

By way of materials, I would like to provide the following summary of the charter changes being considered:

The proposed first change relates to City Council ward and district boundaries. When the City's current Charter was given to the City by the General Assembly in 1949, boundaries were set by charter because this was a period before the U.S. Supreme Court announced the "one-person-one-vote" principle that we take for granted today. In other words, the boundaries were not meant to change periodically to reflect changes in population. On the contrary, representation of communities of interest was the primary concern.

Today, the City is required to consider its ward and district boundaries following every decennial census. Because the boundaries are defined by charter, that means that any changes require approval of voters, of both houses of the General Assembly, and of the Governor. This process requires time and effort to accomplish something we are constitutionally required to do to protect the substantial right of voters to fair and equal representation.

Our situation is unique among Vermont's nine cities. The Charters of Essex Junction, Newport, and Vergennes make no reference to city council districts or wards, and based on our review of those cities' websites, it is our understanding that they elect city council members at-large. The Winooski City Charter (Section 301) and South Burlington City Charter (Section 302) are explicit that city council members are elected at-large. Section 103 of the Barre City Charter states that ward boundaries are determined by the Board of Civil Authority. Vermont's remaining three cities' charters ascribe this duty to their city councils. See Montpelier Charter Section 201, Rutland City Charter Section 1.3, and St. Albans City Charter Section 5.

The proposed amendment would still require voter approval of ward and district boundary changes in Burlington, but it would no longer require a charter change. This would facilitate the administration of City elections and would put the City on par with every other Vermont city in not requiring involvement from the legislature to determine ward and district boundaries.

The second change relates to landlord-tenant notifications. Vermont does not have rent stabilization or just cause eviction laws. I want to be extremely clear that the proposed charter change does not propose to allow the City of Burlington to establish rent stabilization or just cause eviction regulations by ordinance. Instead, it proposes to give the City Council greater flexibility to regulate landlord and tenant notification requirements.

Under state law (9 VSA 4467(e)), landlords may evict tenants without cause on 30 days' notice, or 60 days' notice if a tenant has resided in a unit for at least two years. As currently drafted, the City's Charter extends these periods to 90 and 120 days, respectively. Absent a contrary lease provision, tenants, in turn, are required to give landlords one rental period notice of nonrenewal of a lease. See 9 VSA 4456(d). As currently drafted, the City's Charter extends this period to two rental periods.

There is substantial current pressure on Burlington's housing market. City data shows the number of daily commuters into the City greatly exceeds the number of commuters out of the City for employment purposes, and the City is home to two large colleges. This creates a housing shortage, and, as a result, rents are higher than throughout the state and it takes longer for renters to locate housing within the City they can afford. However, the City is currently working hard to increase housing production, and its housing market is expected to evolve because of this.

The proposal here, therefore, is to allow the City Council flexibility to establish rental notification requirements. This Charter Change was approved between 2024 and 2025 by City voters, the City Council, the Charter Change Committee, and the Community Development & Neighborhood Revitalization Committee. All meetings regarding the change were noticed per the Open Meeting Law, and the required two public meetings were held before submitting the proposed Charter Change to voters. As such, both landlords and tenants had ample opportunity to learn about the proposal and to comment upon it before it was passed.

We ask the General Assembly to respect the will of the voters and to adopt this change to give the City greater local control to address its housing crisis.