



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Meeting Agenda Board of Aldermen



Tuesday, February 25, 2014

7:30 PM

Board Chambers - Room 110

A. PUBLIC HEARING

7:30-7:45

1. [14-0065](#) Public Hearing on Land Use Ordinance Amendments to Clarify Requirements for Exempt and Allowable Activities Related to Utilities in Water Quality Buffers

PURPOSE: The purpose of this item is for the Board of Aldermen to consider amending the Land Use Ordinance to clarify exempt and allowable activities for disturbance associated with utilities in water quality buffers. The Board must receive public comment before taking action on the draft ordinance.

Attachments: [Attachment A-1 - Consistency Resolution for Ordinance Adoption](#)
[Attachment A-2 - Consistency Resolution for Ordinance Denial](#)
[Attachment B - Draft LUOAmendment WQBuffers_021414](#)
[Attachment C - Recommendations](#)
[Attachment D - OWASA Comments & Responses](#)

7:45-8:05

2. [14-0066](#) Public hearing on Land Use Ordinance Amendments Relating to the Environmental Advisory Board

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider amending the Land Use Ordinance relating to the Environmental Advisory Board's charge and duties to ensure consistency within the review process. The Board must receive public comments before taking action on the draft ordinance..

Attachments: [Attachment A-1 - Consistency Resolution for Ordinance Adoption](#)
[Attachment A-2 - Consistency Resolution for Ordinance Denial](#)
[Attachment B - Draft Ordinance 1-14-2014](#)
[Attachment C - Excerpts from LUO](#)
[Attachment D - Recommendations](#)

8:05-8:25

3. [14-0067](#) Public hearing on Land Use Ordinance Amendments Relating to Construction Management Plans

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider amending the Land Use Ordinance requiring Construction Management Plans for development projects meeting certain criteria. A draft ordinance has been prepared. The Board must receive public comments before taking action on the draft ordinance.

Attachments: [Attachment A - 1 Consistency Resolution Adoption](#)
[Attachment A - 2 Consistency Resolution Rejection](#)
[Attachment B - Revised Text Amendment 1-30-2014](#)
[Attachment C - Excerpts from LUO](#)
[Attachment D - Recommendations](#)

B. OTHER MATTERS

8:25-8:40

1. [14-0044](#) Proposed Revisions to the DCHC-MPO Memorandum of Understanding

PURPOSE: This agenda item is a continuation of the Board of Aldermen's discussion on February 4, 2014, regarding proposed revisions to the DCHC-MPO MOU. The Board adopted a resolution with two follow-up topics, which are addressed below.

Attachments: [Attachment A - Resolution - MPO MOU update](#)
[Attachment B - 2013 DCHC MPO MOU - recommended for member gov approval - 2014-01-07](#)
[Attachment C - 2013 DCHC MPO MOU - recommended - marked - 2014-01-07](#)
[Attachment D - Current MOU for DCHC MPO](#)
[Attachment E - TAC Att 09 - TAC memo MOU - 2014-02-12](#)
[Attachment F \(link\) - Board of Aldermen Feb. 4, 2014, meeting agenda item](#)

8:40-9:00

2. [14-0048](#) Discussion of Advisory Board Appointments
PURPOSE: The Mayor and Board of Aldermen will discuss appointments to the Town's advisory boards.

Attachments: [ATTACHMENT A - A Resolution Making Appointments to Advisory Boards.docx](#)
 [ATTACHMENT B - Vacancies, Applicants, and Recommendations.docx](#)
 [ATTACHMENT C - CURRENT ADVISORY BOARD MEMBERSHIP.docx](#)
 [Board of Adjustment Rec Form.pdf](#)
 [Planning Board Recommendation Form January 2014.pdf](#)
 [Appearance Commission Rec Form.pdf](#)
 [Rec and Parks Rec Form.pdf](#)
 [Transportation Advisory Board.pdf](#)
 [Human Services Rec Form.pdf](#)
 [Environmental Rec Form.pdf](#)
 [NTAAC Rec Form.pdf](#)
 [Arts Rec Form.pdf](#)
 [Economic Sustainability Commission Rec Form.pdf](#)

- C. MATTERS BY TOWN CLERK**
- D. MATTERS BY TOWN MANAGER**
- E. MATTERS BY TOWN ATTORNEY**
- F. MATTERS BY BOARD MEMBERS**



Legislation Text

File #: 14-0065, **Version:** 1

TITLE:

Public Hearing on Land Use Ordinance Amendments to Clarify Requirements for Exempt and Allowable Activities Related to Utilities in Water Quality Buffers

PURPOSE: The purpose of this item is for the Board of Aldermen to consider amending the Land Use Ordinance to clarify exempt and allowable activities for disturbance associated with utilities in water quality buffers. The Board must receive public comment before taking action on the draft ordinance.

DEPARTMENT: Planning

CONTACT INFORMATION: Randy Dodd (919) 918-7326; Christina Moon (919) 918-7325

INFORMATION: Comprehensive revisions to the Town's stream buffer provisions were adopted in 2009. Included in the revisions was Section 15-269.5 defining exempt and allowable activities. This section is largely composed of a detailed table of activities, including activities associated with utilities (both electric and non-electric). Staff have been reviewing and implementing this section of the ordinance subsequent to these revisions, and have identified some modifications to the table of activities that can clarify these requirements for staff and regulated parties regarding the details of installation and maintenance of utilities in buffers. The proposed changes are intended to continue to allow these activities in buffers, while providing additional protection related to utility infrastructure planning, design, installation, and maintenance activities.

The draft ordinance was presented at the joint advisory board review meeting on February 6, 2014, and submitted to Orange County; comments are provided (*Attachment C*). Town staff have also shared the proposed changes with OWASA staff and with the North Carolina Department of Environment and Natural Resources (DENR). Comments from OWASA including Town responses are also provided (*Attachment D*). Staff will provide a brief summary of conversations with staff from DENR as part of the presentation.

FISCAL & STAFF IMPACT: Public hearings involve staff and public hearing notice costs associated with advisory board and Board of Aldermen review.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider the resolution finding consistency, and the draft ordinance provided in the attachments.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND
USE ORDINANCE.

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO CLARIFY REQUIREMENTS FOR EXEMPT AND ALLOWABLE ACTIVITIES RELATED TO UTILITIES IN WATER QUALITY BUFFERS.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with Carrboro Vision 2020 as it relates to the environmental protection and promotion in Section 5.0, and specifically in the following provisions

5.22 Carrboro should adopt a strategy and set of policies to protect all of our creeks, streams, ponds, and lakes.

5.23 Carrboro should be proactive in managing its stormwater, promoting active maintenance of facilities, reducing impacts of increased impervious surface, and minimizing impacts on waterways.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town seeks to remain consistent with its adopted plans or policies.

Section 3. This resolution becomes effective upon adoption.

This the 25th day of February 2014.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR REJECTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND
USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO CLARIFY REQUIREMENTS FOR EXEMPT AND ALLOWABLE ACTIVITIES RELATED TO UTILITIES IN WATER QUALITY BUFFERS.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is not consistent with Town plans and policies.

Section 2. The Board concludes that its rejection of the above described amendment is reasonable and in the public interest because existing regulations are appropriate.

Section 3. This resolution becomes effective upon adoption.

This the 25th day of February 2014.

**ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO CLARIFY
REQUIREMENTS FOR EXEMPT AND ALLOWABLE ACTIVITIES RELATED TO
UTILITIES IN WATER QUALITY BUFFERS**

DRAFT 2-14-2014

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Subsection 15-269.5(d) of the Carrboro Land Use Ordinance is amended to read as follows:

Section 15-269.5 Exempt and Allowable Activities

(d) Table of Exempt and Allowable Activities in Water Quality Buffers

(NOTE: ALL ENTRIES IN THIS TABLE NOT SHOWN BELOW WILL NOT BE AFFECTED BY THE PROPOSED AMENDMENT)

Activity	Exempt	Allowable	Allowable with Mitigation
Recreation			
Greenway / hiking trails ¹ designed, constructed and maintained to maximize nutrient removal and erosion protection, minimize adverse effects on aquatic life and habitat, and protect water quality to the maximum extent practical		X	
Utilities			
Electric utility, aerial, perpendicular crossings ^{2,3,4} : <ul style="list-style-type: none"> • Disturb equal to or less than 100 linear feet of buffer • Disturb greater than 100 linear feet of buffer 	X	X	

¹ To the extent practicable, greenway easements shall be located a minimum of 10 feet from the top of bank; surfaces shall be a minimum of 15 feet from the top of bank

² Provided that within 30 feet of surface waters, all of the following BMPs for overhead utility lines are used. If all of these BMPs are not used, then the overhead utility lines shall require a no practical alternative evaluation by the Administrator as defined in Section 15-269.6.

- A minimum zone of 10 feet wide immediately adjacent to the water body shall be managed such that only vegetation that poses a hazard or has the potential to grow tall enough to interfere with the line is removed.
- Woody vegetation shall be cleared by hand. No land grubbing or grading is allowed.

Activity	Exempt	Allowable	Allowable with Mitigation
Electric utility, aerial, other than perpendicular crossings ³ : <ul style="list-style-type: none"> • Impacts greater than 50 feet from surface waters • Impacts within 30-50 feet of surface waters • Impacts within 30 feet of surface waters^{2,4,5}: 	X	X	X
Electric utility, underground, perpendicular crossings ^{3,4,6} : <ul style="list-style-type: none"> • Disturb less than or equal to 40 linear feet of buffer • Disturb greater than 40 linear feet of buffer 	X	X	

- Vegetative root systems shall be left intact to maintain the integrity of the soil. Stumps shall remain where trees are cut.
- Riprap shall not be used unless it is necessary to stabilize a tower.
- No fertilizer shall be used other than a one-time application to re-establish vegetation.
- Construction activities shall minimize the removal of woody vegetation, the extent of the disturbed area, and the time in which areas remain in a disturbed state.
- Active measures shall be taken after construction and during routine maintenance to ensure diffuse flow of stormwater through the buffer.
- In wetlands, mats shall be utilized to minimize soil disturbance.

³ Perpendicular crossings are those that intersect the surface water at an angle between 75 degrees and 105 degrees.

⁴ Provided that poles or aerial infrastructure shall not be installed within 10 feet of a water body unless the Administrator completes a no practical alternative evaluation as defined in Section 15-269.6

⁵ Provided that:

- No heavy equipment shall be used within 30 feet of surface waters.
- Vegetation in undisturbed portions of the buffer is not compromised. Felled trees are removed by chain. A tree protection plan shall be developed and approved by Administrator that will protect the buffer to the maximum extent practicable.
- Trees are shall be: 1) felled so as not to damage trees not intended for removal or stream banks; and 2) removed by chain.
- No permanent felling of trees occurs in protected buffers or streams.
- Stumps shall be removed only by grinding.
- Construction activities shall minimize the removal of woody vegetation, the extent of the disturbed area, and the time in which areas remain in a disturbed state.
- At the completion of the project the disturbed area shall be stabilized with native vegetation.
- The condition and use of the area within 50 feet of surface waters shall be consistent with Sections 15-269.3 and 15-269.4.

⁶ A tree protection plan shall be developed and approved by Administrator that will protect the buffer to the maximum extent practicable.

- Trees shall be felled so as not to damage trees not intended for removal or stream banks.
- Construction activities shall minimize the removal of woody vegetation, the extent of the disturbed area, and the time in which areas remain in a disturbed state.

Activity	Exempt	Allowable	Allowable with Mitigation
Electric utility, underground, other than perpendicular crossings ^{3,6} : <ul style="list-style-type: none"> • Impacts greater than 50 feet from surface waters • Impacts within 30-50 feet of surface waters • Impacts within 30 feet of surface waters⁵: 	X	X	X

• Stump grinding is allowable only for stumps more than 30 feet from surface waters.

• ~~Provided that, within 30 feet of surface water, all of the following BMPs for underground utility lines shall be used. If all of these BMPs are not used, then the underground utility line shall require a no practical alternative evaluation by the Administrator, as defined in Section 15-269.6.~~

• Stumps shall remain, except in the trench where trees are cut.

• Measures shall be taken upon completion of construction and during routine maintenance to ensure diffuse flow of stormwater through the buffer.

• ~~W~~Trees shall be removed by chain. Woody vegetation shall be cleared by hand. No land grubbing or grading is allowed.

• Vegetative root systems shall be left intact to maintain the integrity of the soil. Stumps shall remain, except in the trench created for the line installation,

• Underground cables shall be installed by vibratory plow or trenching.

• The trench shall be backfilled with the excavated soil material immediately following cable installation.

• No fertilizer shall be used other than a one-time application to re-establish vegetation.

• ~~Construction activities shall minimize the removal of woody vegetation, the extent of the disturbed area, and the time in which areas remain in a disturbed state.~~

• In wetlands, mats shall be utilized to minimize soil disturbance.

