



October 25, 2021

Regular City Council Meeting - Monday, October 25, 2021, 6:30 pm ****In-Person in Contois Auditorium, 2nd Floor, City Hall OR REMOTELY via ZOOM****

 [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 agenda as follows: add to the consent agenda item 5.22 Communication: Brian Pine, CEDO Director; Meagan Tuttle, Principal Planner, Office of City Planning, re: Revised timeline for Ad Hoc Redistricting Committee with the action to "waive the reading, accept the communication and place it on file"; add to the consent agenda item 5.23 Communication: Robert Bristow-Johnson, re: 2022 Vermont House Redistricting within Burlington with the action to "waive the reading, accept the communication and place it on file"; remove from the consent agenda item 5.20 Resolution: December 7, 2021 - Special City Meeting Issuance of General Obligations Bonds for Capital Projects - Revised (Board of Finance) and place it on the deliberative agenda as item 6.10 (per Councilor Shannon)

2. Communication: City Attorney Richardson, re: Historical Water Billing Issue ****verbal** 6:30 pm - 7:00 pm: Location: Bushor Conference Room, 1st Floor, City Hall** EXPECTED EXECUTIVE SESSION**

2.01 Communication: City Attorney Richardson, re: Historical Water Billing Issue ****verbal** 6:30 pm - 7:00 pm: Location: Bushor Conference Room, 1st Floor City Hall**EXPECTED EXECUTIVE SESSION****

Type: Action, Discussion, Information

Recommended Action: Motion 1: Move that the Council find that premature general public knowledge of information concerning the resolution of historic water billing and collection issues would clearly place the City at a substantial disadvantage; Motion 2: Based upon that finding, move that the Council go into executive session to (a) receive confidential attorney-client communications pursuant to 1 VSA §313(a)(1)(F) and (2) to discuss a pending or probable civil litigation matter, 1 VSA §313(a)(1)(E).

3. Public Forum: time certain: 7:30 pm - 9:30 pm ****See item for signup instructions****

3.01 Verbal Comments

Type: Action, Information, Procedural

To participate in Public Forum in person sign up at the meeting. To participate in Public Forum via ZOOM sign up here: <https://www.burlingtonvt.gov/citycouncil/publicforum> Do not sign up in person and via Zoom - select one only

4. Climate Emergency Reports

4.01 Climate Emergency Reports

Type: Information

5. Consent Agenda



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5.01 Motion to adopt the consent agenda (as amended) 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 102521 cc
mtg LO.xlsx

**5.03 Communication: C/T Office, re: July 12, 2021 Local Control Commission Meeting Minutes,
Draft**

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 October 18, 2021 Regular City Council Meeting

 View Minutes from Local Control Commission Meeting - Monday, July 12, 2021 **In-Person in Contois
Auditorium, 2nd Floor, City Hall**

5.04 Communication: C/T Office, re: July 12, 2021 Regular City Council Meeting Minutes, Draft

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 October 18, 2021 Regular City Council Meeting

 View Minutes from Regular City Council Meeting - Monday, July 12, 2021, 6:30 pm **In-Person in Contois
Auditorium, 2nd Floor, City Hall **

5.05 Communication: C/T Office, re: August 9, 2021 Board of Civil Authority Meeting Minutes, Draft

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 October 18, 2021 Regular City Council Meeting

 View Minutes from Board of Civil Authority Meeting, Monday, August 9, 2021, **In-Person in Contois
Auditorium, 2nd Floor, City Hall**

**5.06 Communication: C/T Office, re: August 9, 2021 City Council With Mayor Presiding Meeting
Minutes, Draft**

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 October 18, 2021 Regular City Council Meeting



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5.07 Communication: C/T Office, re: September 9, 2021 Special City Council Meeting Minutes, Draft

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 October 18, 2021 Regular City Council Meeting

View Minutes from Special City Council Meeting - Thursday, September 9, 2021, 6:00 pm **In-Person in Contois Auditorium, 2nd Floor, City Hall **

