parking space where the meter for such space is covered with a hood issued pursuant to Section 27-33. This prohibition shall not apply to vehicles engaged in the activities allowed by the permit issued pursuant to Section 27-33;~~

(11) to (16), as written.

(b) and (c), as written.

(d) No person shall park any vehicle in any parking space designated by the traffic commission for parking for ~~the handicapped individuals with disabilities~~ unless the vehicle displays ~~special handicapped~~ license plates or placards issued pursuant to 23 V.S.A. 304a, or any amendment or renumbering thereof.

(e) and (f), as written.

~~(g) Effective upon making conforming changes to Appendix D of this code, a violation of rules relating to parking set forth in said Appendix D shall constitute a violation of this section for purposes of ticketing and enforcement.~~

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And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 61, thereof to read as follows:

No person shall leave a vehicle in the same place within the limits of a street for a period longer than three (3) days. This period starts when the police department ~~or parking enforcement officer~~ observes a vehicle in a space. From that time the vehicle must be moved within three (3) days. For the purposes of this section the term moved is defined as relocating a vehicle at least twenty-five (25) feet from its original location for a time period of thirty-six (36) hours.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 63, thereof to read as follows:

For the purpose of cleaning, clearing, oiling, repairing, surfacing a street, special events, parades, or pruning or removing trees, ~~or for parking encumbered pursuant to Section 27-33,~~ the street department, parks department, or police department may close such street ~~or portion of a street~~ to the parking of vehicles by causing signs to be posted thereon in conspicuous locations ~~and at reasonable intervals~~ indicating the prohibition of parking thereon. The signs shall be posted by 6:00 p.m. and the prohibition shall be effective ~~12:00 a.m. the following day~~ as indicated thereon, but not sooner than twenty-four (24) hours later. ~~The signs shall indicate in bold face "NO PARKING – TOW AWAY ZONE". Where individual parking space meters are provided, such signage shall be provided in the form of parking meter hoods.~~ Such prohibition shall

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Commented [ER1]: Language proposed to be stricken for reasons outlined in the staff report.

Page 5
An Ordinance in Relation to PARKING ENFORCEMENT

remain in effect until such signs are removed, and during the period when parking is so prohibited, no person shall park a motor vehicle on any such street.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 66, thereof to read as follows:

(a), as written.

(b) Nonmetered Parking Offenses:

(1) Handicapped-Accessible parking. The penalty for ~~handicapped~~ parking violations as set forth in Section 20-55(d) shall be ~~one hundred twenty five dollars (\$125.00) as set forth in 23 V.S.A. § 304a(e)(1), as~~ the same may be amended or renumbered from time to time.

(2) to (6), as written.

(7) Other nonmetered parking offense. "Nonmetered parking offense" means any parking offense set out in this Code, except violations related to metered parking. The penalty for violations of nonmetered parking offenses except ~~handicapped parking and idling as indicated~~ shall be seventy-five dollars (\$75.00).

(8) and (9), as written.

(c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 67, thereof to read as follows:

(a), as written.

(b) Any person who has violated any ordinance regarding parking in the city may within thirty (30) days from the date of such violation waive in writing the issuance of any process in a trial by jury or hearing and voluntarily pay ~~to the police department of the city~~ the penalty prescribed in Section 20-66. Payments may be made by cash, check, money order, credit card or online payment.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 71, thereof to read as follows:

(a) Under the provisions of this division, any police officer or parking enforcement officer shall cause a motor vehicle parked in violation of the following to be moved or removed to any public garage or other place designated by him within a five-mile radius from the boundaries of the city:

(1), as written.

(2) ~~Designated prohibited areas, as set forth in section 20-55 of this Code; In any manner that violates any provision of this code if:~~

~~(i) The vehicle is interfering unreasonably with the free flow of traffic, including through, into, or out of any public or private parking area, driveway, or right of way;~~

~~(ii) The vehicle is parked in a manner that interferes unreasonably with any lawful construction activity;~~

~~(iii) The violation constitutes or includes a violation of Section 22-55(a)(3), (a)(8), or (d) of this code;~~

~~(iv) When allowed pursuant to Section 20-79 of this code;~~

~~(v) In any location where, in the opinion of the parking enforcement officer, such vehicle creates an immediate traffic hazard or otherwise endangers the public health, safety, or welfare; or~~

~~(vi) The violation continues for a period of not less than twenty-four (24) hours following ticketing.~~

~~(vii) The vehicle is parked in any space designated a special parking space pursuant to section 29 of Appendix C to this code, as the same may be renumbered or amended from time to time.~~

~~(3) to (5), as written.~~

~~(b) and (c), as written.~~

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 72, thereof to read as follows:

The ~~chief of police~~parking enforcement officer and the owner of any public garage to which a vehicle is removed shall keep a record of each vehicle so removed by manufacturer's trade name or make, registration number or motor number if the vehicle is not registered, registered owner if the vehicle bears a Vermont registration, such other descriptive matter as may be necessary to identify such vehicle, and the name and address of any claimant thereof. The ~~chief of police~~parking enforcement officer shall, in addition, keep a record showing the date of such removal, the place to which such removal is made and the reason for such removal. All such records shall be open to public inspection at all times.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 73, thereof to read as follows:

Before the owner shall be permitted to reclaim a vehicle which has been removed pursuant to this division, he shall:

(a) Furnish satisfactory evidence to the ~~chief of police~~ parking enforcement officer and to the owner or person in charge of such public garage of his identity and of his ownership of such vehicle;

(b) Pay ~~to the police department~~ all outstanding charges for violation of the offenses described in ~~section 20-79(a) this article~~, and all charges for removing said vehicle and all charges for the storing and parking thereof, and for publication of record of removal; enter a legally binding payment plan, if eligible based upon ability to pay, pursuant to a policy approved by the director of public works; or

~~(1) Post a bond, certified by the chief of police or his duly authorized representative, which is equal to the amount of charges due set forth in (b) above;~~ and

(c) Sign a written receipt acknowledging delivery of said vehicle;

(d), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 79, thereof to read as follows:

(a) Any motor vehicle parked in violation of city ordinance upon any public highway of the city or at the Burlington International Airport, including such ways, streets, alleys, lanes or other places as may be open to the public, the owner of which has accumulated unpaid parking violations totaling two hundred seventy-five dollars (\$275.00) or more, not including the amount attributable to the present violation, may be removed and stored pursuant to this division. Thereupon, the vehicle may be reclaimed pursuant to Section 20-73. In order to reclaim the impounded vehicle, the owner shall pay charges for outstanding violations such that the total amount owed in fines and fees pursuant to ordinance violations is reduced to less than two hundred seventy-five dollars (\$275.00), all outstanding removal charges previously assessed and the charges imposed by this division for such removal and storage or until the requirements of Section 20-73(b)(1) have been met. Fines shall not be avoided by the transference of title or registration, or the purchasing of a different vehicle.

(b) and (c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 83, thereof to read as follows:

Commented [ER2]: Language added at the request of Ordinance Committee but, per the Committee's direction, not yet reviewed by it.

The board of public works commissioners is hereby authorized to establish zones to be known as parking meter zones in all or part of such areas on the streets of the city as they may deem necessary. For greater clarity, the term “parking meter zone” includes all on-street paid parking within the city, whether a meter is physically present for each metered space. Nothing in this code or its appendices shall be construed to prevent the city from using parking kiosks, other forms of multi-space metering, or web-based applications, to collect parking fees, whether in parking meter zones or other city owned or operated parking lots or garages.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 84, thereof to read as follows:

(a) ~~The public works commission shall cause parking meters to be installed in parking meter zones established under this division.~~ The public works commission shall ~~also~~ cause the installation of necessary curb and street markings for on-street paid parking, provide for the regulation and operation thereof, and maintain ~~said parking meters, including multi-space meters, instructions for online payment via web-based applications, kiosks, or similar apparatus and/or multi-space meters~~ said parking meters, including multi-space meters, instructions for online payment via web-based applications, kiosks, or similar apparatus in workable condition.

(b) ~~Meters and/or multi-space meters~~ Payment devices shall be placed upon the curb next to individual parking spaces or in proximity of designated parking spaces, and shall be so constructed as to accept payment as indicated by instructions upon the ~~meter~~ device.

(c) Except to the extent the city council has otherwise appropriated city funds to pay such charges for the fiscal year in question, whenever any payment processor charges a fee for the use of a credit card to pay for metered parking, the person responsible for payment for the parking shall also be responsible for the payment processor’s charges.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 87, thereof to read as follows:

(a) When any vehicle is parked in any meter zone in accordance with the provisions of this division, the operator of the vehicle shall, upon entering the parking space, immediately pay in accordance with instructions on the ~~meter and/or multi-space meter~~ payment apparatus as indicated by the legend thereon, and failure to make such payment ~~or to operate the meter~~ shall constitute a misdemeanor. Upon payment, the parking space may be lawfully occupied by such vehicle for a period as set out in App. C, Section 19.

(b), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 95, thereof to read as follows:

20-95 ~~Disabled persons exempt from requirements~~Exemptions for individuals with disabilities.

~~Any person who is blind, who has an ambulatory handicap, or who is temporarily disabled with an ambulatory handicap shall be entitled to~~Any person who is blind, or who has a permanent or temporary ambulatory disability, may park without fee for an unlimited period in a parking zone which is restricted as to the length of time parking is permitted. This section shall not apply to zones in which parking, standing or stopping of all vehicles is prohibited, which are reserved for special vehicles, or where parking is prohibited by any parking ban. As a condition to this ~~privilege~~right, the vehicle shall display the ~~special handicapped~~ parking card, plate or placard issued by the state commissioner of motor vehicles as required in 23 V.S.A. 304a, or a ~~handicapped-similar~~ license plate, card or other identification issued by any other state.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 101, thereof to read as follows:

In each lot owned or leased by the city for the purpose of parking, ~~meters and/or multi-space meters~~payment apparatus shall be placed upon the curb or in proximity to parking spaces, and shall be so constructed as to accept payment as indicated by instructions ~~thereupon-said meter~~.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by adding Sec. 110, thereof to read as follows:

The public works commission may, with the approval of the city council, authorize the mayor to execute leases for space within private parking facilities, wherein the city may charge for parking at rates the same or substantially the same as rates charged in public garages within the city, and wherein the parking enforcement officer shall have the same authority to ticket or tow vehicles as for public garages.

And that Chapter 27, Streets and Sidewalks, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 33, thereof to read as follows:

(a), as written.

(b) Permits for the obstruction of metered parking spaces may be issued for the following purposes only:

- (1) Construction, repair or maintenance work on abutting or nearby properties;
- (2) Loading or unloading goods, people, materials or equipment, or the use of such equipment, on abutting or nearby properties;
- (3) Working in that immediate area of the street;
- (4) The parking of vehicles used for events; or
- (5) Any other uses as approved by city council.

The permit and the application for the permit shall state the nature of the obstruction, the purpose of the obstruction, and the time allowed for it to remain or continue. The permit shall specify the number of metered spaces to be obstructed. The permit shall be subject to reasonable conditions imposed by the director of public works or designee, including reasonable indemnification provisions approved as to form by the city attorney or designee.

(c) The department of public works shall upon issuance of the permit issue ~~an appropriate number of meter hoods to the applicant for each parking space to be obstructed. Upon the face of each hood shall be indicated in bold face "NO PARKING—TOW AWAY ZONE."~~ The applicant shall place the meter hood over the meter by 6:00 p.m. the preceding day signage to be placed as described in Section 20-63.

(d) to (f), as written.

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

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Five

An Ordinance in Relation to

PARKING ENFORCEMENT

ORDINANCE 6.2

Sponsor: Public Works Commission
Public Hearing Dates: _____

First reading: 09/29/25

Referred to: Ordinance Committee

Rules suspended and placed in all
stages of passage: _____

Second reading: 12/01/25

Action: adopted

Date: 12/01/25

Signed by Mayor: 12/03/25

Published: 12/03/25

Effective: 12/23/25

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

1 That Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
2 hereby is amended by amending Sec. 1, thereof to read as follows:

3 *As written, with the following definitions inserted in alphabetical order:*

4 Parking enforcement officer: Means any city employee designated by the city pursuant to 23 V.S.A.
5 § 4(11)(B), as the same may be amended or renumbered from time to time.

