# Regular City Council Meeting - Monday, June 28, 2021, 7:00 pm **VIRTUAL MEETING OR In-Person at Bushor Conference Room, Room 102, 1st Floor, City Hall ** 6/28/2021

**BURLINGTON CITY COUNCIL**

**REMOTE MEETING WITH CALL-IN NUMBER**

***OR***

**BUSHOR CONF. ROOM (ROOM 102), 1ST FLOOR, CITY HALL**

**BURLINGTON, VERMONT**

**MINUTES OF MEETING**

**June 28, 2021**

**MEMBERS PRESENT:** Karen Paul

Max Tracy

Chip Mason

Joan Shannon

Ali Dieng

Jack Hanson

Perri Freeman

Sarah E Carpenter

Zoraya Hightower

Jane Stromberg

Mark Barlow

**OTHERS PRESENT:** Miro Weinberger

Katherine Schad

Rich Goodwin

Jordan Redell

Kara Alnasrawi

Eileen Blackwood

# Regular City Council Meeting - Monday, June 28, 2021, 7:00 pm **VIRTUAL MEETING OR In-Person at Bushor Conference Room, Room 102, 1st Floor, City Hall ** 6/28/2021

Hayley McClenahan

Kim Sturtevant

Bill Ward

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**1. CALL TO ORDER and AGENDA**

1.01 Motion to amend/adopt the agenda

The meeting was called to order by City Council President Tracy at 7:13 PM.

**MOTION by Councilor Stromberg, SECOND by Councilor Hightower, to amend/adopt agenda as follows:**

- **note written materials for consent agenda item 4.03 AFSCME-City MOU re: CEDO (per Assistant City Attorney St. James);**
- **note correct version of agenda item 5.02 Resolution: Annual Appropriation And Budget For Fiscal Year Beginning July 1, 2021 And Ending June 30, 2022 (per CAO Schad);**
- **note correct version of agenda item 5.03 Resolution: Annual Tax Assessments On The Property Grand List Of The City For The Fiscal Year Beginning July 1, 2021 And Ending June 30, 2022 (Mayor Weinberger; Board of Finance)(per CAO Schad);**
- **note added written material for this agenda item (per CAO Schad);**
- **add to the consent agenda item 4.28 Communication: Katherine Schad, CAO and Amy Bovee, Asst. City Clerk re: Charter Change Deadlines for November 2, 2021 Special Election (per Asst. City Clerk Bovee);**

**VOTING: unanimous; motion carries.**

**2. PUBLIC FORUM**

2.01 Verbal Comments

Forum opened at 7:37 PM.

COMMENTS:

- Milton Rosa-Ortiz spoke as a member of Burlington City Arts' advisory board of directors, noting the accomplishments of BCA over the last year, including the distribution of Covid relief grants, completion of 4 murals, collaboration with REIB on Juneteenth murals, providing in-person learning, and providing home studio programs and virtual exhibitions.
- Sharon Bushor spoke about the proposed budget and several of her concerns. She said that ARPA funds are not

able to be used to address housing needs, and said she had wanted to restore the Housing Trust Funds using those ARPA funds. She suggested using the Unassigned Fund Balance to fully fund the Housing Trust Fund. She said that the housing that would be created is rental housing, and to assist with homeownership. She also applauded the thoughtful approach with allocating ARPA funds, but expressed concern about sustainability for programs funded with ARPA funds.

Forum closed at 7:45 PM.

**3. CLIMATE EMERGENCY REPORTS**

3.01 Climate Emergency Reports

Councilor Hanson noted that the Pacific Northwest is experiencing an unprecedented and intense heatwave, which has been classified as a once-in-a-thousand-years event.

Mayor Weinberger noted the amendment to the housing ordinance that would put a new regulation in place that will ensure that primary heating systems for new construction do not rely on fossil fuels. He said that this will help the City meet its net zero energy goals.

