



City Council - Public Safety Committee

Public Safety Committee Meeting Agenda - Thursday, September 21, 2023, 5:30 PM, Hybrid - Zoom/Champlain Room 3rd Floor, City Hall

PLEASE NOTE:

This meeting is will be held on zoom and in-person in the Champlain Room in City Hall, 3rd Floor. Zoom Info:

When: Sep 21, 2023 05:30 PM Eastern Time (US and Canada)

Topic: Public Safety Committee Meeting

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1. Adopt the Agenda

Subject	1.1. Motion to amend/adopt agenda
Meeting	September 21, 2023 - Public Safety Committee Meeting Agenda - Thursday, September 21, 2023, 5:30 PM, Hybrid - Zoom/Champlain Room 3rd Floor, City Hall
Category	1. Adopt the Agenda
Department	
Type	
Recommended Action	

2. Adopt Draft Minutes from September 7, 2023

Subject	2.1. Adopt Draft Minutes from September 7, 2023
Meeting	September 21, 2023 - Public Safety Committee Meeting Agenda - Thursday, September 21, 2023, 5:30 PM, Hybrid - Zoom/Champlain Room 3rd Floor, City Hall
Category	2. Adopt Draft Minutes from September 7, 2023
Department	City Attorney
Type	

3. Public Forum

Subject	3.1. Verbal Comments
Meeting	September 21, 2023 - Public Safety Committee Meeting Agenda - Thursday, September 21, 2023, 5:30 PM, Hybrid - Zoom/Champlain Room 3rd Floor, City Hall
Category	3. Public Forum
Department	
Type	

4. Discussion of Drug Crisis Resolution

Subject	4.1. Discussion of Drug Crisis Resolution
Meeting	September 21, 2023 - Public Safety Committee Meeting Agenda - Thursday, September 21, 2023, 5:30 PM, Hybrid - Zoom/Champlain Room 3rd Floor, City Hall
Category	4. Discussion of Drug Crisis Resolution
Department	City Attorney
Type	

5. Adjournment

Subject	5.1. Motion to adjourn
Meeting	September 21, 2023 - Public Safety Committee Meeting Agenda - Thursday, September 21, 2023, 5:30 PM, Hybrid - Zoom/Champlain Room 3rd Floor, City Hall
Category	5. Adjournment
Department	Council and Board

Type

Recommended Action

6. Informational and Non-Discrimination Statements

Subject	6.1. This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (802-865-7136)(TTY 802-865-7142). Persons with disabilities who require assistance or special arrangements to participate are encouraged to contact 802-865-7000 (voice) or 802-865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. 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	September 21, 2023 - Public Safety Committee Meeting Agenda - Thursday, September 21, 2023, 5:30 PM, Hybrid - Zoom/Champlain Room 3rd Floor, City Hall
Category	6. Informational and Non-Discrimination Statements
Department	Council and Board
Type	

**Public Safety Committee
Thursday, September 7, 2023
Remote via Zoom
Burlington, Vermont
DRAFT MINUTES**

Members Present: Karen Paul (Chair), Melo Grant, Tim Doherty

Staff Present: Kristen Kaichen (Legal Administrative Assistant), Shannon Trammell (BPD Executive Manager), Michael LaChance (Fire Chief)

Public Present: Michael Gaughan, Kelly Devine, Ed Baker, Joan Shannon (Councilor), Billy, Joe Magee (Councilor), John, Dana Paverman, Jill Badolato

Meeting called to order at 5:37 PM by President Paul.

**1. Adopt the Agenda
1.01 Adopt the Agenda**

Motion to Adopt Agenda as written.

Motion by Councilor Doherty, Seconded by Councilor Grant

Final Resolution: Motion Passes

Yes: Unanimous

**2. Adopt Draft Minutes from May 9, 2023
2.01 Adopt Draft Minutes from May 9, 2023**

Councilor Grant requested a statement on Page 3 of the Draft Minutes from May 9, 2023, be revised to read “Councilor Grant advised against the need for more officers and staff while attitudes remain unchanged” instead of “Councilor Grant argued against the need for more officers and staff if attitudes remain unchanged”, stating this language more accurately reflected her position.

2.02 Adopt Draft Minutes from August 17, 2023

Motion to Adopt Draft Minutes from May 9, 2023 per Councilor Grant’s revision and Draft Minutes from August 17, 2023 as written.

Motion by Councilor Doherty, Seconded by President Paul

Final Resolution: Motion Passes

Yes: Unanimous

3. Public Forum

3.01 Verbal Comments

Michael Gaughan, a member of the Planning Commission and a South Winooski Avenue resident, expressed support for the drafted resolution which emphasized public safety solutions, stating that the problems associated with drug dealing are different from using and require a different approach, and that the allowance of drug dealing throughout the city is inconsistent with Burlington's values.

Kelly Devine of the Burlington Business Association thanked the Committee for welcoming Downtown business folks in voicing their concerns. Devine expressed alarm at the number of overdoses BPD responded to in the last 24 hours and emphasized that people are really suffering from drug use, drug dealing, and the prevalence of these problems in the community. Devine recommended the Committee reach out to Tammy Boudah of the Howard Center for more insight and offered the Burlington Business Association's support.