6 Traffic commission: Means the public works commission.

7
8 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
9 hereby is amended by amending Sec. 23, thereof to read as follows:

10
11 *(a) and (b), as written.*

12 (c) The traffic commission may adopt regulations delegating its authority under this section to the
13 director of public works or their designee, for the following purposes:

14 (1) to designate new no-parking areas, to change or modify the locations of existing no-
15 parking areas, or to make other changes affecting no-parking areas, including, without limitation, removals
16 that are necessitated by safety assessments, whenever the director or designee determines both that, (i) such
17 designation, change, or modification is necessary or convenient in response to a reasonable request from the
18 public or is warranted by changed circumstances or new data, and (ii) existing rules are substantially
19 inconsistent with regulations or safety guidelines published by the U.S. Access Board, the Federal Highways
20 Administration, the Vermont Agency of Transportation, or the American Association of State Highway and
21 Transportation Officials;

22 (2) to designate new accessible spaces or to change or modify the locations of existing
23 accessible spaces, whenever the director or designee determines both that, (i) such designation, change, or

ORIGINAL

AN ORDINANCE
IN RELATION TO

Introduced by

Councilor _____

Read in City Council first time

_____, 20_____.

Attest,

_____, Clerk.

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

_____, 20_____.

Attest,

_____, Clerk.

Read in City Council second time

_____, 20_____.

Attest,

_____, Clerk.

Passed in City Council at meeting held

_____, 20_____.

Attest,

_____, Clerk.

Approved

_____, 20_____.

_____, Mayor.

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

And the within Ordinance was ordered published for _____ day,

namely the _____ day of _____, 20_____.

Adopted _____ Published _____ Effective _____
_____, City Clerk

Attest:

Distribution

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

* * * * *

* * * * *

modification is necessary or convenient to comply with federal and state disability access laws, and (ii) existing parking rules are substantially inconsistent with the Public Right-of-Way Accessibility Guidelines, or other relevant standards published by the United States Access Board;

(3) to designate new school zones, to change or modify the locations of existing school zones, or to make other changes affecting school zones, including, without limitation, adjusting rules for student drop off and pick up, whenever the director or designee determines both that, (i) such designation, change, or modification is necessary or convenient in response to a reasonable request from the school department or is warranted by changed circumstances or new data, and (ii) existing rules are substantially inconsistent with regulations or safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association of State Highway and Transportation Officials;

(4) to prohibit right-hand turns against a traffic signal which is indicating red, whenever the director or designee determines both that, (i) such prohibition is necessary or convenient in response to a reasonable request from the public or is warranted by changed circumstances or new data, and (ii) existing rules are substantially inconsistent with regulations or safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association of State Highway and Transportation Officials, and

(5) to designate new school crossing guard locations, to change or modify the locations of existing school crossing guard locations, or to make other changes affecting school crossing guard locations, whenever the director or designee determines both that, (i) such designation, change, or modification is necessary or convenient in response to a reasonable request from the school department or is warranted by changed circumstances or new data, and (ii) existing rules are substantially inconsistent with regulations or safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association of State Highway and Transportation Officials.,

Such modifications shall become effective and enforceable immediately upon the posting of reasonable signage directing motorists accordingly and shall remain in effect provided that notification is sent to the traffic commission within its next two regularly scheduled meetings. Within a reasonable time after providing the required notification to the commission, the public works director or designee shall propose to the traffic commission a formal amendment to Appendix C to reflect the change. The failure to do so shall not render the change invalid or unenforceable, but if the traffic commission rejects the change, it shall cease to be effective.

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AN ORDINANCE
IN RELATION TO

Introduced by

Councilor _____

Read in City Council first time

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Attest,

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passage.

_____, 20____.

Attest,

_____, Clerk.

Read in City Council second time

_____, 20____.

Attest,

_____, Clerk.

Passed in City Council at meeting held

_____, 20____.

Attest,

_____, Clerk.

Approved _____, 20____.

_____, Mayor.

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

And the within Ordinance was ordered published for _____ day,

namely the _____ day of _____, 20____.

Adopted _____ Published _____ Effective _____

_____, City Clerk

Distribution

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

Attest:

* * * * *

* * * * *

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 41, thereof to read as follows:

The traffic commission is hereby authorized to establish school zones, and to authorize staff to establish primary or secondary school zones, consistent with subsection (c) of section 20-23 of this code, by causing the same to be designated by appropriate signs indicating the speed limit and erected not more than five hundred (500) feet in advance of a school ground or of a pedestrian crossing customarily used by primary or secondary school pupils.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 53, thereof to read as follows:

(a), as written.

(b) The traffic commission may conspicuously place, or authorize the public works director or designee to place, suitable signs in and near the areas affected by the parking regulations of this article, plainly indicating such regulations.

(c) Whenever the traffic commission's regulations identify a location for signage to be placed, the location chosen by the public works director or designee shall be entitled to a rebuttable presumption of correctness.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 55, thereof to read as follows:

(a) No operator or driver of any vehicle shall stop, stand or park the same in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or official traffic sign or except momentarily to pick up or discharge a passenger:

(1) to (7), as written.

(8) Any street or portion of a street closed pursuant to section 20-63, including, without limitation, in metered parking spaces encumbered pursuant to Section 27-33 of this code; provided that this prohibition shall not apply to vehicles engaged in activities allowed under the permit issued pursuant to Section 27-33;

(9), as written.

ORIGINAL

AN ORDINANCE
IN RELATION TO

Introduced by

Councilor

Read in City Council first time

_____, 20____.

Attest,

_____, Clerk.

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

_____, 20____.

Attest,

_____, Clerk.

Read in City Council second time

_____, 20____.

Attest,

_____, Clerk.

Passed in City Council at meeting held

_____, 20____.

Attest,

_____, Clerk.

Approved

_____, 20____.

_____, Mayor.

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

And the within Ordinance was ordered published for _____ day,

namely the _____ day of _____, 20____.

Adopted _____ Published _____ Effective _____

_____, City Clerk

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Attest:

* * * * *

* * * * *

(10) ~~[Reserved]. In a metered parking space where the meter for such space is covered with a hood issued pursuant to Section 27-33. This prohibition shall not apply to vehicles engaged in the activities allowed by the permit issued pursuant to Section 27-33;~~

~~(11) to (16), as written.~~

~~(b) and (c), as written.~~

(d) No person shall park any vehicle in any parking space designated by the traffic commission for parking for ~~the handicapped individuals with disabilities~~ unless the vehicle displays ~~special handicapped~~ license plates or placards issued pursuant to 23 V.S.A. 304a, or any amendment or renumbering thereof.

~~(e) and (f), as written.~~

~~(g) Effective upon making conforming changes to Appendix D of this code, a violation of rules relating to parking set forth in said Appendix D shall constitute a violation of this section for purposes of ticketing and enforcement.~~

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 61, thereof to read as follows:

No person shall leave a vehicle in the same place within the limits of a street for a period longer than three (3) days. This period starts when the police department or parking enforcement officer observes a vehicle in a space. From that time the vehicle must be moved within three (3) days. For the purposes of this section the term moved is defined as relocating a vehicle at least twenty-five (25) feet from its original location for a time period of thirty-six (36) hours.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 63, thereof to read as follows:

For the purpose of cleaning, clearing, oiling, repairing, surfacing a street, special events, parades, or pruning or removing trees, or for parking encumbered pursuant to Section 27-33, the street department, parks department, or police department may close such street or portion of a street to the parking of vehicles by causing signs to be posted thereon in conspicuous locations and at reasonable intervals indicating the prohibition of parking thereon. The signs shall be posted by 6:00 p.m. and the prohibition shall be effective ~~12:00 a.m. the following day~~ as indicated thereon, but not sooner than twenty-four (24) hours later. The signs shall indicate in bold face "NO PARKING – TOW AWAY ZONE". Such prohibition shall remain in effect

ORIGINAL

AN ORDINANCE
IN RELATION TO

Introduced by

Councilor _____

Read in City Council first time

_____, 20_____.

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passage.

_____, 20_____.

Attest,

_____, Clerk.

Read in City Council second time

_____, 20_____.

Attest,

_____, Clerk.

Passed in City Council at meeting held

_____, 20_____.

Attest,

_____, Clerk.

Approved _____, 20_____.

_____, Mayor.

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

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namely the _____ day of _____, 20_____.
Adopted _____ Published _____ Effective _____

_____, City Clerk

Distribution

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

Attest:

* * * * *

* * * * *

until such signs are removed, and during the period when parking is so prohibited, no person shall park a motor vehicle on any such street.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 66, thereof to read as follows:

(a), as written.

(b) Nonmetered Parking Offenses:

(1) ~~Handicapped-Accessible~~ parking. The penalty for ~~handicapped~~ parking violations as set forth in Section 20-55(d) shall be ~~one hundred twenty-five dollars (\$125.00)~~ as set forth in 23 V.S.A. § 304a(e)(1), as the same may be amended or renumbered from time to time.

(2) to (6), as written.

(7) Other nonmetered parking offense. "Nonmetered parking offense" means any parking offense set out in this Code, except violations related to metered parking. The penalty for violations of nonmetered parking offenses except ~~handicapped parking and idling as indicated~~ shall be seventy-five dollars (\$75.00).

(8) and (9), as written.

(c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 67, thereof to read as follows:

(a), as written.

(b) Any person who has violated any ordinance regarding parking in the city may within thirty (30) days from the date of such violation waive in writing the issuance of any process in a trial by jury or hearing and voluntarily pay ~~to the police department of the city~~ the penalty prescribed in Section 20-66. Payments may be made by cash, check, money order, credit card or online payment.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 71, thereof to read as follows:

(a) Under the provisions of this division, any police officer or parking enforcement officer shall cause a motor vehicle parked in violation of the following to be moved or removed to any public garage or other place designated by him within a five-mile radius from the boundaries of the city:

(1), as written.

ORIGINAL

AN ORDINANCE
IN RELATION TO

Introduced by

Councilor _____

Read in City Council first time

_____, 20____.

Attest,

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

_____, 20____.

Attest,

_____, Clerk.

Read in City Council second time

_____, 20____.

Attest,

_____, Clerk.

Passed in City Council at meeting held

_____, 20____.

Attest,

_____, Clerk.

Approved _____, 20____.

_____, Mayor.

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

And the within Ordinance was ordered published for _____ day,

namely the _____ day of _____, 20____.

Adopted _____ Published _____ Effective _____

_____, City Clerk

Distribution

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

Attest:

* * * * *

* * * * *

(2) ~~Designated prohibited areas, as set forth in section 20-55 of this Code;~~ In any manner that violates any provision of this code if:

(i) The vehicle is interfering unreasonably with the free flow of traffic, including through, into, or out of any public or private parking area, driveway, or right of way;

(ii) The vehicle is parked in a manner that interferes unreasonably with any lawful construction activity;

(iii) The violation constitutes or includes a violation of Section 22-55(a)(3), (a)(8), or (d) of this code;

(iv) When allowed pursuant to Section 20-79 of this code;

(v) In any location where, in the opinion of the parking enforcement officer, such vehicle creates an immediate traffic hazard or otherwise endangers the public health, safety, or welfare; or

(vi) The violation continues for a period of not less than twenty-four (24) hours following ticketing.

(vii) The vehicle is parked in any space designated a special parking space pursuant to section 29 of Appendix C to this code, as the same may be renumbered or amended from time to time.

(3) to (5), as written.

(b) and (c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 72, thereof to read as follows:

The ~~chief of police~~parking enforcement officer and the owner of any public garage to which a vehicle is removed shall keep a record of each vehicle so removed by manufacturer's trade name or make, registration number or motor number if the vehicle is not registered, registered owner if the vehicle bears a Vermont registration, such other descriptive matter as may be necessary to identify such vehicle, and the name and address of any claimant thereof. The ~~chief of police~~parking enforcement officer shall, in addition, keep a record showing the date of such removal, the place to which such removal is made and the reason for such removal. All such records shall be open to public inspection at all times.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 73, thereof to read as follows:

ORIGINAL

AN ORDINANCE
IN RELATION TO

Introduced by

Councilor

Read in City Council first time

_____, 20_____.

Attest,

_____, Clerk.

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

_____, 20_____.

Attest,

_____, Clerk.

Read in City Council second time

_____, 20_____.

Attest,

_____, Clerk.

Passed in City Council at meeting held

_____, 20_____.

Attest,

_____, Clerk.

Approved _____, 20_____.

_____, Mayor.

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

And the within Ordinance was ordered published for _____ day,

namely the _____ day of _____, 20_____.

