Resolution Relating to

RESOLUTION 10.
Sponsor(s): Councilors Siegel, Ayres, Blais: Charter Change Com.
Introduced: 12/16/13
Referred to:
Action: amended; adopted
Date: 12/16/13
Signed by Mayor: 12/20/13

MARCH 4, 2014 ANNUAL CITY MEETING--PROPOSED CHARTER CHANGE RE WARD BOUNDARIES

CITY OF BURLINGTON

In the year Two Thousand Thirteen .....
Resolved by the City Council of the City of Burlington, as follows:

That the following question be placed on the ballot of the Annual City Meeting to be held on March 4, 2014:

"Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended be further amended to amend Article 2, Wards and Boundaries, Article 4, Qualifications of Voters, Article 5, Penalties for Illegal voting, Article 6, Ward Officers, Article 7, Checklist, Article 8, Method of Conducting Elections, Article 9, Special City Meetings, Article 13, Administration, Article 16, Board of Civil Authority, Article 37, Boards Established, Article 41, Terms of Office, Article 43, Removal from Office and Filling Vacancies, Article 49, Appointive Officers and Their Trusts; City Clerk, and Article 57, School Commissioners by amending Sections 2, 3, 7, 8, 9, 10, 14, 18, 19, 20, 22, 23, 26, 36, 43, 120, 125, 128, 130, 138, 163, and 164, thereof and by the addition of Sec. 2a thereto to read as follows:

ARTICLE 1. BOUNDARIES OF CITY, INCORPORATION. As written

ARTICLE 2. ~~WARDS AND BOUNDARIES~~ CITY ELECTION AREAS DEFINED

Transition Provision. The City of Burlington shall maintain its division into the seven wards as constituted as of the first Tuesday in March 2014, until the annual meeting on the first Tuesday in March 2015, and until newly elected officers begin the term on the first Monday in April 2015, after which the division of the city into seven wards as set forth in section 2 below shall be abolished and replaced by the division into city districts and wards as set forth in section 2a below to be effective for the annual meeting on the first Tuesday in March 2015, and the terms of officers beginning on the first Monday in April 2015.

§ 2. Division into Seven Wards described.

The City of Burlington is hereby divided into seven wards constituted as follows:

Ward One. Ward one shall include all that part of said city lying easterly and northerly of the following described line:

Beginning at the centerline of the Winooski River under the Central Vermont Railway bridge below the Winooski Lower Falls; thence westerly in the centerline of said railroad to a point where the centerline of Hyde Street extended northerly intersects the same; thence southerly along the centerline of Hyde Street so extended and the centerline of Hyde Street to the intersection of the centerline of North Willard Street; thence southerly along the centerline of North Willard Street to the centerline of Pearl Street; thence easterly along the centerline of Pearl Street to the intersection of Pearl Street and South Williams Street; thence southerly along the centerline of South Williams Street to the intersection of South Williams and College Streets; thence westerly along the centerline of College Street to the intersection of College Street and So. Willard Street; thence southerly along the centerline of So. Willard Street ~~to the intersection of So. Willard~~ to the intersection of So. Willard and Main Streets; thence easterly in the south line of Main Street to a point in the south line of Main Street said point being one hundred and sixteen (116) feet east of the intersection of the south line of Main Street and the east line of South Prospect Street; thence south twenty-five (25) degrees, thirty (30) minutes east a distance of eight hundred and sixty-five (865) feet to a point in the east boundary of the Burlington Water Works reservoir property located south of Main Street, said point being six hundred and sixty (660) feet southerly of the south line of Main Street; thence south sixty-one (61) degrees, thirty (30) minutes east a distance of three hundred and sixty-three (363) feet to monument number fourteen (14) of the University of Vermont property markers also known as the southeast corner of the University Terrace subdivision; thence from the above-named point south nineteen (19) degrees, zero (0) minutes east a distance of one thousand, six hundred and thirty (1,630) feet to the northwest corner of the Gutterson Field House; thence along the north line of the Gutterson Field House, north eighty-three (83) degrees, fifteen (15) minutes east extended easterly to the common line between Burlington and South Burlington, a distance of six hundred and sixty (660) feet; thence north seven (7) degrees, forty-six (46) minutes west a distance of one thousand, six hundred and ten (1,610) feet along the common boundary between Burlington and South Burlington to the south line of Main Street; thence easterly along the south line of Main Street to the east line of the city.

Ward Two. Ward two shall include all that part of the city bounded as follows:

On the east by ward one and the Winooski River; on the south by the centerline of Main Street; on ~~[~~the~~]~~ west by a line running from the centerline of Main Street northerly along the centerline of South and North Union Streets to the centerline of Grant Street, thence westerly along the centerline of Grant Street to the centerline of North Winooski Avenue, thence northerly along the centerline of North Winooski Avenue to the centerline of North Street, thence westerly along the centerline of North Street to the centerline of Elmwood Avenue, thence northerly along the centerline of Elmwood Avenue to the centerline of Spring Street, thence northwesterly along the centerline of Spring Street and said centerline extended, to a point where the same intersects the centerline of Institute Road extended easterly; and on the north by the centerline of Institute Road extended easterly.

Ward Three. Ward three shall include all that part of the city bounded easterly by wards two and six, southerly by the centerline of King Street between South Union and St. Paul Streets and, westerly thereof by the centerline of Main Street and said centerline extended westerly to the west line of the city, westerly by the west line of the city north to the intersection with the

extension of the back property lines of property fronting on Haswell Street, the centerline of Depot Street to its intersection with North Avenue and by the centerline of North Avenue northerly thereof, and northerly by the northern boundary of the Central Vermont Railroad right-of-way.