Ed Baker was encouraged by the City Council's recognition of the drug crisis and emphasized the importance of viewing it as a public health emergency with public safety concerns as opposed to predominantly a public safety emergency. Baker stated Burlington cannot prosecute its way to a solution, advocated for more harm-reduction intervention strategies, and asked the Committee to consult public health officials as the resolution develops.

Councilor Shannon was concerned that the latest version of the resolution abandons public safety concerns in comparison to the initial draft resolution and that the language needs to be more positive toward the State if Burlington is to secure State support toward a solution.

Billy spoke to the initial draft resolution, stating that there were a number of people who felt the document touched on valuable findings and recommendations. Billy asked why the current version of the resolution was before the Committee in lieu of the former and if the public safety aspect would be brought back in the future.

Public Forum closed at 5:55 PM.

4. Consent Agenda

4.01 Chief's Report: BPD

Motion to Accept the Consent Agenda and take the actions as indicated.

Motion by Councilor Grant, Seconded by Councilor Doherty

Final Resolution: Motion Passes

Yes: Unanimous

Discussion:

Councilor Grant clarified with Chief LaChance that there was not a new report from Burlington Fire Department at this time, as those reports are typically prepared and released every other month.

5. Declaring the Drug Crisis an Emergency Resolution

5.01 Discussion on Resolution re Declaring the Drug Crisis an Emergency

The Committee discussed the resolution declaring the drug crisis an emergency and invited attending public to comment:

- By way of introduction, President Paul noted there was an earlier resolution posted declaring the drug crisis a public safety emergency, which was shared well in advance with Committee members, the full City Council, as well as the Mayor and administration. Concerns were raised that the resolution would create a narrative that the City of Burlington has worked hard to address in recognizing substance use disorder is a disease that requires medical treatment substance as a public health issue while drug dealing and other related activity in neighborhoods are issues of public safety. Due to this concern, an alternative version of the resolution was drafted by the Mayor and Councilor Magee and posted for discussion, supported by this Committee. President Paul also noted the first draft was intended to take into account all repeated feedback from committee members with regard to drug activity in neighborhoods as well as incorporating community feedback we heard at the previous public safety meeting.
- Councilor Grant clarified that the resolution does not aim to abandon public safety, as the issues related to substance use disorder require a holistic approach, and instead seeks to advocate for more resources and support from the State. For more information on the inspiration behind these resolutions, Councilor Grant recommended the public refer to the last meeting on August 17 where the drug crisis was discussed at length. Councilor Grant added this resolution would also achieve a major goal, being that updates on the drug crisis become a recurring City Council agenda item so the community is informed about the City's progress. Councilor Grant expressed support for merging the resolutions and setting a hard deadline for completing the resolution.
- Councilor Doherty agreed with Councilor Grant's statement on needing a holistic approach and also agreed that substance use disorder is a disease requiring a medical response, stating the City and City Council have sufficiently demonstrated their commitment to this perspective through a number of resolutions, policies, and initiatives. Councilor Doherty emphasized that the discussion is not about whether there is a public health crisis, but that constituents are asking the Council to acknowledge the public safety aspect in conjunction with the public health aspect and implement more effective public safety measures. Councilor Doherty added that drug distribution has profound public safety ramifications for the City that residents face on a daily basis, and proposed that the Committee take more time to work toward merging the two resolutions before bringing it before the full Council because both public health and safety are important.
- Councilor Magee stated that a resolution focused solely on law enforcement does not capture the whole issue and would lead to greater harm, pointing to how much money has already been spent on enforcement in the drug war, how much worse the problem has gotten, and that drug overdoses increase twofold after a drug bust, according to studies. Councilor Magee emphasized no one single solution is going to solve the drug, overdose,

or housing crisis and stated harm-reduction has not gotten the full support it needs to be successful and hopes the Council can speak with one voice on this issue.

- Dana Paverman of South Winooski Avenue added public health and public safety go hand in hand and thought a marriage of the two resolutions would be more holistic and emphasized the importance for children and families that the safety focus is not diluted, adding that there need to be clear boundaries and limits for what behavior is acceptable.
- John, a resident of Ward 5, echoed Paverman's comment that public health and public safety are not mutually exclusive and as a parent and employer, implored the Committee to focus on public safety, especially as employees are confronted with situations in which they are at risk on a weekly basis.
- Jill Badolato voiced support for Councilor Doherty's perspective, sharing with the Committee that she will not walk downtown alone due to safety concerns, and while no one wants to see anyone harmed or in pain, the resolution should consider everyone who lives in Burlington and that the City needs to act with a sense of urgency in developing solutions that consider everyone and both public safety and health.
- Ed Baker stated Burlington is at a tipping point and in danger of diminishing important progress that has been made over the last decade, noting the stigma around drug use is still alive. Baker added if not for the lack of support from the State and Legislature, Burlington might have been in a position today to respond and handle what is happening, referencing allocated funds that have yet to be released or spent as well as the governor's decision to veto a bill related to overdose prevention. Baker voiced support for Councilor Grant's ideas to put pressure on the State.