Adopted _____ Published _____ Effective _____
_____, City Clerk

Attest:

Distribution

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

* * * * *

* * * * *

Before the owner shall be permitted to reclaim a vehicle which has been removed pursuant to this division, he shall:

(a) Furnish satisfactory evidence to the ~~chief of police~~parking enforcement officer and to the owner or person in charge of such public garage of his identity and of his ownership of such vehicle;

(b) Pay ~~to the police department~~ all outstanding charges for violation of the offenses described in ~~section 20-79(a)~~this article, and all charges for removing said vehicle and all charges for the storing and parking thereof, and for publication of record of removal; enter a legally binding payment plan, if eligible based upon ability to pay, pursuant to a policy approved by the director of public works; or

~~(1) p~~Post a bond, ~~certified by the chief of police or his duly authorized representative, which is~~ equal to the amount of charges ~~dueset forth in (b) above~~; and

(c) Sign a written receipt acknowledging delivery of said vehicle;

(d), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 79, thereof to read as follows:

(a) Any motor vehicle parked in violation of city ordinance upon any public highway of the city or at the Burlington International Airport, including such ways, streets, alleys, lanes or other places as may be open to the public, the owner of which has accumulated unpaid parking violations totaling two hundred seventy-five dollars (\$275.00) or more, not including the amount attributable to the present violation, may be removed and stored pursuant to this division. Thereupon, the vehicle may be reclaimed pursuant to Section 20-73. In order to reclaim the impounded vehicle, the owner shall pay charges for outstanding violations such that the total amount owed in fines and fees pursuant to ordinance violations is reduced to less than two hundred seventy-five dollars (\$275.00), all outstanding removal charges previously assessed and the charges imposed by this division for such removal and storage or until the requirements of Section 20-73(b)(1) have been met. Fines shall not be avoided by the transference of title or registration, or the purchasing of a different vehicle.

(b) and (c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 83, thereof to read as follows:

ORIGINAL

AN ORDINANCE
IN RELATION TO

Introduced by

Councilor _____

Read in City Council first time

_____, 20____.

Attest,

_____, Clerk.

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

_____, 20____.

Attest,

_____, Clerk.

Read in City Council second time

_____, 20____.

Attest,

_____, Clerk.

Passed in City Council at meeting held

_____, 20____.

Attest,

_____, Clerk.

Approved _____, 20____.

_____, Mayor.

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

And the within Ordinance was ordered published for _____ day,

namely the _____ day of _____, 20____.

Adopted _____ Published _____ Effective _____

_____, City Clerk

Distribution

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

Attest:

* * * * *

* * * * *

The board of public works commissioners is hereby authorized to establish zones to be known as parking meter zones in all or part of such areas on the streets of the city as they may deem necessary. For greater clarity, the term “parking meter zone” includes all on-street paid parking within the city, whether a meter is physically present for each metered space. Nothing in this code or its appendices shall be construed to prevent the city from using parking kiosks, other forms of multi-space metering, or web-based applications, to collect parking fees, whether in parking meter zones or other city owned or operated parking lots or garages.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 84, thereof to read as follows:

(a) ~~The public works commission shall cause parking meters to be installed in parking meter zones established under this division.~~ The public works commission shall ~~also~~ cause the installation of necessary curb and street markings for on-street paid parking, provide for the regulation and operation thereof, and maintain ~~said parking meters, including multi-space meters, instructions for online payment via web-based applications, kiosks, or similar apparatus and/or multi-space meters~~ in workable condition.

(b) ~~Meters and/or multi-space meters~~ Payment devices shall be placed upon the curb next to individual parking spaces or in proximity of designated parking spaces, and shall be so constructed as to accept payment as indicated by instructions upon the ~~meter device~~.

(c) Except to the extent the city council has otherwise appropriated city funds to pay such charges for the fiscal year in question, whenever any payment processor charges a fee for the use of a credit card to pay for metered parking, the person responsible for payment for the parking shall also be responsible for the payment processor’s charges.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 87, thereof to read as follows:

(a) When any vehicle is parked in any meter zone in accordance with the provisions of this division, the operator of the vehicle shall, upon entering the parking space, immediately pay in accordance with instructions on the ~~meter and/or multi-space meter payment apparatus~~ as indicated by the legend thereon, and failure to make such payment ~~or to operate the meter~~ shall constitute a misdemeanor. Upon payment, the parking space may be lawfully occupied by such vehicle for a period as set out in App. C, Section 19.

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Distribution

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

_____, City Clerk

Attest:

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

And the within Ordinance was ordered published for _____ day, _____, 20____.

Adopted _____ Published _____ Effective _____

Introduced by _____
 Councilor _____
 Read in City Council first time _____, 20_____.
 Attest, _____, Clerk
 Rules suspended, and ordinance placed in all stages of passage.
 _____, 20_____.
 Attest, _____, Clerk.
 Read in City Council second time _____, 20_____.
 Attest, _____, Clerk.
 Passed in City Council at meeting held _____, 20_____.
 Attest, _____, Clerk.
 Approved _____, 20_____.
 _____, Mayor.

(b), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 95, thereof to read as follows:

20-95 ~~Disabled persons exempt from requirements~~ Exemptions for individuals with disabilities.

~~Any person who is blind, who has an ambulatory handicap, or who is temporarily disabled with an ambulatory handicap shall be entitled to~~ Any person who is blind, or who has a permanent or temporary ambulatory disability, may park without fee for an unlimited period in a parking zone which is restricted as to the length of time parking is permitted. This section shall not apply to zones in which parking, standing or stopping of all vehicles is prohibited, which are reserved for special vehicles, or where parking is prohibited by any parking ban. As a condition to this ~~privilege~~ right, the vehicle shall display the ~~special handicapped~~ parking card, plate or placard issued by the state commissioner of motor vehicles as required in 23 V.S.A. 304a, or a ~~handicapped-similar~~ license plate, card or other identification issued by any other state.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 101, thereof to read as follows:

In each lot owned or leased by the city for the purpose of parking, ~~meters and/or multi-space meters~~ payment apparatus shall be placed upon the curb or in proximity to parking spaces, and shall be so constructed as to accept payment as indicated by instructions ~~thereupon-said meter~~.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by adding Sec. 110, thereof to read as follows:

The public works commission may, with the approval of the city council, authorize the mayor to execute leases for space within private parking facilities, wherein the city may charge for parking at rates the same or substantially the same as rates charged in public garages within the city, and wherein the parking enforcement officer shall have the same authority to ticket or tow vehicles as for public garages.

And that Chapter 27, Streets and Sidewalks, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 33, thereof to read as follows:

(a), as written.

ORIGINAL

AN ORDINANCE
IN RELATION TO

Introduced by

Councilor _____

Read in City Council first time

_____, 20_____.

Attest,

_____, Clerk.

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

_____, 20_____.

Attest,

_____, Clerk.

Read in City Council second time

_____, 20_____.

Attest,

_____, Clerk.

Passed in City Council at meeting held

_____, 20_____.

Attest,

_____, Clerk.

Approved

_____, 20_____.

_____, Mayor.

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

And the within Ordinance was ordered published for _____ day,

namely the _____ day of _____, 20_____.

Adopted _____ Published _____ Effective _____

_____, City Clerk

Distribution

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

Attest:

* * * * *

* * * * *

(b) Permits for the obstruction of metered parking spaces may be issued for the following purposes only:

- (1) Construction, repair or maintenance work on abutting or nearby properties;
- (2) Loading or unloading goods, people, materials or equipment, or the use of such equipment, on abutting or nearby properties;
- (3) Working in that immediate area of the street;
- (4) The parking of vehicles used for events; or
- (5) Any other uses as approved by city council.

The permit and the application for the permit shall state the nature of the obstruction, the purpose of the obstruction, and the time allowed for it to remain or continue. The permit shall specify the number of metered spaces to be obstructed. The permit shall be subject to reasonable conditions imposed by the director of public works or designee, including reasonable indemnification provisions approved as to form by the city attorney or designee.

(c) The department of public works shall upon issuance of the permit issue ~~an appropriate number of meter hoods to the applicant for each parking space to be obstructed. Upon the face of each hood shall be indicated in bold face "NO PARKING TOW AWAY ZONE."~~ The applicant shall place the meter hood over the meter by 6:00 p.m. the preceding day signage to be placed as described in Section 20-63.

(d) to (f), as written.

* Material stricken out deleted.

** Material underlined added.

ORIGINAL

AN ORDINANCE

IN RELATION TO

Parking Enforcement

Introduced by

Anthony J. Jol Public Works Commission

Read in City Council first time

September 29, 2025

Attest,

Bridget Kelly, Clerk.

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

_____, 20____.

Attest,

_____, Clerk.

Read in City Council second time

December 1, 2025

Attest,

Bridget Kelly, Clerk.

Passed in City Council at meeting held

December 1, 2025

Attest,

Bridget Kelly, Clerk.

Approved,

Emily M. Jol, Mayor.

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

And the within Ordinance was ordered published for _____ Wednesday _____ day,

namely the _____ 3rd _____ day of _____ December _____, 2025.

Adopted _____ 12/01/25 Published _____ 12/03/25 Effective _____ 12/23/25

Bridget Kelly, DFO, City Clerk

Attest:

Lori Olberg
Council and Licensing Coordinator

Distribution

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

DPW Director Spencer

* * * * *

* * * * *



Office of Mayor Emma Mulvaney-Stanak

149 CHURCH STREET • BURLINGTON, VT 05401 • (802) 865-7272

MEMORANDUM

To: Burlington City Council
From: Erin Jacobsen
CC: Mayor Emma Mulvaney-Stanak; Katherine Schad, CAO; Phil Lewis, Director BPRW
Date: 11/19/2025
Re: Authorization to Execute Cooperative Agreement with Heineberg Senior Center

Request:

We respectfully request that the City Council authorize the execution of a Cooperative Agreement with the Heineberg Senior Center, the terms of which will govern funding to Heineberg for services rendered.

Purpose:

The cooperative agreement between the City of Burlington and the Heineberg Senior Center will establish the terms of a grant to the Heineberg Senior Center to help support meals and programming provided by Heineberg to previous CORE participants. The cooperative agreement will lay out the following: effective dates of the agreement; payment terms; participant tracking and documentation; invoicing and payment process; and parties' roles and responsibilities.

The Council's approval ensures that the City and Heineberg can move forward with finalizing the cooperative agreement and payment of grant funds to Heineberg.

Background:

As part of its FY26 budget, and in consideration of significant resource constraints, the Administration determined that by September 1, 2025, it needed to sunset the Parks and Recreations' CORE program, which provided meals and programming to approximately one dozen older adults at the Old North End Community Center. In response to feedback by community members, Councilors, and providers such as the Heineberg Senior Center, the City set aside \$50,000 to support programming for seniors in its FY26 budget.

Following that appropriation, City staff and City Councilors met with the Director and Board President of the Heineberg Senior Center to discuss how Heineberg could step in to support the former CORE program participants and in turn, how the City could financially support Heineberg in doing so.

The parties then drafted a Cooperative Agreement that will govern the grant by the City to Heineberg. The key terms of the Cooperative Agreement are laid out in this memo below. These terms have been agreed up by the City and Heineberg Senior Center. Once the City Council approves the grant per the City's procurement policy, the parties will finalize and execute the grant agreement.



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Terms of the Agreement:

I. Effective Date: September 1, 2025 to June 30, 2026

II. Agreement

1. Payment Terms

- BPRW agrees to pay \$20 per participant per day for CORE participants who attend programs and activities at Heineberg.
- Payments will cover participation from the effective date of this agreement through June 30, 2025.
- BPRW will pay a one-time fee of \$4,400 for lunches prepared by Heineberg and provided to CORE participants. (This amount is equivalent to 20% of the \$22,000 annual Heineberg budget for these meals, based on CORE participants filling 6 of Heineberg's 30 seats.)

2. Participant Tracking & Documentation

- BPRW and Heineberg will agree on a list of eligible CORE participants.
- Heineberg will provide daily sign-in sheets or other agreed-upon documentation to verify attendance.
- Copies of agreed-upon documentation will accompany invoices to BPRW.

3. Invoicing & Payment Process

- Heineberg will submit invoices to BPRW monthly along with attendance documentation.
- BPRW will process payment within 30 days of receiving complete invoices and documentation.

4. Term & Review

- The Cooperative Agreement will remain in effect through June 30, 2026, unless extended or terminated by mutual agreement.
- Either party may request amendments in writing.

III. Roles & Responsibilities

- BPRW will:



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- Provide funding as outlined above.
- Review and process invoices in a timely manner.
- Heineberg will:
 - Provide programming and space for CORE participants.
 - Maintain accurate records of attendance and supporting documentation.
 - Submit invoices and required documentation on schedule.

