



December 07, 2020

Regular City Council Meeting - Monday, December 7, 2020, 7:00 pm **VIRTUAL MEETING**

 [Click here to view the minutes for this meeting](#)

1. Agenda

1.01 Motion to amend/adopt agenda

Type: Action, Procedural

Recommended Action: motion to amend/adopt the agenda as follows: note revised version for consent agenda item 5.20 (per CAO Schad); note written materials and motion for consent agenda item 5.21 Communication: Jon Adams-Kollitz, Parks Project Coordinator, Sophie Sauve, Parks Comprehensive Planner, Cindi Wight, Director, Department of Parks, Recreation & Waterfront (BPRW), re: Burlington Bike Path Rehabilitation Phase 3b Design - Amendment; note revised version of the excel spreadsheet as part of the consent agenda item 5.23 City of Burlington Retained Perpetual Lease Interests List to be voted on at the December 7, 2020 Regular City Council Meeting (per Assistant City Attorney Sturtevant); add to the consent agenda item 5.24 Communication: Lucy Circe, re: Documents from Lucy Circe re: Agenda 6.02 Constitutionality of proposed new ordinance with the motion to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.25 Communication: Emma Kouri, South Prospect Street, re: City council meeting tonight, community controls of police with the motion to "waive the reading, accept the communication and place it on file"; note proposed amendment for agenda item 6.02 Resolution: March 2, 2021 Annual City Meeting--Just Cause Evictions Charter Change (Charter Change Committee)(per Councilor Carpenter); note additional written materials for agenda item 6.03 Resolution: March 2, 2021 Annual City Meeting--Independent Community Control Board To Oversee Investigation And Discipline Of Police Misconduct Charter Change (Charter Change Committee); note revised version, title change and sponsor for agenda item 6.04 REVISED Resolution Relating to March 2, 2021 Annual City Meeting - Charter Change Re: Additions to Airport Commission (Councilor Paul)(per City Attorney's Office); note written material, revised title and sponsor for agenda item 6.05 Resolution: Charter Change re Regulation of Thermal Energy Systems in Residential and Commercial Buildings (per City Attorney's Office); note proposed amendment to remove this agenda item and place it on the December 14, 2020 Special City Council Deliberative Agenda (per Councilor Mason)

2. Report Of Burlington Police Commission In Response To Resolution 4.20 Regarding Stronger Disciplinary Measures In Police Encounters Involving Brutal Or Excessive Force

2.01 Report Of Burlington Police Commission In Response To Resolution 4.20 Regarding Stronger Disciplinary Measures In Police Encounters Involving Brutal Or Excessive Force

Type: Information, Report

 Final BPC Report to City Council 11 17 20
(4595246_1).PDF

3. Public Forum: time certain: 7:30 pm - 9:30 pm

3.01 Verbal Comments

Type: Action, Information, Procedural

4. Climate Emergency Reports



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4.01 Climate Emergency Reports

Type: Information

5. Consent Agenda

5.01 Motion to adopt the consent agenda and take the actions indicated

Type: Action (Consent), Procedural

Recommended Action: motion to adopt the consent agenda (as amended) and take the actions indicated

5.02 Communication: C/T Office, re: Accountability List

Type: Action (Consent), Communication, Information

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

Communication Accountability List 120720 cc
mtg LO.xlsx

5.03 Communication: C/T Office, October 19, 2020 Regular City Council Meeting, Draft Minutes

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, October 19, 2020, 6:30 pm. ****VIRTUAL MEETING****

5.04 Communication: C/T Office, re: October 19, 2020 Local Control Commission Meeting, Draft Minutes

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, October 19, 2020. ****VIRTUAL MEETING****

5.05 Communication: C/T Office, re: October 19, 2020 City Council With Mayor Presiding Meeting, Draft Minutes

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting, Monday, October 19, 2020. ****VIRTUAL MEETING****



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5.06 Communication: C/T Office, re: October 19, 2020 Board of Civil Authority Meeting, Draft Minutes

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting

View Minutes from Board of Civil Authority Meeting, Monday, October 19, 2020. ****VIRTUAL MEETING****

5.07 Communication: C/T Office, re: November 9, 2020 Regular City Council Meeting, Draft Minutes

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, November 9, 2020, 6:30 pm. ****VIRTUAL MEETING****

5.08 Communication: C/T Office, re: November 9, 2020 Local Control Commission Meeting, Draft Minutes

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, November 9, 2020. ****VIRTUAL MEETING****

5.09 Communication: C/T Office, re: November 9, 2020 Board of Civil Authority Meeting, Draft Minutes

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting

View Minutes from Board of Civil Authority Meeting, Monday, November 9, 2020. ****VIRTUAL MEETING****