Ward Four. Ward four shall include all that part of the city ~~laying~~ lying northerly of the centerline of Institute Road and westerly of the centerline of North Avenue to the intersection of the centerline of Fairfield Drive thence continuing westerly along the centerline of Fairfield Drive to the intersection of the property line between those properties fronting on Westward Drive and the eastern boundary of the Village at Northshore, thence continuing northerly along the Village of Northshore Boundary, then westerly along the northerly boundary of the Village at Northshore to a point where said boundary extended intersects Lake Champlain.

Ward Five. Ward five shall include all that part of the city lying southerly of the centerline of Main Street and said centerline extended westerly to the west line of the city and westerly of a line running from the centerline of Main Street southerly along the centerline of St. Paul Street to the centerline of Adams Street, thence easterly along the centerline of Adams Street to the centerline of South Winooski Avenue, thence southerly along the centerline of South Winooski Avenue to the centerline of St. Paul Street, thence southerly along the centerline of St. Paul Street and Shelburne Street to the south line of the city.

Ward Six. Ward six shall include all that part of the city lying southerly of the centerline of King Street between St. Paul and South Union Streets, but otherwise southerly of the centerline of Main Street and the south line of ward one, and easterly of the east boundary of ward five.

Ward Seven. Ward seven shall include all that part of the city lying easterly of ward four, westerly of the Winooski River and northerly of the boundaries of wards two and three respectively.

Reference is also made to a map entitled "Proposed Ward Boundaries, Burlington, Vermont, Department of Zoning and Planning, GIS, Burlington, Vermont, Prepared September 11, 1992 and amended October 5, 1992" located in the Burlington chief administrative officer's Office in further aid of the above description.

§ 2a. Election Boundaries for the annual meeting of 2015 and all city elections thereafter.

(a) City Districts Described.

For the annual meeting of 2015 and all city elections thereafter, the City of Burlington is divided into four electoral districts, constituted as follows:

(1) EAST DISTRICT

The East District shall include all that part of said city lying easterly and northerly of the following described boundaries:

Beginning at the common boundary between the cities of Burlington and Winooski in the Winooski River beneath the Central Vermont Railway bridge downstream of the Lower Winooski Falls and Salmon Hole; thence westerly in the center line of said railroad tracks, crossing Intervale Road, to a point where the center line of Hyde Street extended northeasterly intersects said railroad track center line (approximately -73.2045 longitude, 44.4912 latitude); thence southerly along the extension of the center line of Hyde Street, continuing on the center line of Hyde Street to the intersection of the center line of North Willard Street; thence southerly along the center line of North Willard Street to the intersection of the center line of Pearl Street; thence westerly along the centerline of Pearl Street to the intersection of the center line of South Winooski Avenue; thence southerly along the center line of South Winooski Avenue to its intersection with the centerline of Maple Street; thence easterly along the center line of Maple Street to its intersection with the center line of Summit Street; thence southerly along the center line of Summit Street to its intersection with the center line of Cliff Street; thence easterly along the center line of Cliff Street to its intersection with the center line of South Prospect Street; thence southerly along the center line of South Prospect Street approximately 228 feet to its intersection with the centerline of the University of Vermont Redstone Campus loop road (approximately -73.2004 longitude, 44.4692 latitude; then easterly along the centerline of said Redstone Campus loop road past Slade, Robinson, and Coolidge Halls, each to the south; then northerly along said Redstone Campus loop road past Southwick Hall to the east, to its intersection with the centerline of the walkway serving Southwick Hall and the Music Building, a total of approximately 727 feet from the centerline of South Prospect Street along said service road (approximately -73.1982 longitude, 44.4698 latitude); thence easterly along the centerline of said walkway, extended to its intersection with the centerline of University Heights Road, with the Music Building and Redstone Hall to the north and Southwick Hall to the south (approximately -73.1968 longitude, 44.4698 latitude); thence southerly along the centerline of University Heights Road to its intersection with the centerline of Davis Road; thence easterly along the centerline of Davis Road to its intersection with the common boundary between the cities of Burlington and South Burlington.

(2) CENTRAL DISTRICT

The Central District shall include all that part of the city bounded as follows:
On the east, beginning at the common boundary between the City of Burlington and Town of Colchester in the Winooski River at the intersection of the center line of Institute Road extended northeasterly (approximately -73.2139 longitude, 44.5077 latitude); thence southerly along the common boundary between the City of Burlington and Town of Colchester in the Winooski River to a point beneath the Central Vermont Railway bridge downstream of the Lower Winooski Falls and Salmon Hole; thence southerly along the East District eastern boundary to its intersection with the center line of King Street; on the south along the centerline of King Street extended westerly to Lake Champlain; on the west by Lake Champlain;

on the north, beginning at the intersection of the common property boundary between 87 North Avenue and 9 Lakeview Terrace extended westerly to Lake Champlain (approximately -73.2252 longitude, 44.4832 latitude); thence northeasterly along the extended property boundary between 87 North Avenue and 9 Lakeview Terrace to its intersection with the centerline of the Central Vermont Railway railroad track (approximately -73.2239 longitude, 44.4837 latitude); thence northerly and easterly along the centerline of the Central Vermont Railway railroad track, crossing North Avenue and the Burlington Beltline, to its intersection with the centerline of Spring Street extended northwesterly (approximately -73.2183 longitude, 44.4912 latitude); thence northwesterly along the extension of the centerline of Spring Street to its intersection with the centerline of Institute Road extended northeasterly (approximately -73.2281 longitude, 44.4995 latitude); thence northeasterly along the extension of the centerline of Institute Road extended to its intersection with the common boundary between the City of Burlington and Town of Colchester in the Winooski River (approximately -73.2139 longitude, 44.5077 latitude).