IV. Termination

Either party may terminate this MOU with 30 days written notice. Payment will be made for services rendered up to the termination date.

Next Steps:

Upon City Council approval of the grant to Heineberg as laid out above, the City and Heineberg will work to finalize and execute the Cooperative Agreement. This will include the City obtaining from Heineberg all required documentation, such as Certificates of Liability Insurance and Worker's Comp. Once the Cooperative Agreement is executed, the City will distribute grant monies to Heineberg per the terms of the agreement and for services rendered by Heineberg as of September 1, 2025.

Action Requested from City Council

Authorize the Mayor to provide a grant to, and execute a cooperative agreement with, the Heineberg Senior Center, subject to review and approval by the City Attorney's Office; authorize also the Parks and Recreation Department to make all necessary grant payments to the Heineberg Senior Center per the terms of the executed agreement.



Office of Mayor Emma Mulvaney-Stanak

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MEMORANDUM

To: Burlington City Council

From: Theresa Vezina, Special Assistant on OPC Implementation

CC:

Mayor Emma Mulvaney-Stanak

Erin Jacobsen, Chief of Staff

Jen Monroe Zakaras, Deputy Chief of Staff

Erik Ramakrishna, Asst. City Attorney

Katherine Schad, CAO

Ben Traverse, City Council President

Date: 11/24/2025

Subject: Authorization to Execute Subrecipient Agreement with Vermonters for Criminal Justice Reform (VCJR)

Request:

We respectfully request that the City Council authorize the execution of a subrecipient agreement with Vermonters for Criminal Justice Reform (VCJR).

This subrecipient agreement is the required next step to ensure the legislatively appropriated funding of \$2.2 million from the Vermont Department of Health (VDH) (Vermont Act 178 (2024)), which the Council approved the City to accept on September 8, 2025, be awarded to VCJR for the development and implementation of a fixed-site Overdose Prevention Center (OPC) in Burlington. The agreement also outlines the roles, responsibilities, and compliance expectations for both parties, as drafted by the City Attorney's Office and in accordance with the Vermont Overdose Prevention Center Operating Guidelines and the approved project proposal. Nearly all of the provisions addressed in the subrecipient agreement are passthrough requirements of VDH Contract #03420-10613 with the City.

The Council's approval ensures that this project can remain on track to meet the City's commitment to VCJR, the State's required guidelines, and the City-approved contract.

Background:

VCJR was selected on March 11, 2025, as the designated OPC provider and co-developed the project proposal that was approved by the Council on April 28, 2025. VCJR brings extensive experience in



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community-based service delivery and has demonstrated a strong commitment to the successful establishment of the OPC.

Over the past nine months, VCJR has been a key partner in planning and engagement efforts. They have participated in numerous NPA meetings, community partner meetings, and weekly strategic planning sessions with the Mayor's Office. Additionally, VCJR co-hosted the November 6, 2025, live educational webinar that launched the Community Survey, which they helped develop with the Pacific Institute on Research & Evaluation (PIRE). They also supported PIRE in initiating the in-person survey with individuals with living and lived experience, which was administered by PIRE staff at VCJR, the Community Health Center of Burlington, and Safe Recovery as part of the requirements of the Operating Guidelines.

During this same timeframe, VCJR began working with Project Weber Renew from Rhode Island, receiving technical assistance, and brought on other contractors for technical assistance, real estate market research, financial readiness, communications, and early planning as part of Phase One activities.

We highlight this work to share the many ways VCJR has honored their commitment to this partnership – all without compensation – while awaiting the execution of their subaward agreement, which has been delayed by the finalization of the State contract. The City's contract with VDH, with a start date of July 1, 2025, was fully executed on November 5, 2025. The City began work on Phase One deliverables at the start of the contract date, including the Service Assessment, which necessitated the engagement of both VCJR and PIRE to effectively rollout the service assessment activities.

Next Steps:

The City and VCJR will continue Phase One planning and capacity-building activities, as outlined in the approved Project Proposal, including:

- Ongoing community engagement with stakeholders, including public safety officials, residents, business owners, and community-based organizations.
- Targeted community engagement, focus groups and 1:1's conducted by PIRE in collaboration with VCJR and the City and informed by the data collected through the Community Survey ending on December 15, 2025.
- Connect with City Council as potential site(s) are identified through the site selection process to ensure transparency and time for targeted community outreach prior to OPC location approval.
- Hire new staff to support planning, capacity building, and development of administrative and data systems.
- Complete the Service Assessment, with findings reported in early spring 2026.
- Expansion of VCJR's **non-consumption** services in a larger space for new staff and service provision (e.g., case management, medical services, low-barrier MOUD treatment, drop-in center, recovery and harm reduction services) as part of a phased approach toward supervised consumption services in the future.



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- Development of OPC operating policies and procedures as outlined in Section II.B of the operating guidelines, including emergency planning, security protocols and good neighbor policies. *(this is required prior to operating an OPC or providing consumption services)*
- Go to the Planning Commission to add a footnote to the Zoning & Ordinance Table related to siting an OPC. *(this is required prior to operating an OPC or providing consumption services)*
- Schedule a work session with the Council in advance a request for a vote to approve the OPC operating location. *(this is required prior to operating an OPC or providing consumption services)*

As the primary grantee, the City remains responsible for administering the subaward, providing project oversight, and ensuring compliance with all grant requirements.

Action Requested from City Council

Authorize the Mayor to execute the subrecipient agreement with VCJR, subject to review and approval by the City Attorney's Office.

Authorize the Chief Administrative Officer to make all necessary amendments to the approved budget to reflect the execution of the subrecipient agreement.

SUBRECIPIENT AGREEMENT

This Subrecipient Agreement (this "Agreement") is entered on _____, 2025 (the "Effective Date") between the City of Burlington, a Vermont municipal corporation (the "City"), with a principal address of 149 Church Street, Burlington, VT 05401, and Vermonters for Criminal Justice Reform, Inc., a Vermont nonprofit corporation ("Provider"), with a principal address of 109 Bank Street, Burlington, VT 05401, with respect to the following facts:

- A. In the past quarter century, the incidence of drug related deaths in the United States has risen substantially, in no small part because of the over-prescription of opioids and misinformation propagated by pharmaceutical companies about their safety, efficacy, and addictiveness. None of us is immune from substance use disorder, and countless Americans have lost children, parents, colleagues, partners, lovers, and friends to the opioid crisis.
- B. According to the Centers for Disease Control, between 1999 and 2022, drug related deaths in this country increased tenfold, and in 2022, over 108,000 Americans died from drug overdose. Burlington has not escaped this crisis. According to the Vermont Department of Health ("VDH"), in 2024, 26.6 people died of an opioid overdose in Chittenden County for every 100,000 residents. Overdose deaths are occurring in many public and private settings in our City and State, including church lawns, City restrooms and parking garages, sober houses, residential drug treatment programs and correctional facilities. Although those who manage or control these settings do not seek to facilitate, encourage or condone illicit use of controlled substances, they often implement increased monitoring, implement overdose response protocols, make sure naloxone is on hand in the event of an overdose, and may install sharps containers to provide safe disposal options for syringe litter. When overdoses occur in these settings, those who manage or control these settings often administer naloxone and alert first responders and others. They do their best to intervene and save a life, but sometimes the person who has overdosed is not found in time.
- C. The Burlington overdose prevention center ("OPC") is a program designed to attract, engage and retain individuals with substance use disorders in a variety of harm-reduction, substance use disorder treatment, substance use disorder recovery and other health and public health-related services, which may include monitored spaces, the capacity to provide naloxone or other interventions in the event of an overdose, and options for safe disposal of used syringes.

- D. The City recognizes that every human being has a right to life, liberty, and security of person, including those with substance use disorders. Substance use disorders are chronic, relapsing medical conditions characterized by compulsive substance use in spite of negative consequences. Recovery is a process that takes place over time and often includes periods of use/relapse. Instant, perfect, permanent abstinence is rarely achieved by individuals with substance use disorders. This means that an effective program must engage individuals who are currently experiencing the symptoms of their disorder (compulsive drug use), help them avoid overdose death and other serious harm as they move through the stages of behavior change, and support them in successfully transitioning from active use to sustained abstinence and recovery. OPCs also have the proven ability to reduce drug use in the community, and they provide an alternative to use of controlled substances in public spaces or other locations where such use may infringe upon the rights or safety of others. Furthermore, OPCs play a role in preventing the spread of hepatitis, HIV, and other bloodborne pathogens.
- E. The City and Provider do not seek to facilitate, encourage or condone illicit use of controlled substances and are actively engaged in working to reduce and eliminate illicit use of controlled substances in our community. The City and Provider intend the OPC to support our efforts to reduce or eliminate illicit use of controlled substances in our community by attracting and engaging individuals who use substances in services, helping them avoid serious harm while they move through the stages of behavior change and supporting them in transitioning from active use to sustained abstinence and recovery. The purpose of Burlington's OPC is to reduce drug-related harm to individuals, families and communities in Burlington. This includes reducing overdose deaths, public drug consumption, syringe litter in the community, and transmission of bloodborne pathogens. The City and Provider affirmatively assert that the purpose of the OPC is not to provide a place for manufacturing, storing, distributing or illicitly using a controlled substance, which the City and Provider actively are working to reduce and eliminate. Rather, the OPC's purpose is to take responsible steps to reduce and eliminate the manufacturing, storing, distributing or using of controlled substances in Burlington by engaging individuals with substance use disorder in health monitoring and intervention, building motivation for change, supporting them in moving through the stages of behavioral change, and directly providing or linking them to the supports necessary for them to successfully transition from active use to sustained abstinence and recovery, including case management, drug treatment and recovery services.

- F. The City support for establishment of an OPC in Burlington has been strong and sustained. The Burlington City Council passed resolutions in support of establishment of an OPC in Burlington repeatedly over a period of years and election cycles. Support for establishment of an OPC in Burlington has been expressed repeatedly by both current and prior Administrations. In 2024, the Vermont General Assembly enacted Act No. 178 via a two-thirds majority vote to authorize overdose prevention centers and to decriminalize their use, subject to the provisions of 18 V.S.A. § 4256, Department of Substance Use (DSU) OPC Operating Guidelines (the "Guidelines"), the Passthrough Requirements (defined below), and all other applicable laws. Act No. 178, including, without limitation, 18 V.S.A. § 4256, the Guidelines, the Passthrough Requirements, and all other applicable laws that are already in force or that may come into force during the term of this Agreement, are collectively referred to herein as "Applicable Laws". The term "Applicable Laws" includes, *inter alia*, the City's Livable Wage Ordinance, as described in Provider's certificate attached hereto as **Attachment 1**.
- G. Section 2 of Act No. 178 appropriates for Fiscal Year 2025 \$1.1 million to VDH for the purpose of awarding grants to the City for establishing an OPC upon submission of a grant proposal that has been approved by the City Council and that meets the requirements of 18 V.S.A. § 4256 and the Guidelines. Section 2 also expresses the General Assembly's intention to continue appropriating funds for the same purpose through Fiscal Year 2028. The General Assembly's Fiscal Year 2026 budget appropriates an additional \$1.1 million for the same purpose, for a total of \$2.2 million thus far. As used herein, an award of grants appropriated pursuant to the foregoing for Fiscal Years 2025 and 2026, together with any future grant funds awarded to the City by the State of Vermont in connection with operations under this Agreement, are referred to as an "Award". A grant by the City to Provider from any Award (less amounts retained by the City to cover its expenses for operations hereunder) is referred to herein as a "Subaward". For FY 2025-2026, the Subaward amount is Nine Hundred Ninety-three Thousand Dollars and No Cents (\$993,000).
- H. In February 2025, the City issued a Request for Letters of Interest from organizations interested in cooperating with the City to apply for the Award. Provider responded with a Letter of Interest (the "LOI") on February 24, 2025, which is incorporated in this Recital by reference as though fully set forth. The LOI divides the establishment of an OPC and its operation up into "Phase I" and "Phase II" respectively of a pilot program under Act No. 178. The LOI further contemplates that Phase I will take eight (8) to twelve (12) months, and that Phase II will be ongoing.

