



June 01, 2020

Regular City Council Meeting - Monday, June 1, 2020, 7:00 pm, Remote and Virtual Access: The Regular City Council Meeting will be entirely remote and virtual. There are several ways to tune in: 1. CCTV YouTube Channel or on Burlington Telecom Channel 317.

 [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: note written material for consent agenda item 4.13 Communication: Jeffrey A. Padgett, Assistant Director for Parking and Traffic (Interim) with the action to "to approve and authorize the Director of Public Works to execute a contract with L&D Painting with a maximum limiting amount of \$270,000.00 for the provision of long-line pavement markings, traffic paint, and stencils, subject to approval by the City Attorney's Office; add to the consent agenda item 4.19 FIO Document; remove from the agenda item 5.05 Resolution: Authorization To Submit 2020 Burlington One-Year Action Plan, Amended 2019 Burlington One-Year Action Plan, And Amended Citizen Participation Plan (councilors Pine, Carpenter; Board of Finance) and place it on the consent agenda as item 4.20 (per City Council President Tracy); remove the Board of Finance as a co-sponsor of this agenda item (per City Attorney Blackwood); note updated version for agenda item 5.01 Communication: Mayor Miro Weinberger, re: Mayoral Appointments for Fiscal Year 2021 (per COS Redell); note power point slides for agenda item 5.06 Communication: Martha Keenan, Capital & Asset Program Manager, Brian Lowe, Chief Innovative Officer and Katherine Schad, Chief Administrative Officer, re: VIA - contract amendment for City Hall Improvements (per Martha Keenan); note Councilors Hanson, Tracy, Stromberg and Hightower as co-sponsors for agenda item 5.04 Resolution: Just Economy Charter Changes (Councilor Freeman)(per Councilor Freeman); add to the Deliberative Agenda Item 5.08 Resolution: COVID Exemption For Vacation-Use Policy with the action to "waive the reading and adopt the resolution"(per City Attorney Blackwood); note written material and title change for this agenda item (per City Attorney Blackwood)

1.02 Motion to further amend the agenda with the addition of agenda item 5.09 Resolution: Condemning Killing Of George Floyd By Minneapolis Police Officer And Respectfully Requesting Mayor To Order And Raise Black Lives Matter Flag At City Hall For Duration of COVID-19 Emergency (Councilors Dieng, Carpenter, Paul, Paulino, Shannon)

Type: Action

Recommended Action: motion to further amend the agenda with the addition of agenda item 5.09 Resolution: Condemning Killing Of George Floyd By Minneapolis Police Officer And Respectfully Requesting Mayor To Order And Raise Black Lives Matter Flag At City Hall For Duration of COVID-19 Emergency (Councilor Dieng, Carpenter, Paul, Paulino, Pine, Shannon)(per City Attorney Blackwood per Councilor Dieng)

2. Public Forum: time certain: 7:30 pm

2.01 Verbal Comments

Type: Information, Procedural

3. Climate Emergency Reports

3.01 Climate Emergency Reports

Type: Information



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4. Consent Agenda

4.01 Motion to amend/adopt consent agenda taking the following actions as indicated

Type: Action (Consent), Procedural

Recommended Action: motion to amend/adopt consent agenda taking the actions as indicated: note written material for agenda item 4.13 Communication: Jeffrey A. Padgett, Assistant Director for Parking and Traffic (Interim), re: request for Approval for \$270,000 for Long-Line Painting, Traffic Paint, and Stencils; add to the agenda item 4.19 FIO Document; remove from the deliberative agenda item 5.05 Resolution: Authorization To submit 2020 Burlington One-Year Action Plan, Amended 2019 Burlington One-Year Action Plan, And Amended Citizen Participation Plan (Councilors Pine, Carpenter, Board of Finance) and place it on the consent agenda as item 4.20 (per City Council President Tracy)

4.02 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 060120 cc
mtg LO.xlsx

4.03 Communication: Herb Sinkinson, re: ELAP Mural

Type: Action (Consent), Communication

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

 Communication Herb Sinkinson re ELAP
Mural.pdf

4.04 Communication: Michael Gados, re: Leahy Way Mural

Type: Action (Consent), Communication

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

 Communication Michael Gados re Leahy Way
Mural.pdf

4.05 Communication: Susan Bowen, re: Mask mandates

Type: Action (Consent), Communication

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

 Communication Susan Bowen re Mask
mandates.pdf



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4.06 Communication: Susan Bowen, re: Question: what studies do you have that warrant Mask wearing