The Committee resolved to continue work on this agenda item at the next meeting.

6. Review of City's Emergency Plan

6.01 Review of City's Emergency Plan

Postponed until the next meeting, the date of which is to be determined.

7. Other Committee Business

7.01 Other Committee Business

The Committee agreed to schedule the next meeting date offline.

8. Adjournment

8.01 Motion to Adjourn

The meeting was adjourned with no objection by President Paul at 7:00 PM.

Resolution Relating to

RESOLUTION _____

DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH
~~EMERGENCY CRISIS~~ AND TOGETHER WITH DRUG
ACTIVITY IN OUR CITY TO BE OUR TOP PUBLIC HEALTH
AND SAFETY PRIORITY, AND AMENDING APPENDIX B
RULES AND REGULATIONS OF THE CITY COUNCIL TO ADD
A STANDING ~~EMERGENCY~~ ITEM TO EVERY AGENDA

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

In the year Two Thousand Twenty-Three

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

1 That WHEREAS, between January and July of 2023, the Burlington Police Department (BPD) responded to a
2 record 265 overdoses, already surpassing the prior year's twelve month total; and

3 WHEREAS, overdose responses increased by 75% between 2021 and 2022, and could increase as
4 much as 100% between 2022 and 2023; and

5 WHEREAS, across the City of Burlington, community members continue to struggle with substance
6 use disorder, lack of shelter, and other health concerns; and

7 WHEREAS, by every indication, we will lose a record number of Vermonters to accidental drug
8 overdose in 2023 and several counties in the state are experiencing considerably higher rates of overdose death
9 than Chittenden County, making this crisis a true emergency for the State; and

10 WHEREAS, Burlingtonians understand that substance use disorder is a disease and demands our
11 concern, compassion and support as a medical and public health issue; and

12 WHEREAS, beginning in 2017 and earlier, this City Council has a long history of overwhelming
13 supporting medically-assisted treatments, harm reduction, has vigorously advocated for overdose prevention
14 centers and done extensive work to see an OPC in Burlington; and continue to express concern and support
15 about the wellbeing of community members, and

16 WHEREAS, the overdose crisis must be addressed with the highest call of urgency; and

17 WHEREAS, drug distribution activity in neighborhoods, public drug use, discarded syringes, and
18 general discomfort at the level of despair is a most challenging and important issue, one that must also be
19 addressed with the highest call of urgency; and

20 WHEREAS Burlington residents and businesses are suffering from a large increase in property crime,
21 with a small number of individuals driving much of this trend with repeated, recidivist crimes; and

22 WHEREAS, adding a standing item to the City Council agenda will ensure that attention is paid to the
23 drug crisis issue at each and every Council meeting, which is likely to contribute to greater progress being
24 made on the issue;

Commented [KP1]: Added at the suggestion of the mayor

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Resolution Relating to DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH
~~EMERGENCY-CRISIS~~ AND TOGETHER WITH DRUG ACTIVITY IN OUR CITY TO BE OUR TOP
PUBLIC HEALTH AND SAFETY PRIORITY, AND AMENDING APPENDIX B RULES AND
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NOW, THEREFORE, BE IT RESOLVED, that it is with the utmost urgency that the City Council
declares the overdose crisis is our City and Vermont's top public health crisis; and

~~NOW, THEREFORE,~~ BE IT RESOLVED, that it is with similar urgency that the City Council
declares that those who sell drugs, preying on those struggling from substance use disorder, is our City and
Vermont's top public safety crisis; and

BE IT FURTHER RESOLVED, that the public safety and health approaches must go hand in hand,
and are all part of the holistic approach to fully addressing this ~~emergency~~ crisis; and

BE IT FURTHER RESOLVED, that the City Council, once again, reiterates and reaffirms its strong
and unwavering support for of all evidenced-based harm reduction, including overdose prevention centers; and

BE IT FURTHER RESOLVED, that the City Council reaffirms that the only way to assist those who
struggle from a medical disease is with medical treatment, just as those who suffer from any medical disease
would be treated and supported in their journey to recovery; and

BE IT FURTHER RESOLVED, that the City Council extends heartfelt gratitude to and expresses
support for the staff of the City departments and community organizations who continue to find themselves on
the frontlines of the overdose crisis doing this work every day; and

BE IT FURTHER RESOLVED, that the City Council fully supports recruitment efforts to expand the
ranks of City employees, including our first responders,s and community partners who dedicate their time and
professional skills to this emergency; and

BE IT FURTHER RESOLVED, that despite having the funds, the Vermont Department of Health has
been slow to distribute the \$8.5 million in Opioid Settlement monies allocated in May 2023 as well as an
additional \$15.0 million the state has that has not been allocated by the Legislature and while the City of
Burlington has directly received \$220,000 through Opioid Settlement agreements and has intentionally
committed those monies toward new and innovative tools to support community members struggling with
substance use disorders, the the City Council joins and supports the Administration's efforts to work in
collaboration with neighboring municipalities and community partners to urge and implore the Department of
Health to immediately disburse the opioid settlement monies allocated during the 2023 legislative session, to
work to improve the health and safety of our communities by providing care, ~~and support,~~ treatment and
recovery -to people who use drugs, addressing the root issues; and