5.10 Communication: C/T Office, re: November 9, 2020 Full Board of Abatement of Taxes Meeting, Draft Minutes

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting

View Minutes from Full Board of Abatement of Taxes Meeting - Monday, November 9, 2020. ****VIRTUAL MEETING****



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5.11 Communication: C/T Office, re: November 16, 2020 Special City Council Meeting Regarding CityPlace Burlington Mediation Preparation, Draft Minutes

Type: Action (Consent), Communication, Information, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the November 23, 2020 Regular City Council Meeting

 View Minutes from Special City Council Meeting Regarding CityPlace Burlington Mediation Preparation
****expected executive session** - Monday, November 16, 2020, 6:00 pm, **VIRTUAL MEETING****

5.12 Communication: JoAnn Lafayette, re: Abatement of Taxes

Type: Action (Consent), Communication

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

 Communication JoAnn Lafayette re Abatement of Taxes.pdf

5.13 Communication: Steven A. Locke, Fire Chief, re: EMS & Ambulance Service Provider Stabilization Grant Award

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the acceptance of the EMS and Ambulance Service Provider Stabilization grant award in the amount of \$182,578.00 as outlined in Chief Locke's memo dated, November 20, 2020

 FD Memo on EMS Grant Acceptance
Final.docx

 BOF CC Checklist Fire - Grant
Acceptance.docx

5.14 Communication: Corey Mims, PE, Public Works Engineer and Laura Wheelock, PE, Senior Public Works Engineer, re: VTrans Finance and Maintenance Agreement Burlington NH PC21(1) for US7/I-189 Concrete Pavement Repair

Type: Action (Consent), Communication

Recommended Action: to authorize the Director of Public Works to execute the Finance and Maintenance Agreement State of Vermont and City of Burlington for Burlington NH PC21(1) Contract Number: FM0404 □ subject to City Attorney Approval

 00 BOF_CC Checklist_Burlington NH
PC21(1).docx

 BOF_CC 12.7.2020 VTrans Finance and
Maintenance AgreementBURLINGTON NH
PC21(1).pdf



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5.15 Communication: Luke McGowan, CEDO Director, Katie Kinstedt, CEDO Assistant Director for Administration and Finance and Tony Berry, Human Resources Manager, re: Reclassification of Housing Program Specialist I to Housing Program Specialist II

Type: Action (Consent), Communication

Recommended Action: To approve the: ☐ Reclassification of the Community Development Specialist I ☐ Grants Management, CEDO, a Regular, Full-time, Exempt, Non-union, Grade 16, position to Community Development Specialist II ☐ Grants Management, a Regular, Full-time, Exempt, Non-union, Grade 17, position. ☐ Reclassification of the Community Development Specialist II ☐ AmeriCorps, CEDO, a Regular, Full-time, Exempt, Non-union, Grade 17, position to Community Development Specialist II ☐ Homelessness and Equity, a Regular, Full-time, Exempt, Non-union, Grade 18, position. ☐ Reclassification of the Housing Program Manager, CEDO, a Regular, Full-time, Exempt, Non-union, Grade 19, position to a Regular, Full-time, Exempt, Non-union, Grade 20, position

2020.12.07 BOF CC Final CEDO Memo
Packet 2 Housing.pdf

BOF CC Checklist Housing Program
Specialist.pdf

5.16 Communication: County Assistant Judges, re: Pre-Budget Meeting

Type: Action (Consent), Communication, Information

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

Communication County Assistant Judges, re
Pre-Budget Meeting.pdf

5.17 Communication: Burlington International Airport, re: Authorization to Amend Champlin Associates Contract for Operation and Maintenance of Airport's Underground Injection Control Systems

Type: Action (Consent), Communication

Recommended Action: to authorize the Director of Aviation to execute necessary amendments to the Burlington International Airport's current contract with Champlin Associates for the provision of operation and maintenance services for Underground Injection Control Systems by extending the term to end on December 31, 2022 and raising the maximum limiting amount by up to \$113,238.00, from \$47,182.50 to up to \$160,420.50 total, subject to final review and approval by the City Attorney's Office

1. UIC OM_BOF.CC Memo Airport -
12.7.2020.docx

1 - Checklist - Airport - BOF CC - UIC OM.pdf

5.18 Communication: Burlington International Airport, re: Authorization to Sign Contract for Window Washing Services with Home Window and Maintenance Service

Type: Action (Consent), Communication

Recommended Action: to authorize the Director of Aviation to enter into a contract for window washing services with Home Window and Maintenance Service for an amount up to \$108,157.50, subject to final review and approval by the City Attorney's Office