5.08 Communication: C/T Office, re: September 13, 2021 City Council With Mayor Presiding Meeting Minutes, Draft

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 October 18, 2021 Regular City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting, Monday, September 13, 2021, **In-Person in Contois Auditorium, 2nd Floor, City Hall**

5.09 Communication: C/T Office, re: September 13, 2021 Regular City Council Meeting Minutes, Draft

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 October 18, 2021 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, September 13, 2021, 7:00 pm **In-Person in Contois Auditorium, 2nd Floor, City Hall**

5.10 Communication: C/T Office, re: September 27, 2021 Full Board of Abatement of Taxes Meeting Minutes, Draft

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 October 18, 2021 Regular City Council Meeting

View Minutes from Full Board of Abatement of Taxes Meeting - Monday, September 27, 2021

5.11 Communication: C/T Office, re: September 27, 2021 Regular City Council Meeting Minutes, Draft

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 October 18, 2021 Regular City Council Meeting

View Minutes from Regular City Council Meeting - Monday, September 27, 2021, 6:15 pm **In-Person in Contois Auditorium, 2nd Floor, City Hall**



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5.12 Communication: Katherine Schad, Chief Administrative Officer, re: Meeting with Employees on Safety

Type: Action (Consent), Communication, Information

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

Communication to CC on EE Safety Final.pdf

DOWNTOWN BURLINGTON SAFETY AND
SECURITY GUIDE_Revised July 2021.pdf

5.13 Communication: Andrew Gelinas, re: Encampment

Type: Action (Consent), Communication

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

Communication Andrew Gelinas re
Encampment.pdf

5.14 Communication: Eric Covey, Chief of Staff, Vermont Secretary of State's Office, re: For Official BCA Feedback: Proposed House District Map by Legislative Apportionment Board

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file and have this as an agenda item for discussion at the November 8, 2021 Board of Civil Authority Meeting

Links to Materials in Communication:

1.Memo from Board Chair Tom Little explaining the process and the BCA role.

1.Proposed House Reapportionment Statewide Map - Town Finder App. This is an interactive map displaying a side-by-side comparison of current House districts and the LAB's proposed re-drawing of districts. Clicking on a district displays district specific data like population and population deviation.

1.Proposed House Reapportionment individual district PDFs. These PDFs are high resolution and can be printed in large sizes or emailed to BCA members. They can also be found and printed from the Town Finder App, above.

1.Sorted by City/Town

1.Sorted by Proposed District

1.BCA Reporting Web Form. Use this form to send your BCA's comments, if any, back to the Legislative Apportionment Board. This form is not for use by the general public and should only be filled out a single time by an authorized representative of the BCA.

1.Current Individual House District Maps (search by town and click on district link)

1.2020 Census Data Interactive Maps by Town (courtesy VCGI)

1.17 V.S.A. Chapter 34A: Periodic Reapportionment

1.Apportionment Board Resources

1.Contact the Board

Communication Eric Covey Chief of Staff
Vermont Secretary of State's Office re For Official
BCA Feedback Proposed House District Map by
Legislature Appointment Board.pdf



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**5.15 Communication: Chapin Spencer, Director and Lee Perry, Division Director - Maintenance
Division, DPW, re: 195-201 Flynn Avenue MOU and a Potential CSWD Drop-Off Center**

Type: Action (Consent), Communication

Recommended Action: to approve a three-month extension of the Option to enter into a lease-purchase arrangement with the Chittenden Solid Waste District contemplated by the Second Memorandum of Understanding between the Chittenden Solid Waste District and the City dated November 1, 2019, and to authorize the Mayor to sign an addendum to said MOU effecting such, subject to final review and approval by the City Attorney's Office

 195-201 Flynn Ave Council Memo re MOU
Extension 10-20-2021 Final.pdf

 CC Checklist CSWD 195-201 Flynn Ave.
October 20, 2021.pdf

5.16 Communication: Caleb Manna, Excavation Inspector, DPW, re: 92 North Avenue - Bolt Mobility

Type: Action (Consent), Communication

Recommended Action: to approve the Encumbrance Application for Bolt Mobility requesting use of public right of way space at 92 North Ave for an electric bike hub, and to authorize the Mayor to execute an Encumbrance Permit and License Agreement in substantial conformity with the Encumbrance Permit and License Agreement attached subject to approval by the City Attorney's Office on behalf of the City of Burlington