- I. The City has determined that Provider is capable of establishing and operating an Award-eligible OPC.
- J. Effective on or about July 1, 2025, the City and VDH entered that certain grant agreement (the "Grant Agreement") attached hereto as **Attachment 2**, whereby VDH agreed to make an Award to the City on terms and conditions set forth therein to implement and operate a fixed-site OPC in the City. Any requirements of the Grant Agreement applicable to Provider in the implementation and operation of the OPC are referred to herein as the "Passthrough Requirements". The Passthrough Requirements include, without limitation, certain insurance requirements in favor of the State of Vermont, privacy requirements typically included in a Business Associate Agreement pursuant to the HIPAA Privacy Rule, and the requirements set forth in standard attachments to State contracts, including nondiscrimination covenants and other provisions.
- K. Between July 1, 2025, and the date of this Agreement, Provider incurred predevelopment and planning costs in connection with the approved OPC budget, in an amount to be included in Provider's first quarter financial reconciliation, and which amount is subject to approval as a eligible costs (the "Incurred Provider Costs"). On the condition precedent that the City is able to draw down a portion of the Award to refund the Incurred Provider Costs, and in consideration of Provider's execution of this Agreement, the City intends to draw down the Incurred Provider Costs and pay that amount to Provider within a reasonable time after the Effective Date.
- L. The parties now desire to enter this Agreement to govern their relationship as subgrantor and subrecipient with respect to the implementation and operation of the OPC by Provider on behalf of the City. This Agreement is intended to ensure the OPC operates according to Applicable Laws and set forth the respective rights, duties and obligations of the parties hereto.

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

- 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.
- 2. Subaward. In consideration of Provider's covenants and promises hereunder, the City agrees to make a Subaward of the Award granted to the City pursuant to the Grant Agreement, subject to the terms and conditions of such Award.

The Subaward will be drawn down prospectively on a quarterly basis based upon Provider's approved budget. Subject to the terms and conditions set forth in Recital K, above, the Subaward will include reimbursement for the Incurred Provider Costs. The actual receipt of funding under the Award shall be a condition precedent to the City's obligation to make such Subaward. As the City qualifies for future Awards, the City agrees to Subaward a portion of such revenues to Provider in consideration of Provider's continued performance hereunder.

3. Provider Responsibilities.

- a. Scope of Work. Provider shall fully implement the scope of work, which consist of two phases, set forth in **Attachment 3** (the "Scope of Work"). The obligations set forth in the Scope of Work derive, at least in part, from the Guidelines and grant compliance plan submitted with the City's grant application to VDH, as set forth in **Attachment 4** (the "Grant Compliance Plan") hereto. The parties shall work in good faith to implement the Grant Compliance Plan to the extent it is not inconsistent with this Agreement, Applicable Laws (including the Passthrough Requirements), or the Scope of Work. In the event of any conflict among the terms and conditions of the Applicable Laws (including the Guidelines and the Passthrough Requirements), this Agreement, the Grant Compliance Plan, and the Scope of Work, the same shall control in the foregoing order of supremacy.
- b. Compliance with Applicable Laws. Provider shall operate the OPC in compliance with all Applicable Laws, including, without limitation, the Guidelines, Act No. 178, and the Passthrough Requirements. In case of any conflict between this Agreement and Applicable Laws, Applicable Laws shall take precedence. Reference is hereby made to section 5 below with respect to 21 U.S.C. § 856. The City recognizes that the federal government may take the position that the operation of an OPC with supervised consumption violates federal law, but agrees that such operation by Provider in compliance with the provisions of this Agreement is considered lawful and will not be considered a breach by Provider of Applicable Laws. Subject to Section 14(b) of this Agreement, in the event that any material municipal, state or federal government action is taken objecting to supervised consumption at the OPC, the operation of the OPC without supervised consumption by Provider shall not be considered a material breach of this Agreement.

- c. Nondiscrimination. In its operations under this Agreement, Provider shall not discriminate against any person on any basis prohibited by law, including, without limitation, race, creed, color, national origin, alienage, family status, gender (including gender identity and expression), sex, sexual orientation, age, disability, or veteran status.
 - d. Indemnification & Insurance. The indemnification and insurance provisions set forth in **Attachment 5** and **Attachment 6** are incorporated herein by reference. Prior to execution of this Agreement by the City, Provider shall provide a certificate of insurance with copies of all required endorsements attached, subject to the review and approval of the City Attorney, which shall be added as **Attachment 7** hereto for reference purposes. Annually, Provider shall provide an updated certificate with copies of all required endorsements attached. The duty to provide an updated certificate shall apply even in the absence of a specific request from the City.
 - e. Record Keeping. Provider shall retain all financial and other records relating to operations under this Agreement (not including notes and other records not created or intended to be retained in the ordinary course of business), for the longer of: (i) six (6) years, (ii) any longer period required by Applicable Laws, or (iii) upon the completion of any litigation or audit to which any records relate that were still in existence at the time Provider first knew or should have known of the pendency of the audit or litigation.
4. Compliance Monitoring.
- a. Access to Records. On at least fifteen (15) business days' notice, except in case of emergency, if necessary or convenient for the City to determine compliance with this Agreement, Provider shall make any nonprivileged records (i.e., records not protected by the attorney-client privilege, work product doctrine, or medical privacy laws), available to the City for copying and inspection.
 - b. Financial Statements. Provider shall deliver financial statements to the City as required in the Scope of Work; as provided in **Attachment 8** (Provider Payment Provisions), incorporated herein by this reference as fully set forth; and whenever necessary or convenient for the City to draw down Award funds. Provider shall provide expense reports with reasonable backup documentation. Provider will use the reconciliation

form required in the Grant Compliance Plan, or any new form DSU requires.

- c. Audits. Without prejudice to Provider's other obligations hereunder to provide budget reconciliation statements and other financial information, annually, following the close of its fiscal year, Provider shall have its financial statements reviewed by a licensed accountant to determine conformance with generally accepted accounting principles. A copy of the review shall be given to the City within ninety (90) days of the close of Provider's fiscal year and upon request. If required by Applicable Laws, the review shall take the form of a formal audit of the financial statements and shall be performed by an independent auditor. Additionally, Provider shall have its financial statements, policies, procedures, or operations audited by an independent auditor for any fiscal year if requested by the City, provided that the City will be responsible for the cost thereof unless the auditor finds the existence of material irregularities in the form of fraud, serious waste or abuse, theft, breach of fiduciary duty, or criminal conduct.
 - d. Access to Facilities. Subject to Section 14(a) and all Applicable Laws, including any additional requirements of the Guidelines and the Passthrough Requirements, upon request to determine compliance with this Agreement, Provider shall provide reasonable access to the OPC to the Mayor, Mayor's chief of staff and deputy chief of staff, and the designated OPC grant manager. The City shall provide no less than forty-eight (48) hours prior notice to Provider to access the OPC.
 - e. Rights of the State of Vermont. The State of Vermont shall have the same rights as the City under this section, in addition to any other rights of access it might have to Provider's records or facilities under Applicable Laws. For greater clarity, it is agreed and understood that as a Passthrough Requirement, Provider shall provide access to the OPC and appropriate operational and budget materials to VDH's Division of Substance Use Programs within two (2) business days of a written request for programmatic and operational audits.
5. Effect of 21 U.S.C. § 856. The parties are aware of *United States v. Safehouse*, 985 F.3d 225 (3d Cir. 2021), which was decided in a neighboring federal circuit. The City Attorney has opined that operation of an OPC in full compliance with state law does not violate 21 U.S.C. § 856, and that *U.S. v. Safehouse* was wrongly decided for the reasons set forth in the dissenting opinion of Judge Roth, and for other reasons, including those set forth in

Recital E. This opinion has been given for the sole and exclusive benefit of the City, and not for the benefit of Provider, with whom the parties agree that the City Attorney does not have an attorney-client relationship. Provider represents and warrants that it is relying on its own interpretation of the law and/or that of its own counsel in entering into this Agreement, and not upon the opinion of the City Attorney.

6. Budget. The Grant Agreement includes certain Passthrough Requirements pertaining to the budget for the OPC, which requires approval by DSU. The parties agree that the Fiscal Year 2025-2026 budget has already been provided to the City. For subsequent fiscal years, Provider shall deliver to the City its proposed budget no less than sixty (60) days prior to the start of the fiscal year, which the City shall review for reasonableness and compliance with Applicable Laws. The City shall make a good faith effort to consult Provider regarding any budget changes made by the City prior to submission to DSU. Proposed budget amendments pursuant to Section 8 shall be provided to the City as soon as reasonably practicable and require approval by the City and DSU prior to incurring costs in accordance with a proposed amendment. Failure to obtain approval for budget items prior to incurring costs may result in those costs not being reimbursed.
7. Budget Approval. The City shall approve the budget unless it reasonably determines that a proposed expenditure (or the failure to make an expenditure) will facilitate or result in a breach of this Agreement, including, without limitation, by violating Applicable Laws, by failing to implement the Grant Compliance Plan, or by fundamentally defeating the objects of this Agreement as set forth in the Recitals. The City may also disapprove a budget that includes expenditures in excess of reasonably anticipated revenues. The City's review of Provider's budget shall be for the City's sole and exclusive benefit, and Provider shall not treat any approval as constituting legal, accounting, or other financial advice.
8. Budget Amendment. Any changes to the budget greater than five percent (5%) of the total budget and any changes to the budget to a new cost category not previously described in an approved budget must be requested in writing by the Provider to the City and must receive approval from DSU prior to reimbursement to Provider before adjusted costs can be incurred.
9. Representations & Warranties of Provider. By entering this Agreement, Provider represents and warrants the following to the City:

- a. Provider is a nonprofit public benefit corporation, duly formed and validly existing under the laws of the State of Vermont;
- b. There are no judicial or administrative actions pending, or, to the best of Provider's knowledge, threatened against Provider that would interfere with Provider's ability to carry out its obligations under this Agreement;
- c. This Agreement is legally enforceable against Provider, and Provider has done everything necessary to enter this Agreement, including by obtaining the consent of its board of directors; and
- d. The person executing this Agreement on Provider's behalf is authorized to bind Provider hereto.

10. Communication & Dispute Resolution.

- a. Cooperation. Both parties agree to cooperate and to communicate openly, to meet regularly with appropriate personnel present, and to discuss issues to identify solutions for orderly and efficient project delivery.
- b. Regular Meetings. At the outset of any performance, the parties shall each designate an authorized representative to act as its primary point of contact for purposes of this Agreement, and the authorized representatives shall mutually agree upon meeting cadence to monitor progress, performance and compliance. This schedule shall be flexible while still meeting minimum requirements outlined in the Grant Compliance Plan and may be changed by mutual oral or written agreement at any time.
- c. Dispute Resolution. Neither party shall file any litigation arising from this Agreement without first attempting in good faith to resolve the parties' dispute through negotiated settlement or mediation; provided, however, that any applicable statute of limitations shall toll during any period in which the parties are actively and mutually engaged in dispute resolution; and provided further that nothing herein shall prevent either party from seeking emergency relief in appropriate circumstances from a court of competent jurisdiction.

11. Termination. This Agreement shall remain in full force and effect until either party gives the other notice of termination for one or more of the following reasons:

- a. By either party if a court of competent jurisdiction determines that operations under this Agreement violate 21 USC § 856, provided however,

that subject to Section 14(b) of this Agreement and with the consent of the City, which consent shall not be unreasonably withheld, delayed or conditioned, the Provider may continue to operate the OPC without supervised consumption, in which case the City shall not terminate this Agreement under this subsection.;

- b. By Provider on ninety (90) days' notice and return of funds as described in Section 13, below;
 - c. By the City following an event of insolvency by Provider. Events of insolvency include the initiation of voluntary bankruptcy proceedings or involuntary bankruptcy proceedings not dismissed within sixty (60) days, any assignment for the benefit of creditors, the appointment of a receiver or liquidator, Provider's admission that it is unable to pay financial obligations when due, Provider's failure to meet financial obligations when due, or any other circumstance evincing that bankruptcy or liquidation are imminent;
 - d. By either party in case of the other party's material breach following notice and a reasonable opportunity to cure. Unless a material breach is incapable of cure, poses an imminent threat to health or safety, constitutes criminal conduct or fraud, or threatens a loss of funding such that a more immediate cure is necessary, the cure period shall not be less than thirty (30) days, and reasonable extensions shall be granted so long as the breaching party is diligently pursuing a cure;
 - e. By either party, following ninety (90) days' notice and a reasonable attempt to meet and confer in good faith during the notice period to discuss alternative arrangements, if it becomes clear that an Award will not be forthcoming for the current or following fiscal year; and
 - f. By the City if any of Provider's representations and warranties hereunder cease to be true.
12. Survival. The following provisions of this Agreement shall survive termination hereof: Section 13; any indemnification, defense, or records retention obligation hereunder; and any ongoing obligation under Applicable Laws.
13. Return of Funds & Property. Provider shall refund the amount of any Subaward to the City as follows:
- a. If the City is required to refund any Award to VDH or to any other instrumentality of the State of Vermont arising from Provider's breach or

early termination of this Agreement, then Provider shall pay the City the amount due up to the amount of total Subawards.