• At the completion of the project the disturbed area shall be stabilized with native vegetation.

• The condition and use of the area within 50 feet of surface waters shall be consistent with Sections 15-269.3 and 15-269.4

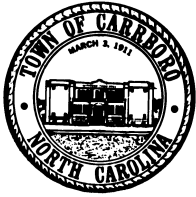
Activity	Exempt	Allowable	Allowable with Mitigation
Non-electric utility, perpendicular crossings ^{3,4,5,6,7} : <ul style="list-style-type: none"> • Disturb equal to or less than 40 linear feet of buffer with a maintenance corridor equal to or less than 10 feet in width • Disturb equal to or less than 40 linear feet of buffer with a maintenance corridor greater than 10 feet in width • Disturb greater than 40 linear feet but equal to or less than 150 linear feet of buffer with a maintenance corridor equal to or less than 10 feet in width • Disturb greater than 40 linear feet but equal to or less than 150 linear feet of buffer with a maintenance corridor greater than 10 feet in width • Disturb greater than 150 linear feet of buffer 	X	X X	X X
Non-electric utility, other than perpendicular crossings ^{3, 6,5} : <ul style="list-style-type: none"> • Impacts greater than 50 feet from surface waters • Impacts within 30-50 feet of surface waters • Impacts within 30 feet of surface waters^{5,8} 	X	X	X

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.

⁷ All sewer crossings shall be protected from damage and risk of future leakage to the maximum extent practicable using ductile iron and other appropriate construction materials and practices.

⁸ Permanently maintained areas will generally not exceed 20 feet in width. Occasional wider widths are allowable to accommodate vehicle turnaround.



TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

THURSDAY, FEBRUARY 6, 2014

LAND USE ORDINANCE TEXT AMENDMENT CLARIFYING REQUIREMENTS FOR EXEMPT AND ALLOWABLE ACTIVITIES FOR DISTURBANCE ASSOCIATED WITH UTILITIES IN WATER QUALITY BUFFERS

Motion was made by **B. Foushee** and seconded by **D. Clinton** that the **Planning Board** recommends that the Board of Aldermen **adopt** the draft ordinance, noting the following concern that the Board of Aldermen may wish to address:

There does not seem to be specific reference to BMPs for all relevant activities, but only overhead utility lines.

VOTE:

AYES: Adamson, Barton, Chaney, Clinton, Davis, Foushee, Hunt

ABSENT/EXCUSED: Cohen, Eldred

NOES: N/A

ABSTENTIONS: N/A

Associated Findings

By a unanimous show of hands, the **Planning Board** membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Furthermore, the **Planning Board** of the Town of Carrboro also finds that the proposed text amendment is consistent with Carrboro Vision 2020 as it relates to the environmental protection and promotion in Section 5.0 and specifically in the following provisions:

5.21 Carrboro should work with OWASA to develop the policies and infrastructure necessary for water conservation (e.g. encourage the re-use of grey water, replacing fixtures with low-flow models, and collecting stormwater for watering gardens).

5.22 Carrboro should adopt a strategy and set of policies to protect all of our creeks, streams, ponds, and lakes.

5.23 Carrboro should be proactive in managing its stormwater, promoting active maintenance of facilities, reducing impacts of increased impervious surface, and minimizing impacts on waterways.

VOTE:

AYES: Adamson, Barton, Chaney, Clinton, Davis, Foushee, Hunt

ABSENT/EXCUSED: Cohen, Eldred

NOES: N/A

ABSTENTIONS: N/A

A handwritten signature in black ink, reading "Bethany Chaney". The signature is written in a cursive, flowing style.

Bethany Chaney, Chair

2-6-2014



TOWN OF CARRBORO

Environmental Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

THURSDAY, FEBRUARY 6, 2014

LAND USE ORDINANCE TEXT AMENDMENT CLARIFYING REQUIREMENTS FOR EXEMPT AND ALLOWABLE ACTIVITIES FOR DISTURBANCE ASSOCIATED WITH UTILITIES IN WATER QUALITY BUFFERS

Motion was made by Matthew Arnsberger and seconded by Sheila Reddy that the EAB recommends that the Board of Aldermen adopt the draft ordinance as drafted. After careful consideration of the plusses and minuses of native plants the EAB supports the effort to promote the use of native plants.

VOTE:

AYES: Arnsberger, Sinclair, Reddy, Rivin

ABSENT/EXCUSED: Crook, Chicurel-Bayard

NOES: None

ABSTENTIONS: None

Associated Findings

By a unanimous show of hands, the EAB membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Furthermore, the EAB of the Town of Carrboro also finds that the proposed text amendment is consistent with Carrboro Vision 2020 as it relates to the environmental protection and promotion in Section 5.0 and specifically in the following provision:

5.21 Carrboro should work with OWASA to develop the policies and infrastructure necessary for water conservation (e.g. encourage the re-use of grey water, replacing fixtures with low-flow models, and collecting stormwater for watering gardens).

5.22 Carrboro should adopt a strategy and set of policies to protect all of our creeks, streams, ponds, and lakes.

5.23 Carrboro should be proactive in managing its stormwater, promoting active maintenance of facilities, reducing impacts of increased impervious surface, and minimizing impacts on waterways.

For Paul C. DeB 2/7/14
(Chair) (Date)

ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

Craig N. Benedict, AICP, Director

Administration
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov



131 W. Margaret Lane
P O Box 8181
Hillsborough,
North Carolina, 27278



TRANSMITTAL DELIVERED VIA EMAIL

February 12, 2014

Christina Moon, AICP
Planning Administrator
Town of Carrboro
301 W. Main St.
Carrboro, NC 27510

SUBJECT: Joint Planning Review of Proposed Ordinance Amendments

Dear Tina:

Thank you for the opportunity to review the following Land Use Ordinance amendments received by us on January 27, 2014 and proposed for town public hearing on February 25, 2014:

- *Modifying the Charge and Responsibilities of the Environmental Advisory Board.*
- *Clarifying the Requirements for Exempt and Allowable Activities relating to Utilities in Water Quality Buffers.*
- *Establishing Town Approval of A Construction Management Plan for Development Projects that may have a Significant Impact on Public Streets or Sidewalks or Nearby Properties.*

We have reviewed the amendments and find no inconsistency with the adopted *Joint Planning Area Land Use Plan*.

If you have any questions or need additional information, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Perdita Holtz".

Perdita Holtz, AICP
Planning Systems Coordinator

OWASA Comments and Staff Response

From: Ruth Rouse [<mailto:RRouse@owasa.org>]

Sent: Wednesday, February 19, 2014 3:30 PM

To: Randy Dodd

Cc: Mary Darr; Todd Taylor; Todd Spencer; Stuart Carson; Ed Kerwin

Subject: RE: OWASA comments on draft buffer ordinance language

Randy – Thank you for your response. OWASA would like you to include our comments in the agenda package if there is time for you to do so.

We still have concerns about the tree protection plan language. While the ordinance is now clear that the tree protection plan does not apply to maintenance activities on our existing lines, there are pre-design activities for new utility lines that could minimally impact a riparian buffer. These include surveying activities and subsurface utility exploration. We believe these types of activities should also be exempt from a tree protection plan, and the current language is not clear on that.

We continue to support our alternative language on Footnote 8.

Thanks again for the opportunity to comment. If you have any questions, please contact Todd Taylor at ttaylor@owasa.org or at 919-537-4216 or me at rrouse@owasa.org or at 919-537-4214.

Ruth Rouse, AICP

Planning and Development Manager

Orange Water and Sewer Authority

400 Jones Ferry Road

Carrboro, NC 27510

919-537-4214

From: Randy Dodd [<mailto:RDodd@townofcarrboro.org>]

Sent: Tuesday, February 18, 2014 1:58 PM

To: Ruth Rouse

Cc: Christina Moon

Subject: RE: OWASA comments on draft buffer ordinance language

Ruth,

Please see responses below to the comments provided. We do have one specific question: do you/does OWASA have a preference for whether these comments are included in the agenda materials as part of the public hearing? If you could let us know ASAP so we can prepare the final agenda materials (due for internal review by lunch tomorrow), it would be greatly appreciated.

The Public Hearing is scheduled for next Tuesday evening, with the final agenda packet likely to be ready/posted by the end of this week Friday.

Thanks for your input,

Randy Dodd

Environmental Planner

Town of Carrboro

301 West Main Street

Carrboro, NC 27510
919 918-7326
rdodd@townofcarrboro.org

From: Ruth Rouse [<mailto:RRouse@owasa.org>]

Sent: Wednesday, February 05, 2014 9:52 AM

To: Randy Dodd

Cc: Todd Taylor; Thurman Green; Randy Horton; Mary Darr; Stuart Carson; Todd Spencer

Subject: OWASA comments on draft buffer ordinance language

Randy – Thank you for the opportunity to comment on the Town of Carrboro’s proposed changes to its riparian buffer ordinance. OWASA agrees that riparian buffers provide many environmental benefits including water quality protection. The Town of Carrboro lies within the Jordan Lake watershed, and OWASA has a water supply allocation from Jordan Lake which we could use on an emergency basis to provide water to our customers. Thus, we appreciate the Town’s efforts to protect these resources.

However, OWASA needs to ensure that it can access any of its utility lines which are located in riparian buffers or cross area creeks. We are required by our permits with the North Carolina Division of Water Resources to travel these easements annually and perform maintenance and repairs in a timely manner. Thus, we want to ensure that the proposed ordinance language allows us to maintain and repair our lines quickly to avoid any sewage spills that may impact area creeks.

In light of that, OWASA offers the following comments on the proposed ordinance language:

- Non-electric utility, perpendicular crossings – the version of the ordinance we accessed shows that footnotes, 3, 5, 6, and 7 apply. Footnote 5 should not apply. We understand the inclusion of footnote 5 was a formatting issue in developing the public comment version of the ordinance.

It was a formatting issue for the general headings “Non-electric utility, perpendicular crossings” and “Non-electric utility, other than perpendicular crossings”, but does apply for the subheading under “Non-electric utility, other than perpendicular crossings”. Note that the “public comment” version of the ordinance (draft attached) will be made available with the Feb 25 public hearing agenda item, and has stricken footnote 5 except for “other than perpendicular crossings”, subheading “Impacts within 30 feet of surface waters”. The rationale is that this is the most sensitive part of the buffer, “Zone 1” recognized by the State, and that non perpendicular crossings impact the buffer more than perpendicular crossings.

- Footnote 6 should be modified to delete the language “A tree protection plan shall be developed and approved by Administrator that will protect the buffer to the maximum extent practicable for all installation and rehabilitation projects, and for all maintenance activities involving woody vegetation within 10 feet of the top of the stream bank.” OWASA may need to access its utility lines quickly to prevent or minimize a spill to a creek; there is insufficient time to develop and approve a tree protection plan. We also may have activities in support of design and construction projects such as survey work and subsurface utility exploration; we do not believe it is reasonable to require a tree protection plan as part of these activities.

It looks like this comment is from an earlier version of the draft amendment that was provided. See the attached for the recommended language. Please also note that 15.269.5 (c) of the ordinance specifies that this section of the ordinance applies to "expansions and extensions" (not maintenance) for public utilities. For the scenario described above (spill prevention/response), this section makes clear that the entire table does not apply.

- We concur with the new requirement in footnote 6 to use native vegetation to stabilize the area upon completion of the project. OWASA would use a mix recommended by the Botanical Garden which is consistent with our practice for UNC-Chapel Hill.

Noted, thanks.

- We concur with the addition of footnote 7 to require new sewer crossings be constructed with ductile iron pipe or other appropriate construction materials to the maximum extent practicable.

Noted, thanks

- We propose modifying footnote 8 to read "Permanently maintained areas will not exceed the width of the easement. Narrower widths are encouraged." OWASA's policy on siting and maintenance of easements states that OWASA shall have the right to clear and keep cleared the full width of the easement. This policy aligns with our permit requirements to travel our easements annually to inspect, maintain, and make any necessary repairs to our lines. Tree roots can impact the integrity of sewer lines and are often responsible for sewage spills. Allowing us to maintain our easement will prevent spills around creeks.

Noted, and this alternative wording will be presented to the Board of Aldermen at the Public hearing. Please do note that it only applies within 30' of streams.

If you have any questions regarding our comments or our sewer line maintenance practices, please contact Todd Taylor, our General Manager of Operations at 919-537-4216 or at ttaylor@owasa.org. I am also available at 919-537-4214 or at rrouse@owasa.org.

Ruth Rouse, AICP

Planning and Development Manager
Orange Water and Sewer Authority
400 Jones Ferry Road
Carrboro, NC 27510
919-537-4214

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Legislation Text

File #: 14-0066, **Version:** 1

TITLE:

Public hearing on Land Use Ordinance Amendments Relating to the Environmental Advisory Board

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider amending the Land Use Ordinance relating to the Environmental Advisory Board's charge and duties to ensure consistency within the review process. The Board must receive public comments before taking action on the draft ordinance..