**4. CONSENT AGENDA**

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

4.02 Communication: C/T Office, re: Accountability List - waive the reading, accept the communication and place it on file.

4.03 AFSCME-City MOU re: CEDO - approve and authorize Mayor Miro Weinberger to execute the Memorandum of Understanding between AFSCME Local #1343 and the City of Burlington re: Addition of CEDO Employees to Bargaining Unit.

4.04 Communication: Daniel Gaviria, re: Individuals in Callahan Park - waive the reading, accept the communication and place it on file.

4.05 Communication: Tyeastia Green, Director, Tony Berry, Human Resources Manager, re: Creation of Four Limited Service Racial Equity Trainer Positions - approve the creation of four (4) Racial Equity Trainer positions, Limited Service, Full-time, Non-exempt,
Non-Union, Grade 17, positions in the Office of Racial Equity, Inclusion and Belonging.

4.06 Communication: Rachel Jolly, Asst. Director Community Justice Center, CEDO, Brian Pine, Director Community & Economic Development Office CEDO and Katie Kinstedt, Asst. Director Admin & Finance, CEDO, re: 2020-DJ-BX0948 2020 Byrne JAG Grant Acceptance - approve the acceptance of the acceptance of Edward Byrne Memorial Justice Assistance Grant, 2020-DJ-BX-0948 and authorize Mayor Miro Weinberger or his designee to sign all necessary documents to effect same.

4.07 Communication: Brian Pine, CEDO Director and Rachel Jolly, Assistant Director, CJC, re: Court Diversion Grant

Amendment #02100-FY2021-CN - approve the acceptance of Grant Amendment #02100-FY2021-CN, in the amount of $510,896, which will extend the court diversion and pretrial services grant to June 30, 2022, for a total grant amount of $905,496 for FY21 and 22, and to authorize Rachel Jolly to sign the grant amendment, and all other documents to implement the grant, subject to the review and approval of the City Attorney.

4.08 Communication: Brian Pine, CEDO Director; Rachel Jolly, Assistant Director, CJC, re: Department of Corrections Grant Amendment: "Safer Communities" (Grant #03520-1482) - to 1) authorize Mayor Weinberger to accept and execute an amendment to State Grant #03520-1482 in the amount of $300,000 for FY22, and 2) authorize CEDO Director Pine or his designee to sign all other documents necessary to implement the grant, subject to the review and approval of the City Attorney, and 3) authorize the CAO to effect any budget amendments necessary to reflect the changes to the FY22 budget associated with the grant.

4.09 Communication: Brian Pine, CEDO Director, Kerin Durfee, Director of Human Resources, Tony Berry, Human Resources Manager, re: Retitling and Reclassification of Three CEDO Positions – to 1) Retitling and reclassification of the Senior Lead Program Specialist, a Regular, Full-time, Exempt, Non-union, Grade 18, position to Lead Program Manager, a Regular, Full-time, Exempt, Non-union, Grade 19, position.
2) Retitling and reclassification of the Senior Community Development Specialist – Homelessness and Equity, a Regular, Full-time, Exempt, Non-union, Grade 18, position to Homelessness and Equity Manager, a Regular, Full-time, Exempt, Non-union, Grade 19, position.
3) Retitling and reclassification of the Senior Community Development Specialist – Public Engagement, a Regular, Full-time, Exempt, Non-union, Grade 18, position to Public Engagement Manager, a Regular, Full-time, Exempt, Non-union, Grade 19, position