- b. Even if no refund to the State of Vermont is required, upon early termination hereof in accordance with section 11, Provider shall return any unexpended amount of any Subaward to the City after payment of all liabilities incurred by Provider in the operation of the OPC, which the City shall use in a manner allowed by law that reasonably fosters the intent of this Agreement as expressed in the Recitals.
- c. Upon termination, subject to Applicable Laws and Section 14(b) of this Agreement, and unless such termination is due to default by Provider, Provider shall be entitled to retain all real estate, tangible personal property, plans, contracts, or other intangible personal property purchased with any Subaward so long as Provider continues to use such assets to promote overdose prevention.
- d. If termination results from an uncured material breach of this Agreement by Provider, Provider shall also refund the amount of any expenditure reasonably determined by the City to have been improper.

14. Interpretation.

- a. Nothing herein shall be deemed to waive the City's land use or other regulatory authority with respect to Provider and the OPC, including zoning and building requirements and obligations for zoning and building inspections. Nor shall anything herein be deemed to affect the City's obligation to provide legitimate first responder or law enforcement services with respect to the OPC on the same terms as for other properties in the City.
- b. This Agreement contemplates that the City will passthrough funds granted to it by the State of Vermont to Provider. Nothing herein shall be construed as requiring the City to commit its own funds to Provider.
- c. This Agreement shall not be construed against its drafter, but instead any ambiguity shall be construed liberally in furtherance of its purposes as expressed in the Recitals.
- d. This Agreement contains the entire understanding of the parties with respect to the subject matter hereof and supersedes all prior agreements or understandings relating to the same, whether written, oral, or implied.

- e. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall continue in force to the extent necessary to effectuate the original intent of the parties as expressed in the Recitals as closely as possible.
 - f. There are no third-party intended beneficiaries of this Agreement.
15. Amendment. This Agreement may not be amended except in a writing duly authorized and executed by both parties. By approving this Agreement, the City Council authorizes the Mayor to execute amendments hereto approved as to form by the City Attorney without further approval of the City Council, provided that no such amendment should materially alter the objects of this Agreement as expressed in the Recitals.
16. Choice of Law & Litigation. This Agreement shall be construed according to Vermont law, notwithstanding conflicts of law principles. Venue for any dispute under this Agreement shall be proper in Chittenden County, Vermont, notwithstanding any other law. In case of any litigation arising from this Agreement, the prevailing party shall be entitled to an award of reasonable attorneys' fees and costs of suit. Both parties freely and voluntarily waive the right to a jury trial in case of any civil litigation arising hereunder.
17. Miscellaneous Provisions
- a. The parties are independent contractors, and neither party is the agent or principal of the other. By entering this Agreement, neither party intends to form a partnership, joint venture, or similar enterprise.
 - b. Neither party shall be responsible for any circumstance beyond its reasonable control, provided that a party whose performance is hindered by a force majeure event shall give the other party prompt written notice of the circumstances in reasonable detail. In no case shall such notice be given more than ten (10) days after the party required to give notice knows or reasonably ought to know the circumstances giving rise to the delay or failure of performance.
 - c. Neither party shall assign this Agreement without the written consent of the other party.
 - d. No waiver of this Agreement shall be valid unless in writing, notwithstanding the passage of time, and no waiver shall constitute a continuing waiver of the same or another provision.

- e. Any notice required under this Agreement shall be given to the receiving party at the address in the opening paragraph, unless another address is given by notice. In case of personal delivery, notice shall be deemed given upon receipt. In case of notice by U.S. mail, notice shall be deemed given three (3) days after deposit in the mail. In case of notice by overnight courier, notice shall be deemed given the day after deposit with a reputable courier. In case of notice by electronic means, notice shall be deemed given upon written acknowledgment of receipt.
18. Execution. The signatories hereto represent and warrant their authority to bind their respective parties and shall produce evidence of such authority prior to execution by the other party. This Agreement may be executed in counterparts, each of which shall be deemed an original. This Agreement may be executed electronically, and an electronic copy or other facsimile shall be treated as an original.

[Signatures on Following Page]

IN WITNESS WHEREOF, this Agreement has been executed as of the Effective Date.

CITY OF BURLINGTON

VERMONTERS FOR CRIMINAL JUSTICE
REFORM, INC.

By: _____
Emma Mulvaney-Stanak, Mayor

By: _____
Tom Dalton, Executive Director

ATTACHMENT 3

SCOPE OF WORK TO BE PERFORMED

Background/Overview: This initial Scope of Work covers all overarching grant requirements and defines the work to be completed in Phase 1. The detailed SOW for Phase 2 will be developed as a subsequent deliverable, informed by the results of Phase 1 planning and capacity building activities. Once approved by the City & Provider, the Phase 2 SOW will become incorporated herein by this reference. For greater clarity, the Phase 2 SOW will be developed, and will be informed by, the workplan once it is updated in response to the Service Assessment and is approved by the State and the City, as set forth below.

1. Required Services and Activities:

- a. Although approved OPCs are authorized by Act 178 (2024) to provide SSP services without additional approval, Provider agrees to apply for and maintain approval from the Commissioner of Health to provide syringe services programs services or partner with an existing SSP and support the application and embedding of SSP services at the OPC pursuant to [18 V.S.A. § 4478](#) and will ensure all SSP services are provided in accordance with [Vermont Department of Health Operating Guidelines for Syringe Services Programs](#).
- b. Provider shall collaborate with the City to develop and submit a workplan for the development and implementation of an OPC in the City of Burlington for review and approval by the Vermont Department of Health, Division of Substance Use (DSU) within 30 calendar days of written notice to Provider from Grantee of the Grantee's (the City) grant execution. A written request for a reasonable extension can be submitted to the DSU by the City for approval within 2 weeks of the deadline and is subject to DSU approval and feedback.
 - i. The workplan must utilize the Workplan and Timeline template provided on the Division of Substance Use (DSU) grantee webpage: <https://www.healthvermont.gov/alcohol-drugs/grantees-contractors/reporting-forms-guidance-documents>
 - ii. The Workplan must at a minimum include the steps that will be taken for developing and implementing the following activity types:
 1. Planning
 2. Management
 3. Operations
 4. Staff and Training
 5. Provision of Services
- c. Provider must edit and update the workplan and timeline in accordance with information collected through the Service Assessment process and Phase 1 Planning and Capacity

Building activities and must be resubmitted to the City for review and approval by DSU before such changes to the workplan may be implemented.

- i. Provider must provide the updated Workplan and timeline to the City within 30 days of the Service Assessment completion or by June 30, 2026, whichever date comes first
- d. Provider must develop and submit a detailed budget and budget narrative for the second 12-months (**Phase 2**) for review by the Program Manager and approval of the Department of Finance (DFA) within timelines set forth in the subrecipient agreement.
 - i. Providers approved detailed budget & budget narrative must be integrated into the City budget that is submitted to DSU and must describe which cost(s) is associated with which organization. The City must utilize the template provided here: <https://www.healthvermont.gov/alcohol-drugs/grantees-contractors/reporting-forms-guidance-documents>
 - ii. Provider must provide contracts and budgets related to all subcontractor/s hired to provide services under this agreement as identified in the Provider budget post grant execution.
 - iii. Any increases in spending greater than 5% of the total budget shall be dealt with as set forth in the subrecipient agreement.
 - iv. Provider shall work with the City to follow proper procedure for requesting Budget Adjustments in writing.
- e. Provider must submit monthly aggregate reports for the first three months of an operating OPC and quarterly thereafter that includes the data measures pursuant to Section II.C.v. of [Vermont's Overdose Prevention Center Operating Guidelines](#) and follow the reporting timeline provided in Section 7 of this agreement.
 - i. Provider shall use the reporting mechanism required by the City or State.
 - ii. Provider shall provide related data points, as required by [18 V.S.A. Sec. 4256\(d\)](#). The City of Burlington shall publicly post as a report or data dashboard on the City of Burlington's website the following data collected from the OPC Provider annually on or before January 1st:
 - Number of program Participants;
 - Deidentified demographic information of program Participants;
 - Number of overdoses and the number of overdoses reversed on-site;
 - Number of times emergency medical services were contacted and responded for assistance;
 - Number of times law enforcement were contacted and responded for assistance; and

- The number of Participants directly and formally referred to other services and the type of services.
- iii. Provider must implement NEO360 prior to providing any services hereunder to track required measures pursuant to Section II.C.v and as required for Vermont SSP's. Focused TA on the customization and reporting capabilities of NEO360 can be accessed through the City Program Manager.
- f. Provider must submit a Critical Incident Report to the City within 24 hours of a critical incident occurring at an operating OPC.
 - i. Critical incident is defined as any actual or alleged event or situation that substantially or seriously harms or creates a significant risk of substantially or seriously harming the physical or mental health, safety or well-being of a person. Subject to Applicable Laws, supervised consumption of controlled substances that does not result in a response from an emergency first responder for the user shall not be considered a critical incident.
 - ii. The Critical Incident Reporting Form can be found here:
<https://www.healthvermont.gov/alcohol-drugs/grantees-contractors/reporting-forms-guidance-documents>
- g. Provider must provide information and engage in the State's evaluation efforts as described in Section II.c.vi. of [Vermont's Overdose Prevention Center Operating Guidelines](#).
- h. Provider must submit for review and approval monthly financial reconciliation reports and financial documentation on all allowable expenditures towards quarterly reconciliation and include information from each subcontractor, if applicable, under this agreement to the City within 15 days of the month ending.
 - i. Provider must use the Reconciliation Report Template found here:
<https://www.healthvermont.gov/alcohol-drugs/grantees-contractors/reporting-forms-guidance-documents>
 - ii. Provider must participate in a quarterly programmatic site visit and financial backup documentation review conducted by DSU.
- i. Provider must submit to the City for review and approval quarterly reports on progress made on approved Workplan and timeline in alignment with the reporting schedule in Section 7 of this document.
- j. As requested, Provider shall attend monthly meetings with The City & DSU to discuss progress.
- k. Provider shall appoint a designee to meet with the City appointed Program Manager weekly until the OPC is operating, monthly thereafter. This schedule shall be flexible and easily managed through written communications.
- l. Provider shall attend any stakeholder, progress, or other related meetings as requested by the City and DSU.

Phase 1 Activities:

- m. Provider shall work collaboratively with the City and Pacific Institute for Research & Evaluation (PIRE) under a City-held contract with PIRE to complete a Service Assessment in accordance with Section II.C.vi. of the [Vermont Department of Health Operating Guidelines for Syringe Services Programs](#) within the first 12 months of this agreement.
 - i. The completed Service Assessment report will be reviewed and approved by the Provider, The City & PIRE before it is submitted by the City to be approved by DSU.
 - ii. Provider shall work collaboratively with the City to build out a community engagement plan that includes collaborating with PIRE.
 - iii. Provider shall work collaboratively with the City to conduct and/or attend community events, gatherings and other neighborhood initiatives such as visiting NPA's and other community-led opportunities, as identified.
 - iv. Provider shall provide community-level education and resources on harm reduction, overdose response, and safety messaging to community members located in closest proximity to the Center, prior to the Center's opening
 - v. Provider shall work collaboratively with the City and PIRE, under a City-held contract with PIRE, through a scope of work agreement to develop a Neighborhood Impact Study, which will serve as a supplement to the Service Assessment.
- n. Provider shall have an Administrative Body responsible for oversight & management of the OPC as outlined in Section II.A of the [Vermont's Overdose Prevention Center Operating Guidelines](#).
 - i. Decision-Making & Meetings
 - The Administrative Body must develop and document clear decision-making processes and establish an internal meeting cadence.
 - Policies & Procedures Development

- The Administrative Body & Provider shall develop new policies and procedures, or adapt and revise existing ones, to address the topics described in Section II.B. of the [Vermont's Overdose Prevention Center Operating Guidelines](#).
 - All policies and procedures shall be developed in consultation with community partners, individuals with living and lived experience, OPC management personnel, and other relevant stakeholders.
 - The Provider shall collaborate with the City, OPC leadership and staff, and technical assistance providers (such as, but not limited to, Project Weber/RENEW and/or a similar expert entity) in the development of policies and procedures.
 - The Administrative Body & Provider shall maintain copies of the policies and procedures set forth in Section II.B of the [Vermont's Overdose Prevention Center Operating Guidelines](#).
 - Policies and procedures shall be approved by Provider's Administrative Body.
- ii. Submission & Approval
- Within five (5) business days of finalization, the Provider must submit all policies and procedures described in Section II.B. of the [Vermont's Overdose Prevention Center Operating Guidelines](#). to the City for review.
 - All policies and procedures must be submitted by the City to DSU and approved by DSU within 120 days of operating an OPC.
- o. Provider must meet the following site selection requirements as outlined in Section III.E of the [Vermont's Overdose Prevention Center Operating Guidelines](#) and the Grant Compliance Plan.
- i. Provider shall work collaboratively with the City and utilize relevant information from the Service Assessment to inform site considerations.
 - ii. Provider shall submit a Site Acquisition Plan to the City 60 days after the completion of the Service Assessment.
 - iii. Provider shall participate in required City Council meetings related to site consideration in advance of looking for site approval.
 - iv. Provider shall develop initial facility design **ideas** as part of the site selection process, to ensure a fixed-site will meet OPC Guideline requirements and informed by the Service Assessment, including but not limited to:
 - Consumption spaces (supervised use areas for injection, smoking, and other routes of administration).
 - Post-consumption monitoring areas (ensuring participant safety after drug use).

