

Bond Case Briefs

Municipal Finance Law Since 1971

PUBLIC RECORDS - VERMONT

Long v. City of Burlington

Supreme Court of Vermont - September 21, 2018 - A.3d - 2018 WL 4518668 - 2018 VT 103

Advocacy organization brought action against city alleging that the city violated the Public Records Act (PRA) by failing to disclose an unredacted market feasibility study for a proposed redevelopment project.

The Superior Court awarded summary judgment to the city. Advocacy organization appealed.

The Supreme Court of Vermont held that:

- The study was exempt from disclosure under the PRA trade secrets exemption despite voluntary submission of redacted version of the study to city;
- Developer made reasonable efforts to protect the confidentiality of information contained in the study, as required for that information to be exempt; and
- Even if the city's acknowledgment of a non disclosure agreement with developer was not binding on the city, the study was protected by trade secrets exemption.