(3) SOUTH DISTRICT

The South District shall include all that part of the city south of the southern boundaries of the East and Central Districts.

(4) NORTH DISTRICT

The North District shall include all that part of the city north of the northern boundary of the Central District.

(b) Wards Described.

Each of the City of Burlington's four electoral districts is hereby comprised of two wards, each of which is constituted as follows:

(1) EAST DISTRICT - WARD 1 AND WARD 8

The East District is divided into two wards by the following boundary:

Beginning at the center of the intersection of Pearl Street and South Willard Street; thence southerly along the center line of South Willard Street to its intersection with the center line of College Street; thence easterly along the center line of College Street to its intersection with the center line of South Prospect Street; thence southerly along the center line of South Prospect Street to its intersection with the center line of Main Street; thence easterly along the center line of Main Street to the common boundary between the Cities of Burlington and South Burlington.

Ward 1 lies to the north of the described boundary, and Ward 8 lies to the south.

(2) CENTRAL DISTRICT - WARD 2 AND WARD 3

The Central District is divided into two wards by the following boundary:

Beginning at the center line of the Central Vermont Railway railroad track at the intersection of the center line of Spring Street extended northwesterly (approximately -73.2183 longitude, 44.4912 latitude); thence southerly along the center line of Spring Street extended northwesterly, continuing along the center line of Spring Street to its intersection with the centerline of Elmwood Avenue; thence southerly along the center line of Elmwood Avenue to its intersection with the centerline of Pearl Street; thence easterly along the center line of Pearl Street to the intersection of the center lines of North and South Winooski Avenue.

Ward 2 lies to the east of the described boundary, and Ward 3 lies to the west.

(3) SOUTH DISTRICT - WARD 5 AND WARD 6

The South District is divided into two wards by the following boundary:
Beginning at the intersection of the center lines of King Street and Saint Paul Street; thence southerly along the centerline of Saint Paul Street to its intersection with the center line of Shelburne Street; thence southerly along the center line of Shelburne Street to its intersection with the center line of Flynn Avenue; thence easterly along the centerline of Flynn Avenue extended easterly to the common boundary between the Cities of Burlington and South Burlington.
Ward 5 lies to the west of the described boundary, and Ward 6 lies to the east.

(4) NORTH DISTRICT - WARD 4 AND WARD 7

The North District is divided into two wards by the following boundary:
Beginning at the intersection of the center lines of North Avenue and the Central Vermont Railway railroad track; thence northerly along the centerline of North Avenue to its intersection with the center line of Fairfield Drive; thence westerly along the center line of Fairfield Drive to its intersection with the western property boundary of 39 Westward Drive extended southerly; thence northerly along the western property boundaries of 39 and 40 Westward Drive, continuing northerly along the western property boundaries of properties fronting the west side of Hardy Avenue to the southern boundary of 35 Derway Drive; thence westerly along the southern boundary of 35 Derway Drive, extended to its intersection with the center line of Derway Drive (approximately -73.2690 longitude, 44.5249 latitude); thence northeasterly along the centerline of Derway Drive to its intersection with the center line of Claire Pointe Drive; thence northerly along the center line of Claire Pointe Drive approximately 44 feet to its intersection with the southern property boundary of the Claire Pointe condominium development; thence westerly along the southern property boundary of the Claire Pointe condominium development to the Waterfront Bike Path right-of-way approximately 537 feet (approximately -73.2707 longitude, 44.5253 latitude), and then extended to Lake Champlain.
Ward 4 lies to the west of the described boundary, and Ward 7 lies to the east.

Reference is also made to a map entitled "Ward Redistricting, 8 Wards – 4 Districts, 12 Councilors, Referred to Charter Change Committee (v. 1), Map Date: November 7, 2013" located in the Burlington chief administrative officer's office in further aid of the above description.

TITLE II. ELECTIONS AND CITY MEETINGS—CITY ELECTIONS

§ 3. Election of mayor and city councilors.

(a) Election of mayor. On the first Tuesday in March 2003, and triennially thereafter, the legal voters of the city shall, from among the legal voters thereof, elect a mayor. Notwithstanding any provision of this Charter or the general statutes, no person shall be eligible to have his or her name printed on the ballot as a candidate for the office of mayor who has not submitted a nominating petition signed by at least one hundred fifty registered voters of the city within the time limits specified in chapter 55 of Title 17 of the Vermont Statutes Annotated, as the same may be amended from time to time. ~~On the first Tuesday in March, 1994, and biennially thereafter, the legal voters of wards one, two, three, five and six shall, from among the legal voters thereof, elect one city councilor and all ward officers hereinafter named; and on the first Tuesday in March, 1995, and biennially thereafter, the legal voters in wards one, two, three, five and six shall, from among the legal voters thereof, elect one city councilor and all ward officers hereinafter named.~~

~~(b) On the first Tuesday in March, 1994, the legal voters of wards four and seven shall, from among the legal voters thereof, elect two city councilors, one for a one-year term and one for a two-year term, as well as all ward officers hereinafter named. Annually thereafter, the legal voters of wards four and seven shall, from among the legal voters thereof, elect one city councilor and all ward officers hereinafter named.~~

(b) Election of city councilors.