4.10 Communication: Burlington International Airport, re: Request to Accept FAA Grant Execute Contracts for the Construction and Inspection Services and Amend existing Engineering and Bid Services Contract for the Hot Spot Remediation Projects - Guard Lights and Markings - 1. "To authorize the Director of Aviation to accept and execute a grant from the Federal Aviation Administration in an amount up to $1,055,230.00, with an 15% contingency of $158,284.50 as allowed under the grant for the Hot Spot Remediation Project (Guard Lights and Markings), totaling up to $1,213,514.50, subject to review and approval of the City Attorney's Office;" and 2. To authorize the Director of Aviation to execute a contract with SD Ireland in the amount of up to $845,880.00, with an 15% contingency of $126,882.00, totaling up to $972,762.00, for the construction of the Hot Spot Remediation Project (Guard Lights and Markings), subject to review and approval of the City Attorney's Office;" and 3. To authorize the Director of Aviation to execute a contract with CHA Consulting, Inc. in the amount of up to $73,350.00 with an 15% contingency of $11,002.50, totaling up to $84,352.50, for construction oversight of the Hot Spot Remediation Project (Guard Lights and Markings), subject to review and approval of the City Attorney's Office;" and 4. To authorize the Director of Aviation to execute an amendment to the contract with CHA Consulting, Inc. for the Hot Spot Remediation Project design and construction bidding, raising the maximum limiting amount from $317,761.16 to $399,261.16, subject to review and approval of the City Attorney's Office, and to authorize a 15% contingency of $59,889.17, totaling up to $459,150.33 for this contract, with this increase entered into the Federal Aviation Administration grant applications for the Hot Spot Remediation Project."

4.11 Communication: Burlington International Airport, re: Request Acceptance of a FAA Grant for Reimbursement for Design of the Runway 1 Precision Approach Path Indicator Relocation Related to the Construction of Taxiway K and the Hot Spot Remediation Project - authorize the Director of Aviation to accept and execute a grant from the Federal Aviation Administration in an amount up to $47,973.69, with an 15% contingency of $7,196.05, totaling up to $55,169.75, as allowed under the grant for a reimbursable agreement with FAA Technical Operations for the design of the Runway 1 Precision Approach Path Indicator relocation related to the Taxiway K Construction and the Hot Spot Remediation Projects, subject to review and approval of the City Attorney's Office.

4.12 Communication: Burlington International Airport, re: Request to Accept FAA Grant for Taxiway C Mill and Overlay and

Taxiway K Design Execute Contracts for Construction and Inspection Services for Hot Spot Remediation Projects - 1. "To authorize the Director of Aviation to accept and execute a grant from the Federal Aviation Administration in an amount up to $818,486.16 with a 15% contingency of $122,772.92, totaling up to $941,259.08, as allowed under the grant for the design and construction of a Mill and Overlay of a portion of taxiway C and the design and bidding of construction of taxiway K related to the Hot Spot Remediation Project, subject to review and approval of the City Attorney's Office;" and 2."To authorize the Director of Aviation to execute a contract with SD Ireland in the amount of up to $431,725.00 with a 15% contingency of $64,758.75, totaling up to $496,483.75, for construction of the mill and overlay of a portion of taxiway C, subject to review and approval of the City Attorney's Office;" and 3. "To authorize the Director of Aviation to execute a contract with CHA in the amount of up to $83,350.00 with a 15% contingency of $12,525.00, totaling up to $95,852.50, for construction oversight of the mill and overlay of a portion of taxiway C, subject to review and approval of the City Attorney's Office."

4.13 Communication: Burlington International Airport, re: Request Accept FAA Grant, Execute Contract for Planning, Design, Outreach and Construction Oversight for the 10 House Sound Insulation and 50 House Outreach Project - 1. "To authorize the Director of Aviation to accept and execute a Grant from the Federal Aviation Administration in an amount up to $1,329,539.00 with an 15% contingency of $199,430.85, totaling up to $1,528,969.85, for the planning, design, outreach, construction and construction oversight for the ten-house pilot program and for the review and outreach for the future fifty-house program, of the Sound Insulation Pilot Program, subject to review and approval of the City Attorney's Office;" and 2. "To authorize the Director of Aviation to execute a contract with Jones Payne Group in the amount of up to $744,530.00 with an 15% contingency of $111,680.85, totaling up to $856,210.85, for the planning, design, outreach and construction oversight for the ten-house pilot program and for the review and outreach for the future fifty-house program, subject to review and approval of the City Attorney's Office."