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon 919-918-7325; Patricia McGuire 919-918-7327; Randall Dodd 919-918-7326

INFORMATION: During a recent discussion of the Land Use Ordinance (LUO) provisions pertaining to advisory boards, planning staff noticed what appears to be an inconsistency with the duties assigned to the Environmental Advisory Board (EAB). Article III, of the LUO, Administration Mechanisms, outlines the procedures for appointing, holding meetings, quorums and voting, and duties for the Planning Board, committees and other advisory boards. While the duties associated with the Planning Board are defined by statute, the Town has latitude in its establishment of additional boards designed to advise the Board of Aldermen in areas that benefit from specific expertise, such as the EAB. Ordinance provisions relating to the EAB are provided in Section 15-45.

Town advisory boards typically participate at key points during the development process, such as concept plan review (Section 15-48.1(c)), site planning procedures for major subdivision walkabouts (Section 15-50(c)), and recommendations on conditional use permits (Section 15-57(a)), and some special use permits (Section 15-56 (c)). The EAB is listed as one of the advisory boards to participate in concept plan review, but not as one of the advisory boards to participate in the site plan analysis walkabouts, or contribute to CUP/SUP recommendations. Section 15-322 of the LUO, Planning Board and Other Advisory Consideration of Proposed Amendments, leaves the decision to refer text and zoning map amendments to advisory boards to the Board's discretion. By practice, the Board typically refers amendments to the advisory boards whose purview, or area of expertise, most closely aligns with the matter in question.

Section 15-321(c)(1) of the LUO provides for staff to proceed with the preparation of an ordinance that makes a requested change to the LUO if it believes the change to have significant merit and would benefit the general public. A draft ordinance has been prepared that clarifies the EAB's role in the development process and consideration of amendments, and also strengthens the language relating to its charge to fulfill the Town's requirements under its NPDES Phase II stormwater permit for citizens' oversight of stormwater management activities.

The draft ordinance was presented to the Planning Board and Environmental Advisory Board on February 6,

2014; the ordinance was also referred to Orange County. Comments are provided (*Attachment D*).

FISCAL & STAFF IMPACT: Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider the resolution finding consistency, and the draft ordinance provided in the attachments.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND
USE ORDINANCE.

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO MODIFY PROVISIONS RELATED TO THE CHARGE AND RESPONSIBILITIES OF THE ENVIRONMENTAL ADVISORY BOARD AND OTHER ADVISORY BOARDS.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with Carrboro Vision 2020 as it relates to the environmental protection and promotion in Section 5.0 and specifically in the following provision:

5.23 Carrboro should be proactive in managing its stormwater, promoting active maintenance of facilities, reducing impacts of increased impervious surface, and minimizing impacts on waterways.

Section 2. The Board concludes that the above described amendment is in the public interest because it clarifies the Environmental Advisory Board's role in the development process and consideration of amendments, and also strengthens the language relating to its charge to fulfill the Town's requirements under its NPDES Phase II stormwater permit for citizens' oversight of stormwater management activities.

Section 3. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town seeks to remain consistent with its adopted plans or policies.

Section 4. This resolution becomes effective upon adoption.

This the 25th day of February 2014.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR REJECTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND
USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO MODIFY PROVISIONS RELATED TO THE CHARGE AND RESPONSIBILITIES OF THE ENVIRONMENTAL ADVISORY BOARD AND OTHER ADVISORY BOARDS.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is not consistent with Town plans and policies.

Section 2. The Board concludes that its rejection of the above described amendment is reasonable and in the public interest because existing regulations are appropriate.

Section 3. This resolution becomes effective upon adoption.

This the 25th day of February 2014.

AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO MODIFY PROVISIONS
RELATED TO THE CHARGE AND RESPONSIBILITIES OF THE ENVIRONMENTAL
ADVISORY BOARD AND OTHER ADVISORY BOARDS

****DRAFT 1-15-2014****

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 15-45.2 of the Carrboro Land Use Ordinance is rewritten to read as follows:

Section 15-45.2 Powers and Duties of the EAB

(a) The Environmental Advisory Board shall fulfill the Town's requirements under its NPDES Phase II stormwater permit for citizens' oversight of stormwater management activities.

(b) The Environmental Advisory Board may:

(1) Advise the Board of Alderman on policies, ordinances, and administrative procedures regarding environmental protection and the conservation of natural resources. The areas of review for the EAB include new development, solid waste, air quality, stormwater management, climate protection and resilience, energy conservation, solar energy, groundwater, natural resources, and other areas.

(2) Provide recommendations for green building and low impact development as part of new development and redevelopment, including site planning and design, energy efficiency and renewable energy, water efficiency, materials efficiency and waste reduction, indoor environmental quality, and the minimization of pollution and stormwater runoff.

(3) Adopt a set of guiding principles or goals for the EAB and review these goals periodically to determine if they are being obtained.

(4) Take any other action authorized by this chapter or any other ordinance or resolution of the Board of Alderman

Section 2. Section 15-50(c) of the Carrboro Land Use Ordinance is rewritten with the addition of the Environmental Advisory Board to the list of Boards and Commissions in the second sentence below which are identified as having designated members participate in an on-site walkabout. The rewritten section shall read as follows:

(c) After the site analysis plan has been submitted, the planning staff shall schedule a mutually convenient date to walk the property with the applicant and the applicant's site designer. Designated members of the Planning Board, Northern Transition Advisory Committee, Transportation Advisory Board, Environmental Advisory Board, and Appearance Commission, shall be notified of the date and time of this "on-site walkabout." The purpose of this visit is to familiarize town officials with the property's special features and to provide an informal opportunity for an interchange of information as to the developer's plans and the town's requirements.

Section 3. Section 15-57, Recommendations on Conditional Use Permits of the Carrboro Land Use Ordinance is rewritten by adding the Environmental Advisory Board to the list of

those Boards and Commissions to which development applications are referred in Subsections (a), (b), (c), (d), and (e), so that the Section now reads as follows:

(a) Before being presented to the Board of Aldermen, an application for a conditional use permit shall be referred to the planning board, appearance commission, environmental advisory board, and the transportation advisory board for joint review and action in accordance with this section. The Board of Aldermen may not hold a public hearing on a conditional use permit application until the planning board, appearance commission, environmental advisory board, and the transportation advisory board have had an opportunity to consider the application (pursuant to standard agenda procedures) at one regular meeting. In addition, at the request of the planning board, appearance commission, environmental advisory board or the transportation advisory board, the Board of Aldermen may continue the public hearing to allow the respective boards more time to consider the application.

(b) When presented to the planning board, appearance commission, environmental advisory board and the transportation advisory board, the application shall be accompanied by a report setting forth the planning staff's proposed findings concerning the application's compliance with Section 15-49 and other requirements of this chapter, as well as any staff recommendations for additional requirements to be imposed by the Board of Aldermen. If the planning staff report proposes a finding or conclusion that the application fails to comply with Section 15-49 or any other requirement of this chapter, it shall identify the requirement in questions and specifically state supporting reasons for the proposed findings and conclusions. (AMENDED 09/19/95)

(c) The planning board, appearance commission, environmental advisory board, and the transportation advisory board shall consider the application and the attached staff report in a timely fashion, and may, in its discretion, hear from the applicant or members of the public. (AMENDED 09/19/95)

(d) After reviewing the application, the planning board, appearance commission, environmental advisory board, and the transportation advisory board shall report to the Board of Aldermen whether it concurs in whole part with the staff's proposed findings and conditions, and to the extent there are differences the respective boards shall propose their own recommendations and the reasons therefore. (AMENDED 09/19/95)

(e) In response to the planning board's, the appearance commission's, environmental advisory board's or the transportation advisory board's recommendations, the applicant may modify his application prior to submission to the Board of Aldermen, and the planning staff may likewise revise its recommendations. (AMENDED 09/19/95)

Section 4. Subsection 15-56 (c), Recommendations on Special use permits is amended by adding the term 'Transportation Advisory Board' and 'Environmental Advisory Board' to the list of those boards to which applications may be referred so that this subsection reads as follows:

(c) The board of adjustment may, by general rule applicable to all cases or any class of cases, or on a case by case basis, refer applications to the planning board, the transportation advisory board, the environmental advisory board, or the appearance commission to obtain the recommendations of some or all of these boards.

Section 5. Subsection 15-322(a), Planning Board and other Advisory Consideration of Proposed Amendments, is rewritten by adding the environmental advisory board to the list of boards and commissions to which amendments may be referred so that the subsection reads as follows:

(a) If the Board sets a date for a public hearing on a proposed amendment, it shall also refer the proposed amendment to the planning board for its consideration and may refer the amendment to the appearance commission if community appearance is involved, and may refer the amendment to the transportation advisory board if the amendment involves community transportation issues, and may refer the amendment to the environmental advisory board if the amendment involves community environment issues.

Section 6. This ordinance shall become effective upon adoption.

ARTICLE III

ADMINISTRATION MECHANISMS

PART VI. ENVIRONMENTAL ADVISORY BOARD (AMENDED 02/20/96)

Section 15-45 Appointment and Terms of Environmental Advisory Board

(a) There shall be an Environmental Advisory Board (EAB), which shall consist of seven members appointed by the Board of Alderman. All members of the EAB shall either reside, own property, or operate a business within the town's planning jurisdiction.

(b) EAB members shall be appointed for three year staggered terms, but members may continue to serve until their successors have been appointed. The initial terms of all members shall expire on January 31, 1996. Effective February 1, 1996, three members shall be appointed for three year terms, two members for two year terms, and two members for one year terms. Vacancies shall be filled for the unexpired terms only.

(c) Members may be appointed to successive terms without limitation.

(d) Members may be removed as follows:

- (1) The chair shall file or caused to be filed with the town clerk an attendance report after each meeting identifying those members who are present or absent.
- (2) Unless the chair waives the requirement, members shall be removed if they are absent for three consecutive meetings or if they miss more than 30% of the meetings during a twelve-month period. The town clerk shall notify the chair in writing as soon as a member becomes subject to removal under this section. The chair will have ten days after receipt of such notice to waive the removal. If the chair fails to notify the town clerk in writing within ten days after receipt of such notice that the automatic removal requirements should be waived, the town clerk will send the removal notice to the member. This removal shall be effective on the date of such notice.
- (3) Members may also be removed by the Board of Alderman, after a hearing, for any good cause related to performance of duty.

Section 15-45.1 Organization and Meetings of EAB

(a) The EAB shall establish a regular meeting schedule. All meetings shall be open to the public and notification of such meetings shall conform to the requirements of the Open Meetings Law.

(b) A quorum shall be present for the EAB to take official action, and all actions shall be taken by majority vote. A quorum shall consist of four members if all seats on the EAB are filled and three members if there are one or more vacancies on the board.

(c) The EAB shall select one of its members to serve as chair and one member to serve as vice-chair. These officers will be chosen annually at the EAB's first meeting in March and shall serve for terms of one year unless their terms of appointment to the EAB sooner expire. Vacancies shall be filled for the unexpired term only. A member may be selected to serve as chair for not more than two consecutive full one-year terms. The chair and vice-chair may take part in all deliberations and vote on all issues. **(AMENDED 01/27/09)**

Section 15-45.2 Powers and Duties of the EAB

(a) The Environmental Advisory Board may:

- (1) Advise the Board of Alderman on policies, ordinances, and administrative procedures regarding environmental protection and the conservation of natural resources. The areas of review for the EAB include new development, solid waste, air quality, stormwater management, energy conservation, solar energy, groundwater, natural resources, and other areas.
- (2) Suggest to developers ways to utilize energy efficient designed techniques such as day-lighting, siting, solar exterior lights, and other solar energy techniques as they become economically viable. This input from the EAB is to come at the beginning of the design process, as part of a concept review procedure.
- (3) Adopt a set of guiding principles or goals for the EAB and review these goals periodically to determine if they are being obtained.
- (4) Take any other action authorized by this chapter or any other ordinance or resolution of the Board of Alderman.

(b) **(REPEALED 5/11/99)**

ARTICLE IV

PERMITS AND FINAL PLAT APPROVAL

PART I. PERMIT REQUIREMENTS

Section 15-50 Site Planning Procedures for Major Subdivisions (AMENDED 05/25/99).

