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**MEMO**

**TO:** Burlington Board of Civil Authority

**FROM:** Kenneth A. Schatz, Esq., City Attorney *KAS*

**RE:** Reapportionment

**DATE:** March 9, 2012

As you know, the Burlington BCA subcommittee on reapportionment has been meeting in order to make a recommendation on legislative reapportionment to the full BCA. The Legislature has requested that the BCAs make recommendations on reapportionment by March 15. Burlington and Winooski share a legislative district with a total of 12 representatives. The task of the BCAs is to make a recommendation as to how this legislative district should be divided, with smaller districts that have either one or two representatives, to reach a total of 12. Under the bill passed earlier this year, Winooski must be included in a district that has two representatives.

The reapportionment law provides that the Burlington and Winooski BCAs should meet jointly to make a recommendation. While meeting jointly, each BCA must vote separately in making their recommendation – giving each BCA one vote in the process. A joint meeting of both BCAs has been scheduled for March 12 at 7:15 pm at Contois Auditorium.

The Burlington subcommittee reviewed several proposals. At its meeting on March 8, the subcommittee recommended a plan by a 3-1 vote that is attached hereto (“the Recommended Plan”). This was the same plan previously supported by a 4-1 “straw vote” of the subcommittee on February 23. The subcommittee also discussed and reviewed an alternative plan which is supported by 8 of 10 current Burlington House representatives, which is also included in this packet of information attached to the letter from the eight Burlington representatives (“the Alternative Plan”). Here is a summary of the main areas of discussion and how, if at all, the plans differ with respect to those areas:

**Proposed Districts 3-1 and 3-2 (New North End).** The Recommended Plan retains the current southerly legislative boundary of 3-1 (ending at the north side of Leddy Park and including the Farrington Mobile Park neighborhood) while adding the streets to the east (known as the “Sandra Circle” neighborhood) that are currently part of the 3-2 district. The Alternative Plan extends

beyond the current southerly boundaries of 3-1 to Lakewood Parkway, while retaining the Sandra Circle neighborhood in 3-2.

With respect to the southerly border of 3-2, the Recommended Plan would extend further south and west than the current district to include streets such as Lakeview Terrace, Front Street, lower Drew Street, and Lake Street, while moving the Roosevelt Park neighborhood (i.e. Walnut, Willow, Oak, and Luck Streets) to the 3-3 District. The Alternative Plan maintains the existing 3-2 southerly/westerly borders.

**Proposed District 3-3.** The Recommended Plan shifts the Roosevelt Park neighborhood currently in 3-2 into 3-3 while shifting 3-3's current westerly section to 3-2, as described above. The southerly and easterly boundaries of 3-3 are mainly the same between the Recommended Plan and Alternative Plan, with a few minor exceptions.

**Proposed New District (CHIT 3-NEW).** This new one-person district is taken from parts of the existing 3-3, 3-4, and 3-5 districts. The contours of the Recommended Plan and the Alternative Plan are roughly the same. Both 3-New and the proposed 3-4 district are contingent on updated information from the University of Vermont on the location of their on-campus student population, which may vary from the Census data. It is important to note our understanding that this relates only to the location of the on-campus student population, not the total number.

**Proposed 3-4 and Winooski.** There was much discussion about how to accomplish a shared 2-person district with Winooski, of which a minimum of 251 Burlington residents would need to be included (approximately 3 percent of the district's total population). Current boundaries included more than 1500 Burlington residents as part of the shared district with Winooski, so this change reflects population growth in both cities and a trend towards each city becoming a more self-contained legislative area.

The Recommended Plan and Alternative Plan are in substantial agreement on what Burlington areas should be retained with Winooski. The areas of agreement are the Census block on the north side of Riverside Avenue, the block bordered by Barrett St. , Chase St. and Colchester Ave, and the block bordered by Riverside Ave, Colchester Ave, and Nash Place (extended) are to be retained with Winooski. The Alternative Plan includes an additional census block with Winooski, which is bordered by Barrett and Grove streets. Under the Recommended Plan, the total number of Burlington residents that are retained in the shared district with Winooski is 259. Under the Alternative Plan, with the additional census block, that number increases to a total of 402. However, this map was developed prior to the BCA subcommittee meeting on February 23, at which there was unanimous support for including the census blocks provided for in the Recommended Plan with respect to the sharing with Winooski.

In most other respects, the Recommended Plan for 3-4 and the Alternative Plan for 3-4 are identical. The one exception is a small triangular area bordered by Hyde, North and Willard Streets that is part of 3-3 under the Recommended Plan. The contingency described above for 3-NEW also applies to 3-4 under both plans, since the potential reallocation of UVM students will affect both districts.

Attached are the following documents:

- (1) Draft Resolution and Recommended Plan maps
- (2) Alternative Plan maps
- (3) February 6, 2012 Memo from Mayor Kiss to Burlington BCA
- (4) February 16, 2012 Letter from Mayor Kiss to the Burlington BCA, Winooski BCA, and Chittenden Legislative Delegation
- (5) February 21, 2012 Letter from the Champlain Housing Trust to the Burlington BCA
- (6) March 1, 2012 letter from Burlington House Representatives Aswad, O'Sullivan, Lorber, Krowinski, Ram, Donovan, & Wizowaty
- (7) March 2, 2012 e-mail from Councilor Adrian to the Burlington BCA Subcommittee on Reapportionment and Administration Officials
- (8) March 5, 2012 Letter from Mayor Kiss to Clarence Davis re: UVM census counts
- (9) March 7, 2012 Letter from Mayor Kiss to the Winooski BCA.

cc: Winooski Board of Civil Authority

lb/c: KAS 2012/Bd. of Civil Authority re Reapportionment