4.14 Communication: Burlington International Airport, re: Request to Accept and Other Transaction Agreement with the Transportation Security Administration and Execute Engineering Contract for the Review, Evaluation and Design of the In-Line Baggage Screening Project - 1. "To authorize the Director of Aviation to accept and execute an Other Transaction Agreement from the Transportation Security Administration in an amount up to $635,273.50 with a 15% contingency of $95,291.03, totaling up to $730,564.52, for the review, evaluation and design of an updated in line baggage screening system at Burlington International Airport, subject to review and approval of the City Attorney's Office;" and 2. "To authorize the Director of Aviation to execute a contract with Passero Associates in the amount of up to $658,050.00, with a 15% contingency of $98,707.50, totaling up to $756,757.50, for the review, evaluation and design of the in line baggage screening system at Burlington International Airport, subject to review and approval of the City Attorney's Office."

4.15 Communication: Burlington International Airport, re: Request to Accept Easements for the placement of sound monitoring equipment with the City of Winooski, Chamberlin School-South Burlington and the Town of Williston consistent with the previously approved FAA Sound Monitoring Grant - 1. "To authorize acceptance of an easement in substantial conformance with the attached easement from the City of Winooski for the temporary placement of sound monitoring equipment related to the ongoing sound program with Burlington International Airport, to be located at Winooski City Hall, subject to review and approval of the City Attorney's Office;" and 2. "To authorize acceptance of an easement in substantial conformance with the attached easement from the Chamberlin School in the City of South Burlington for the temporary placement of sound monitoring equipment related to the ongoing sound program with Burlington International Airport, to be located at Chamberlin School, subject to review and approval of the City Attorney's Office;" and 3. "To authorize acceptance of an easement in substantial conformance with the attached easement from the Town of Williston for the temporary placement of sound monitoring equipment related to the ongoing sound program with Burlington International Airport, to be located at the DPW, subject to review and approval of the City Attorney's Office."

4.16 Communication: Burlington International Airport, Gene Richards, Director of Aviation, re: Authorization to Renew

Cooperative Service Agreement with the United States Department of Agriculture Animal and Plant Health Inspection Service (APHIS) Wildlife Services (WS) - authorize the renewal of the Cooperative Service Agreement between Burlington International Airport and the United States Department of Agriculture Animal and Plant Health Inspection Service (APHIS) Wildlife Services (WS), and to authorize the Director of Aviation, to execute the agreement, subject to final review and approval by the City Attorney's Office.

4.17 Communication: Gene Richards, Director of Aviation, re: Authorization to Execute a Contract for Airfield Mill and Overlay Asphalt Repairs at the Burlington International Airport with Pike Industries, Inc. - authorize the Director of Aviation to execute a contract with Pike Industries, Inc. in an amount up to $261,360.65 for airfield mill and overlay asphalt repairs at Burlington International Airport, subject to the final review and approval by the Office of the City Attorney.

4.18 Communication: Gene Richards, Director of Aviation, re: Authorization to Execute a Lease Amendment to the Airline Lease Agreement for a One Year Extension - authorize the Mayor of Burlington, Miro Weinberger, to execute amendments to Airline Lease Agreements with American Airlines, Delta Air Lines, JetBlue Airways, United Airlines, and Frontier Airlines, extending the leases one year, subject to the final review and approval by the Office of the City Attorney.

4.19 Communication: Jeff Padgett, Division Director Parking and Traffic, re: FY22 Long Line Painting, Contract Award Request - authorize the Director of Public Works to execute a contract with L&D for a maximum limiting amount of $138,420.30 for long line pavement marking, subject to approval by the City Attorney's Office.