- (a) Before submitting an application for a conditional or special use permit for a major subdivision, the applicant shall comply with the requirements of this section.
- (b) The applicant shall submit a site analysis plan drawn approximately to scale (1inch = 100 feet) that contains the following information:
- (1) The name and address of the developer;
 - (2) The proposed name and location of the subdivision
 - (3) The approximate total acreage of the proposed subdivision;
 - (4) Topographic lines based on maps published by the U.S. Geological Survey; and
 - (5) The location of all primary and secondary conservation areas as defined in subsections 15-198(b)(4) and (5).
 - (6) The location of any existing or proposed road connections on adjacent property.
- (c) After the site analysis plan has been submitted, the planning staff shall schedule a mutually convenient date to walk the property with the applicant and the applicant's site designer. Designated members of the Planning Board, Northern Transition Advisory Committee, Transportation Advisory Board, and Appearance Commission, shall be notified of the date and time of this "on-site walkabout." The purpose of this visit is to familiarize town officials with the property's special features and to provide an informal opportunity for an interchange of information as to the developer's plans and the town's requirements.
- (d) Prior to the submission of a conceptual preliminary plan as described in subsection (e), the staff shall meet with the developer to discuss how the four-step approach to designing subdivisions described below could be applied to the subject property. This conference may be combined with the on-site walkabout.
- (e) Following completion of the steps described in subsections (b), (c), and (d), the developer shall submit a conceptual preliminary plan of the proposed subdivision, prepared in accordance with the four-step process described in subsection (f). This plan shall be a preliminarily engineered sketch plan drawn to illustrate initial thoughts about a conceptual layout for open space, house sites, and street alignments. This is the stage where drawings are tentatively illustrated, before heavy engineering costs are incurred in the design of any proposed subdivision layout. The planning staff shall review this plan and provide comment to the developer on the overall pattern of streets, houselots, open space, and the treatment of primary and secondary conservation areas in light of the applicable requirements of this chapter.

(f) Each conceptual preliminary plan shall be prepared using the following four-step design process:

- (1) During the first step, all primary and secondary conservation areas are identified (and shown on the site analysis plan described in subsection (b)).
- (2) During the second step, potential sites are tentatively located. House sites should generally be located not closer than 100 feet from primary conservation areas and 50 feet from secondary conservation areas.
- (3) The third step consists of aligning proposed streets to provide vehicular access to each house in the most reasonable and economical way and to identify points of existing or proposed connectivity in order to comply with Subsection 15-217(a). When lots and access streets are laid out, they shall be located in a way that avoids or at least minimizes adverse impacts on primary and secondary conservation areas. To the greatest extent practicable, wetland crossings and streets traversing existing slopes over 15% shall be strongly discouraged. Street connections shall comply with the provisions of Section 15-214.
- (4) The fourth step is to draw in the lot lines.

(g) The conceptual preliminary plan shall demonstrate that the proposed development will satisfy the following objectives, as more particularly described in the remaining provisions of this chapter:

Section 15-56 Recommendation on Special Use Permit Applications.

(a) When presented to the board of adjustment at the hearing, the application for a special use permit shall be accompanied by a report setting forth the planning staff's proposed findings concerning the application's compliance with Section 15-49 (Application To Be Complete) and the other requirements of this chapter, as well as any staff recommendations for additional requirements to be imposed by the board of adjustment.

(b) If the staff proposes a finding or conclusion that the application fails to comply with Section 15-49 or any other requirements of this chapter, it shall identify the requirement in question and specifically state supporting reasons for the proposed findings or conclusions.

(c) The board of adjustment may, by general rule applicable to all cases or any class of cases, or on a case by case basis, refer applications to the planning board or the appearance commission to obtain the recommendations of either or both those boards.

Section 15-57 Recommendations on Conditional Use Permits.

(a) Before being presented to the Board of Aldermen, an application for a conditional use permit shall be referred to the planning board, appearance commission, and the transportation advisory board for joint review and action in accordance with this section. The Board of Aldermen may not hold a public hearing on a conditional use permit application until the planning board, appearance commission, and the transportation advisory board have had an opportunity to consider the application (pursuant to standard agenda procedures) at one regular meeting. In addition, at the request of the planning board, appearance commission, or the transportation advisory board, the Board of Aldermen may continue the public hearing to allow the respective boards more time to consider the application. **(AMENDED 09/19/95)**

(b) When presented to the planning board, appearance commission, and the transportation advisory board, the application shall be accompanied by a report setting forth the planning staff's proposed findings concerning the application's compliance with Section 15-49 and other requirements of this chapter, as well as any staff recommendations for additional requirements to be imposed by the Board of Aldermen. If the planning staff report proposes a finding or conclusion that the application fails to comply with Section 15-49 or any other requirement of this chapter, it shall identify the requirement in questions and specifically state supporting reasons for the proposed findings and conclusions. **(AMENDED 09/19/95)**

(c) The planning board, appearance commission, and the transportation advisory board shall consider the application and the attached staff report in a timely fashion, and may, in its discretion, hear from the applicant or members of the public. **(AMENDED 09/19/95)**

(d) After reviewing the application, the planning board, appearance commission, and the transportation advisory board shall report to the Board of Aldermen whether it concurs in whole in part with the staff's proposed findings and conditions, and to the extent there are differences the respective boards shall propose their own recommendations and the reasons therefor. **(AMENDED 09/19/95)**

(e) In response to the planning board's, the appearance commission's, or the transportation advisory board's recommendations, the applicant may modify his application prior to submission to the Board of Aldermen, and the planning staff may likewise revise its recommendations. **(AMENDED 09/19/95)**

ARTICLE XX

AMENDMENTS

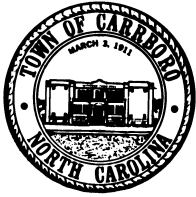
Section 15-322 Planning Board and Other Advisory Consideration of Proposed Amendments (AMENDED 10/24/06)

(a) If the Board sets a date for a public hearing on a proposed amendment, it shall also refer the proposed amendment to the planning board for its consideration and may refer the amendment to the appearance commission if community appearance is involved, and may refer the amendment to the transportation advisory board if the amendment involves community transportation issues. **(AMENDED 09/19/95)**

(b) The planning board shall advise and comment on whether the proposed amendment is consistent with the Land Use Plan, Thoroughfare Plan, or other applicable plans officially adopted by the Board of Aldermen. The planning board shall provide a written recommendation to the Board of Aldermen that addresses plan consistency and other matters as deemed appropriate by the planning board. If no written report is received from the planning board within 30 days of referral of the amendment to that board, the Board of Aldermen may proceed in its consideration of the amendment without the planning board report. **(AMENDED 10/24/06)**

(c) A comment by the planning board that a proposed amendment is inconsistent with the Land Use Plan, Thoroughfare Plan or other officially adopted plan shall not preclude consideration or approval of the proposed amendment by the Board of Aldermen, and the Board of Aldermen is not bound by the recommendations of the planning board. **(AMENDED 10/24/06)**

(d) A member of the planning board and any other advisory committee that provides direct advice to the Board of Aldermen (i.e. it does not report to the planning board) shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. **(AMENDED 10/24/06)**



TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

THURSDAY, FEBRUARY 6, 2014

LAND USE ORDINANCE TEXT AMENDMENT RELATING TO THE ENVIRONMENTAL ADVISORY BOARD

Motion was made by C. Adamson and seconded by S. Poulton that the **Planning Board** recommends that the Board of Aldermen **adopt** the draft ordinance.

VOTE:

AYES: Adamson, Barton, Chaney, Clinton, Davis, Foushee, Hunt

ABSENT/EXCUSED: Cohen, Eldred

NOES: N/A

ABSTENTIONS: N/A

Associated Findings

By a unanimous show of hands, the **Planning Board** membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Furthermore, the **Planning Board** of the Town of Carrboro finds that the proposed text amendment is in the public interest because it clarifies the Environmental Advisory Board's role in the development process and consideration of amendments, and also strengthens the language relating to its charge to fulfill the Town's requirements under its NPDES Phase II stormwater permit for citizens' oversight of stormwater management activities.

The **Planning Board** of the Town of Carrboro also finds that the proposed text amendment is consistent with Carrboro Vision 2020 as it relates to the environmental protection and promotion in Section 5.0 and specifically in the following provision:

5.23 Carrboro should be proactive in managing its stormwater, promoting active maintenance of facilities, reducing impacts of increased impervious surface, and minimizing impacts on waterways.

VOTE:

AYES: Adamson, Barton, Chaney, Clinton, Davis, Foushee, Hunt,

ABSENT/EXCUSED: Cohen, Eldred

NOES: N/A

ABSTENTIONS: N/A

A handwritten signature in black ink, reading "Bethany Chaney". The signature is written in a cursive style with a large, stylized 'B' and a long, sweeping tail on the 'y'.

Bethany Chaney, Chair

2-6-2014



TOWN OF CARRBORO

Environmental Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

THURSDAY, FEBRUARY 6, 2014

LAND USE ORDINANCE TEXT AMENDMENT RELATING TO THE ENVIRONMENTAL ADVISORY BOARD

Motion was made by Bruce Sinclair and seconded by Gabe Rivin that the EAB recommends that the Board of Aldermen approve the draft ordinance with the following amendment.

"The Environmental Advisory Board shall fulfill the Town's requirements under its NPDES Phase II stormwater permit for citizen's input ~~oversight~~ into stormwater management activities" to be consistent with the NPDES Phase 2 permit.

VOTE:

AYES: Arnsberger, Sinclair, Reddy, Rivin

ABSENT/EXCUSED: Crook, Chicurel-Bayard

NOES: None

ABSTENTIONS: None

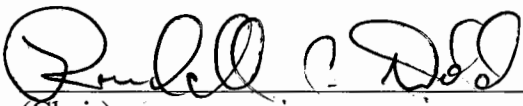
Associated Findings

By a unanimous show of hands, the EAB membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Furthermore, the EAB of the Town of Carrboro finds that the proposed text amendment is in the public interest because it clarifies the Environmental Advisory Board's role in the development process and consideration of amendments, and also strengthens the language relating to its charge to fulfill the Town's requirements under its NPDES Phase II stormwater permit for citizen's input into stormwater management activities.

The EAB of the Town of Carrboro also finds that the proposed text amendment is consistent with Carrboro Vision 2020 as it relates to the environmental protection and promotion in Section 5.0 and specifically in the following provision:

5.23 Carrboro should be proactive in managing its stormwater, promoting active maintenance of facilities, reducing impacts of increased impervious surface, and minimizing impacts on waterways.

for  2/7/14
(Chair) (Date)

ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

Craig N. Benedict, AICP, Director

Administration
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov



131 W. Margaret Lane
P O Box 8181
Hillsborough,
North Carolina, 27278



TRANSMITTAL DELIVERED VIA EMAIL

February 12, 2014

Christina Moon, AICP
Planning Administrator
Town of Carrboro
301 W. Main St.
Carrboro, NC 27510

SUBJECT: Joint Planning Review of Proposed Ordinance Amendments

Dear Tina:

Thank you for the opportunity to review the following Land Use Ordinance amendments received by us on January 27, 2014 and proposed for town public hearing on February 25, 2014:

- *Modifying the Charge and Responsibilities of the Environmental Advisory Board.*
- *Clarifying the Requirements for Exempt and Allowable Activities relating to Utilities in Water Quality Buffers.*
- *Establishing Town Approval of A Construction Management Plan for Development Projects that may have a Significant Impact on Public Streets or Sidewalks or Nearby Properties.*

We have reviewed the amendments and find no inconsistency with the adopted *Joint Planning Area Land Use Plan*.

If you have any questions or need additional information, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Perdita Holtz".

Perdita Holtz, AICP
Planning Systems Coordinator



Legislation Text

File #: 14-0067, **Version:** 1

TITLE:

Public hearing on Land Use Ordinance Amendments Relating to Construction Management Plans

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider amending the Land Use Ordinance requiring Construction Management Plans for development projects meeting certain criteria. A draft ordinance has been prepared. The Board must receive public comments before taking action on the draft ordinance.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon 919-918-7325; Marty Roupe 919-918-7333; Patricia McGuire 919-918-7327; Mike Brough 919-929-3905

INFORMATION: At its June 11, 2013 meeting, the Board of Aldermen directed staff to prepare a draft amendment to the Land Use Ordinance (LUO) or to the Town Code regarding the mitigation of construction projects. Discussion focused on five main topics: 1) manager involvement in construction management plan approval, 2) meetings with neighboring property owners and businesses, 3) penalties for violations, 4) applicability for residential development projects, and 5) review of the Styrofoam issues that occurred at 300 East Main Street during the construction of the hotel and which led to the consideration of a construction management plan requirement.

At its October 1st meeting, staff reviewed the five points from June 11th and presented the Board with a draft amendment to the LUO designed to address the first four points of concern. Staff is researching potential health concerns related to item five - the use of EIFS as a building material. Information from the Board's October 1, 2013 meeting may be found at <https://carrboro.legistar.com/Calendar.aspx>. The draft ordinance was presented at the November 7th Joint Review meeting and was submitted to Orange County. Town advisory boards submitted a number of comments regarding the proposed amendment and recommended additional language to address their concerns:

- Providing a more specific trigger for when the construction management plan is required;
- Identifying suitable parking for construction employees, contractors and subcontractors;
- Strengthening environmental protections; and also
- Amending the tree protection requirements in Section 15-318(a) to include efforts to protect trees on adjacent properties from construction-related damage.

