



BURLINGTON CITY COUNCIL CHARTER CHANGE COMMITTEE

11/15/2016

Charter Change Committee Meeting

November 15, 2016

Minutes

Present: Kurt Wright (KW), Chair; Sara Giannoni (SG); Joan Shannon (JS) (present initially by phone but arrived in person during consideration of item 4.02)

Staff: Eileen Blackwood, City Attorney (EB)

Other attendees: Andrew (member of public)

Meeting called to order at 4:10 pm by Chair Wright.

1. Agenda: SG moved to accept the agenda, KW seconded. Unanimous.
2. Minutes of Sept. 28, 2016: SG moved to accept the minutes, JS seconded. Unanimous
3. Public forum: no speakers

4.01 Consideration of role of police commission: SG has resolution in draft form, referring to March 2015 resolution re: how role of police commission might change. She has been talking to Christine Longmore re: the group CALEO—Community Accountability with Law Enforcement Officers. SG would like recommendations from this group on what to do with police commission. She wants to hire someone to do research and wants the group to consider what the City Attorney's office has already done. She will work with the City Attorney on the language of the resolution but is interested in any questions or concerns from the other committee members. JS asked to look at draft resolution. KW also asked for draft.

4.02 Review of possible charter changes presented by City Attorney: EB went through the packet of possible changes. The committee has some concern about changing the tax dates. They would like to know from the CAO what is the cost of delaying payments to March/June. EB will look for answers and bring them next meeting.



BURLINGTON CITY COUNCIL CHARTER CHANGE COMMITTEE 11/15/2016

The committee would like some clarity on the role of the Board for Registration of Voters outside of the election and whether there have been vacancies or trouble filling them. They would also like to reach out to the chair of the Board for her opinion on the size. They asked if the BRV could be divided into panels to avoid quorum problems. EB will look for answers and bring them next meeting.

The committee discussed the impact of removing the language concerning the mayor presiding over appointment of officers. KW and SG are ready to move on it but respect that Joan wants more time to think about it.

JS moved to recommend changes to 38 & 39 to Council as a single charter change. SG seconded. Unanimous.

JS moved to recommend changes to 147. SG seconded. Unanimous.

KW asked what would happen if we did nothing to 211/232. If it won't be bad, then why not see how many others there are. JS and SG agreed to respect KW's opinion to delay.

4.03 Consideration of other possible charter changes raised by councilors: Party designation issue—SG spoke to Councilor Roof, who thinks it would increase voter turnout, and SG would want to see some evidence of that—research or something—because she is concerned that there's a lack of clarity. She would prefer not to do anything on it at this time.

JS moved to not put issue of party designation on ballot. SG seconded. 2 in favor (JS, SG) and 1 opposed (KW). Motion carried.

Mayoral veto—KW reviewed smoking issue when council decided to postpone action and do survey. Mayor was prepared to veto motion to postpone but did not. KW thinks that's a mistake—broader power than president or governor has. In the future, mayor could tell council they can't postpone action. The committee would like the City Attorney to draft language to veto inaction by the council. They would like to know whether historically a mayor has ever used a veto this way. KW feels strongly that the mayor should not be able to force the council through a veto to act or not act. No mayor should be able to veto motions to postpone or refer to a committee or purely procedural action by council. Mayor should be able to veto any directive to departments. The committee discussed whether to include something saying that the council can't direct a department to do something in a procedural motion; that has to be done in a resolution or separate motion form, which the mayor can veto.

The City Attorney will draft a change to the charter section on the mayoral veto to say that the mayor cannot veto purely procedural acts by the council, such as postponement or referral to a committee.



BURLINGTON CITY COUNCIL CHARTER CHANGE COMMITTEE 11/15/2016

5. Next meeting: Nov. 29 at 4:30 pm.
6. Adjournment: JS moved & SG seconded. Meeting adjourned at 5:30 pm.