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Resolution Relating to DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH
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BE IT FURTHER RESOLVED, that just as it is the City Council's longstanding policy that arresting
those suffering from a medical disease will never be the appropriate or just response, it is also our policy that
those who distribute and sell drugs are fully aware of the destructive consequences of their enterprises and
should face the full force of law enforcement; and

BE IT FURTHER RESOLVED, that the City Council calls on the leadership in Montpelier to increase
the availability of the judiciary in Chittenden County with the hiring of additional judges to address the
backlog of cases and see that cases brought to the courts are addressed in a reasonable response time and this
priority be a legislative priority for the City for the upcoming legislative session; and

~~BE~~ IT FURTHER RESOLVED, that the City Council finds the current levels of property crime
unacceptable, and calls for the Burlington Police, prosecutors, the courts and the legislature to take decisive
action to reduce recidivist crime; and

Commented [KP2]: Added at the suggestion of the mayor

BE IT FURTHER RESOLVED, that the City Council requests that the Public Safety Committee,
together with harm reduction, health and law enforcement partners, organize two public forums for
community members to talk directly with and learn from harm reduction specialists, medical personnel who
have a keen understanding of this crisis, along with the Chittenden County State's Attorney, the law
enforcement and members of our Legislative delegation and leadership in the Governor's Administration, so
the community can come together and participate in conversation around the benefits of harm reduction in
treating this disease as well as convey their perspective on this crisis and its impact in their lives and our
community by November 2023; and

BE IT FURTHER RESOLVED, that in addition to the two public forums for community members, the
City Council requests that the Public Safety Committee organize a forum for city employees to meet with
these same professionals so they may share their experiences and perspective on the work they do by
November 2023; and

BE IT FURTHER RESOLVED, that the City Council requests that in the interest of serving the public,
each monthly police Chief's report include data on this crisis, including drug tip data, along with information
made widely available to the community on how it can assist city employees; and

BE IT FURTHER RESOLVED, that the City Council's Public Safety Committee hears from our fire,
police and cares- and community-based public safety personnel that the responses we are currently employing
to the overdose crisis are ~~not the solution~~not working, that we must try new approaches, pilot new responses,

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Resolution Relating to **DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH**
EMERGENCY-CRISIS AND TOGETHER WITH DRUG ACTIVITY IN OUR CITY TO BE OUR TOP
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be bold and not be afraid to test these approaches, that we must acknowledge that these approaches may not be perfect at the outset and may need time in the field but we must get started now and any new approaches will give us needed experience and data from which to further build strong innovative programs; and

BE IT FURTHER RESOLVED, that the City Council requests that all City employees and community members work with us to find these innovative solutions and asks that development of these ideas be a part of the community and city employee forums; and

BE IT FURTHER RESOLVED, that Council Rule 15(c) Rules and Regulations of the City Council, Appendix B of the Burlington Code of Ordinances be amended to add a standing item entitled “Public Health and Safety Emergency-Crisis Updates” to the Council meeting agenda; and

BE IT FURTHER RESOLVED, that this agenda item is reserved for items of discussion related to the drug crisis emergency that are not already on the meeting agenda such as: Updates from the Mayor’s administration on progress towards addressing this crisis, updates from Councilors on initiatives they are working on related to this crisis and requests that the Public Safety Committee continue to prioritize this crisis and discuss further ways to encourage coordination of all resources to make this our city’s top public health and safety priority.

Resolution 2023/ DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH EMERGENCY-CRISIS AND TOGETHER WITH DRUG ACTIVITY IN OUR CITY TO BE OUR TOP PUBLIC HEALTH AND SAFETY PRIORITY, AND AMENDING APPENDIX B RULES AND REGULATIONS OF THE CITY COUNCIL TO ADD A STANDING EMERGENCY ITEM TO EVERY AGENDA 8/20/2023

Councilor Grant's suggested edits to the resolution:

3-4 after these lines I would like to add another Whereas clause with the BFD data. I will try to locate it.

5-6 add mental health issues

10-11 after these lines, Whereas the amount of drug dealing activity cannot effectively be reduced without reducing demand for their product.

20-22 add: and will increase communication with the residents of Burlington informing them of resources being provided, data updates, law enforcement and other actions, ways residents can help.

26-28 add: affecting quality of life

45 add: legislature

48-55 add: Fire Department

56-59 "at least two public forums", same clause or add new clause saying city residents, employees businesses, and other stakeholders will be have other options to participate if they are not able to attend forums.

60-62 add: report should include information on arrests related to drug dealing and trafficking.