Type: Action (Consent), Communication

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

Communication Susan Bowen re Question - what studies do you have that warrant mask wearing.pdf

4.07 Communication: Brian Drourr, re: Cambrian Ridge is a firm NO

Type: Action (Consent), Communication

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

Communication Brian Drourr re Cambrian Ridge is a firm NO.pdf

4.08 Communication: Michael Mullen, re: Masks

Type: Action (Consent), Communication

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

Communication Michael Mullen re Masks.pdf

4.09 Communication: Steven Shepard, re: Church St. Mural

Type: Action (Consent), Communication

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

Communication Steven Shepard re Church St Mural.pdf

4.10 Communication: James, re: Mural

Type: Action (Consent), Communication

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

Communication James re Mural.pdf



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4.11 Communication: Cindi Wight, Director, Department of Parks, Recreation & Waterfront, re: Leddy Park Tennis Courts Reconstruction

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the execution of a contract with Vermont Recreational Surfacing & Fencing Inc., for a price not to exceed \$165,581.00 for the Leddy Tennis Courts Reconstruction project, plus a project contingency of \$16,500.00, and to authorize Cindi Wight, Director of Parks and Recreation, to execute the contract and any related documents needed to carry out the project, subject to the review of the City Attorney's Office

20200527 BOFCC Memo - Leddy Tennis Courts.docx

20200520 Leddy Tennis Courts Contract DRAFT.pdf

Leddy Tennis Courts - BOFCC Checklist.docx

4.12 Communication: Chip Mason, Chair, Ordinance Committee, re: Sprinkler systems Related to Accessory Dwelling Units

Type: Action (Consent), Communication, Information

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

Tracy M. ltr. re Sprinkler Systems 5-28-20.pdf

4.13 Communication: Jeffrey A. Padgett, Assistant Director for Parking and Traffic (Interim), re: Request for Approval for \$270,000 for Long-Line Painting, Traffic Paint, and Stencils

Type: Action (Consent), Communication

Recommended Action: to approve and authorize the Director of Public Works to execute a contract with L & D Painting with a maximum limiting amount of \$270,000.00 for the provision of long-line pavement markings, traffic paint, and stencils, subject to approval by the City Attorney's Office

1 - BOF CC Approval Request - Long Line Contract Approval 6-1-2020 Final.pdf

2 - BoF_CC_Checklist - Long-Line - 2020 Final.pdf

4.14 Resolution: Authorization For \$2,560,000 Loan From Vermont Clean Water State Revolving Fund For Upgrade Of Stormwater Collection System (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

DPW - Authorize \$2,560,000 Loan from Vt. Clean Water State Revolving Fund for Upgrade of Collection System.pdf

BOF_CC_SW Collection Borrowing Authorization_FinalDraft_5-27-20.docx

BOF CC Checklist_SW SRF Collection System 2020.pdf

Signed Cc Resolution Authorization for \$2,560,000 Loan From Vermont Clean Water State Revolving Fund for Upgrade of Stormwater Collection System.pdf



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4.15 Resolution: Stormwater System Revenue General Bond Resolution Adopted June 2020 (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

DPW – Stormwater System Revenue General Bond Resolution Adopted June 2020.pdf

DPW - Stormwater System Revenue General Bond Resolution Adopted June 2020 (Attachment).pdf

BOF_CC_SW Collection Borrowing Authorization_FinalDraft_5-27-20.docx

BOF CC Checklist_SW SRF Collection System 2020.pdf

Signed CC Resolution Stormwater System Revenue General Bond Resolution Adopted June 2020.pdf

4.16 Resolution: Stormwater System Revenue Supplemental Bond Resolution No.1 (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

DPW – Stormwater System Revenue – Supplemental Bond Resolution.pdf

BOF_CC_SW Collection Borrowing Authorization_FinalDraft_5-27-20.docx

BOF CC Checklist_SW SRF Collection System 2020.pdf

Signed CC Resolution Stormwater System Revenue Supplemental Bond Resolution No. 1.pdf