Transitional Provision. The terms of city councilors elected on the first Tuesday in March 2014 shall be abolished on the first Monday of April 2015. The terms of city councilors elected on the first Tuesday in March 2013 shall expire as of the first Monday of April 2015. The new city council shall be elected at the annual city meeting on the first Tuesday in March 2015, with councilors' terms to begin on the first Monday of April 2015, as set forth below.

(1) On the first Tuesday in March 2015, and biennially thereafter, the legal voters of each of the south, central, east, and north city districts shall, from among the legal voters of their respective district, elect a city councilor for a two year term.

(2) On the first Tuesday in March 2015, the legal voters from each of wards one, two, three, four, five, six, seven and eight shall, from among the legal voters of their respective ward elect a city councilor for a three year term. On the first Tuesday in March, 2018, and biennially thereafter, the legal voters of each ward shall elect a city councilor for a two year term.

Resolution Relating to MARCH 4, 2014 ANNUAL CITY MEETING--PROPOSED CHARTER CHANGE RE WARD BOUNDARIES

§§ 4-5 As written

ARTICLE 3. WARNINGS As written

ARTICLE 4. QUALIFICATIONS OF VOTERS

§ 7. Age and residence requirements.

Every ~~male or female~~ citizen of this state not less than eighteen years of age who has taken the Freeman's (Voter's) Oath, who resides in said city and who has registered to vote with the board for registration of voters no later than the deadline established by Vermont law prior to any warned city or ward or city district election or any annual or special city meeting shall be a legal voter at said election or meeting, and no other person shall be allowed to vote at such election or meeting.

§ 8. Person to vote in ward or city district in which the person resides; residence requirement.

No such citizen shall vote except in the ward or city district of which he or she is at the time a resident.

ARTICLE 5. PENALTIES FOR ILLEGAL VOTING

§ 9. Adopted.

The penalties set forth in Vermont Statutes Annotated shall be applicable for illegal voting at any city or ward or city district election.

ARTICLE 6. WARD OFFICERS

Transitional Provision. The terms of ward officers elected prior to the annual city meeting on the first Tuesday in March 2015 shall be abolished on the first Monday of April 2015. The new ward officers shall be elected at the annual city meeting on the first Tuesday in March 2015, with their terms to begin on the first Monday of April 2015, as set forth below. The ward officers of the seven wards elected prior to the 2015 annual city meeting shall serve as the election officers for the 2015 annual meeting. The ward officers for Ward 8 in the election on the first Tuesday in March 2015 shall be appointed for that election by the Board of Civil Authority.

§ 10. Specified; selection.

The ward officers shall be a clerk and three inspectors of election. All three inspectors of election may not be members of the same political party. In such event, the city council shall forthwith appoint an inspector who shall serve instead of the candidate who received the third largest number of votes. Ward clerks shall be chosen for two-year terms and inspectors of elections for three-year terms by the legal voters of each ward at the annual city election. The ward clerks elected March 3, 2015 shall take office April 7, 2015 ~~March 7, 2000 shall take office April 4, 2000~~. Three inspectors of election shall be elected in each ward on March 3, 2015 ~~March 7, 2000~~, one for a one-year term commencing April 4, 2015 ~~2000~~ and terminating March 31, 2016 ~~2001~~; one for a two-year term commencing April 4, 2015 ~~2000~~ and terminating March 31, 2017 ~~2002~~; and one for a three-year term commencing April 4, 2015 ~~2000~~ and terminating March 31, 2018 ~~2003~~. Thereafter, all inspectors of elections shall be elected for three-year terms.

§§ 11-13 As written

ARTICLE 7. CHECKLIST

§ 14. List of voters to be prepared; posting.

Preceding each annual or special city or ward or city district election to be held in said city, it shall be the duty of the board for registration of voters to prepare full and complete lists of the voters in the respective wards or city districts of said city, and to certify the same to the chief administrative officer. One copy of such lists shall be posted by or under the direction of the chief administrative officer in some public place in the wards or city districts to which the voters whose names are on such list respectively belong, at least twelve days previous to any such election.

§§ 15-17. As written

§ 18. Copies of list to be given inspectors.

After all such additions, alterations and corrections shall have been made by said board for registration of voters, a true copy of such checklist shall be made by the chief administrative officer, and delivered to the inspectors of election in the several wards, for use at such annual or special city election or ward or city district election ~~or ward section~~; and no person whose name is not on such lists shall be allowed to vote at any such election.

ARTICLE 8. METHOD OF CONDUCTING ELECTIONS

§ 19. Where elections held; early voter absentee ballots.

Annual and special elections shall be held in the several wards. ~~, for use at such annual or special city or ward election.~~ Notwithstanding 17 V.S.A. Chapter 51, the ballots of early or absentee voters may be returned to the ward clerks of the various wards within the city.

§ 20. Ward clerk to keep records; certificates of election to be furnished successful candidates; election results to be published.

It shall be the duty of the clerk of each ward subject to supervision by the chief administrative officer as presiding officer for city and ward and city district elections to make a record of all elections held therein, and to furnish to each officer who shall have been elected for such ward or city district, including city councilors and school commissioners, a certificate of his or her election, and also immediately after any election in such ward to return and certify to the chief administrative officer a statement of the votes for all officers in his or her ward, which statement shall be recorded in the city records, and a certificate by the chief administrative officer of the result of such election in the whole city shall be forthwith published in the various newspapers of said city.