Add clause: Fire Department will continue to provide data related to their calls for service (including heat maps), input on new out of the box strategies to combat the overdose crisis

69-71 add: city council meetings

75-80 updates on overdose data, updates on harm reduction program data

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Resolution Relating to

RESOLUTION_____

Sponsor(s):

DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH
EMERGENCY AND TOGETHER WITH DRUG ACTIVITY IN
OUR CITY TO BE OURTOP PUBLIC HEALTH AND SAFETY
PRIORITY, AND AMENDING APPENDIX B RULES AND
REGULATIONS OF THE CITY COUNCIL TO ADD A
STANDING EMERGENCY ITEM TO EVERY AGENDA

Action: _____

Date: _____

Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Twenty-Three

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

- 1
- That WHEREAS, between January and July of 2023, the Burlington Police Department (BPD) responded to a
- 2
- record 265 overdoses, already surpassing the prior year’s twelve month total; and
- 3
- WHEREAS, overdose responses increased by 75% between 2021 and 2022, and could increase as
- 4
- much as 100% between 2022 and 2023; and
- 5
- WHEREAS, across the City of Burlington, community members continue to struggle with substance
- 6
- use disorder, lack of shelter, and other health concerns; and
- 7
- WHEREAS, by every indication, we will lose a record number of Vermonters to accidental drug
- 8
- overdose in 2023 and several counties in the State are experiencing considerably higher rates of overdose
- 9
- death than Chittenden County, making this crisis a true emergency for the State; and
- 10
- WHEREAS, Burlingtonians understand that substance use disorder is a disease and demands our
- 11
- concern, compassion and support as a medical and public health issue; and

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Resolution Relating to **DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH EMERGENCY AND TOGETHER WITH DRUG ACTIVITY IN OUR CITY TO BE OUR TOP PUBLIC HEALTH AND SAFETY PRIORITY, AND AMENDING APPENDIX B RULES AND REGULATIONS OF THE CITY COUNCIL TO ADD A STANDING EMERGENCY ITEM TO EVERY AGENDA**

12 WHEREAS, since 2017 and earlier, this City Council has a long history of overwhelmingly supporting
13 medically-assisted treatments and harm reduction, and has vigorously advocated for supervised consumption
14 services and done extensive work to establish a designated site for these services in Burlington; and this City
15 Council continues to express concern and support about the wellbeing of all community members, and

16 WHEREAS, the overdose crisis must be addressed with the highest call of urgency; and

17 WHEREAS, drug distribution activity in neighborhoods, public drug use, discarded syringes, and
18 general discomfort at the level of despair is a most challenging and important issue, one that must also be
19 addressed with the highest call of urgency; and

20 WHEREAS, adding a standing item to the City Council agenda will ensure that attention is paid to the
21 drug crisis issue at each and every Council meeting, which is likely to contribute to greater progress being
22 made on the issue;

23 NOW, THEREFORE, BE IT RESOLVED, that it is with the utmost urgency that the City Council
24 declares the overdose crisis is our City and Vermont's top public health crisis; and
25

26 BE IT RESOLVED, that it is with similar urgency that the City Council declares that illegal conduct
27 that endangers the safety of our community, including firearm violence, burglary, automobile theft, retail theft,
28 and the for-profit distribution of controlled substances, which profits from and preys on those suffering from
29 substance use disorder, are among our City's most urgent public safety issues, must be enforced by our law
30 enforcement personnel, and must be prosecuted to the extent permitted under federal, State, and local laws;
31 and

32 BE IT FURTHER RESOLVED, that the public safety and health approaches must go hand in hand,
33 and are all part of the holistic approach to fully addressing this emergency; and

34 BE IT FURTHER RESOLVED, that the City Council, once again, reiterates and reaffirms its strong
35 and unwavering support for of all evidenced-based harm reduction strategies, including supervised
36 consumption services, to the extent those strategies are appropriate and well suited for the City's needs; and

37 BE IT FURTHER RESOLVED, that the City Council reaffirms that assisting those who struggle from
38 a medical disease requires medical treatment, just as those who suffer from any medical disease would be
39 treated and supported in their journey to recovery; and

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Resolution Relating to **DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH EMERGENCY AND TOGETHER WITH DRUG ACTIVITY IN OUR CITY TO BE OUR TOP PUBLIC HEALTH AND SAFETY PRIORITY, AND AMENDING APPENDIX B RULES AND REGULATIONS OF THE CITY COUNCIL TO ADD A STANDING EMERGENCY ITEM TO EVERY AGENDA**

40 BE IT FURTHER RESOLVED, that the City Council extends heartfelt gratitude to and expresses
41 support for the staff of the City departments, including our first responders, members of the Police and Fire
42 Departments, and community organizations who continue to serve on the frontlines of the overdose crisis
43 doing this work every day; and

44 BE IT FURTHER RESOLVED, that the City Council fully supports recruitment efforts to expand the
45 ranks of City employees, including our first responders, members of the Police and Fire Departments, and
46 community partners who dedicate their time and professional skills to this emergency; and

47 BE IT FURTHER RESOLVED, that despite having available funds, the Vermont Department of
48 Health has been slow to distribute the \$8.5 million in Opioid Settlement monies allocated in May 2023 as well
49 as an additional \$15.0 million in State funds that needs to be allocated by the Legislature. While the City of
50 Burlington has directly received \$220,000 through Opioid Settlement agreements and has intentionally
51 committed those monies toward new and innovative tools to support community members struggling with
52 substance use disorders, the City Council joins and supports the Administration's ongoing efforts to work in
53 collaboration with neighboring municipalities and community partners to urge and implore the Department of
54 Health to immediately disburse the opioid settlement monies allocated during the 2023 legislative session, to
55 work to improve the health and safety of our communities by providing care, support, treatment and recovery
56 to people who use drugs, and addressing the root issues; and