4.20 Communication: Jessica Lavalette, Water Resources Customer Care and Finance Manager, Megan Moir, Water Resources Division Director, re: Authorization to execute 3 year contract for Print to Mail Services with Harris Computers - authorize the Director of the Department of Public Works to execute a three year agreement with Harris Computers in an amount up to $229,650 for print to mail services subject to the final review and approval of the City Attorney's Office.

4.21 Communication: Cindi Wight, Director, Department of Parks, Recreation & Waterfront and Melissa Cate, Superintendent of Recreation Facilities, re: Sublease of Space at CORE, 20 Allen Street - approve and authorize the subletting of certain identified space in the Old North End Community Center to the Janet S. Munt Family Room to utilize office/clinic space at Room 219 on the terms provided in and substantially in conformance with the attached sublease and to authorize Mayor Miro Weinberger to execute the sublease and any related documents needed to carry out the sublease agreement, subject to the review of the City Attorney's Office.

4.22 Communication: Sophie Sauve, Parks Comprehensive Planner, Cindi Wight, Director, Department of Parks, Recreation & Waterfront, re: Penny for Parks and Bike Path Projects Year End Budget Amendments - 1. To approve and authorize the Chief Administrative Officer, or their designee, to affect the necessary budget amendment and transfer of $151,920 in funds from the Penny for Parks Projects (GL 830-23-700-701. 4720) as outlined on the Budget Amendment Request form to BPRW's unallocated restricted fund balance (GL 830-23-700-701.9500_200); and 2. To approve and authorize the Chief Administrative Officer, or their designee, to affect the necessary budget amendment and transfer of $106,382 in funds from the Bike Path – Contingency (GL 831-23-700 9500_800) to both the Bike Path Realignment Project and the Bike Path 3B Oakledge Project.

4.23 FIO Documents – for information only.

4.24 Resolution: Approving The Issuance Of Grant Anticipation Notes For The Costs Of Certain Airport Improvement Projects (Board of Finance) - waive the reading and adopt the resolution.

4.25 Resolution: Authorization To Apply To Downtown Sales Tax Reallocation Program Re Nedde Real Estate Development Project - 79 Pine Street (Board of Finance) - waive the reading and adopt the resolution.

4.26 Resolution: Authorization For Up To $565,000 Step II Loans From Vermont Clean Water State revolving Fund And Contract With Vanasse Hangen Brustlin, Inc. For Up To $565,000 For Planning And Design Of Stormwater Upgrades (Board

of Finance) - waive the reading and adopt the resolution.

4.27 Resolution: Authorization To Enter Into Agreement To Convey Real Property And Grant Easements With Two Burlington Square Condominium Association, Inc. Nedde Bank LLC And Nedde Pine LLC (Board of Finance) – waive the reading, accept the commication and plae it on file.

**MOTION by Councilor Stromberg, SECOND by Councilor Hightower, to adopt the consent agenda as amended, taking the actions as indicated for items 4.01-4.27.**

**VOTING: unanimous; motion carries.**

**5. DELIBERATIVE AGENDA**

5.01 Communication: Mayor Miro Weinberger, re: Appointment of Assistant City Attorney

City Attorney Blackwood noted that Ms. McClenahan graduated from Vermont Law School and is a prosecutor in Grafton County, New Hampshire and is interested in broadening her experience in municipal law. She brings background in litigation and spent some time in her career in various legislative activities and interests.

**MOTION by Councilor Shannon, SECOND by Councilor Mason, to approve the appointment of Hayley McClenahan as the City's newest Assistant City Attorney.**

**VOTING: unanimous; motion carries.**

5.02 Resolution: Annual Appropriation And Budget For Fiscal Year Beginning July 1, 2021 And Ending June 30, 2022 (Mayor Weinberger; Board of Finance)