After considering the draft ordinance at the November 19th public hearing, the Board instructed staff to incorporate language to address the concerns identified by the advisory boards. A revised ordinance has been prepared, with proposed changes shown with the Tracking Tool (*Attachment B*). The recommendation from members of the EAB (included as part of their comments after the November 7th Joint Review meeting) to amend Section 15-318(a) of the LUO regarding tree protection during construction will be included as part of a

forthcoming proposal to modify Article XIX, Screening and Trees, scheduled for a future meeting.

The revised draft ordinance was presented at the February 6th Joint Review meeting and was submitted to Orange County. Comments pertaining to the revised ordinance are provided (*Attachment D*).

FISCAL & STAFF IMPACT: Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen Review.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider the attached resolution finding consistency, and the draft ordinance provided in the attachments.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND
USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO REQUIRE TOWN APPROVAL OF A CONSTRUCTION MANAGEMENT PLAN FOR DEVELOPMENT PROJECTS THAT, DURING THE CONSTRUCTION PROCESS, MAY HAVE A SIGNIFICANT IMPACT ON PUBLIC STREETS OR SIDEWALKS OR NEARBY PROPERTIES.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with Carrboro Vision 2020 as it relates to the mitigation of adverse effect of public health and safety as part of development as described below in Provisions 2.0 Development and 3.1 Nature of Development:

2.0 Carrboro's development should take place in a manner consistent with a set of adopted values. The health and safety of citizens should be protected.

3.1 In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town seeks to remain consistent with its adopted plans or policies.

Section 3. This resolution becomes effective upon adoption.

This the 25th day of February 2014.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR REJECTING AN AMENDMENT TO THE TEXT OF
THE CARRBORO LAND USE ORDINANCE

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NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is not consistent with Town plans and policies.

Section 2. The Board concludes that its rejection of the above described amendment is reasonable and in the public interest because existing regulations are appropriate.

Section 3. This resolution becomes effective upon adoption.

This the 25th day of February 2014.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO REQUIRE TOWN APPROVAL OF A CONSTRUCTION MANAGEMENT PLAN FOR DEVELOPMENT PROJECTS THAT, DURING THE CONSTRUCTION PROCESS, MAY HAVE A SIGNIFICANT IMPACT ON PUBLIC STREETS OR SIDEWALKS OR NEARBY PROPERTIES

DRAFT 1-30-2014

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Subsection 15-49(c1) of the Carrboro Land Use Ordinance shall become Subsection 15-49(c2), and Section 15-49 is further amended by adding a new Subsection 15-49(c1) to read as follows:

(c1) If the administrator determines that a proposed development that has been issued a zoning permit, special use permit, or conditional use permit would likely have a significant impact on adjoining or nearby streets, sidewalks, or properties during the construction process, the administrator shall notify the permit recipient that a construction management plan must be submitted and approved by the administrator. Examples of significant impacts include but are not limited to the construction of more than 1000 square feet of new building area in the downtown commercial zoning districts or ground disturbance of more than 20,000 square feet in the downtown commercial zoning districts. A construction management plan shall likewise be submitted and approved by the administrator if required by a condition attached to a conditional or special use permit.

- (1) The administrator shall inform the permit recipient of the contents of the Town Code regarding (i) construction noise and hours of operation (Section 5-12(4)), and (ii) obstructing or excavating within public street rights of way (Sections 7-1, 7-4, and 7-12). The administrator shall also inform the developer that the construction management plan shall commit the developer to compliance with those provisions and shall explain how the developer intends to address other potential impacts identified by the administrator, such as streets to be used or avoided by construction vehicles, the location of entrances to the site for construction vehicles, parking for employees, contractors and subcontractors, and the location on the site for the staging of construction materials and equipment, and concerns about potentially harmful pollutants including by not limited to dust, debris and aerosols.
- (2) If a development triggers a construction management plan, meetings will be held with surrounding residents and businesses to elicit their input into the development of the construction management plan and to ensure its implementation. Town staff shall be present at the meeting and shall record the minutes to make certain that public input is conveyed to the applicant and incorporated into the construction management plan.
- (3) No construction may be commenced until the construction management plan has been approved. The administrator shall approve the plan if the plan proposes measures to mitigate the potential negative impacts of the project during the construction process to the extent reasonably practical under all the circumstances.
- (4) The provisions of an approved construction management plan shall be enforceable in the same manner as other provisions of this chapter.

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption, and its provisions shall be applicable to projects for which permits are issued after the effective date.

ARTICLE IV

PERMITS AND FINAL PLAT APPROVAL

PART I. PERMIT REQUIREMENTS

Section 15-46 Permits Required.

(a) Subject to Section 15-271 (Sign Permits) and subsection (e) of this section, the use made of property may not be substantially changed (see Section 15-152), substantial clearing, grading or excavation may not be commenced, and buildings or other substantial structures may not be constructed, erected, moved, or substantially altered except in accordance with and pursuant to one of the following permits: **(AMENDED 10/22/91)**

- (1) A zoning permit issued by the administrator;
- (2) A special use permit issued by the board of adjustment;
- (3) A conditional use permit issued by the Board of Aldermen.

(b) Zoning permits, special use permits, conditional use permits, and sign permits are issued under this chapter in respect to plans submitted by the applicant that demonstrate compliance with the ordinance provisions contained herein. Such plans as are finally approved are incorporated into any permit issued in reliance thereon, and except as otherwise provided in Section 15-64, all development shall occur strictly in accordance with such approved plans. **(AMENDED 1/10/81)**

(c) Physical improvements to land to be subdivided may not be commenced except in accordance with a conditional use permit issued by the Board of Aldermen (for major subdivisions containing more than twelve lots and all subdivisions in watershed districts) or a special use permit issued by the board of adjustment (for major subdivisions outside the watershed districts containing between five and twelve lots) or after final plat approval by the planning director for minor subdivisions (see Part II of this article). **(AMENDED 12/15/87)**

(d) A zoning permit, conditional use permit, special use permit, or sign permit shall be issued in the name of the applicant (except that applications submitted by an agent shall be issued in the name of the principal), shall identify the property involved and the proposed use, shall incorporate by reference the plans submitted, and shall contain any special conditions or requirements lawfully imposed by the permit-issuing authority. All such permits issued with respect to tracts of land in excess of one acre (except sign permits and zoning permits for single-family residential uses and duplexes) shall be recorded in the Orange County Registry after execution by the record owner as provided in Section 15-63. **(AMENDED 5/26/81)**

(e) Notwithstanding the provisions of subsection (a) of this section, no permit under this chapter shall be required for the substantial alteration of a building or structure located within a

Art. IV PERMITS AND FINAL PLAT APPROVAL

B-1(c), B-1(g) or B-2 zoning district if such alteration does not change the exterior of such building or structure in any substantial way. (AMENDED 10/22/91)

Section 15-47 No Occupancy, Use, or Sale of Lots Until Requirements Fulfilled.

Issuance of a conditional use, special use, or zoning permit authorizes the recipient to commence the activity resulting in a change in use of the land or, (subject to obtaining a building permit), to commence work designed to construct, erect, move, or substantially alter buildings or other substantial structures or to make necessary improvements to a subdivision. However, except as provided in Sections 15-53, 15-60, and 15-61, the intended use may not be commenced, no building may be occupied, and in the case of subdivisions, no lots may be sold until all of the requirements of this chapter and all additional requirements imposed pursuant to the issuance of a zoning permit, conditional use, or special use permit have been complied with.

Section 15-48 Who May Submit Permit Applications.

(a) Applications for zoning, special use, conditional use, or sign permits or minor subdivision plat approval will be accepted only from persons having the legal authority to take action in accordance with the permit or the minor subdivision plat approval. By way of illustration, in general this means that applications should be made by the owners or lessees of property, or their agents, or persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this chapter, or the agents of such persons (who may make application in the name of such owners, lessees, or contract venders).

(b) The administrator may require an applicant to submit evidence of his authority to submit the application in accordance with subsection (a) whenever there appears to be a reasonable basis for questioning this authority.

Section 15-48.1 Concept Plan Review Procedures Prior to Submitting Applications
(Amended 10/24/06.)

(a) Prior to submitting an application for a special or conditional use permit, the applicant shall comply with the requirements of this section.

(b) The applicant shall attend a regularly scheduled Development Review meeting and discuss the proposed project with staff in attendance at such meeting. This requirement shall not apply to a developer of a proposed major subdivision who has met with the planning staff under the provisions of Subsection 15-50(d) following an “on-site walkabout”.

(c) Following compliance with the provisions of subsection (b), the applicant shall attend a Joint Advisory Board meeting comprising at least the following boards: Planning Board, Appearance Commission, Transportation Advisory Board, Environmental Advisory Board, and Economic Sustainability Commission. The planning staff may notify the Recreation and Parks

Art. IV PERMITS AND FINAL PLAT APPROVAL

Commission and the Northern Transition Area Advisory Committee when issues relevant to those boards are raised by a proposed development and members of those boards may attend.

- (1) No quorum requirements shall apply to the Joint Advisory Board.
- (2) The applicant shall present to the Joint Advisory Board sufficient information about the proposed development to enable the board to have a general understanding of the nature and extent of the development. If the development is a major subdivision, then a “conceptual preliminary plan” prepared in accordance with the provisions of Section 15-50 shall suffice. If the development is not a major subdivision, then the information submitted shall include at least the following:
 - a. A sketch site plan showing the location and size (including floor area) of proposed buildings, parking areas, and driveway entrances;
 - b. Proposed residential densities and types of residential units (in terms of number of bedrooms);
 - c. Illustrations of building elevations.
 - d. Other information deemed necessary by the staff to demonstrate to the Joint Advisory Board the concept of the proposed development.

(d) Following the presentation of the concept plan to the Joint Advisory Board, the members of that board may present such feedback to the developer as they deem appropriate. In addition, following the Joint Advisory Board meeting, the component advisory boards may meet separately and make recommendations to the developer.

(e) When the development application comes back before the advisory boards for a recommendation prior to the public hearing on such application, the applicant shall provide a written response to all advisory board comments, and each advisory board that has reviewed the concept plan and made comments on it shall review those comments and may ask the developer to explain how those comments have been addressed or why they have not been addressed.

Section 15-49 Applications To Be Complete.

- (a) All applications for zoning, special use, conditional use, or sign permits must be complete before the permit-issuing authority is required to consider the application.
- (b) Subject to subsections (c) and (c1), an application is complete when it contains all of the information that is necessary for the permit-issuing authority to decide whether or not the development, if completed as proposed, will comply with all of the requirements of this chapter. (AMENDED 11/23/10).

Art. IV PERMITS AND FINAL PLAT APPROVAL

(c) In this chapter, detailed or technical design requirements and construction specifications relating to various types of improvements (streets, sidewalks, etc.) are set forth in one or more of the appendices of this chapter. It is not necessary that the application contain the type of detailed construction drawings that would be necessary to determine compliance with these appendices, so long as (subject to subsection (c1)) the plans provide sufficient information to allow the permit-issuing authority to evaluate the application in the light of the substantive requirements set forth in this text of this chapter. However, whenever this chapter requires a certain element of a development to be constructed in accordance with the detailed requirements set forth in one or more of these appendices, or whenever it reasonably appears to the administrator that such construction drawings are necessary to demonstrate that construction details will comply with plans submitted and approved as part of the permit-issuing process, then no construction work on such element may be commenced until detailed construction drawings have been submitted to and approved by the administrator. A detailed description of the construction plan submittal and review requirements is provided in Article IV, Part III. Failure to observe this requirement may result in permit revocation, denial of final subdivision plat approval, or other penalty as provided in Article VII. **(AMENDED 06/06/89; 11/23/10)**

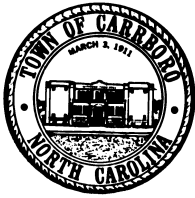
(c1) Permit applications for commercial projects (meaning those where at least twenty percent of the proposed floor area is devoted to non-residential uses) in the commercial zoning districts need not contain all of the detailed information necessary for the permit issuing authority to determine that the development, if constructed in accordance with the application and plans, will comply with the drainage and stormwater management requirements set forth in Sections 15-262 and 15-263 of this chapter, so long as:

- (1) The application contains sufficient information to explain how the development will address drainage and stormwater management issues, and it appears reasonably likely to the permit issuing authority that the proposed drainage and stormwater management systems will function in such a manner that the development will comply with Sections 15-262 and 15-263; and
- (2) Before construction plans are approved, such plans must demonstrate that all the requirements of Sections 15-262 and 15-263 and related appendices will be satisfied. **(AMENDED 11/23/10)**

(d) The presumption established by this chapter is that all of the information set forth in Appendix A is necessary to satisfy the requirements of this section. However, it is recognized that each development is unique, and therefore the permit-issuing authority may allow less information or require more information to be submitted according to the needs of the particular case. For applications submitted to the Board of Aldermen or board of adjustment, the applicant may rely in the first instance on the recommendations of the administrator as to whether more or less information than that set forth in Appendix A should be submitted.