§ 21 As written

§ 22. Ballots.

For all city or ward or city district elections, and also for the election of justices of the peace in said city, the chief administrative officer shall prepare all official ballots, consistent with the requirements of any regulation adopted under section 5 of this chapter, and otherwise in the same manner and subject to all the provisions of the laws of this state providing for and regulating the preparation and distribution of official ballots in towns and cities; provided, however, that said chief administrative officer shall cause to be printed for every ward or city district in said city not less than 60 ballots for every 50 names or fractional part thereof on the voting list prepared and posted in such ward or city district for any such election; and further provided that said chief administrative officer shall deliver to the inspectors of election in each ward on the day of such election and before the hour for opening the polls in said ward, such number of blocks of ballots containing one hundred each as shall nearest represent two-thirds of the whole number required to be printed for such ward or city district, and shall retain the balance of the ballots for each ward or city district so prepared.

§ 23. Retained ballots to be delivered to inspectors on demand.

In case the inspectors of election in any ward for any cause shall require the ballots so belonging to such ward or city district and retained by said chief administrative officer, or any part thereof, they shall notify him or her in writing. Said chief administrative officer shall thereupon forthwith transmit to said inspectors of election such part or all of said ballots so retained in his or her possession as said inspectors of election shall specify.

§ 24. As written

ARTICLE 9. SPECIAL CITY MEETINGS

§ 25 As written

§ 26. Questions at special meetings to be decided by ballot.

The questions at any such special meeting shall be determined by ballot and the checklist shall be used. There shall be at such meeting a separate polling place, or polling places, for each ward, and as many of the ward officers hereinbefore named as shall be necessary shall act at such meetings, in the same manner as at city or ward or city district elections. For all such meetings, it shall be the duty of the chief administrative officer to prepare suitable ballots in sufficient quantity.

ARTICLES 10 – 12 As written

ARTICLE 13. ADMINISTRATION

§ 36. Administration; vested in mayor and city council; selection and terms of same

The administration of all the fiscal, prudential and municipal affairs of the city and the government thereof, except as herein otherwise provided, shall be vested in a principal officer to be styled the mayor and a board of ~~fourteen~~ twelve members to be denominated the city council. The city council shall elect one of the members president thereof. The mayor and city council sitting in their joint capacity shall be called the city council with mayor presiding. ~~Except as herein otherwise provided, the mayor and the members of the city council shall hold office for the term of two years.~~

ARTICLES 14-15 As written

ARTICLE 16. BOARD OF CIVIL AUTHORITY

§ 43. Composition; board for registration of voters; duties; appointments; offices.

(a) The city council with mayor presiding shall constitute the board of civil authority for said city, except that all duties with respect to preparing checklists of voters and making additions thereto or alterations or corrections thereon imposed upon said council by this Charter or the provisions of the general statutes relating thereto shall be performed by a board of ~~nine (9)~~ ten (10) ~~members~~, to be known as the board for registration of voters. Not more than five (5) members of said board shall at any one time be from the same political party.

(b) As written.

(c) As written.

ARTICLES 17 – 36 As written

ARTICLE 37. BOARDS ESTABLISHED

§ 120. Enumerated.

There shall be maintained in said city a board of assessors consisting of the city assessor and two legal voters of said city; a board of tax appeals normally consisting of seven legal voters of said city; a board of public works commissioners consisting of seven legal voters of said city; a board of cemetery commissioners, a board of police commissioners, a board of light commissioners, a board of fire commissioners, and a board of health, each consisting of five legal voters of said city; a board of airport commissioners consisting of four legal voters of the City of Burlington and one legal voter of the City of South Burlington, a board of park and recreation commissioners, consisting of five legal voters of said city; a board of library commissioners consisting of ten members; a board of planning commissioners, the members of such boards to be appointed by the city council with mayor presiding; a board of school commissioners consisting of ~~fourteen~~ twelve legal voters of said city and of the respective wards in which they are elected; and a board of finance to be constituted as hereinafter provided.

§§ 120a – 121 As written

ARTICLES 38 – 40 As written

ARTICLE 41. TERMS OF OFFICE

§ 125. Mayor, city councilors, ward and precinct officers.

(a) ~~Except as herein otherwise provided, the mayor elected on the first Tuesday in March, 1993, shall hold office from the first Monday in April, 1993, to the first Monday in April, 1995, and those elected thereafter shall hold office for the term of two years from the first Monday in April next following such election. On the first Tuesday in March, 1994, the voters of ward one, two, three, five and six shall each elect, from among the legal voters thereof, one city councilor for a term of two years from the first Monday in April, 1994. On the first Tuesday in March, 1995, the voters of wards one, two, three, five and six shall each elect, from among the legal voters thereof, one city councilor for a term of two years from the first Monday in April, 1995. On the first Tuesday in March, 1994, the legal voters of wards four and seven shall each elect, from among the legal voters thereof, two city councilors, one for a one-year term and one for a two-year term. Notwithstanding any other provision hereof, the election of a city councilor in ward four in 1993 shall be for a one-year term only. The various ward and precinct officers elected on the first Tuesday in March, 1994, and the various ward and precinct officers thereafter elected, shall hold office for the term of one year from the first Monday in April following such election. The provisions of this Section shall control the provisions of section 3 of this Charter.~~

On the first Tuesday in March 2003, and triennially thereafter, the legal voters of the city shall, from among the legal voters thereof, elect a mayor who shall hold office for the term of three years from the first Monday in April next following such election.