**MOTION by Councilor Paul, SECOND by Councilor Stromberg, to waive the reading and adopt the resolution.**

**DISCUSSION:**

- **Councilor Paul noted that the annual approval of the Mayor's recommended budget is one of the key functions of the City Council, noting that it sets the tone and advocates priorities for the upcoming year. She spoke about the financial hardships due to Covid and the support that Burlington gave to its residents and businesses to endure those hardships. She spoke about the collaborative nature of building the budget and efforts to obtain public engagement and input. She said that the budget restores funding to pre-pandemic levels, addresses the climate emergency, builds on racial equity initiatives, and ensures a livable wage, while minimizing tax increases. She said that the budget also begins to reimagine public safety and the shift in focus to non-sworn officers and creation of a reserve for a new mental health initiative.**

- **Councilor Stromberg spoke highly of this year's budget process and said that it should set the precedent for future City budget processes.**
- **Councilor Dieng spoke in favor of the participatory budgeting activities for this budget and should be built on in future years. He also noted that the budget process was started early enough to allow Councilors to dig into the budget in detail. He spoke highly of the funding allocated for the City's traffic management plan.**
- **Mayor Weinberger voiced appreciation to the Board of Finance for their efforts around refining and finalizing the budget, and that the administration also appreciates the collaborative effort around building it.**

**VOTING: unanimous; motion carries.**

5.03 Resolution: Annual Tax Assessments On The Property Grand List Of The City For The Fiscal Year Beginning July 1, 2021 And Ending June 30, 2022 (Mayor Weinberger; Board of Finance)

**MOTION by Councilor Paul, SECOND by Councilor Stromberg, to waive the reading and adopt the resolution.**

**DISCUSSION:**

- **Councilor Paul said that this would adopt the City's tax rate for the upcoming year. She noted that the tax rate is $.067 cents per $100 of assessed value; 14 individual tax rates for City services. She added that the decreased rate is a reflection of the increased value of property after reappraisal. She noted projected tax increases of $1.7 million, for a total projected taxes of $35.8 million for municipal tax rate. She said that this budget would ensure that the City is funding its obligations and debt.**
- **Councilor Shannon asked about the tax rate and how it is reduced. Chief Administration Officer Schad said that the tax rates have been broken out into different sections and called attention to the section titled "Rates capped by voters."**
- **Councilor Hanson said that it is important to not overburden low-and-moderate-income Burlingtonians. He said that he would like to focus on more progressive taxation in Burlington.**
- **Councilor Mason asked about how the contribution affects the rate from '21 to '22 for the Retirement Fund. Chief Administration Officer Schad replied that the rates that are capped by voters have a ceiling, but others are driven by actual or projected expenses.**

**VOTING: unanimous; motion carries.**

5.04 Resolution: Establishing An Ad Hoc Committee On Redistricting For 2021 (Councilors Paul, Barlow, Carpenter)

**MOTION by Councilor Paul, SECOND by Councilor Carpenter, to waive the reading and adopt the resolution.**

**DISCUSSION:**

- **Councilor Paul noted that when census figures are available, municipalities determine the need for**

**redistricting. She said that given the development that has taken place in Burlington, it may be necessary to redistrict. She noted the key resolution points, which would create an ad hoc committee appointed by each NPA to hold at least two public meetings for input, and the Council would use this feedback to offer guidance to a mapping specialist. She added that if census figures necessitate redistricting, then the guidance and other directives would be given to a mapping specialist, who would work with the City Attorney and report back to the Council in October on whether action is needed for the ballot for Town Meeting Day in 2022.**

- **Councilor Hanson said this enhances and strengthens local government and allows residents more control in their community. He also voiced misgivings about the current hybrid ward/district system.**
- **Councilor Barlow said that independent community input is extremely important and looks forward to feedback from citizens on the current district model.**
- **Councilor Carpenter said that being prepared for redistricting is good governance.**
- **Councilor Shannon also noted that the current hybrid ward/district system is confusing.**
- **Councilor Dieng said that it will be extremely important to obtain community input during any redistricting activities. He also said it will also be important for City Council to separate themselves from this process and allow the NPAs to drive the process.**