57

58 BE IT FURTHER RESOLVED, that the City Council calls on State leadership to increase the
59 availability of prosecutorial resources and the judiciary in Chittenden County with the hiring of additional
60 Assistant State's Attorneys and Superior Judges, better addressing any recruitment and retention challenges in
61 our State's Attorney Offices, and designating and assigning retired members of the Judiciary to sit in
62 Chittenden County to address the backlog of cases and see that cases brought to the courts are addressed in a
63 reasonable response time; and

64 BE IT FURTHER RESOLVED, that the City Council requests that the Public Safety Committee,
65 together with harm reduction, health and law enforcement partners, organize two public forums for
66 community members to talk directly with and learn from harm reduction specialists, medical personnel who
67 have a keen understanding of this crisis, along with the Chittenden County State's Attorney, the U.S. Attorney
68 for the District of Vermont, law enforcement personnel, and members of our Legislative delegation and

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Resolution Relating to **DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH EMERGENCY AND TOGETHER WITH DRUG ACTIVITY IN OUR CITY TO BE OUR TOP PUBLIC HEALTH AND SAFETY PRIORITY, AND AMENDING APPENDIX B RULES AND REGULATIONS OF THE CITY COUNCIL TO ADD A STANDING EMERGENCY ITEM TO EVERY AGENDA**

69 leadership in the Governor’s Administration, so the community can come together and participate in
70 conversation around the benefits of harm reduction in treating this disease, the status of necessary enforcement
71 and prosecutorial efforts against those engaged in the for-profit distribution of controlled substances, and their
72 perspective on this crisis and its impact on lives and our community by November 2023; and

73 BE IT FURTHER RESOLVED, that in addition to the two public forums for community members, the
74 City Council requests that the Public Safety Committee organize a forum for City employees to meet with
75 these same professionals so they may share their experiences and perspective on the work they do by
76 November 2023; and

77 BE IT FURTHER RESOLVED, that the City Council requests that in the interest of serving the public,
78 each monthly police Chief’s report include data on this crisis, including drug tip data, along with information
79 made widely available to the community on how it can assist City employees; and

80 BE IT FURTHER RESOLVED, that, in the interest of serving the public and helping to ensure public
81 safety objectives that the City Council shares with the Chittenden County State’s Attorney’s Office, the City
82 respectfully requests that the Chittenden County State’s Attorney’s Office provide the City with quarterly
83 reports setting forth the number of cases referred to it by law enforcement for certain categories of illegal
84 activity occurring within Burlington, including firearm violence, illegal distribution of controlled substances,
85 burglary, automobile theft and retail theft, the number of prosecutions resulting from these referrals, and the
86 current disposition of those prosecutions; and

87 BE IT FURTHER RESOLVED, that the City Council’s Public Safety Committee hears from our fire,
88 police and CARES and community-based public safety personnel that the responses we are currently
89 employing to the overdose crisis are not the solution, that we must try new approaches, pilot new responses,
90 be bold and not be afraid to test these approaches, that we must acknowledge that these approaches may not be
91 perfect at the outset and may need time in the field but we must get started now and any new approaches will
92 give us needed experience and data from which to further build strong innovative programs; and

93 BE IT FURTHER RESOLVED, that the City Council requests that all City employees and community
94 members work with us to find these innovative solutions and asks that development of these ideas be a part of
95 the community and City employee forums; and

DO NOT DISTRIBUTE

Resolution Relating to DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH EMERGENCY AND TOGETHER WITH DRUG ACTIVITY IN OUR CITY TO BE OUR TOP PUBLIC HEALTH AND SAFETY PRIORITY, AND AMENDING APPENDIX B RULES AND REGULATIONS OF THE CITY COUNCIL TO ADD A STANDING EMERGENCY ITEM TO EVERY AGENDA

96 BE IT FURTHER RESOLVED, that Council Rule 15(c) Rules and Regulations of the City Council,
97 Appendix B of the Burlington Code of Ordinances be amended to add a standing item entitled “Public Health
98 and Safety Emergency Updates” to the Council meeting agenda; and

99 BE IT FURTHER RESOLVED, that this agenda item is reserved for items of discussion related to the
100 public health and safety issues outlined herein that are not already on the meeting agenda such as: Updates
101 from the Mayor’s administration on progress towards addressing this crisis, updates from Councilors on
102 initiatives they are working on related to this crisis and requests that the Public Safety Committee continue to
103 prioritize this crisis and discuss further ways to encourage coordination of all resources to make this our City’s
104 top public health and safety priority.