(b) Election of city councilors.

Transitional Provision. The terms of city councilors elected on the first Tuesday in March 2014 shall be abolished on the first Monday of April 2015. The terms of city councilors elected on the first Tuesday in March 2013 shall expire as of the first Monday of April 2015. The new city council shall be elected at the annual city meeting on the first Tuesday in March 2015, with councilors' terms to begin on the first Monday of April 2015, as set forth below.

(1) On the first Tuesday in March 2015, and biennially thereafter, the legal voters of each of the south, central, east, and north city districts shall, from among the legal voters of their respective district, elect a city councilor for a two year term.

(2) On the first Tuesday in March 2015, the legal voters from each of wards one, two, three, four, five, six, seven and eight shall, from among the legal voters of their respective ward elect a city councilor for a three year term. On the first Tuesday in March, 2018, and biennially thereafter, the legal voters of each ward shall elect a city councilor for a two year term.

§§ 126 – 127 As written

ARTICLE 42. As written

ARTICLE 43. REMOVAL FROM OFFICE AND FILLING VACANCIES.

§ 128. Manner of filling.

In case of a vacancy in the office of mayor, occasioned by death, resignation, removal from said city, permanent inability to serve, failure to elect or disqualification of the person chosen, the president of the city council shall act as mayor until such successor is elected and has qualified; and in case of any vacancy in the city council from any of the above mentioned causes, the same shall be filled by a new election in the proper ward or city district; and if any city councilor shall remove out of the ward or city district which he or she may have been elected or no longer reside in such ward or city district as a result of reapportionment, his or her office shall thereupon become vacant and the same shall be filled by a new election in the proper ward or city district; and in case there shall arise an occasion for any such new election as a result of a vacancy in the office of mayor or city councilor for any of the above mentioned causes, the same shall be held within 90 days of the date of such vacancy, provided such vacancy shall occur before the first

day in October in any year, unless a citywide election has been prescheduled to occur between the 90th and the 120th day of the date of such vacancy, in which case the same shall be held on such prescheduled election date; otherwise it shall be filled at the next annual city election. In every case, the person so elected shall serve for the remainder of the official term. In the case of reapportionment, such election shall be held at the next ensuing annual city meeting and the term of the city councilor who no longer resides in the ward or city district as a result of reapportionment shall continue until the newly elected city councilor assumes office on the first Monday in April.

§ 129. As written

§ 130. Manner of filling vacancy and residency requirement.

(a) As written

(b) Any individual elected to the position of mayor must be a legal voter of the city as of the date the written consent required by 17 V.S.A. § 2681(a) is filed and at all times during his or her term of office. Any individual elected to the position of city councilor or school commissioner must be a legal voter of the city and of the ward or city district he or she proposes to represent as of the date the written consent required by 17 V.S.A. § 2681(a) is filed and at all times during his or her term of office. Any person appointed to serve as a member of any city commission must, except as otherwise specifically provided for herein, be a legal voter of the city at all times during his or her term of office.

(c) As written.

(d) As written

(e) As written

ARTICLES 44 – 48 As written

ARTICLE 49. APPOINTIVE OFFICERS AND THEIR TRUSTS; CITY CLERK

§ 138. Duties of chief administrative officer generally.

(a) The chief administrative officer shall, subject to the authority of the mayor as chief executive officer, have direct responsibility for those administrative, financial and record keeping responsibilities which are not assigned by this Charter to another city entity. The chief administrative officer shall have supervisory responsibility for those functions, herein outlined, which were formerly the responsibility of the city clerk and city treasurer.

(b) The chief administrative officer shall perform for the city the same duties devolving by the law of the state upon town clerks, except insofar as those duties are changed or modified by the provisions of this Charter and shall receive and collect for and on behalf of the city to be used for city purposes all and the same fees to be paid to town clerks for the performance of those duties

under the general laws of the state. The chief administrative officer shall keep a full and complete record and account of all fees as received and as paid to the chief administrative officer in a form and manner as the board of finance and the city auditor may prescribe, and shall give a proper receipt for every fee collected. The chief administrative officer shall receive only an annual salary or other compensation as shall be determined by the city council. The chief administrative officer shall be ex officio clerk of the city council with mayor presiding, city council, board of civil authority, board for the abatement of taxes and liquor control commissioners. The chief administrative officer shall have exclusive charge and custody of the public records of the city and of all records, papers and documents belonging to the Town of Burlington at the time the City of Burlington was organized. The chief administrative officer shall be the presiding officer for ward, city district, city and legislative district elections. An assistant within the chief administrator's office may be designated by the chief administrative officer to be the presiding officer for ward, city district, city and legislative district elections.

§§ 139 – 142 As written

ARTICLES 50 – 56 As written

ARTICLE 57. SCHOOL COMMISSIONERS

Transitional Provision. The terms of school commissioners elected on the first Tuesday in March 2014 shall be abolished on the first Monday of April, 2015. The terms of school commissioners elected on the first Tuesday in March 2013 shall expire as of the first Monday of April, 2015. The new school board shall be elected at the annual city meeting on the first Tuesday in March 2015 with commissioners' terms to begin on the first Monday of April 2015, as set forth below.

