



BURLINGTON CITY COUNCIL CHARTER CHANGE COMMITTEE

Virtual Meeting

11/19/2020

Charter Change Committee Meeting

Virtual Meeting on Zoom

November 19, 2020

DRAFT Minutes

Committee Members Present: Joan Shannon, Chair; Perri Freeman; Jane Stromberg

Staff: Eileen Blackwood, City Attorney

Public Members who participated in 3.01 discussion below:

Ashley LaPorte

Jorge Rios

Gene Bergman

Lilla Fortunoff

Will Dunkley

The meeting was called to order at 5:04 pm. City Attorney Blackwood noted that a document incorporating emailed public comments sent to the Committee before the meeting has been posted on BoardDocs.

1.01 Agenda. Approval of agenda moved by Stromberg, second by Freeman. Unanimous.

2.01. Minutes. Approval of the minutes of Nov. 12 moved by Freeman, second by Stromberg, unanimous.

3.01 Discussion of Police Discipline Charter Change. The Committee began its line by line review of the proposed charter change with CA Blackwood's comments and a draft with additional changes proposed by Councilor Freeman.

The Committee first discussed the titles of Article 65 and Section 190. CA Blackwood will propose changes, and the



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Committee members will each think about what these titles should be.

On the issue of deleting the initial sections of the existing section 190, Freeman reported that she had moved 190 (a) and (d) into new subsection (d)(6). The Committee discussed CA Blackwood's suggestion that the chief might need to have some suspension authority to be able to remove an officer from duty immediately. CA Blackwood will work on putting in language about this authority, which is not intended to be a disciplinary authority, but a pre-discipline action.

(a) Shannon asked if the Committee is contemplating retaining the existing Police Commission. She thought no, there should be one board. Freeman and Stromberg both are contemplating two boards, as the Police Commission could continue to do policy, and this new board would focus on discipline. It was decided to leave this as a question while the Committee works through the rest of the provisions.

A question was asked if undocumented residents of Burlington could serve on the board. CA Blackwood confirmed that the relevant qualification is residency, not being a legal voter, as with other city boards.

Shannon asked why the proposal is to pay this board. Freeman noted that the board would have considerable work and responsibility, but also providing some compensation would allow the board to be more inclusive and not rely on individuals to have sufficient resources to be able to volunteer. Shannon asked how much work is this board expected to do? CA Blackwood noted that she and Chief Murad are working on putting together information on the complaints/discipline over the past few years to help guide the Committee in analyzing this. Shannon noted that another way to meet this goal of greater accessibility would be to pay a per-meeting fee, rather than a flat fee.

(b)(1) A question was raised about a three-term limit with the terms raised from two-year to three. Stromberg suggested that some members could serve two-year terms and some three, but the other Committee members were concerned this was too complicated. The Committee members will think about whether the term limit should be two or three.

(b)(2) Freeman asked to keep the provision with 2 members as BIPOC/LGBTQ. CA Blackwood explained the legal concerns, and a number of suggestions were made about how to find a way to do this—a range of 25-60% being BIPOC, using other data to prove need for affirmative action here. CA Blackwood will work further on this point. Discussion included changing "or" to "and" between BIPOC and LGBTQ, adding "in the area of civil rights," and adding "documentation status."

(b)(3)(A) and (B) no comments.

(4) Selection—The Committee discussed the option of appointment versus election and noted public comment was in favor of appointment, but by community organizations, not mayor/council. Freeman asked whether organizations could actually make the appointments, not just nominate them. CA Blackwood discussed concerns about who decides for an



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organization if it has no bylaws or formal structure. Comments were made that the strategic intent is to enable representatives from marginalized communities and enable access for folks who are not able to have access; therefore, "nonprofit" is too narrow, and the groups should include "community organizations" or "civic organizations that are BIPOC-led."

After discussion, it was proposed that the mayor/council appoint 7 organizations, each of which would appoint 1 member to the board.

Next Meeting. The next meeting will be Wed. Nov. 25 at 5 – 7:30 pm.

4.01 Adjournment. The meeting was adjourned at 7:03 pm.