2- Window Washing BOF.CC Memo Airport
-12.7.2020 Final.docx

2 - Checklist - Airport - BOF CC - Window
Washing.pdf



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5.19 Communication: Martha Keenan, Capital & Asset Program Manager, Department of Public Works, re: Budget Amendment for Carryforward of Capital from Fiscal Year 2020 to Fiscal Year 2021

Type: Action (Consent), Communication

Recommended Action: to approve and authorize a budget amendment in the amount of \$3,983,880.13, to be transferred to and from the accounts described in the accompanying memo, to carryforward remaining Capital Budget funds from Fiscal Year 2020 to Fiscal Year 2021

 BoF-CC memo Capital Budget Amendment
12-7-20 final.pdf

 BoF_CC_Checklist Capital Budget
Amendment FY20-FY21.pdf

5.20 Communication: Katie Kinstedt, Asst. Director Admin & Finance, CEDO and Luke McGowan, Director Community & Economic Development Office (CEDO), re: Local Government Expense Reimbursement (LGER) Grant Acceptance, 01140CRF20LGE0132

Type: Action (Consent), Communication

Recommended Action: to approve the acceptance of Local Government Expense Reimbursement (LGER) Grant, number 01140CRF20LGE0132, and authorize the CEDO Assistant Director, Administration & Finance to take all necessary steps to effectuate the acceptance of the grant

****note revised version for this agenda item to include title change, updated motion and additional document per CAO Schad, posted on Monday, December 7, 2020, at 11:47 am, LO****

Communication: Katie Kinstedt, Assistant Director Administration & Finance, CEDO, Katherine Schad, CAO and Luke McGowan, Director, CEDO, re: Local Government Expense Reimbursement (LGER) Grant Acceptance, 01140CRF20LGE0132 Approval of Hazard Pay Program with the motion to "approve the one-time hazard pay program and acceptance of Local Government Expense Reimbursement (LGER) Grant, number 01140CRF20LGE0132, and authorize the Mayor or his designee to sign all necessary documents to affect same"

 revised version of agenda item 5.20.pdf

 COVID-19 Hazard Bonus Program for City of
Burlington Employees December 7, 2020.pdf

 01140CRF20LGE0132.pdf

 BOF CC Checklist_12.7
Completed_LGER.docx

 BOF CC 12.7.20_Memo LGER Grant
Acceptance.pdf



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5.21 Communication: Jon Adams-Kollitz, Parks Project Coordinator, Sophie Sauve, Parks Comprehensive Planner, Cindi Wight, Director, Department of Parks, Recreation & Waterfront (BPRW), re: Burlington Bike Path Rehabilitation Phase 3b Design - Amendment

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the execution of a contract amendment with Vanasse Hangen Brustlin, Inc. (VHB) for a price not to exceed \$63,710 for the Burlington Bike Path Rehabilitation Phase 3b Design project, plus a project contingency of \$9,557 for a total of \$73,267, and to authorize Cindi Wight, Director of Parks and Recreation, to execute the contract amendment for a total of \$183,207 and any related documents needed to carry out the project, subject to City Attorney's Office review

****note written materials and motion for this agenda item posted on Friday, December 4, 2020, at 3:02 pm, LO****

20201203 BP 3b Design amendment BOF
Memo FINAL 2.docx

20201202 BOF CC Checklist_Burlington Bike
Path Rehabilitation Phase 3b Design -
amendment1.docx

5.22 FIO Document

Type: Action (Consent), Communication, Information

Recommended Action: for information only

FIO Document.pdf

5.23 Resolution: Release Of Certain Glebe And Perpetual Lease-Land Interests And Adoption Of City Of Burlington Perpetual Lease Land Interests List (Councilor Mason)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

****note revised version of the City of Burlington Retained Perpetual Lease Interests List, per Assistant City Attorney Sturtevant, to be voted on at the December 7, 2020 Regular City Council Meeting, posted on Monday, December 7, 2020, at 5:30 pm, LO****

Clerk - Release of Certain Glebe & Perpetual
Leased Land Interests & Adoption of City's
Perpetual Lease Land Interests List 11-25-20.pdf

revised version of consent agenda 5.23
Perpetual Lease Interests List to be voted at the
December 7, 2020 Regular City Council
Meeting.pdf

Clerk - Release of Certain Glebe & Perpetual
Leased Land Interests - Memo 12-02-20.pdf

Clerk - Release of Certain Glebe & Perpetual
Leased Land Interests - Memo 12-11-19.pdf

Clerk - Release of Certain Glebe & Perpetual
Leased Land Interests - Memo 06-03-16.pdf