- Medical intervention & wound-care spaces.
- Smoking area requirements.
- Private meeting areas for counseling, case management & referrals.
- A drop in communal space with basic furnishings and access to wifi.
- Strive to have laundry, showers and other basic needs on site

2. Performance Measures:

Performance Measures are expectations that incorporate this agreement's Required Services/Activities into the larger continuum of substance misuse services. Grant performance will be measured and evaluated by the Performance Measures section below.

Performance Measures		
Performance Measure	Performance Expectation	Data Source
Service Assessment completed	Service Assessment will be completed in collaboration with the City and submitted within the first 12 months of this grant agreement.	Service Assessment Report
Adherence to project timelines, proactive identification of delays, timely corrective action, and consistent collaboration with partners and stakeholders	Provider best effort to stay on schedule, address issues early, adjust work plans as needed, and maintain transparent collaboration with the City and project partners.	Documented progress reports and written communications
Provider responsiveness	Provider must provide access to the OPC and appropriate operational and budget materials to DSU within 2 business days of written request for programmatic and operational audits.	Written communication

Grantee and Provider's performance measures will be monitored through submission, review and approval of required reporting, during site visits and meetings, and through analysis of data submitted to the City of Burlington for submission to the Division of Substance Use Programs (DSU). DSU may request that the grantee & Provider submit a plan for achieving a performance target to the DSU, and the grantee and Provider may request technical assistance from DSU to improve performance.

3. Program Evaluation:

The Vermont Department of Health (VDH) has a strong, ongoing commitment to high quality program evaluation. The structure for evaluation within DSU allows for rapid development of evaluation plans and launch of evaluation processes with either internal staff or external evaluators. All evaluation work is overseen by the Division's internal evaluation staff. This serves to help coordinate evaluation resources, promotes consistent evaluation practices, and builds in ongoing support and technical assistance for all evaluation activities.

All VDH Grantees/Providers are expected to participate in evaluation activities as part of their ongoing work. If your program is within the scope of a state-led or state-funded evaluation, participation in DSU evaluation activities and cooperation with DSU program evaluators will be required as identified by your program manager.

Participation may include providing input, among other activities such as:

- Identifying and collecting data that can/will inform the evaluation activities
- Determining how data will be collected, stored and transferred/communicated to the State
- Defining the timing and frequency of data collection
- Participating in regularly scheduled in-person or virtual meetings
- Creating a logic model for your program

Evaluation training resources can be found on the VDH Substance Use Evaluation webpage: <https://www.healthvermont.gov/alcohol-drugs/substance-use-data-reports/evaluation>. Please contact your program manager if you have any questions or need assistance in completing any required evaluation materials outlined in your grant agreement.

4. Reporting Requirements and Grant Monitoring:

- a. The following grant monitoring will be conducted to assess performance and grant compliance:

The State will conduct quarterly site visits during the grant period to ensure compliance with the terms of this Agreement. The Provider is required to participate in monthly virtual meetings with the State-assigned Grant Manager and City Project Manager. Provider's grant reporting and invoices, including backup documentation, will be evaluated to establish compliance.

- b. Provider's reporting quarters:

Quarter	Quarter Time Frame
1	7/1/25-9/30/25
2	10/1/25-12/31/25
3	1/1/26-3/31/26
4	4/1/26-6/30/26
5	7/1/26-9/30/26
6	10/1/26-12/31/26
7	1/1/27-3/31/27
8	4/1/27-6/30/27

- c. By 12/22//25 submit for review and approval the Quarter 1 Financial Reconciliation Report
 - d. By 12/29/25 submit for review your Quarter 1 Progress Report.
 - e. By the 10th of each month beginning Feb. 2026 submit for review and approval monthly Financial Reporting and documentation towards quarterly reconciliation.
 - f. By 1/26/26, submit for review and approval the Quarter 2 Financial Reconciliation Report and Progress Report.
 - g. By 4/10/26 submit for review and approval the Quarter 3 Progress Report.
 - h. By 5/10/26 submit for review and approval the 12-month phase 2 budget and budget narrative.
 - i. Upon completion but no later than 6/10/2026 submit for review and approval Service Assessment Report, and Updated Workplan and Timeline.
 - j. By 7/10/26 submit for review and approval the Quarter 4 Progress Report.
 - k. By 10/10/26 for review and approval the Quarter 5 Progress Report.
 - l. By 1/10/27 submit for review and approval the Quarter 6 Progress Report.
 - m. By 4/10/27 submit for review and approval the Quarter 7 Progress Report.
 - n. By 7/10/27 submit for review and approval the Quarter 8 Progress Report.
 - o. By 8/10/27 submit for review and approval the Final Financial Reconciliation Report.
5. Within 10 business days of finalization of all policies and procedures described in Section II.B. of [Vermont's Overdose Prevention Center Operating Guidelines](#), the Provider must submit all policies and procedures to the City for DSU review.

6. Reporting Schedule: Submit to the designated Project Manager at the City of Burlington

Due Date	Reports Due	Submission Location
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12/22/25	Quarter 1 Financial Reconciliation Report	Email Submission
12/29/25	Workplan and Timeline	Email Submission
12/29/25	Quarter 1 Progress Report	Email Submission
1/26/26	Quarter 2 Financial Reconciliation	Email Submission
1/26/26	Quarter 2 Progress Reporting	Email Submission
By the 10 th of every month beginning 2/10/26	Monthly Financial Reconciliation Reporting with documentation	Email Submission
4/10/26	Quarter 3 Progress Report	Email Submission
Upon completion but no later than 6/20/26	Service Assessment Report Updated Workplan and Timeline	Email Submission
5/10/26	12-month Phase 2 Budget	Email Submission
7/10/26	Quarter 4 Progress Report	Email Submission
10/10/26	Quarter 5 Progress Report	Email Submission
1/10/27	Quarter 6 Progress Report	Email Submission
4/10/27	Quarter 7 Progress Report	Email Submission
7/10/27	Quarter 8 Progress Report	Email Submission
8/10/27	Final Financial Reconciliation Report	Email Submission
Within 10 business days of finalization	Policies and procedures described in Section II.B. of Vermont's Overdose Prevention Center Operating Guidelines	Email Submission

7. Confidentiality Requirements:

- a. Provider must comply with 42 CFR Part 2, Confidentiality of Records. (<https://www.ecfr.gov/current/title-42/part-2>), in addition to any Passthrough Requirements relating to confidentiality.
- b. In addition, Provider must comply with 45 CFR Part 164, HIPAA Privacy Regulations. (<https://www.ecfr.gov/current/title-45/subtitle-A/subchapter-C/part-164>).

8. Records Available for Audit:

Per Attachment C of the State Standard Attachments, Section #13, Provider must maintain all records pertaining to performance under this Agreement. Records shall be made available at reasonable times during the period of the Agreement and for three (3) years thereafter or for any period required by law for inspection by any authorized representatives of the State or Federal Government.

ATTACHMENT 8 PAYMENT PROVISIONS

1. General Payment Provisions Requirements:

- a. The Provider's performance is limited to the services and activities set forth in the Scope of Work as defined in Section 3(a) of the Subrecipient Agreement. The Subrecipient shall not be obligated or expected to provide services beyond the amounts stated.
- b. Payment of invoices are subject to the following, as applicable:
 - i. **Provider must provide continuous service for the entire twenty-four (24) months of grant period.**
 - ii. Provider must submit invoices, in adherence with the schedule in subsection c. iv 4 of this agreement. The invoice must be provided utilizing the template found here (<https://www.healthvermont.gov/alcohol-drugs/Providers-contractors/reporting-forms-guidance-documents>). The prospective invoice must be signed and dated by an authorized representative of the organization and submitted using the prospective invoice template provided by the City
 - iii. **Signed and dated invoices are due no later than the last day of the month following the previous quarter and must include the grant number, billing quarter start and end date, and the amount indicated in Section 2 below.**
 - iv. Quarters for the Grant Agreement are as follows:

Quarter	Quarter Time Frame/ Service Dates	Prospective Invoice Due Date
Quarter 1	7/1/2025 - 9/30/2025	N/A
Quarter 2	10/1/2025 - 12/31/2025	Upon contract execution
Quarter 3	1/1/2026 - 3/31/2026	1/1/2026
Quarter 4	4/1/2026 - 6/30/2026	4/1/2026
Quarter 5	7/1/2026 - 9/30/2026	7/1/2026
Quarter 6	10/1/2026 - 12/31/2026	10/1/2026
Quarter 7	1/1/2027 - 3/31/2027	1/1/2027
Quarter 8	4/1/2027 - 6/30/2027	4/1/2027

- v. State of Vermont & City payment terms for invoices are Net 30 days from the date the City receives an error-free invoice meeting the following conditions:
 - o Payment of initial invoice may be submitted on or after the calendar day the Subrecipient Agreement is fully executed.
 - o Payment of Invoices numbered 2 through 8, described in subsection c. iv. of this agreement, are contingent upon the provision of the required services and activities, receipt, review and approval of required reporting, and the meeting and/or exceeding of the Performance Measures described in the Scope of Work as defined in Section 3(a) of the Subrecipient Agreement.
 - o Payment of each prospective invoice is contingent on the receipt, review and approval of the previous quarter financial reconciliation reporting.
- v1. Signed and dated invoices must be submitted as a PDF to the Project Manager at the City.
- vii. **The provider must submit invoices to the City in a timely manner to ensure compliance with the State passthrough requirement: all invoices must be received by the Vermont Department of Health, Division of Substance Use Programs, within 60 days of the end of the grant period. Invoices submitted after 60 days are subject to non-payment.**
- v111. Provider understands that their organization's internal controls must reflect procedures for utilizing funds to support and account for indirect and direct expenditures. Any invoice payments found not in compliance with state and federal regulations during financial reviews may be subject to the recoupment of funds.
- c. Supporting documentation for all invoices must be retained for the period set forth in Section 3(e) of the Subrecipient Agreement. Documentation will be requested to substantiate invoices and/or for audit at the State's discretion, a minimum of one time per year.
- d. Provider must abide by this passthrough requirement by working directly with the City to meet this provision. Any unexpended funds must be returned to the State or an agreement must be reached with the Vermont Department of Health, Division of Substance Use Programs on the expenditure of remaining funds on program objectives.
- e. The maximum dollar amount payable under this Agreement is not intended to guarantee any amount of payment under this grant.
- f. The allowable indirect rate for this Agreement is 15%.
- g. Total expenditures for this grant will not exceed total of the Provider's approved budget

Board of Finance and City Council Submission Checklist

Version: April 2025

Department: Mayor's Office Submitter: Theresa Vezina
Seeking authorization to Execute Subrecipient Agreement with Vermonters for
Criminal Justice Reform (VCJR) under the Grant Agreement: #03420-01613 Overdose
Prevention Center (OPC) Pilot Grant Funding from the Vermont Department of
Title/Subject: Health

Approval Requested:

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

Meeting Date:

Click or tap to enter a date.