 FINAL ENC application packet - Bolt - 92
North Ave.pdf

**5.17 Communication: Katherine Schad, Chief Administrative Officer, Jeff Padgett, Division Director
of Parking and Traffic, Chapin Spencer, Director of Public Works, Martha Keenan, Capital & Special
Projects Director, re: Use of ARPA Funds to replace revenue losses due to the Pandemic**

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the utilization of ARPA funds to the Parking and Traffic Division of Public Works for \$1.0 million to reimburse the Division for its revenue losses in Calendar Year 2020

 ARPA utilization for Parking and Traffic
10-19-21 Final.pdf

 BOF CC Checklist Use of ARPA funds Traffic
10-21-21.pdf

5.18 FIO Document

Type: Action (Consent), Communication, Information

Recommended Action: for information only

 FIO Document.pdf



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**5.19 Ordinance: Chapter 30, Vehicles For Hire--Article II--Section 30-4, Updating Licensing Board--
(Councilor Tracy)**

Type: Action (Consent)

Recommended Action: Pursuant to Rule 14 of the Rules and Regulations of the City Council, suspend the rules and adopt the amendment to Chapter 30 of the Burlington Code of Ordinances.

 Ordinance - CT - Vehicle for Hire (FINAL).pdf

 BOF CC Checklist_VFH Ordinance
10-25-21.docx

 Vehicle for Hire Ordinance Amendment CC
Memo +jsj (002).docx

 Signed CC Ordinance Chapter 30, VFH -
Article II-Section 30-4, Updating Licensing
Board.pdf

**5.20 Resolution: December 7, 2021 -- Special City Meeting Issuance Of General Obligations Bonds
For Capital Projects - Revised (Board of Finance)**NOW AGENDA ITEM 6.10****

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Resolution (Revised) - Capital Plan - Special
Election (FINAL).pdf

**5.21 Resolution: Request For \$283,365 Of ARPA Funds To Address Ongoing Health Response And
Assist Houseless Community Members (Board of Finance)**

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Resolution - COVID Response - ARPA
Request to Assist Houseless Community
Members (FINAL).pdf

 ARPA_Funds Request_25OCT21.pdf

 Signed CC Resolution Request For \$283,365
Of ARPA Funds To Address Ongoing Health
Response And Assist Houseless Community
Members.pdf

**5.22 Communication: Brian Pine, CEDO Director; Meagan Tuttle, Principal Planner, Office of City
Planning, re: Revised timeline for Ad Hoc Redistricting Committee**

Type: Action (Consent), Communication

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

 Council Memo re schedule for Redistricting
Process.docx



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5.23 Communication: Robert Bristow-Johnson, re: 2022 Vermont House Redistricting within Burlington

Type: Action (Consent), Communication

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

 Burlington BCA Legislative Redistricting.pdf

6. Deliberative Agenda

6.01 Communication: Brian Pine, CEDO Director; Richard Haesler, Projects & Policy Specialist, re: Substantial Change Request to VEPC - Downtown Tax Increment Financing District

Type: Action, Communication, Information

Recommended Action: waive the readings, accept the communications and place them on file

note presentation slides for this agenda item per Laura Wheelock, posted on Tuesday, October 26, 2021, at 9:10 am, LO

 Downtown TIF District Substantial Change
Memo to City Council 102521.pdf

 Downtown TIF District Substantial Change -
Narrative Oct 2021.pdf

 Burlington Downtown TIF - VEPC spreadsheet
10-20-21.pdf

 Burlington Downtown TIF - substantial change
Oct 2021 - public hearing presentation.pdf

6.02 Public Hearing Regarding Burlington Downtown Tax Increment Financing District: Substantial Change Request

Type: Action, Public Hearing

Recommended Action: open the Public Hearingclose the Public Hearing

 CC Public Hearing Notice re Downtown TIF
District SubstantialChange Request - Final
Revised version.docx