§ 163. Composition.

The board of school commissioners of said city shall be composed of ~~fourteen~~ twelve school commissioners, ~~two each~~ one from wards one through ~~seven~~ eight inclusive~~,~~ and one from each of the four districts who shall be elected as hereinbefore and hereinafter provided. Anything contained herein or in the general statutes to the contrary notwithstanding, all candidates for the board of school commissioners shall be elected on a nonpartisan basis. No reference shall be made on an election ballot to a candidate's political affiliation or to the endorsement of any such candidate by political party or parties.

§ 164. Terms, elections.

On the first Tuesday in March, 1994, the voters of wards one, two, three, five and six shall each elect, from among the legal voters thereof, one school commissioner for a term of two years from the first Monday in April, 1994. On the first Tuesday in March, 1995, the voters of wards one, two, three, five and six shall each elect, from among the legal voters thereof, one school commissioner for a term of two years from the first Monday in April, 1995. On the first Tuesday in March, 1994, the legal voters of wards four and seven shall each elect, from among the legal

voters thereof, two school commissioners, one for a one-year term and one for a two-year term. Thereafter, the election of school commissioners in each ward shall be held on the first Tuesday in March in the year in which the term of office of the school commissioner therein shall expire, and each school commissioner shall be elected for a term of two years from the first Monday in April following such election. Notwithstanding any other provision hereof, the election of a school commissioner in ward four in 1993 shall be for a one year term only.

Transitional Provision. The terms of school commissioners elected on the first Tuesday in March 2014 shall be abolished on the first Monday of April 2015. The terms of school commissioners elected on the first Tuesday in March 2013 shall expire as of the first Monday of April 2015. The new school board shall be elected at the annual city meeting on the first Tuesday in March 2015, with commissioners' terms to begin on the first Monday of April 2015, as set forth below.

(1) On the first Tuesday in March 2015, and biennially thereafter, the legal voters of each of the south, central, east, and north city districts shall, from among the legal voters of their respective district, elect a school commissioner for a two year term.

(2) On the first Tuesday in March 2015, the legal voters from each of wards one, two, three, four, five, six, seven and eight shall, from among the legal voters of their respective ward elect a school commissioner for a three year term. On the first Tuesday in March, 2018, and biennially thereafter, the legal voters of each ward shall elect a school commissioner for a two year term.

§§ 165 – 170 As written

ARTICLES 58 – 98 As written

AND, BE IT FURTHER RESOLVED that pursuant to 17 V.S.A. Sec. 2645(a)(7) the City Council hereby determines that the proposed charter amendment is too long or unwieldy to be shown in the amended form and determines that the printed ballot shall utilize a short form question to read: "Shall various sections of the City Charter, Acts of 1949, No. 298, as amended, related to city elections be further amended as follows:

1. To provide for the city to be divided into four city electoral districts and eight city electoral wards as depicted on the map on file in the chief administrator's office, effective as of the annual meeting on March 3, 2015, and for all city elections thereafter;
2. To provide for the city council to be comprised of twelve (12) members with each of the four city districts and eight wards represented by one city councilor, with district councilors elected to two year terms beginning with the election on March 3, 2015, and with ward councilors elected for a three year term on March 3, 2015 and a two year term at the annual meeting on March 6, 2018, and two year terms thereafter;

Resolution Relating to MARCH 4, 2014 ANNUAL CITY MEETING--PROPOSED CHARTER CHANGE RE WARD BOUNDARIES

3. To provide for the school board to be comprised of twelve (12) members with each of the four city districts and eight wards represented by one school commissioner, with district commissioners elected to two year terms beginning with the election on March 3, 2015, and with ward commissioners elected for a three year term on March 3, 2015 and a two year term at the annual meeting on March 6, 2018, and two year terms thereafter;
4. To provide for the ward election officers for each of the eight wards to be elected at the annual meeting on March 3, 2015, with three inspectors of election whose election is phased in so that each is elected for a staggered three year term ultimately, and that for the 2015 annual meeting only the ward officers of the seven wards elected prior to the 2015 annual city meeting shall serve as the election officers for those wards and the ward officers for Ward 8 shall be appointed for the 2015 election by the Board of Civil Authority; and
5. To provide for the addition of one member to the Board for the Registration of Voters so that the board is comprised of ten (10) members.?"

AND, BE IT FURTHER RESOLVED that in accordance with 17 V.S.A. Sec. 2645, public hearings on the above-proposed amendment of the Burlington City Charter shall be held on Friday, January 17, 2014 at 12:00 noon and on Monday, January 27, 2014 at 7:00 p.m. in Contois Auditorium, City Hall, Burlington, Vermont.