105 *Resolution 2023/ DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH EMERGENCY AND TOGETHER WITH DRUG ACTIVITY IN*
106 *OUR CITY TO BE OUR TOP PUBLIC HEALTH AND SAFETY PRIORITY, AND AMENDING APPENDIX B RULES AND REGULATIONS OF*
107 *THE CITY COUNCIL TO ADD A STANDING EMERGENCY ITEM TO EVERY AGENDA 8/20/2023*
108 22286370.1

Resolution Relating to

DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH EMERGENCY AND TOGETHER WITH DRUG ACTIVITY IN OUR CITY TO BE OUR TOP PUBLIC HEALTH AND SAFETY PRIORITY, AND AMENDING APPENDIX B RULES AND REGULATIONS OF THE CITY COUNCIL TO ADD A STANDING EMERGENCY ITEM TO EVERY AGENDA

RESOLUTION _____

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

In the year Two Thousand Twenty-Three

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

1 That WHEREAS, between January and July of 2023, the Burlington Police Department (BPD) responded to a
2 record 265 overdoses, already surpassing the prior year’s twelve month total; and

3 WHEREAS, overdose responses increased by 75% between 2021 and 2022, and could increase as
4 much as 100% between 2022 and 2023; and

5 WHEREAS, across the City of Burlington, community members continue to struggle with substance
6 use disorder, lack of shelter, and other health concerns; and

7 WHEREAS, by every indication, we will lose a record number of Vermonters to accidental drug
8 overdose in 2023 and several counties in the state are experiencing considerably higher rates of overdose death
9 than Chittenden County, making this crisis a true emergency for the State; and

10 WHEREAS, Burlingtonians understand that substance use disorder is a disease and demands our
11 concern, compassion and support as a medical and public health issue; and

12 WHEREAS, beginning in 2017 and earlier, this City Council has a long history of overwhelming
13 supporting medically-assisted treatments, harm reduction, has vigorously advocated for overdose prevention
14 centers and done extensive work to see an OPC in Burlington; and continue to express concern and support
15 about the wellbeing of community members, and

16 WHEREAS, the overdose crisis must be addressed with the highest call of urgency; and

17 WHEREAS, drug distribution activity in neighborhoods, public drug use, discarded syringes, and
18 general discomfort at the level of despair is a most challenging and important issue, one that must also be
19 addressed with the highest call of urgency; and

20 WHEREAS, adding a standing item to the City Council agenda will ensure that attention is paid to the
21 drug crisis issue at each and every Council meeting, which is likely to contribute to greater progress being
22 made on the issue;

23 NOW, THEREFORE, BE IT RESOLVED, that it is with the utmost urgency that the City Council
24 declares the overdose crisis is our City and Vermont’s top public health crisis; and

Resolution Relating to **DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH EMERGENCY AND TOGETHER WITH DRUG ACTIVITY IN OUR CITY TO BE OUR TOP PUBLIC HEALTH AND SAFETY PRIORITY, AND AMENDING APPENDIX B RULES AND REGULATIONS OF THE CITY COUNCIL TO ADD A STANDING EMERGENCY ITEM TO EVERY AGENDA**

BE IT RESOLVED, that it is with similar urgency that the City Council declares that those who sell drugs, preying on those struggling from substance use disorder, is our City and Vermont's top public safety crisis; and

BE IT FURTHER RESOLVED, that the public safety and health approaches must go hand in hand, and are all part of the holistic approach to fully addressing this emergency; and

BE IT FURTHER RESOLVED, that the City Council, once again, reiterates and reaffirms its strong and unwavering support for of all evidenced-based harm reduction, including overdose prevention centers; and

BE IT FURTHER RESOLVED, that the City Council reaffirms that the only way to assist those who struggle from a medical disease is with medical treatment, just as those who suffer from any medical disease would be treated and supported in their journey to recovery; and

BE IT FURTHER RESOLVED, that the City Council extends heartfelt gratitude to and expresses support for the staff of the City departments and community organizations who continue to find themselves on the frontlines of the overdose crisis doing this work every day; and

BE IT FURTHER RESOLVED, that the City Council fully supports recruitment efforts to expand the ranks of City employees, including our first responders,s and community partners who dedicate their time and professional skills to this emergency; and

BE IT FURTHER RESOLVED, that despite having the funds, the Vermont Department of Health has been slow to distribute the \$8.5 million in Opioid Settlement monies allocated in May 2023 as well as an additional \$15.0 million the state has that has not been allocated by the Legislature and while the City of Burlington has directly received \$220,000 through Opioid Settlement agreements and has intentionally comitted those monies toward new and innovative tools to support community members struggling with substance use disorders, the the City Council joins and supports the Adminstration's efforts to work in collaboration with neighboring municipalities and community partners to urge and implore the Department of Health to immediately dispurse the opioid settlement monies allocated during the 2023 legislative session, to work to improve the health and safety of our communities by providing care, and support, treatment and recovery -to people who use drugs, addressing the root issues; and

BE IT FURTHER RESOLVED, that just as it is the City Council's longstanding policy that arresting those suffering from a medical disease will never be the appropriate or just response, it is also our policy that

Resolution Relating to DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH EMERGENCY AND TOGETHER WITH DRUG ACTIVITY IN OUR CITY TO BE OUR TOP PUBLIC HEALTH AND SAFETY PRIORITY, AND AMENDING APPENDIX B RULES AND REGULATIONS OF THE CITY COUNCIL TO ADD A STANDING EMERGENCY ITEM TO EVERY AGENDA

those who distribute and sell drugs are fully aware of the destructive consequences of their enterprises and should face the full force of law enforcement; and