6.03 Communication: Max Tracy, City Council President and Katherine Schad, CAO, re: Substantial Change Request Submission: Downtown Tax Increment Financing District Reconciliation Plan

Type: Action

Recommended Action: to approve the City's substantial change request to VEPC for its Downtown TIF District and authorize City Council President Max Tracy and Chief Administrative Officer Katherine Schad to execute the attached formal request letter

 City Substantial Change Request Letter
102521.pdf



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6.04 Public Hearing Regarding ZA-21-07, Height Measurements, Dormers & Eaves, ZA-21-08, Act 179 Changes to Ch. 117 and ZA-21-09, Updates and Corrections to Article 14

Type: Action, Public Hearing

Recommended Action: open the Public Hearingclose the Public Hearing

Public Hearing Notice re ZA-21-07, ZA-21-08
and ZA-21-09.pdf

6.05 Ordinance: Comprehensive Development Ordinance - Height Measurement, Dormers & Eaves ZA #21-07 (Office of City Planning, Planning Commission, Ordinance Committee)(2nd reading)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

Ordinance - ZA 21-07 CC PH version
10-6-21.pdf

ZA-21-07 Height Measurement_Memo for CC
2nd Read 20211025.pdf

Signed CC Ordinance CDO - Height
Measurement, Dormers & Eaves ZA #21-07.pdf

6.06 Ordinance: Comprehensive Development Ordinance - Act 179 Changes to 117 ZA #21-08 (Office of City Planning, Planning Commission, Ordinance Committee)(2nd reading)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

Ordinance - ZA 21-08 CC PH version
10-6-21.pdf

ZA-21-08 Act 179 changes_Memo for CC 2nd
Read 20211025.pdf

Signed CC Ordinance Act 179 Changes to 117
ZA #21-08.pdf

6.07 Ordinance: Comprehensive Development Ordinance - Updates and Corrections to Article 14 ZA #21-09 (Office of City Planning, Planning Commission, Ordinance Committee)(2nd reading)

Type: Action, Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

Ordinance - ZA 21-09 for CC PH version
10-6-21 (003).pdf

Zoning Amendment - ZA #21-09 - Shopfronts
map.pdf

ZA-21-09 Art14Updates_Memo for CC 2nd
Read 20211025.pdf

Signed CC Ordinance CDO - Updates and
Corrections to Article 14 ZA #21-09.pdf



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6.08 Resolution: Meeting The Basic Needs Of Houseless Vermonters (Councilor Magee)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Note addition of proposed amendments to the resolution at 10:40pm on 10/25 per Councilor Dieng

Resolution - Councilor Magee - Meeting Basic
Needs of Houseless Vermonters (FINAL).pdf

Amendments to SEAR's Lane Resolution.docx

Signed CC Resolution Meeting The Basic
Needs Of Houseless Vermonters.pdf

**6.09 Resolution: Studying A Community-Wide Transportation Demand Management Program
(Councilor Hanson)**

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Resolution - Councilor Hanson - Study for
Community-Wide Transportation Demand
Program (FINAL).pdf

Signed CC Resolution Studying A
Community-wide Transportation Demand
Management Program.pdf

**6.10 Resolution: December 7, 2021 - Special City Meeting Issuance Of General Obligation Bonds
For Capital Projects - Revised (Board of Finance) WAS CONSENT AGENDA ITEM 5.20****

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Resolution (Revised) - Capital Plan - Special
Election (FINAL).pdf

Signed CC Resolution December 7, 2021 -
Special City Meeting Issuance Of General
Obligations Bonds For Capital Projects -
Revised.pdf

7. Committee Reports

7.01 Verbal Reports

Type: Information, Procedural

8. City Council - General Affairs

8.01 Verbal Reports

Type: Information, Procedural



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9. City Council President - Council Updates

9.01 Verbal Reports

Type: Information, Procedural

10. Mayor - General Affairs

10.01 Verbal Reports

Type: Information, Procedural

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 Town Meeting TV the Wednesday after the meeting starting at 8:00 pm and repeating at 1:00 am and 7:00 am 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