12/1/2025

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	11/24/2025	Erin Jacobsen
Mayor's Office	Yes	10/24/2025	Erin Jacobsen & Jen Monroe-Zakaras
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	11/21/2025	Erik Ramakrishnan
City Attorney's Office for memo and motion(s) or resolution(s)	Yes	11/21/2025	Erik Ramakrishnan
CAO for budget, financing, and memo	Choose an item.	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.



Office of Mayor Emma Mulvaney-Stanak

MEMORANDUM

Date: December 1, 2025
To: City Council
From: Mayor Emma Mulvaney-Stanak
Re: City of Burlington 2026 Legislative Priorities

For your consideration, here are the City of Burlington's top three legislative priorities for the 2026 session. These priorities remain much the same as for the 2025 session, given that we are heading into year two of the biennium with very little progress made during year one. Also herein are other legislative initiatives the Administration will monitor.

We created the list of priorities after soliciting input from the City staff; from our Burlington state legislative delegation and City Councilors; from last year's City Council work sessions and this one today; from outreach to various community stakeholders; and from Burlington residents through such means as Mayor meet-ups and constituent calls and emails. There remains broad support among City Staff, legislators, City Councilors, and the public for the five priorities listed below in the first section of the memo.

The second section of the memo lists additional legislative initiatives that we will monitor and support, as those too are aligned with Administration goals and values.

We appreciate developing these priorities alongside you and invite your endorsement of the top three so we can be unified in advocating for the needs our City and our residents during the upcoming legislative session.

City of Burlington's Top Three Legislative Priorities for 2026

1. ADDRESS CHITTENDEN COUNTY'S HOUSING EMERGENCY WITH NEW SHELTER CAPACITY AND WRAP AROUND SERVICES

Protect and expand emergency, transitional, and permanent supportive housing in Burlington and Chittenden County, ensuring 24/7 shelter and embedded services remain available. Using a mix of campus or small-village models and smaller apartment-style homes, these programs provide low- to high-barrier options with coordinated supports for mental health, substance use, and long-term housing stability.

2. APPROPRIATE STATE FUNDING FOR CRITICAL WATER INFRASTRUCTURE

Appropriate additional state funding to support water, stormwater, and wastewater distribution and collection system in master planning work and capital upgrades. Explore new financing options to help the City improve needed water infrastructure to allow more housing development to occur in the city. The City locally invested sizable resources through two infrastructure bonds passed overwhelmingly by voters in March 2025 for our water, stormwater and wastewater systems. Additional state assistance

will relieve local taxpayers from shouldering alone the financing that is needed to support our environmental and climate protections and our ability to develop critically needed housing for the region.

3. **ALLOW THE CITY TO USE LICENSE PLATE READER TECHNOLOGY FOR TRAFFIC ENFORCEMENT**, while also ensuring municipalities use safeguards to protect personal data and not allow use of data for other purposes.

4. **SUPPORT THE CITY'S CHARTER CHANGES**

Listed below are five Charter Change proposals still pending in the Legislature. All five received resounding support by Burlington voters but have been passed over by the legislature over the past several years; they deserve a fair hearing. **The sixth item listed below would codify REIB as a Chartered Department, a proposal we expect to see on the March 2026 Town Meeting Day ballot.**

GUN REFORM:

- **Ban guns in establishments that serve alcohol.** The legislature could take this action on a statewide level. Absent that action, the legislature should allow the City to take this action through a charter change. The City passed a charter change over 10 years ago—and again last year—that would ban guns in establishments that serve alcohol **(approved by voters in 2014 by 68% of the vote and again in 2025 with 87% of the vote).**
 - *As well, the legislature should take up other gun reform measures such as banning guns not just in bars but other “sensitive areas,” such as government buildings, at demonstrations, or at playgrounds and other places where children gather.*

TENANTS RIGHTS AND HOUSING AFFORDABILITY FOR TENANTS (two items):

- **Create rental protection by passing the just cause eviction charter change and give all cities and towns the authority to implement rent stabilization.** This will keep more people housed and avoid some people cycling into homelessness due to evictions with no cause to rent increases or other displacement in a difficult rental housing market **(approved by voters in 2021 with 63% of the vote).**
- **Require landlords to notify tenants of rent increases in a more timely fashion.** Currently, the required notice period is 90 days; providing the City the authority to increase the notice period through our ordinance process would help tenants stay housed **(approved by voters in 2025 with 65% of the vote).**

COMMUNITY AND MAYORAL POLICE OVERSIGHT

- The City approved in a special election on November 5, 2024 a charter change proposal to create an independent police oversight panel within the Police Commission and which adds a provision clarifying that the Chief of Police's authority is subject to the Mayor's as Chief Executive Officer, in line with other Department Heads **(approved by voters in 2024 with 62% of the vote)**

MUNICIPAL AUTHORITY TO MAKE CHANGES TO WARD AND COUNCIL-DISTRICT BOUNDARIES

- **This charter amendment would allow the Burlington City Council to propose changes to ward and council-district boundaries without sending those proposals to the Vermont Legislature.** Burlington voters would need to approve, but boundary changes, which could be made once every five years, would not need to be enacted by the General Assembly. This change would align Burlington’s process with common municipal practice in Vermont **(approved by voters in 2025 with nearly 69% of the vote).**

UPCOMING CHARTER CHANGE ITEM:

Enshrining the Racial Equity Inclusion and Belonging Department (REIB) in the City’s Charter, affirming our commitment to equitable and inclusive communities by enshrining (if placed on ballot and then passed by voters on Town Meeting Day 2025).

Legislative Initiatives of Interest—to Monitor

The Mayor’s Office will also monitor and support other possible initiatives that like the City’s Top Three, are aligned with administration goals and values. These initiatives are grouped below in accordance with the administration’s goals and values.

In addition to what is listed below, we will also track and support any policies that help us protect our residents and our rights from Trump Administration actions.

Community Safety

Ensure Community Justice Centers are adequately funded to continue providing pre-charge diversion, a key community safety program that allows for a swift response to crime and to victims and which helps reduce burden on the courts. Pre-charge diversion monies fund our CJC-BPD direct referral program as well as the soon-to-be-launched City Circles program for ordinance violations that carry criminal penalties.

Ensure Probation and Parole’s pre-trial monitoring program is adequately funded so this program can continue. Pre-trial monitoring is a relatively new DOC program that provides supports and supervision to criminally-charged individuals who are released to the community pre-trial. This program came to Chittenden County as part of the Court’s Accountability Docket, and it will be important to see its continuation after the sunset of the Accountability Docket itself.

Ample, Safe, Affordable Housing

Alongside housing-related charter changes and supporting state funding for critical water infrastructure:

Expand Sales Tax Reallocation (STR) for projects in Step 2 Centers to allow the City to use this incentive to make critical upgrades to municipal infrastructure to make private development feasible and desirable in downtown and neighborhood areas. Overlayed with the City’s IZ ordinance, any new development will also be required to include a certain percentage of affordable housing or pay into our Housing Trust Fund.

Increase maximum household income level for an individual to receive a tax credit on their property tax bill. It is currently set at a very low \$47,000. This is in stark contrast to the state education property tax credit

maximum household income of \$115,000. This creates a regressive tax structure for lower income households who are paying a higher share of their income towards municipal taxes than they do for state education taxes

Review the renter credit program to better assist renters who earn moderate incomes. Currently, income limits for qualifying for a full rental credit are very low. A family of four in Chittenden County must earn less than \$35,650 for a full credit and the maximum income for a family of four is \$77,290 for a partial credit. This program greatly benefits very low-income households, but leaves out many households with limited incomes.

Climate

Support more state funding for Green Mountain Transit to avoid further cuts in service to Burlington and Chittenden County and to ensure service is in line with community needs and the State's climate goals.

Extend Energy Efficiency Modernization Act (Act 142 of 2024) to allow efficiency utilities like BED to continue to have flexibility for the 2027-2029 performance period to invest certain efficiency funds into greenhouse gas emission reduction programs and projects. This is a no-cost proposal that supports climate action.

Obtain delegated authority for implementing a local pollution prevention program. Currently only the State has authority to administer and regulate federal pre-treatment regulations regarding wastewater treatment. We and the State believe there is benefit to having a local program to support our businesses in moving towards more lake friendly practices without having to "refer" our industries to the State for permitting. Benefits include local knowledge of our system and ability to have permitting fees remain in the City vs. paid to State. DPW has been in close communication with the State on proposed draft language. Given that we would implement this as a "voluntary" program (not required) we don't anticipate that this will be too contentious.

Good Governance and Affordability

Enact health care reform to support employers who face significant rising health care costs and perennial budgeting challenges. The City faces a significant burden with recent insurance premiums increases, which contributes to budget gaps and our ability to provide current city services.

Support the recommendations on a state school construction aide program.

Equity

Offer funding for programs and supports for at-risk youth; support juvenile justice proposals that help justice-involved youth and protect against disproportionate impacts on youth of color.

Offer more funding for municipalities to fund language access services for communities with high LEP populations.

Protect consumers from inequitable towing fees. Strengthen consumer protections related to the towing and storage of vehicles, with added language indicating that owners of stolen cars be immune from towing fees. Victims of this crime face financial burden upon their vehicle's recovery, mostly due to steep towing fees. The impact of the cost disproportionately impacts community members without resources to pay what can often be a very expensive bill.

Accelerate the establishment of a state Office of New Americans (ONA). This is currently in a study committee. We seek acceleration of this effort given Trump Administration actions and policies that target and negatively impact immigrants, their families, and our communities. ONAs help immigrant community members through efforts such as improving access to legal aid, English language programs, streamlining pathways to professional licensing and employment, supporting immigrant entrepreneurs, and offering resources for employers, schools, and communities. Burlington's immigrant population numbers in the thousands, so an ONA in Vermont could benefit a significant portion of our community and the city as a whole.



MEMORANDUM

TO: City Council

FROM: Community Service Manager Cassandra Stirling, Burlington Police Department

DATE: December 1, 2025

RE: Designation of Staff to Issue Municipal Tickets

The Burlington Police Department has hired a new Community Service Officer who will need to be issued an Officer Number by the Vermont Judicial Bureau in order to issue civil Municipal Tickets. In order for them to be issued an Officer Number, the City Council is required to designate the CSO as a Municipal Enforcement Officer. We would like to ask the City Council to designate CSO Ratna Polk as a municipal enforcement officer.

ATTACHMENTS:

- a. Vermont Judicial Bureau Municipal Enforcement Officer Designation Form
- b. Request for Vermont Civil Violation Complaints

Proposed Motion

To approve the designation of CSO Ratna Polk as a municipal enforcement officer for purposes of enforcing the Burlington City Ordinances, authorizing CSO Polk to issue civil tickets for violations of the same; and, to further authorize the Burlington Police Department to submit the attached designation form so designating CSO Polk to the Vermont Judicial Bureau, subject to approval as to form by the City Attorney's Office.

JUDICIAL BUREAU DESIGNATION OF MUNICIPAL OFFICIALS

NAME OF MUNICIPALITY: City of Burlington, Burlington Police Department (#0403)

Issuing Official:

Name: RATNA POLK

Title: COMMUNITY SERVICE OFFICER

Address: 1 NORTH AVE.

BURLINGTON, VT 05401

Telephone: 802-658-2700

Issuing Official:

Name: _____

Title: _____

Address: _____

Telephone: _____

Issuing Official:

Name: _____

Title: _____

Address: _____

Telephone: _____

Custodial Official Signature: /s/ Robert A. Parzych

Date: November 17, 2025

Provide a copy of the selectboard approval letter for any issuing officials.

Issuing officials (or town attorney) must appear at court hearings

4/2/2025

Board of Finance and City Council Submission ChecklistDepartment: Police Submitter: Cassandra StirlingTitle/Subject: CSO Municipal Ticket Designation

	Approval:	Meeting Date:
☐	Board of Finance	
☒	City Council	12/1/2025
☐	Concurrent	

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

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	11/18/2024	S. Burke
Mayor's Office informed and approved memo	Yes	11/18/2025	E. Jacobsen
Board/Commission, if required	N/A		
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A		
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	11/21/2025	H. McClenahan
CAO has reviewed budget, financing, and memo	N/A		
Human Resources, if personnel action -Identify HR Manager in note	N/A		
CIO, if an IT-related investment/purchase	N/A		

Materials Included

	Included?	Note
Final Memo Attached?	Yes	
Contract Attached, if applicable?	N/A	
Additional Materials, if necessary	N/A	
Draft Resolution or Motion?	Yes	In attached memo
If for submission to Council, are sponsors identified?	N/A	