**VOTING: unanimous; motion carries.**

5.05 Communication: Mayor Miro Weinberger, re: End of the Coronavirus Emergency & After Action Report

**MOTION by Councilor Dieng, SECOND by Councilor Hightower to waive the reading, accept the communication and place it on file.**

**DISCUSSION:**

- **Mayor Weinberger presented a COVID-19 After Action Report in the hope that reflecting on the experience could lead to improvements in operating the City, as well as in the hope that if this happens again, the City can leverage learnings from this pandemic to its benefit. He outlined the principles that were used to guide the City during the pandemic, which included emphasizing local action, shifting the collective mindset, building tools to navigate uncertainty, protecting the vulnerable and acting on failures of existing systems, listening and communicating clearly through varied media, learning and adapting as understanding of the crisis evolved, leveraging City assets to augment the State's response, and listening, partnering with, and empowering the community. He spoke about the public health initiatives enacted during the state of emergency, including mask production and distribution, wastewater surveillance testing, City-run pop-up Covid-19 testing sites (including the 405 Pine Street site), BIPOC vaccination clinics, HVAC/ventilation grants and loans, and contact tracing support. He spoke about business support initiatives, including CDBG Covid-19 grants, holiday markets, BIPOC-owned business grants, small business expansion, making space for businesses, and the open streets initiative. He noted housing, food, and other support initiatives, like the emergency food relief program, daytime warming shelters, the north beach camp ground low barrier shelter, plant for the people, and the Resource and Recovery Center (RRC).**
- **Councilor Shannon commended the City's decision to pursue mask-making while the CDC wasn't emphasizing the importance of masking for the general public. She praised the administration for its conservative and pragmatic response as well as its leadership during the pandemic.**

**VOTING: unanimous; motion carries.**

5.06 Appointment of Three Council Members to Board of Tax Appeals Following Reappraisal

**MOTION by Councilor Stromberg, SECOND by Councilor Stromberg, to appoint Councilors Shannon, Carpenter, and Barlow to the Board of Tax Appeals following the reappraisal process.**

**VOTING: unanimous; motion carries.**

5.07 Ordinance: Chapter 8, BUILDING AND BUILDING CONSTRUCTION--ADDITION OF ARTICLE V. HEATING SYSTEMS (Ordinance Committee)

**MOTION by Councilor Mason, SECOND by Councilor Hanson, to suspend the rules and place the ordinance amendment to Chapter 8, Article V, Heating Systems Ordinance, in all stages of passage, with a requested report back from Burlington Electric Department and the Department of Permitting and Inspections on or around June 28, 2022, on the impact of the ordinance amendment and whether the waiver fee should be adjusted.**

**DISCUSSION:**

- **Councilor Mason noted that the Council passed a resolution in May of 2019 requiring Burlington Electric Department (BED) to make policy recommendations around decarbonization and electrifications of new buildings, as well as a ban on new buildings having fossil fuel connections. BED proposed a policy, but because there was no enabling language, they couldn't move forward with a charter change to existing buildings. He noted that this is another policy step toward meeting the Net Zero 2030 goals. He said that it requires new buildings to have a non-fossil-fuel heating system, and recognizes that 100% non-fossil-fuel may not be possible (it sets the limit at 85%). He also noted that there is a waiver process.**
- **Councilor Hanson said that fossil fuels are not a good long-term investment and are detrimental to net zero energy goals. He said that a more difficult component will be to figure out how to incorporate existing buildings into the policy, but that this is a good step.**
- **Councilor Dieng asked about the waiver and any potential concerns around compliance. Councilor Hanson said that at this point, building owners will not pay a fee. However, developers must prove that the cost of the cheapest renewable heating system is more expensive than a fossil fuel option, even with calculating the cost of carbon at $100 per ton.**

