



BURLINGTON CITY COUNCIL CHARTER CHANGE COMMITTEE

11/21/2019

Charter Change Committee

Minutes of November 21, 2019

Champlain Room, City Hall

Committee Members: Max Tracy, Chair; Joan Shannon; Franklin Paulino (phone)

Staff Member: Eileen Blackwood, City Attorney

Other Attendees: Todd Rawlings, CEDO; Sharon Bushor, City Councilor; Olivia LaVecchia, Mayor's Office

Chair Tracy called the meeting to order at 4:54 pm.

1.01 Motion to adopt the agenda by Shannon, second by Paulino—unanimous

2.01 Motion to adopt the minutes of 11/4/19 by Shannon, second by Paulino - unanimous

3.01 Public Forum: Sharon Bushor will save her comments until the discussion on the HTF. No other speakers.

4.01 Housing Trust Fund (HTF) (continuing discussion from prior meeting re: proposed charter change)—

Shannon reiterated that the property tax is regressive, and the Council must be aware of the burden on taxpayers. There are other sources for the HTF that we are pursuing, and 1 cent makes the HTF whole after last reappraisal. This change will also put the HTF into the charter to allow it to keep pace with inflation in the future. Since the last meeting, she says she can support this change, but would not support more than 1 cent at this time.

Paulino wonders if people are willing to wait until after reappraisal to pass this change. After reappraisal it will be more than 1 cent. Shannon noted that it won't be more than 1 cent, but it will hit some households harder than others.

Shannon said she could wait to vote until reappraisal is finished in '22. We need to be careful to remind folks that



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reappraisal is coming. She sees some homes selling at double their assessed value, so these will see a large tax increase. But she'll agree to the 1 cent for now. The assessor has information on the CLA by class of property. People need to know we are paying this out of the GF so it is not an increase to the HTF, but it is now a commitment. She wants to insure that there is good communication.

Paulino supports that position.

Bushor put out a piece on the HTF in the North Avenue News and heard from some constituents. She supports this tax. She hopes that this committee will consider at least 1 cent and maybe more. She came because she read the minutes and got scared that this committee was not going to support the HTF. We are going to have a lot of other expenses, but to delay the guarantee that we will have a constant revenue stream for housing is more of a problem. She agrees that educating taxpayers is important. We should do a range of housing values and show what the taxation would be on those. Please move this forward for consideration by the whole council and don't delay it for years.

Tracy is glad to hear of the willingness to support this tax. He wants to hear more about whether the City can use real estate transfer tax or tax large landholders more. Are there any other options? Rawlings reported he did a fair amount of research on other communities but didn't come across anything like a community that taxes large landholders more or has a progressive tax. CA Blackwood reported that the City doesn't have the resources at this time to do a complete investigation of what it would take to set up a whole new tax scheme based on income or on property transfer (even if the legislature were to agree to them). Additionally, there would likely be constitutional concerns in taxing large landholders at a higher rate than small landholders. It was noted that the new IZ fee is designed to pay more into the HTF.

Motion to recommend this charter change language to Council by Shannon, second by Paulino. Unanimous.

4.02 Non-Citizen Voting: Shannon reported that Councilor Dieng suggested in a recent public setting that collecting information on non-citizens posed potential risk to them. She wondered if Burlington should wait for the legislature and attorneys in Montpelier to solve the concern about collecting this information before acting. There are good reasons to allow non-citizens to vote, but singling them out seems dangerous at this point in history. CA Blackwood pointed out that the proposal is just for noncitizens with legal status (green cards).

Bushor was surprised Dieng did not support this change, and she appreciated his perspective that citizenship is important and voting an important right associated with it. She agrees to delay the issue until we know how other folks are going to deal with this. It would also add another level of complexity for workers at polls.

Paulino would like to see this put to a vote. He supports this wholeheartedly.



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Shannon would not recommend this to the full Council at this time.

Tracy would like a little more time to discuss these concerns with the caucus. He would like to see the legislative council analysis of these issues. CA Blackwood will check in with Migrant Justice and the ACLU about concern with the overall issue, putting people at risk, and keeping track of non-citizens.

4.03 Airport Commission: Blackwood reported that the Administration is putting forward this charter change after discussions with the Cities of Winooski and South Burlington to add a voting member of the Commission from Winooski and to increase the size of the Commission to keep an odd number and to make it consistent with other city boards.

Shannon supports.

Paulino supports.

Bushor supports. She asked if the Administration had considered keeping 4 Burlington representatives, 1 Winooski, and 2 South Burlington. Shannon said she would not agree with such a change.

Shannon moved to recommend the suggested language to the Council. Paulino seconded. Unanimous.

Election change. Blackwood reported that the Administration is putting forward a charter change to make local ballots available at the same time as state/federal ballots, consistent with the memo provided by the Clerk/Treasurer's Office.

Shannon supports.

Paulino supports anything that makes it easier to vote. He would strongly support having a single ballot.

Tracy supports.

Motion by Shannon, second by Paulino to ask the City Attorney to draft language for a charter change consistent with this memo and recommends this matter to the Council as a charter change. Unanimous.



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Use of the word "freeman" in our charter: CA Blackwood will check to see if it was changed at state level and should have been changed in our charter, or not. She will report back to the committee.

5.01 Next meeting is scheduled for Dec. 5 at 4:45 pm to 5:45 pm.

6.01 Motion to adjourn by Shannon, second by Paulino - unanimous.

The meeting was adjourned at 6:13 pm.