Art. IV PERMITS AND FINAL PLAT APPROVAL

(e) The administrator shall make every effort to develop application forms, instructional sheets, checklists, or other techniques or devices to assist applicants in understanding the application requirements and the form and type of information that must be submitted. In classes of cases where a minimal amount of information is necessary to enable the administrator to determine compliance with this chapter, such as applications for zoning permits to construct single-family houses or duplexes, or applications for sign permits, the administrator shall develop standard forms that will expedite the submission of the necessary plans and other required information.



TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

THURSDAY, FEBRUARY 6, 2014

LAND USE ORDINANCE TEXT AMENDMENT RELATING TO CONSTRUCTION MANAGEMENT PLANS

Motion was made by B. Foushee and seconded by C. Adamson that the **Planning Board** recommends that the Board of Aldermen **adopt** the draft ordinance with the following change:

Omit the sentence beginning “Examples of significant impacts include...” that was inserted into Section 1 (c1).

VOTE:

AYES: Adamson, Barton, Chaney, Clinton, Davis, Foushee

ABSENT/EXCUSED: Cohen, Eldred

NOES: Hunt

ABSTENTIONS: N/A

Associated Findings

By a unanimous show of hands, the **Planning Board** membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Furthermore, the **Planning Board** of the Town of Carrboro finds that the proposed text amendment is consistent with Carrboro Vision 2020 as it relates to the mitigation of adverse effect of public health and safety as part of development in sections 2.0 development and 3.1 nature of development.

2.0 Carrboro’s development should take place in a manner consistent with a set of adopted values. The health and safety of citizens should be protected.

3.1 In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

VOTE:

AYES: Adamson, Barton, Chaney, Clinton, Davis, Foushee, Hunt

ABSENT/EXCUSED: Cohen, Eldred

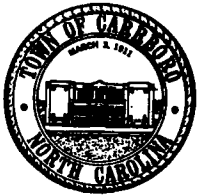
NOES: N/A

ABSTENTIONS: N/A

A handwritten signature in black ink, reading "Bethany Chaney". The signature is written in a cursive, flowing style with a long, sweeping tail on the last letter.

Bethany Chaney, Chair

2-6-2014



TOWN OF CARRBORO

Environmental Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

THURSDAY, FEBRUARY 6, 2014

LAND USE ORDINANCE TEXT AMENDMENT RELATING TO CONSTRUCTION MANAGEMENT PLANS

Motion was made by Sheila Reddy and seconded by Gabe Rivin that the EAB recommends that the Board of Aldermen approve the draft ordinance with the following amendment.

- 1) The EAB feels that the threshold for ground disturbance of more than 20,000 square feet in the downtown commercial zoning districts is much too high, and should be set at a lower level based on further analysis of the likely sizes of construction sites and the potential environmental impacts of those sites by Planning staff.

VOTE:

AYES: Arnsberger, Sinclair, Reddy, Rivin

ABSENT/EXCUSED: Crook, Chicurel-Bayard

NOES: None

ABSTENTIONS: None

Associated Findings

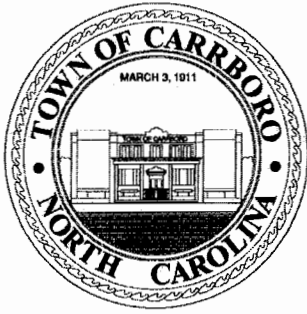
By a unanimous show of hands, EAB members also indicated that they do not have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Furthermore, the EAB finds that the proposed text amendment is consistent with Carrboro Vision 2020 as it relates to the mitigation of adverse effect of public health and safety as part of development in sections 2.0 development and 3.1 nature of development.

2.0 Carrboro's development should take place in a manner consistent with a set of adopted values. The health and safety of citizens should be protected.

3.0 In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

For Paul C. Hall (Chair) 2/7/14 (Date)



TOWN OF CARRBORO
TRANSPORTATION ADVISORY BOARD
RECOMMENDATION
February 6, 2014

SUBJECT: Land Use Ordinance Amendments Relating to Construction Management Plans

MOTION: The Transportation Advisory Board recommends that the Board of Aldermen approve the draft ordinance, with the following modifications:

- The TAB believes that the number used in the example of a significant impact for new building area square footage is too low and should apply only to the square footage of the building footprint.
- Furthermore, the minimum ground disturbance threshold should be significantly less than 20,000 square feet.

By a unanimous show of hands, the TAB membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Furthermore, the TAB finds that the proposed text amendment is consistent with Carrboro Vision 2020 as it relates to the mitigation of adverse effects on public health and safety as part of development in sections 2.0, development, and 3.1, nature of development.

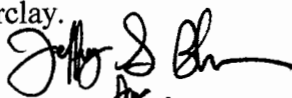
2.0 Carrboro's development should take place in a manner consistent with a set of adopted values. The health and safety of citizens should be protected.

3.1 In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

Moved: LaJeunesse

Second: Štolka

VOTE: Ayes (6): Štolka, Haac, Perry, LaJeunesse, Nicopoulos, Kim. Nays (0). Abstain (0). Absent (1): Barclay.


Kurt Štolka

TAB Chair

2 / 18 /14
DATE

ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

Craig N. Benedict, AICP, Director

Administration
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov



131 W. Margaret Lane
P O Box 8181
Hillsborough,
North Carolina, 27278



TRANSMITTAL DELIVERED VIA EMAIL

February 12, 2014

Christina Moon, AICP
Planning Administrator
Town of Carrboro
301 W. Main St.
Carrboro, NC 27510

SUBJECT: Joint Planning Review of Proposed Ordinance Amendments

Dear Tina:

Thank you for the opportunity to review the following Land Use Ordinance amendments received by us on January 27, 2014 and proposed for town public hearing on February 25, 2014:

- *Modifying the Charge and Responsibilities of the Environmental Advisory Board.*
- *Clarifying the Requirements for Exempt and Allowable Activities relating to Utilities in Water Quality Buffers.*
- *Establishing Town Approval of A Construction Management Plan for Development Projects that may have a Significant Impact on Public Streets or Sidewalks or Nearby Properties.*

We have reviewed the amendments and find no inconsistency with the adopted *Joint Planning Area Land Use Plan*.

If you have any questions or need additional information, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Perdita Holtz".

Perdita Holtz, AICP
Planning Systems Coordinator



Legislation Text

File #: 14-0044, **Version:** 1

TITLE:

Proposed Revisions to the DCHC-MPO Memorandum of Understanding

PURPOSE: This agenda item is a continuation of the Board of Aldermen's discussion on February 4, 2014, regarding proposed revisions to the DCHC-MPO MOU. The Board adopted a resolution with two follow-up topics, which are addressed below.

DEPARTMENT: Planning

CONTACT INFORMATION: Jeff Brubaker - 918-7329

INFORMATION: The two follow up items requested by the Board are summarized below.

1. Quorum language should be clearer.

The existing language on when a quorum is established at a Transportation Advisory Committee meeting is:

"A quorum of the MPO Board shall consist of a majority of the voting members whose votes together represent a majority of the possible weighted votes identified in the weighted vote schedule below." (p. 6)

Questions have arisen as to the logical interpretation of this sentence. Staff believe that the logical interpretation of this sentence is that both "a majority of voting members [present]" and "a majority of the possible weighted votes [represented by the members who are present]" are necessary, not individually sufficient, conditions for a quorum. Nonetheless, a possible revised version that would more clearly state the two conditions contained in that sentence is:

"A quorum of the MPO Board shall exist when both of the following two conditions are met:

1. A majority of the voting members are present.
2. The voting members who are present represent a majority of the possible weighted votes identified in the weighted vote schedule below."

The draft resolution in Attachment A approves the MOU and authorizes the Mayor to execute it on behalf of the Town. The draft resolution also includes a sentence that authorizes the Mayor to execute the MOU with the quorum language modified as above - or modified by language that has the same meaning as the above language. The purpose of this is to allow flexibility:

- The Mayor may execute the MOU with the existing quorum language, which is less clear, but its logical interpretation is that it nonetheless establishes two necessary conditions for a quorum.

- The Mayor may execute the MOU with the suggested revised language (or language that has the same meaning) to more clearly establish the two necessary conditions.

It is noted that then-Mayor Kinnaird executed the existing MOU in 1994.

2. More information should be provided on the potential for the MOU to establish Triangle Transit's participation in the local match for MPO planning activities.

The Board expressed interest in further discussing the potential addition of language to the MOU requiring Triangle Transit's financial participation in the local match. This was based on communication from Town of Chapel Hill staff that the Chapel Hill Town Council would be considering a draft resolution at its February 10 meeting that, among other things, requested such participation. The resolution ended up being adopted by the Town Council and included the following recommended MOU modifications:

1. The process of developing and monitoring the development of the annual work program for the Metropolitan Planning Organization should be included in the MOU.
2. Triangle Transit, as a full member of the MPO, should participate in funding the local match to support MPO activities.
3. The role of the MPO in oversight of the Durham County and Orange County Transit Plans should be included in the MOU.

In regard to #1, the Town of Carrboro TAC representatives made a similar comment when reviewing the draft MOU this summer, but MPO staff did not wish to make the change at the time, stating that oversight and monitoring language is more appropriately addressed in each Unified Planning Work Program (UPWP) document, rather than in the MOU. (Reference Feb. 4 item, Attachment G, for the full list of comments and MPO staff responses.)

The TAC discussed point #2 on February 12. The question relates to the fact that the current federal transportation bill, MAP-21, requires that transit agencies be represented on MPO boards. However, the proposed revised MOU language does not mention Triangle Transit as one of the parties required to participate in the local match:

“The municipalities and the counties will participate in funding the portion of the costs of 26 the MPO's work program not covered by federal or state funding as reflected in the annual Planning Work Program approved by the MPO Board.” (p. 9)

Questions at the Feb. 12 TAC meeting included how to calculate the level of Triangle Transit's contribution, if required, and whether that amount be sufficient to provide notable savings for other member jurisdictions. It is possible that, if not required by the MOU, the MPO could nonetheless ask Triangle Transit for a contribution to the local match in subsequent UPWPs and that Triangle Transit could voluntarily provide it.

Regarding #3, it is noted that the MPO is a party to the interlocal implementation agreement for the Orange County Bus and Rail Investment Plan. The MPO (along with Orange County and Triangle Transit) must therefore approve any material changes to the plan, and the MPO has a membership on the “Staff Working Group” that reviews and proposes changes to the plan. The agreement also states that transit providers such as Chapel Hill Transit and Orange Public Transit, plus representatives of the Towns of Hillsborough and Mebane, be invited to meetings of the SWG involving bus service.

In summary, staff believe that the quorum language question can be resolved without by itself delaying the overall approval of the revised MOU. The Triangle Transit financial participation requirement question, however, may warrant further discussion as the Board considers approval of the MOU.

FISCAL & STAFF IMPACT: Approving the revisions to the MOU as proposed would not have a fiscal impact at this time. Staff will include the required share of the local match for MPO planning activities in departmental budget submittals for the upcoming fiscal year and anticipates doing the same in subsequent years.

RECOMMENDATION: Staff recommend that the Board of Aldermen consider the draft resolution provided in Attachment A.

**A RESOLUTION APPROVING THE DURHAM-CHAPEL HILL-CARRBORO
METROPOLITAN PLANNING ORGANIZATION MEMORANDUM OF
UNDERSTANDING**

WHEREAS, Section 134 of Title 23 of the United States Code establishes requirements for the designation of metropolitan planning organizations (MPOs), plans to be developed, transportation modes to be included in the planning process, and other factors; and,

WHEREAS, the aforementioned section requires a “performance-driven, outcome-based approach to planning” for an intermodal (including bicycle and pedestrian) transportation system; and,

WHEREAS, Section 66.2 of Chapter 136 of the North Carolina General Statutes requires that MPOs develop comprehensive transportation plans (CTP); and,

WHEREAS, the Town of Carrboro has participated in the regional transportation process as an active member of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO); and,

WHEREAS, the planning activities of the DCHC-MPO are governed by a Memorandum of Understanding (MOU) approved and signed by the State and all MPO member jurisdictions; and,

WHEREAS, the current MOU was executed in January 1994; and,

WHEREAS, several changes are necessary to “reflect current federal and state legislation and regulations, planning practices of the MPO, updated population figures, and best planning principles”, as stated by MPO staff; and,

WHEREAS, the Transportation Advisory Committee of the MPO approved the revisions on October 9, 2013, but it must be approved by member jurisdictions’ governing bodies in order to be fully executed; and,

WHEREAS, the Town of Carrboro continues to be committed to working with all MPO member jurisdictions to further cooperative, comprehensive, and continuing transportation planning; and,

WHEREAS, the Board of Aldermen reviewed the revisions to the MOU on February 4, 2014, and directed that a follow-up meeting be scheduled in order to receive more information;

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board of Aldermen approves the revised Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO) Memorandum of Understanding as included in Attachment B.