BURLINGTON PERPETUAL LEASE LAND
INTERESTS LIST Revised 12-3-20.pdf

Signed CC Resolution Release of Certain
Glebe and Perpetual Lease-Land Interests and
Adoption of COB Perpetual Lease Land Interests
List.pdf



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5.24 Communication: Lucy Circe, re: Documents from Lucy Circe re Agenda 6.02 Constitutionality of proposed new ordinance

Type: Action (Consent), Communication

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

 Communication Lucy Circe re Documents from Lucy Circe re Agenda 6.02 Constitutionality of proposed new ordinance.pdf

5.25 Communication: Emma Kouri, South Prospect Street, re: City council meeting tonight, community control of police

Type: Action (Consent), Communication

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

6. Deliberative Agenda

6.01 Presentation: Laura Wheelock, Senior Public Works Engineer and Phillip Peterson, Associate Public Works Engineer, re: University Place Streetscape Improvements

Type: Information, Presentation

 University Place Concept Presentation 12.7.20 Final.pdf

6.02 Resolution: March 2, 2021 Annual City Meeting--Just Cause Evictions Charter Change (Charter Change Committee)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

****note proposed amendment for this agenda item per Councilor Carpenter, posted on Monday, December 7, 2020, at 4:01 pm, LO****

 Charter Change - Just Cause Evictions Charter Change (3-2-21 Annual City Meeting).pdf

 Item 6.02 JCE Amendment 12-7-20.docx



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6.03 Resolution: March 2, 2021 Annual City Meeting--Independent Community Control Board To Oversee Investigation And Discipline Of Police Misconduct Charter Change (Charter Change Committee)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

****note additional written materials for this agenda item posted on Monday, December 7, 2020, at 10:35 am, LO****

Communication Regarding Joint Committee Discussion re Charter Change 12-03-20.pdf

Communication Regarding Police Commissioners' Comments on Charter Change Committee Proposal for Civilian Oversight of Police

****note document titled 12-7-20 Police Oversight Charter Change item posted on Monday, December 7 at 7:50pm, AJB****

Charter Change - Independent Community Control Board to Oversee Police Investigation & Discipline of Misconduct (3-2-21 Annual City Meeting).pdf

Comments Submitted to 111920 Charter Change Committee re Police Civilian Oversight.pdf

Communication Joint Committee Discussion re Charter Change 12-03-20.pdf.pdf

Communication Regarding Police Commissioners' Comments on Charter Change Committee Proposal for Civilian Oversight of Police.pdf

12-7-20 Police Oversight Charter Change.pdf

6.04 Resolution: March 3, 2020 Annual City Meeting ☐ Charter Change Re: Additions To Airport Commission (Charter Change Committee)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

****note written material, title change and sponsor for this agenda item (per City Attorney's Office), posted on Friday, December 4, 2020, at 3:03 pm, LO****

REVISED Resolution Relating to March 2, 2021 Annual City Meeting -- Charter Change Re: Additions to Airport Commission (Councilor Paul)

Charter Change re Additions to Airport Commission (3-02-21 Annual City Meeting) REVISED.pdf

Charter Change re Additions to Airport Commission (3-03-20 Annual City Meeting).pdf



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6.05 Resolution: Proposed Charter Change re Regulation of Thermal Energy Systems in Residential and Commercial Buildings

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

****note** written material, revised title and sponsor for this agenda item per City Attorney's Office, posted on Friday, December 4, 2020, at 3:24 pm, LO**

Resolution: Charter Change re Regulation of Thermal Energy Systems in Residential and Commercial Buildings (Ordinance Committee)

*****note proposed amendment per Councilor Mason, at 4:55 pm, 12/07/20, LO, to remove from agenda and place it on the December 14, 2020 Special City Council Deliberative Agenda*****

 Charter Change re Regulation of Thermal Energy Systems in Residential and Commercial Buildings 12-3-20.pdf

7. Committee Reports

7.01 Verbal Reports

Type: Information, Procedural

8. City Council - General Affairs

8.01 Verbal Reports

Type: Information, Procedural

9. City Council President - Council Updates

9.01 Verbal Reports

Type: Information, Procedural

10. Mayor - General Affairs

10.01 Verbal Reports

Type: Information, Procedural



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11. Adjournment

11.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

12. Informational and Non-Discrimination Statements

12.01 This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (865-7136)(TTY 865-7142). Persons with disabilities, who require assistance or special arrangements to participate are encouraged to contact 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will also air on Channel 17 two days after the meeting starting at 8:00 pm, repeating at 1:00 am, 7:00 am and 1:00 pm 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.

Type: Information