4.17 Resolution: Authorization For Short Term Public Improvement Bonds (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Treasurer - Authorize \$7 Million Short Term Public Improvement Bonds for City, BED and School.pdf

1_Memorandum _ Bond Anticipation Note final.docx

1_Checklist_\$7MM Annual Borrowing.docx

Signed CC Resolution Authorizastion For Short Term Public Improvement Bonds.pdf



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4.18 Resolution: Authorization For Bond Anticipation Notes For School District Capital Improvements (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Treasurer - Authorize \$20 Million Bond Anticipation Notes (BAN) for School District Capital Improvements per Nov 2018 Voter Authorization.pdf

 2_Memorandum _ School Bonds.docx

 2_Checklist_\$20MM Capital Borrowing.docx

 Signed CC Resolution Authorization For Bond Anticipation Notes For School District Capital Improvements.pdf

4.19 FIO Document

Type: Action (Consent), Communication, Information

Recommended Action: for information only

 FIO Document.pdf

4.20 Resolution: Authorization To Submit 2020 Burlington One-Year Action Plan, Amended 2019 Burlington One-Year Action Plan, And Amended Citizen Participation Plan (Councilors Pine, Carpenter; Board of Finance)WAS DELIBERATIVE AGENDA ITEM 5.05****

Type: Resolution

Recommended Action: waive the reading and adopt the resolution

****remove the Board of Finance as a co-sponsor of this agenda item per City Attorney Blackwood****

 CEDO – One-Year Action Plan for 2020, Amended 2019 One-Year Plan, Amended Citizen Participation Plan.pdf

 6.1.2020 Memo for BOF-CC Action Plan Approval.pdf

 BOF CC Checklist_6.1 Approval of CDBG_HOME Action Plans.pdf

 COVID Amended Citizen Participation Plan.pdf

 Draft 2020 Action Plan_Revised 5 27 2020.pdf

 Draft Substantial Amendment to the 2019 Action Plan_Revised 5 27 2020.pdf

 Seven Days 5.13 Legal Notice.pdf

 Signed CC Resolution Authorization To Submit 2020 Burlington One-Year Action Plan, Amended 2019 Burlington One-Year Action Plan, And Amended Citizen Participation Plan.pdf



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5. Deliberative Agenda

5.01 Communication: Mayor Miro Weinberger, re: Mayoral Appointments for Fiscal Year 2021

Type: Action

Recommended Action: confirm the Fiscal Year 2021 Mayoral Appointments

note updated version of this agenda item per COS Redell, posted on Monday, June 1, 2020, at 7:00 pm

5-26-20 Department Heads FY 2021
Re-appointment memo - UPDATED.pdf

5-26-20 Department Heads FY 2021
Re-appointment memo.pdf

5.02 Update From Bargaining Unit Representatives (verbal)

Type: Communication

5.03 Communication: Chip Mason, Chair, CPDAC, re: Report on recommendations for changes to Central Peddling District

Type: Action, Communication

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

Communication Chip Mason, Chair, CPDAC,
re Report on recommendations for changes to
Central Peddling District.docx

5.04 Resolution: Just Economy Charter Changes (Councilor Freeman)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

add Councilors Hanson, Tracy, Stromberg and Hightower as co-sponsors per Councilor Freeman

City Council Refer Just Economy Charter
Changes to Charter Change Committee for
Consideration as Ballot Items..pdf



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5.05 Resolution: Authorization To Submit 2020 Burlington One-Year Action Plan, Amended 2019 Burlington One-Year Action Plan, And Amended Citizen Participation Plan (Councilors Pine, Carpenter; Board of Finance) **NOW CONSENT AGENDA ITEM 4.20**

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

****remove the Board of Finance as a co-sponsor for this agenda item per City Attorney Blackwood****

 CEDO – One-Year Action Plan for 2020, Amended 2019 One-Year Plan, Amended Citizen Participation Plan.pdf