BE IT FURTHER RESOLVED that the Board of Aldermen authorizes the Mayor to execute the revised DCHC-MPO Memorandum of Understanding as included in Attachment B.

BE IT FURTHER RESOLVED that the Board of Aldermen authorizes the Mayor to execute the DCHC-MPO Memorandum of Understanding as included in Attachment B with the following alternative language replacing the current language on p. 6 regarding a quorum.

Current language

“A quorum of the MPO Board shall consist of a majority of the voting members whose votes together represent a majority of the possible weighted votes identified in the weighted vote schedule below.”

Alternative language

“A quorum of the MPO Board shall exist when both of the following two conditions are met:

1. A majority of the voting members are present.
2. The voting members who are present represent a majority of the possible weighted votes identified in the weighted vote schedule below.”

BE IT FURTHER RESOLVED that the Board of Aldermen acknowledges that the process for payment of the local match by the Town of Carrboro to the MPO for MPO planning activities included in the Unified Planning Work Program (UPWP) – including, but not necessarily limited to, the timing of payment and documentation necessary for payment – will be subject to further discussion by Town staff, MPO staff, staff from other MPO member jurisdictions, and, if necessary, the Board of Aldermen and MPO Transportation Advisory Committee.

This is the 25th day of February in the year 2014.

**DURHAM-CHAPEL HILL-CARRBORO
METROPOLITAN PLANNING ORGANIZATION**

**MEMORANDUM OF UNDERSTANDING
FOR
COOPERATIVE, COMPREHENSIVE, AND CONTINUING
TRANSPORTATION PLANNING**

Between

THE GOVERNOR OF THE STATE OF NORTH CAROLINA,
CITY OF DURHAM, TOWN OF CHAPEL HILL, TOWN OF CARRBORO
TOWN OF HILLSBOROUGH, COUNTY OF DURHAM,
COUNTY OF ORANGE, COUNTY OF CHATHAM, TRIANGLE TRANSIT, AND
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

in cooperation with

THE UNITED STATES DEPARTMENT OF TRANSPORTATION

November 13, 2013

WITNESSETH THAT

WHEREAS, Section 134(a) of Title 23 United States Codes states:

Policy – It is in the national interest—

(1) to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between States and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes identified in this chapter; and
(2) to encourage the continued improvement and evolution of the metropolitan and statewide transportation planning processes by metropolitan planning organizations, State departments of transportation, and public transit operators as guided by the planning factors identified in subsection (h) and section 135(d).

WHEREAS, Section 134(c) of Title 23 United States Codes states:

General Requirements.—

(1) Development of long-range plans and TIPs.— To accomplish the objectives in subsection (a), metropolitan planning organizations designated under subsection (d), in cooperation with the State and public transportation operators, shall

develop long-range transportation plans and transportation improvement programs through a performance-driven, outcome-based approach to planning for metropolitan areas of the State.

(2) Contents.— The plans and TIPs for each metropolitan area shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the metropolitan planning area and as an integral part of an intermodal transportation system for the State and the United States.

(3) Process of development.— The process for developing the plans and TIPs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.

WHEREAS, Chapter 136, Section 66.2(a) of the General Statutes of North Carolina states:

Each MPO, with cooperation of the Department of Transportation, shall develop a comprehensive transportation plan in accordance with 23 U.S.C. Section 134. In addition, an MPO may include projects in its transportation plan that are not included in a financially constrained plan or are anticipated to be needed beyond the horizon year as required by 23 U.S.C. Section 134. For municipalities located within an MPO, the development of a comprehensive transportation plan will take place through the metropolitan planning organization. For purposes of transportation planning and programming, the MPO shall represent the municipality's interests to the Department of Transportation.

WHEREAS, Chapter 136, Section 66.2(b) of the General Statutes of North Carolina states:

After completion and analysis of the plan, the plan shall be adopted by both the governing body of the municipality or MPO and the Department of Transportation as the basis for future transportation improvements in and around the municipality or within the MPO. The governing body of the municipality and the Department of Transportation shall reach agreement as to which of the existing and proposed streets and highways included in the adopted plan will be a part of the State highway system and which streets will be a part of the municipal street system. As used in this Article, the State highway system shall mean both the primary highway system of the State and the secondary road system of the State within municipalities.

WHEREAS, Chapter 136, Section 66.2(d) of the General Statutes of North Carolina states:

For MPOs, either the MPO or the Department of Transportation may propose changes in the plan at any time by giving notice to the other party, but no change shall be effective until it is adopted by both the Department of Transportation and the MPO.

WHEREAS, a transportation planning process includes the operational procedures and working arrangements by which short and long-range transportation plans are soundly conceived and developed and continuously evaluated in a manner that will:

1. Assist governing bodies and official agencies in determining courses of action and in formulating attainable capital improvement programs in anticipation of community needs; and,
2. Guide private individuals and groups in planning their decisions which can be important factors in the pattern of future development and redevelopment of the area;

WHEREAS, it is the desire of these agencies that a continuing, cooperative, and comprehensive transportation planning process, be established for the Durham-Chapel Hill-Carrboro Metropolitan Planning Area in compliance with Title 23 U.S.C. Section 134 and any subsequent amendments to that statute, and any implementing regulations; Title 49 U.S.C. Chapter 53 and any subsequent amendments to these statutes, and any implementing regulations; and the Clean Air Act of 1970, as amended, [42 U.S.C. 7504 and 7506(c)].

WHEREAS, it is the desire of these parties that all prior Memoranda of Understanding between the parties be superseded and replaced by this Memorandum of Understanding.

NOW THEREFORE, the following Memorandum of Understanding is made:

Section I

It is hereby agreed that the City of Durham, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, County of Durham, County of Orange, County of Chatham, and the North Carolina Department of Transportation in cooperation with the United States Department of Transportation will participate in a continuing, cooperative, and comprehensive transportation planning process with responsibilities and undertakings as related in the following paragraphs:

1. The Durham-Chapel Hill-Carrboro Metropolitan Planning Area, will consist of the Durham Urbanized Area as defined by the United States Department of Commerce, Bureau of the Census, plus that area beyond the existing urbanized area boundary that is expected to become urbanized or be affected by urban policies within a twenty-year planning period. This area is hereinafter referred to as the Metropolitan Planning Area.
2. The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) shall include the boards of general purpose local government – the Durham City Council, Chapel Hill Town Council, Carrboro Board of Aldermen, Hillsborough Board of Commissioners, Durham County Board of Commissioners, Orange County Board of Commissioners, and Chatham County Board of Commissioners; the North Carolina Department of Transportation; a MPO Board hereinafter defined, a MPO Technical

Committee hereinafter defined, and the various agencies and units of local, regional, state, and federal government participating in the transportation planning for the area.

3. The Metropolitan Planning Area boundary will be periodically reviewed and revised in light of new developments, basic data projections for the current planning period, and as may otherwise be required by federal and state laws.
4. The continuing transportation planning process will be a cooperative one reflective of and responsive to the programs of the North Carolina Department of Transportation, and to the comprehensive plans for growth and development of the Municipalities of Durham, Chapel Hill, Carrboro, and Hillsborough; and the Counties of Durham, Orange, and Chatham. Attention will be given to cooperative planning with the neighboring metropolitan and rural planning organizations.
5. The continuing transportation planning process will be in accordance with the intent, procedures, and programs of Title VI of the Civil Rights Act of 1964, as amended.
6. The continuing transportation planning process will be in accordance with the intent, procedures, and programs of Clean Air Act of 1970, as amended.
7. Transportation policy decisions within the MPO are the shared responsibility of the MPO Board, the N.C. Board of Transportation, and participating local governments.
8. Transportation plans and programs, and land use policies and programs, for the Planning Area, having regional impacts, will be coordinated with Triangle Transit, the neighboring metropolitan and rural planning organizations, and Triangle J Council of Governments.
9. A MPO Board is hereby established with the responsibility for cooperative transportation decision-making for the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO). The MPO Board shall have the responsibility for keeping the policy boards informed of the status and requirements of the transportation planning process; assisting in the dissemination and clarification of the decisions, inclinations, and policies of the policy boards, and for providing opportunities for citizen participation in the transportation planning process.

The MPO Board will be responsible for carrying out the provisions of 23 U.S.C. Section 134; Title 49 U.S.C. Chapter 53; and 42 U.S.C. 7504 and 7506(c); including but not limited to:

- a. Establishment of goals and objectives for the transportation planning process;

- b. Review and approval of a Prospectus for transportation planning which defines work tasks and responsibilities for the various agencies participating in the transportation planning process;
- c. Review and approval of the transportation Unified Planning Work Program;
- d. Review and approval of changes to the National Highway System, Functional Classification, and Metropolitan Planning Area boundary;
- e. Review and approval of the Comprehensive and Metropolitan Transportation Plans. As specified in General Statutes Section 136-66.2(a), the Comprehensive Transportation Plan shall include the projects in the Metropolitan Transportation Plan and may include additional projects that are not included in the financially constrained plan or are anticipated to be needed beyond the horizon year as required by 23 U.S.C. Section 134. As specified in General Statutes Section 136-66.2(d) revisions to the Comprehensive Transportation Plan are required to be jointly approved by the North Carolina Department of Transportation and the MPO Board;
- f. Review and approval of the Transportation Improvement Program and changes to the Transportation Improvement Program. As specified in 23 U.S.C. Section 134(k), all federally funded projects carried out within the boundaries of a metropolitan planning area serving a transportation management area (excluding projects carried out on the National Highway System) shall be selected for implementation from the approved TIP by the metropolitan planning organization designated for the area in consultation with the State and any affected public transportation operator;
- g. Review and approval of planning procedures for air quality conformity and review and approval of air quality conformity determination for projects, programs, and plans;
- h. Review and approval of a Congestion Management Process;
- i. Review and approval of the distribution and oversight of federal funds designated for the DCHC MPO under the provisions of MAP-21 and any other subsequent Transportation Authorizations;
- j. Review and approval of a policy for public involvement for the DCHC MPO;
- k. Review and approval of an agreement between the MPO, the State, and public transportation operators serving the Metropolitan Planning Area that defines mutual responsibilities for carrying out the metropolitan planning process in accordance with 23 C.F.R. 450.314;

- l. Oversight of the Lead Planning Agency staff;
- m. Revision in membership of the MPO Technical Committee hereinafter defined;
- n. Development and approval of committee bylaws for the purpose of establishing operating policies and procedures;
- o. Review and approval of cooperative agreements with other transportation organizations, transportation providers, counties, and municipalities.

The membership of the MPO Board shall include:

- a. Two members of the Durham City Council;
- b. One member of the Chapel Hill Town Council;
- c. One member of the Carrboro Board of Aldermen;
- d. One member of the Hillsborough Board of Commissioners;
- e. One member of the Durham County Board of Commissioners;
- f. One member of the Orange County Board of Commissioners;
- g. One member of the Chatham County Board of Commissioners;
- h. One member of the North Carolina Board of Transportation;
- i. One member of the Triangle Transit Board of Trustees.

Municipal and county public transit providers shall be represented on the MPO Board through their respective municipal and county local government board members.

It shall be the responsibility of each member jurisdiction to appoint a representative and an alternate(s) to the MPO Board.

A quorum of the MPO Board shall consist of a majority of the voting members whose votes together represent a majority of the possible weighted votes identified in the weighted vote schedule below. A majority vote shall be sufficient for approval of matters coming before the committee with the exception that a committee member may invoke the following weighted vote provisions on any matter:

<u>Government Body</u>	<u>Votes</u>
City of Durham	16*
Town of Chapel Hill	6
Durham County	4
Orange County	4
Town of Carrboro	2
Chatham County	2
Town of Hillsborough	2
N.C. Board of Transportation	1

Triangle Transit	<u>1</u>
Total	38

* 8 votes per representative

Representatives from each of the following bodies will serve as non-voting members of the MPO Board:

- a. A representative of the Federal Highway Administration;
- b. A representative of the Federal Transit Administration;
- c. Other local, regional, state, or federal agencies impacting transportation in the planning area at the invitation of the MPO Board.

The MPO Board will meet as often as it is deemed appropriate and advisable. On the basis of a majority vote, the MPO Board may appoint members of the Board to act as Chair and Vice-Chair with the responsibility for coordination of the Board's activities. A member of the Lead Planning Agency staff will serve as Secretary to the Board and will work cooperatively with the staff of other jurisdictions.