BE IT FURTHER RESOLVED, that the City Council calls on the leadership in Montpelier to increase the availability of the judiciary in Chittenden County with the hiring of additional judges to address the backlog of cases and see that cases brought to the courts are addressed in a reasonable response time and this priority be a legislative priority for the City for the upcoming legislative session; and

BE IT FURTHER RESOLVED, that the City Council requests that the Public Safety Committee, together with harm reduction, health and law enforcement partners, organize two public forums for community members to talk directly with and learn from harm reduction specialists, medical personnel who have a keen understanding of this crisis, along with the Chittenden County State's Attorney, the law enforcement and members of our Legislative delegation and leadership in the Governor's Administration, so the community can come together and participate in conversation around the benefits of harm reduction in treating this disease as well as convey their perspective on this crisis and its impact in their lives and our community by November 2023; and

BE IT FURTHER RESOLVED, that in addition to the two public forums for community members, the City Council requests that the Public Safety Committee organize a forum for city employees to meet with these same professionals so they may share their experiences and perspective on the work they do by November 2023; and

BE IT FURTHER RESOLVED, that the City Council requests that in the interest of serving the public, each monthly police Chief's report include data on this crisis, including drug tip data, along with information made widely available to the community on how it can assist city employees; and

BE IT FURTHER RESOLVED, that the City Council's Public Safety Committee hears from our fire, police and cares- and community-based public safety personnel that the responses we are currently employing to the overdose crisis are not the solution~~not working~~, that we must try new approaches, pilot new responses, be bold and not be afraid to test these approaches, that we must acknowledge that these approaches may not be perfect at the outset and may need time in the field but we must get started now and any new approaches will give us needed experience and data from which to further build strong innovative programs; and

BE IT FURTHER RESOLVED, that the City Council requests that all City employees and community members work with us to find these innovative solutions and asks that development of these ideas be a part of the community and city employee forums; and

Resolution Relating to **DECLARING THE OVERDOSE CRISIS A PUBLIC HEALTH EMERGENCY AND TOGETHER WITH DRUG ACTIVITY IN OUR CITY TO BE OUR TOP PUBLIC HEALTH AND SAFETY PRIORITY, AND AMENDING APPENDIX B RULES AND REGULATIONS OF THE CITY COUNCIL TO ADD A STANDING EMERGENCY ITEM TO EVERY AGENDA**

84 BE IT FURTHER RESOLVED, that Council Rule 15(c) Rules and Regulations of the City Council,
85 Appendix B of the Burlington Code of Ordinances be amended to add a standing item entitled “Public Health
86 and Safety Emergency Updates” to the Council meeting agenda; and

87 BE IT FURTHER RESOLVED, that this agenda item is reserved for items of discussion related to the
88 drug crisis emergency that are not already on the meeting agenda such as: Updates from the Mayor’s
89 administration on progress towards addressing this crisis, updates from Councilors on initiatives they are
90 working on related to this crisis and requests that the Public Safety Committee continue to prioritize this crisis
91 and discuss further ways to encourage coordination of all resources to make this our city’s top public health
92 and safety priority.

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95 *THE CITY COUNCIL TO ADD A STANDING EMERGENCY ITEM TO EVERY AGENDA 8/20/2023*

Lines 42 to 51:

BE IT FURTHER RESOLVED, that despite having the funds, the Vermont Department of Health has been slow to distribute the \$8.5 million in Opioid Settlement monies allocated in May 2023 as well as an additional \$15.0 million the state has that has not been allocated by the Legislature and while the City of Burlington has directly received \$220,000 through Opioid Settlement agreements and has intentionally committed those monies toward new and innovative tools to support community members struggling with substance use disorders, the City Council joins and supports the Administration's efforts to work in collaboration with neighboring municipalities and community partners to urge and implore the Department of Health to immediately disburse the opioid settlement monies allocated during the 2023 legislative session, to work to improve the health and safety of our communities by providing care, support, treatment and recovery to people who use drugs, addressing the root issues; and

I would suggest we do the following:

INSERT AT LINE 36

~~WHEREAS~~ ~~BE IT FURTHER RESOLVED~~, ~~that~~ despite having the funds, the Vermont Department of Health has been slow to distribute the \$8.5 million in Opioid Settlement monies allocated in May 2023 as well as an additional \$15.0 million the state has that has not been allocated by the Legislature and while the City of Burlington has directly received \$220,000 through Opioid Settlement agreements and has intentionally committed those monies toward new and innovative tools to support community members struggling with substance use disorders; ~~and~~;

STARTING AT LINE 41

~~LET IT BE FURTHER RESOLVED~~, the City Council joins and supports the Administration's efforts to work in collaboration with neighboring municipalities and community partners to urge and implore the Department of Health to immediately disburse the opioid settlement monies allocated during the 2023 legislative session, to work to improve the health and safety of our communities by providing care, support, treatment and recovery to people who use drugs, addressing the root issues; and