 COVID Amended Citizen Participation Plan.pdf

 Draft Substantial Amendment to the 2019 Action Plan_Revised 5 27 2020.pdf

 BOF CC Checklist_6.1 Approval of CDBG_HOME Action Plans.pdf

 6.1.2020 Memo for BOF-CC Action Plan Approval.pdf

 Draft 2020 Action Plan_Revised 5 27 2020.pdf

 Seven Days 5.13 Legal Notice.pdf

5.06 Communication: Martha Keenan, Capital & Asset Program Manager, Brian Lowe, Chief Innovative Officer and Katherine Schad, Chief Administrative Officer, re: VIA - contract amendment for City Hall Improvements

Type: Action, Communication

Recommended Action: to approve and authorize the Director of Public Works to amend the existing contract with VIA for design, construction documents, and project management services at City Hall by increasing the total contract amount from \$36,063 to an amount not to exceed \$135,000, subject to final review and approval by the City Attorney

****note power point slides for this agenda item per Martha Keenan, posted on Friday, May 29, 2020, at 2:33 pm, LO****

 BoF-CC memo contract amendment VIA City Hall 6-1-20_final.pdf

 City Hall Improvements BoF 6-1-20 v6 .pptx

 BOF CC Checklist_VIA 6-1-20.pdf



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5.07 Communication: Chapin Spencer, Director of Public Works and Norman J. Baldwin, P.E. City Engineer/Assistant Director of Public Works, re: Making Space for Restaurant and Retail Recovery Program

Type: Action, Communication

Recommended Action: to refer the Making Space for Restaurant and Retail Recovery program, established in the Mayor's COVID 19 Emergency Regulation 3, to the Ordinance Committee to consider development of an ordinance consistent with its terms

note correct version of the Expanded Sidewalks Guide, post on Friday, May 29, 2020, at 8:43 am, LO

CC Cover Memo-Mayor's Emergency Powers-Making Space for Restaurant and Retail Recovery 6-1-20 Final.pdf

Attachment A - MakingSpace - ExpandedSidewalksGuide_May2020_v1.1.pdf

Checklist Making Space for Restaurant and Retail Recovery Final_ June 1 2020.pdf

MakingSpace-ExpandedSidewalksGuide_May2020_v1.2.pdf

Attachment B - CER 3 - Making Space for Restaurant and Retail Recovery MW signed.pdf

5.08 Resolution: COVID Exemption For Vacation-Use Policy

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

note written material, title change and co-sponsors for this agenda item per CAO Blackwood, posted on Monday, June 1, 2020, at 10:53 am, LO

title/co-sponsors: Extending Employee Vacation Carryover Because Of COVID-19 (Councilors Carpenter, Mason, Paul, Paulino, Shannon)

Resolution - EXTENDING EMPLOYEE VACATION CARRYOVER BECAUSE OF COVID-19.pdf

Signed CC resolution Extending Employee Vacation Carryover Because Of COVID-19.pdf

5.09 Resolution: Condemning Killing Of George Floyd By Minneapolis Police Officer And Respectfully Requesting Mayor To Order And Raise Black Lives Matter Flag At City Hall For Duration of COVID-19 Emergency (Councilors Dieng, Carpenter, Paul, Paulino, Pine, Shannon)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Resolution - CONDEMNING KILLING OF GEORGE FLOYD.6 1 20.pdf

Signed CC Resolution Condemning Killing Of George Floyd By Minneapolis Police Officer And respectfully Requesting Mayor To Order And Raise Black Lives Matter Flag At City Hall For Duration Of COVID-19.pdf



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6. Committee Reports

6.01 Verbal Reports

Type: Information, Procedural

7. City Council - General Affairs

7.01 Verbal Reports

Type: Information, Procedural

8. City Council President - Council Updates

8.01 Verbal Reports

Type: Information, Procedural

9. Mayor - General Affairs

9.01 Verbal Reports

Type: Information, Procedural

10. Communication: City Attorney Blackwood, re: Update on pending police use of force litigation **expected executive session**

10.01 Communication: City Attorney Blackwood, re: Update on pending police use of force litigation **expected executive session**

Type: Action, Discussion, Information

Recommended Action: go into executive session
go out of executive session

11. Adjournment

11.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn



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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 Channel 17 two days after the meeting starting at 8:00 pm, repeating at 1:00 am, 7:00 am and 1:00 pm 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