* Material underlined added.
** Material stricken out deleted.

lb/EMB/c: Resolutions 2013/Charter Change re Ward Boundaries (Redistricting) (3-04-14 Annual City Meeting) 11/27/13; 12/5/13; 12/11/13 amended; adopted 12/16/13 LO

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ORIGINAL

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

Linda Blanchard, City Attorney's Office

RESOLUTION RELATING TO

March 4, 2014 Annual City Meeting--Proposed Charter Change Re Ward Boundaries

A as amended

Adopted by the City Council

December 16, 2013

Clerk

Approved December 20, 2013

Mayor

Attest:

Lori Olberg
Licensing, Voting and Records Coordinator

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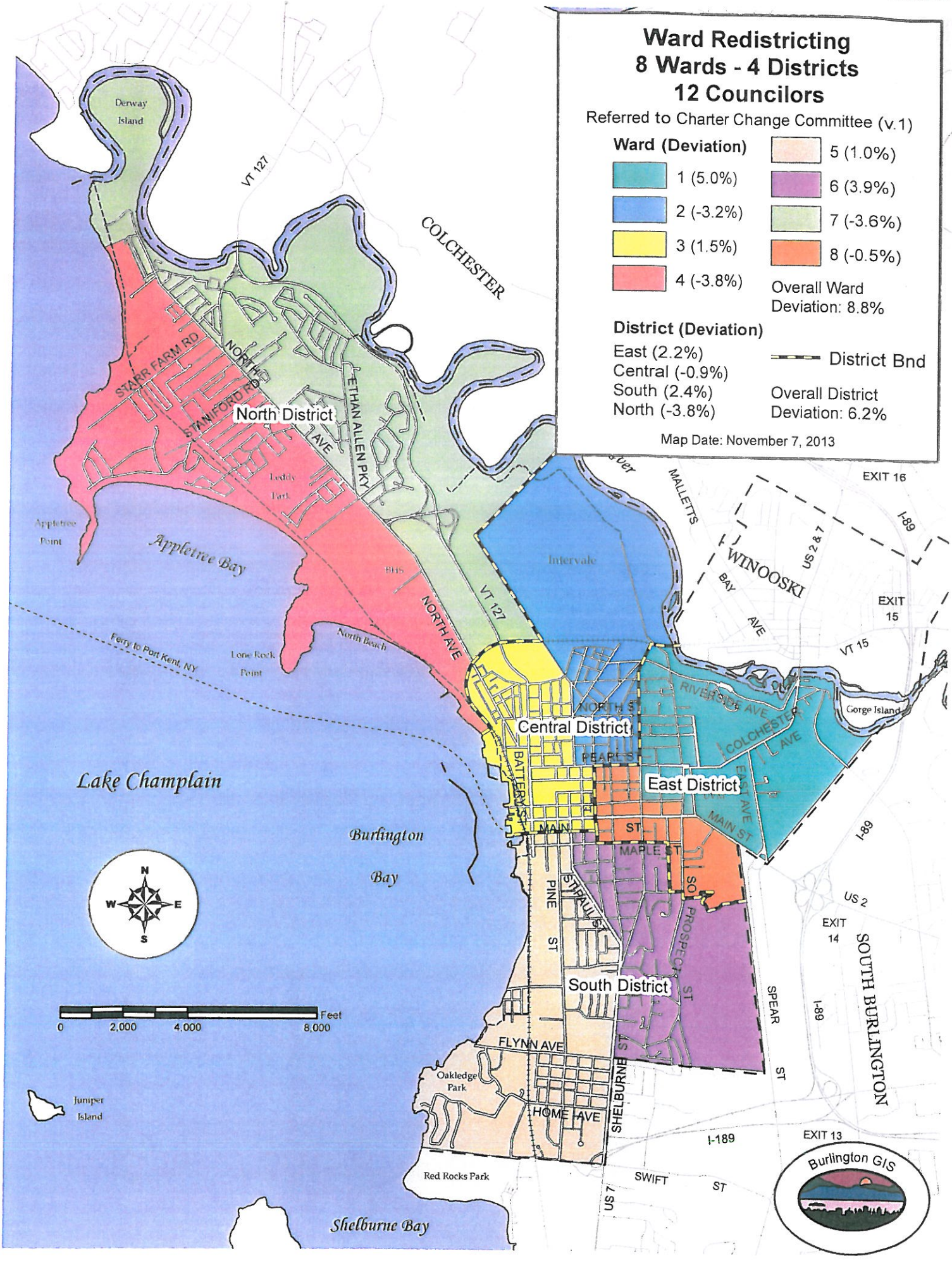
Ward Redistricting
8 Wards - 4 Districts
12 Councilors
Referred to Charter Change Committee (v.1)
Ward (Deviation)
1 (5.0%)
2 (-3.2%)
3 (1.5%)
4 (-3.8%)
5 (1.0%)
6 (3.9%)
7 (-3.6%)
8 (-0.5%)
Overall Ward Deviation: 8.8%
District (Deviation)
East (2.2%)
Central (-0.9%)
South (2.4%)
North (-3.8%)
District Bnd
Overall District Deviation: 6.2%
Map Date: November 7, 2013
North District
Central District
East District
South District
COLCHESTER
WINOOSKI
Intervale
Gorge Island
Derway Island
Appletree Point
Appletree Bay
Lone Rock Point
North Beach
Ferry to Port Kent, NY
Lake Champlain
Burlington Bay
Shelburne Bay
Juniper Island
Oakledge Park
Red Rocks Park
VT 127
VT 15
I-89
I-189
US 2
US 2 & 7
US 7
EXIT 16
EXIT 15
EXIT 14
EXIT 13
STARR FARM RD
NORTH RD
STANIFORD RD
ETHAN ALLEN PKY
NORTH AVE
MALLETTS BAY AVE
RIVERSIDE AVE
COLCHESTER AVE
EAST AVE
MAIN ST
NORTH ST
PEARL ST
BATTERY ST
PINE ST
STRAUB ST
MAPLE ST
PROSPECT ST
SPEAR ST
SHELBURNE RD
FLYNN AVE
HOME AVE
SWIFT ST
SOUTH BURLINGTON
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2,000
4,000
8,000
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Burlington GIS