**VOTING: unanimous; motion carries.**

5.08 Ordinance: B.C.O. - OFFENSES AND MISCELLANEOUS PROVISIONS Chapter 21, Article VI Livable Wages Sections 21-81 Definitions and 21-84 Enforcement (Councilor Mason; City Attorney's Office, Ordinance Committee)(2nd reading)

**MOTION by Councilor Mason, SECOND by Councilor Hanson, to waive the second reading and adopt the ordinance.**

**DISCUSSION:**

- **Councilor Mason said that this would implement recommendations as advanced by the City Attorney based on the accountability monitoring results.**

**VOTING: unanimous; motion carries.**

5.09 Ordinance: B.C.O. - OFFENSES AND MISCELLANEOUS PROVISIONS Percent for Public Art Sections 21-120 through 21-123 (Councilor Paul, Burlington City Arts, Ordinance Committee)(2nd reading)

**MOTION by Councilor Mason, SECOND by Councilor Paul, to waive the second reading and adopt the ordinance.**

**DISCUSSION:**

- **City Attorney Blackwood said that this ordinance is designed for internal processes and would set aside a percentage of funding for eligible public art projects. She said it would also provide that the BCA Board of Advisors would develop a set of guidelines around public art, which will come back to the Council for approval. She said that this ordinance is meant to ensure that there is funding set aside for public art for new buildings. She said that it also ensures that there is a plan for maintenance of the City's public art.**
- **Mayor Weinberger said that this would commit at least 1% of any capital project budget to public arts projects.**

**VOTING: unanimous; motion carries.**

**6. COMMITTEE REPORTS**

6.01 Verbal Reports

Councilor Paul noted that the Public Safety Committee this Thursday July 1 at 5:30 in the Bushor conference room and on Zoom. She said it will discuss police oversight and a final approval on the CSL job description.

Councilor Dieng said that the Racial Equity, Inclusion, and Belonging Committee wasn't able to meet on the 22nd due to logistical issues, but moved their meeting to the third Tuesday of the month of July. They will use that meeting to hear an update on the creation of the REIB Commission (different from the Committee), and a progress report on the declaration of

racism as a public health emergency.

Councilor Hightower said that the Joint Committee met last week and got a report-out on the Talitha survey. She said the next meeting has not yet been scheduled but will include a presentation on the final report that Talitha will deliver by the end of this week and update on the consulting work conducted by CNA.

Councilor Shannon said that the Parks, Arts, and Culture Committee will meet on July 7 at 5:00 at the DPW conference room on Pine Street and will be discussing the dog task force resolution.

**7. CITY COUNCIL – GENERAL AFFAIRS**

7.01 Verbal Reports

No discussion at this time.

**8. CITY COUNCIL PRESIDENT – COUNCIL UPDATES**

8.01 Verbal Reports

City Council President Tracy thanked Councilors for their patience and flexibility with the transition back to in-person meetings. He said that the July 12th meeting will be in person at Contois Auditorium and will be transitioning to a hybrid commenting model over the summer. He also requested feedback from Councilors on the City Council meeting schedule for the summer. He additionally noted that this is City Attorney Blackwood's final meeting, and he thanked her for her years of service to the City.

**9. MAYOR – GENERAL AFFAIRS**

9.01 Verbal Reports

Mayor Weinberger thanked City Attorney Blackwood for her years of service. He noted her accomplishments with the City. He additionally said that the Board of Finance has cleared the way for approving agreements for the land rights necessary (except for one) to build the new streets to connect St. Paul and Pine Streets. He noted that there is mediation scheduled over the 100 Bank Street property with both Redstone and BTC Mall Associates. He finally noted that there will be fireworks on Saturday, July 3 to celebrate Independence Day.

**10. ADJOURNMENT**

10.01 Motion to adjourn

**MOTION by Councilor Dieng, SECOND by Councilor Mason, to adjourn the meeting.**

**VOTING: unanimous; motion carries.**

The City Council meeting adjourned at 9:32 PM.

*RScty: AACoonradt*