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2 **Resolution Relating to**
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RESOLUTION
Councillor Mulvaney-Stanak,
Sponsor(s): Brennan

Introduced: 08/08/11

Referred to: _____

7 **STANDARDS FOR CLIMATE CHANGE PARTNERSHIPS**

Action: _____

Date: _____

Signed by Mayor: _____

12 **CITY OF BURLINGTON**

13
14 In the year Two Thousand Eleven.....

15 Resolved by the City Council of the City of Burlington, as follows:

16
17 That WHEREAS, the City Council charged the Community Development & Revitalization
18 Committee with developing a set of standards for private partnerships with the City in a
19 February, 2011 Resolution; and

20 Whereas, the CDNR Committee held two meetings relating to the topic before
21 reorganization of the City Council in early April 2011 and additional meetings in June, 2011; and

22 Whereas, during its deliberations the CDNR Committee agreed that the type of standards
23 that the committee would consider would be limited to City-private partnerships relating to
24 climate change; and

25 Whereas, dozens of Burlington residents spoke about the types of standards they believe
26 should be adopted by the City to maintain Burlington's commitment to environmental protection,
27 peace, and human rights; and

28 Whereas, a set of standards can be developed as an advisory document to be used by the
29 Mayor and/or City departments who find climate change City-private partnership opportunities;
30 and

31 Whereas, if the City expends money as part of the partnership between the City and
32 private entities at amounts of over \$50,000 the Board of Finance must approve any such
33 expenditure and at amounts of over \$100,000 the City Council must approve such expenditure;
34 and

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39 WHEREAS, if money is not exchanged, it is within the power of the Mayor and/or City
40 department to enter into City-private partnerships, and

41 WHEREAS, the standards developed as an advisory document can be applied in any
42 circumstance where the partnership involves the expenditure of City funds or in-kind or direct
43 contributions from partner(s) in excess of \$50,000;

44 NOW, THEREFORE, BE IT RESOLVED that the standards outlined in the resolved
45 clauses of this resolution be used as an advisory document by the Mayor, City Departments,
46 Board of Finance, and/or City Council when considering any climate change public-private
47 partnership involving an expenditure of City funds or in-kind or direct contributions from
48 partner(s) in excess of \$50,000; and

49 BE IT FURTHER RESOLVED that the City is hereby advised that climate change
50 partnerships involving expenditure of City funds or in-kind or direct contributions from
51 partner(s) exceeding \$50,000 should be approved by the Board of Finance and those involving
52 expenditures and/or contributions exceeding \$100,000 should be approved by the full City
53 Council; and

54 BE IT FURTHER RESOLVED that the City is hereby advised to issue requests for
55 proposals for any proposed future climate change projects to allow an open bidding process for
56 the partnership opportunities; and

57 BE IT FURTHER RESOLVED that the City is hereby advised to make public the details
58 of proposed climate change partnerships (including but not limited to the language for the
59 request for proposals for the partnership, and letters of cooperation with the proposed partner)
60 before any City action to enter into partnerships involving expenditure of City funds or in-kind
61 or direct contributions from partner(s) exceeding \$50,000; and

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66 BE IT FURTHER RESOLVED that the City is hereby advised that, given that corporate
67 partners may advertise, discuss, and publicize their participation in the project in their own
68 media, any City initiated publicity of a climate change partnership project should seek to
69 carefully assess and limit unwanted and/or unwarranted marketing and/or advertising benefits
70 inuring to the benefit of said corporate partner; and

71 BE IT FURTHER RESOLVED that the City is hereby advised to make public disclosure
72 of corporate or individual partners involved in City-private partnerships relating to climate
73 change in informational materials released publicly by said partnership; and

74 BE IT FURTHER RESOLVED that it is hereby advised that among the criteria for the
75 City to consider in selecting potential corporate partners for City-private partnerships relating to
76 climate change is whether there have been any debarments, civil or criminal prosecutions against
77 said corporation for violations of the anti-trust laws, unfair competition laws, or fraud within the
78 last five (5) years; and

79 BE IT FURTHER RESOLVED that it is hereby advised that among the criteria for the
80 City to consider in selecting potential corporate partners for City-private partnerships relating to
81 climate change is whether said corporation has a record of compliance or noncompliance with
82 employment discrimination laws and labor laws; and

83 BE IT FURTHER RESOLVED that it is hereby advised that the City consider the following
84 queries relative to proposed private corporations and/or entities that might be considered for
85 City-private partnerships relating to climate change:

- 86 a) Does the private corporation and/or entity have reported instances of contractor
87 misconduct as reported within the Project on Government Oversight's Federal Contractor
88 Misconduct Database;

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93 b) Does the private corporation and/or entity earn the majority of its profits from the
94 production and/or marketing of weapons or warfare technology, including but not
95 limited to nuclear/chemical weapons, land mines, or cluster bombs, as determined by the
96 corporation's most recent annual report;

97 c) Has the private corporation and/or entity incurred fines that exceed \$100,000 with the
98 U.S. Department of Environmental Protection, U.S. Department of Energy, or any federal
99 government fines relating to environmental or climate change damage;

100 d) Has the private corporation and/or entity been found by a judicial or governmental body
101 to have engaged in or supported child labor or human trafficking;

102 e) Does the private corporation and/or entity have a record of civil penalties for employment
103 discrimination against federally protected classes?
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