10. A MPO Technical Committee shall be established with the responsibility of general review, guidance and coordination of the transportation planning process for the planning area and with the responsibility for making recommendations to the respective local, state, and federal governmental agencies and the MPO Board regarding any necessary actions relating to the continuing transportation planning process. The MPO Technical Committee shall be responsible for development, review and recommendations for approval and changes to the Prospectus, Unified Planning Work Program, Transportation Improvement Program, National Highway System, Functional Classification, Metropolitan Planning Area boundary, Metropolitan Transportation Plan, and Comprehensive Transportation Plan, for planning citizen participation, and for documenting reports of various transportation studies.

Membership of the MPO Technical Committee shall include technical representatives from local and state agencies directly related to and concerned with the transportation planning process for the planning area. Representatives will be designated by the chief executive officer of each represented agency. Departments or divisions within local and state agencies that should be represented on the MPO Technical Committee include, but are not limited to, those responsible for transportation planning, land use planning, transportation operations, public works and construction, engineering, public transportation, environmental conservation and planning, bicycle and pedestrian planning, and economic development. Initially, the membership shall include, but not be limited to, the following:

- a. The City of Durham 5 representatives
- b. The Town of Chapel Hill 3 representatives

c. The Town of Carrboro	2 representatives
d. The Town of Hillsborough	1 representative
e. Durham County	3 representatives
f. Orange County	3 representatives
g. Chatham County	1 representative
h. The N.C. Department of Transportation	5 representatives
i. Triangle J Council of Governments	1 representative
j. Duke University	1 representative
k. N.C. Central University	1 representative
l. The University of North Carolina	1 representative
m. The Raleigh-Durham Airport Authority	1 representative
n. Triangle Transit	1 representative
o. The Research Triangle Park Foundation	1 representative
p. The N.C. Department of the Environment and Natural Resources	1 representative

The City of Durham's membership shall not include members of the Lead Planning Agency staff.

In addition to voting membership, the following agencies shall have non-voting membership:

a. The Federal Highway Administration	1 representative
b. The Federal Transit Administration	1 representative
c. The U.S. Army Corps of Engineers	1 representative
d. The U.S. Environmental Protection Agency	1 representative
e. The U.S. Fish and Wildlife Service	1 representative
f. The N.C. Department of Cultural Resources	1 representative
g. The N.C. Department of Commerce	1 representative
h. The U.S. Department of Housing and Urban Development	1 representative
i. The N.C. Railroad Company	1 representative
j. The N.C. Trucking Association	1 representative
k. The N.C. Motorcoach Association	1 representative
l. Regional Transportation Alliance	1 representative

The MPO Technical Committee shall meet when it is deemed appropriate and advisable. On the basis of a majority vote, the MPO Technical Committee may appoint voting members of the Committee to act as Chair and Vice-Chair with the responsibility for coordination of the Committee's activities.

11. The Durham City Council, Chapel Hill Town Council, Carrboro Board of Aldermen, Hillsborough Board of Commissioners, Durham County Board of Commissioners, Orange County Board of Commissioners, and Chatham County Board of Commissioners shall

serve as the primary means for citizen input to the continuing transportation planning process. During the Metropolitan Transportation Plan reevaluation, citizen involvement in the planning process shall be encouraged during re-analysis of goals and objectives and plan formation. This citizen involvement will be obtained through procedures outlined in the MPO's policy for public involvement.

The MPO Board may also receive public input or hold public hearings as may also be required by federal or state law.

Section II

It is further agreed that the subscribing agencies will have the following responsibilities, these responsibilities being those most logically assumed by the several agencies:

The Municipalities and the Counties

The municipalities and the counties will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Prospectus. The municipalities and the counties shall coordinate zoning and subdivision approval within their respective jurisdictions in accordance with the adopted Metropolitan Transportation Plan and the Comprehensive Transportation Plan.

Additionally, the City of Durham will serve as the Lead Planning Agency for the transportation planning process in the Planning Area.

The municipalities and the counties will participate in funding the portion of the costs of the MPO's work program not covered by federal or state funding as reflected in the annual Planning Work Program approved by the MPO Board. The portion to be paid by each municipal and county member government will be based upon its pro rata share of population within the MPO Planning Area, utilizing the most recent certified North Carolina Office of State Planning municipal and county population estimates. In addition, MPO members may also voluntarily contribute additional funds for other purposes such as to participate in funding the costs of special studies, or other specialized services as mutually agreed upon.

Funding provided by member agencies will be used to provide the required local match to federal funds. Failure by member agencies to pay the approved share of costs would impact the MPO's ability to match federal funds and could have the effect of invalidating the MPO's Unified Planning Work Program and the annual MPO self-certification, and could also result in the withholding of transportation project funds. Failure by member governments to pay the approved share of costs may also result in the withholding of MPO services and funding.

The municipalities and the counties receiving federal transportation funding designated for the Durham Urbanized Area as approved by the MPO Board through the Unified Planning Work Program shall comply with adopted reporting and oversight procedures.

North Carolina Department of Transportation

The Department will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Prospectus. Should any authorized local government body choose to adopt or amend a transportation corridor official map for a proposed public transportation corridor pursuant to N.C.G.S. § 136-44.50, the Department may offer assistance by providing mapping, data, inventories, or other Department resources that could aid the local government body in adopting or amending a transportation corridor official map.

Triangle Transit

Triangle Transit will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Prospectus. Triangle Transit shall comply with adopted reporting and oversight procedures for the receipt of federal transportation funding designated for the Durham Urbanized Area as approved by the MPO Board through the Unified Planning Work Program.

E-Verify Compliance for All Parties to this Agreement

Each of the parties covenants that if it enters into any subcontracts in order to perform any of its obligations under this contract, it shall require that the contractors and their subcontractors comply with the requirements of NC Gen. Stat. Article 2 of Chapter 64. In this E-Verify Compliance section, the words contractors, subcontractors, and comply shall have the meanings intended by applicable provisions of NC Gen. Stat. Chapters 153A and 160A.

Section III

Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving ninety (90) days written notice to the other parties prior to the date of termination. If any party should terminate participation, this Memorandum of Understanding shall remain in force and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization shall continue to operate as long as 75% or more of the population within the Metropolitan Planning Area is represented by the remaining members. For the purpose of determining 75% representation, the populations within incorporated areas are represented by the respective municipal governments and the populations within the unincorporated areas are represented by the respective county governments.

Section IV

In witness whereof, the parties of this Memorandum of Understanding have been authorized by appropriate and proper resolutions to sign the same, the City of Durham by its City Manager, the Town of Chapel Hill by its Mayor, the Town of Carrboro by its Mayor, the Town of Hillsborough by its Mayor, Durham County by its Chair, Orange County by its Chair, Chatham County by its Chair, Triangle Transit by its Chair, and the Secretary of Transportation on behalf of the Governor of the State of North Carolina and the North Carolina Department of Transportation, this the _____ day of _____, ____.

(Seal)

City of Durham

Clerk

By _____
Manager

(Seal)

Town of Chapel Hill

Clerk

By _____
Mayor

(Seal)

Town of Carrboro

Clerk

By _____
Mayor

(Seal)

Town of Hillsborough

Clerk

By _____
Mayor

(Seal)

County of Durham

Clerk

By _____
Chair

(Seal)

County of Orange

Clerk

By _____
Chair

(Seal)

County of Chatham

Clerk

By _____
Chair

(Seal)

Triangle Transit

Clerk

By _____
Chair

(Seal)

North Carolina Department of
Transportation

By _____
Secretary

**DURHAM-CHAPEL HILL-CARRBORO
METROPOLITAN PLANNING ORGANIZATION**

**MEMORANDUM OF UNDERSTANDING
FOR
COOPERATIVE, COMPREHENSIVE, AND CONTINUING
TRANSPORTATION PLANNING**

Between

THE GOVERNOR OF THE STATE OF NORTH CAROLINA,
CITY OF DURHAM, TOWN OF CHAPEL HILL, TOWN OF CARRBORO
TOWN OF HILLSBOROUGH, COUNTY OF DURHAM,
COUNTY OF ORANGE, COUNTY OF CHATHAM, TRIANGLE TRANSIT, AND
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

Comment [BE1]: Added

in cooperation with

THE UNITED STATES DEPARTMENT OF TRANSPORTATION

November 13, 2013

WITNESSETH THAT

WHEREAS, Section 134(a) of Title 23 United States Codes states:

Comment [BE2]: Reference U.S.C. first as it establishes the basis for MPOs

Policy – It is in the national interest—

(1) to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between States and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes identified in this chapter; and
(2) to encourage the continued improvement and evolution of the metropolitan and statewide transportation planning processes by metropolitan planning organizations, State departments of transportation, and public transit operators as guided by the planning factors identified in subsection (h) and section 135(d).

WHEREAS, Section 134(c) of Title 23 United States Codes states:

General Requirements.—

(1) Development of long-range plans and TIPs.— To accomplish the objectives in subsection (a), metropolitan planning organizations designated under subsection (d), in cooperation with the State and public transportation operators, shall

1 develop long-range transportation plans and transportation improvement
2 programs through a performance-driven, outcome-based approach to planning
3 for metropolitan areas of the State.

4 (2) Contents.— The plans and TIPs for each metropolitan area shall provide for
5 the development and integrated management and operation of transportation
6 systems and facilities (including accessible pedestrian walkways and bicycle
7 transportation facilities) that will function as an intermodal transportation
8 system for the metropolitan planning area and as an integral part of an
9 intermodal transportation system for the State and the United States.

10 (3) Process of development.— The process for developing the plans and TIPs
11 shall provide for consideration of all modes of transportation and shall be
12 continuing, cooperative, and comprehensive to the degree appropriate, based
13 on the complexity of the transportation problems to be addressed.

14
15 WHEREAS, Chapter 136, Section 66.2(a) of the General Statutes of North Carolina states:

16 Each MPO, with cooperation of the Department of Transportation, shall develop a
17 comprehensive transportation plan in accordance with 23 U.S.C. Section 134. In
18 addition, an MPO may include projects in its transportation plan that are not included in
19 a financially constrained plan or are anticipated to be needed beyond the horizon year
20 as required by 23 U.S.C. Section 134. For municipalities located within an MPO, the
21 development of a comprehensive transportation plan will take place through the
22 metropolitan planning organization. For purposes of transportation planning and
23 programming, the MPO shall represent the municipality's interests to the Department of
24 Transportation.
25
26

27 WHEREAS, Chapter 136, Section 66.2(b) of the General Statutes of North Carolina states:

28 After completion and analysis of the plan, the plan shall be adopted by both the
29 governing body of the municipality or MPO and the Department of Transportation as
30 the basis for future transportation improvements in and around the municipality or
31 within the MPO. The governing body of the municipality and the Department of
32 Transportation shall reach agreement as to which of the existing and proposed streets
33 and highways included in the adopted plan will be a part of the State highway system
34 and which streets will be a part of the municipal street system. As used in this Article,
35 the State highway system shall mean both the primary highway system of the State and
36 the secondary road system of the State within municipalities.
37
38

39 WHEREAS, Chapter 136, Section 66.2(d) of the General Statutes of North Carolina states:

40 For MPOs, either the MPO or the Department of Transportation may propose changes
41 in the plan at any time by giving notice to the other party, but no change shall be
42 effective until it is adopted by both the Department of Transportation and the MPO.
43
44

Comment [BE3]: Reference N.C. General Statutes second as it establishes a requirement for MPOs

1 WHEREAS, a transportation planning process includes the operational procedures and working
2 arrangements by which short and long-range transportation plans are soundly conceived and
3 developed and continuously evaluated in a manner that will:

- 4
5 1. Assist governing bodies and official agencies in determining courses of action and in
6 formulating attainable capital improvement programs in anticipation of community
7 needs; and,
8
- 9 2. Guide private individuals and groups in planning their decisions which can be important
10 factors in the pattern of future development and redevelopment of the area;
11

12 WHEREAS, it is the desire of these agencies that a continuing, cooperative, and comprehensive
13 transportation planning process, be established for the Durham-Chapel Hill-Carrboro
14 Metropolitan Planning Area in compliance with Title 23 U.S.C. Section 134 and any subsequent
15 amendments to that statute, and any implementing regulations; Title 49 U.S.C. Chapter 53 and
16 any subsequent amendments to these statutes, and any implementing regulations; and the
17 Clean Air Act of 1970, as amended, [42 U.S.C. 7504 and 7506(c)].

18
19 WHEREAS, it is the desire of these parties that all prior Memoranda of Understanding between the
20 parties be superseded and replaced by this Memorandum of Understanding.
21

22 NOW THEREFORE, the following Memorandum of Understanding is made:
23

24 Section I

25
26 It is hereby agreed that the City of Durham, Town of Chapel Hill, Town of Carrboro, Town of
27 Hillsborough, County of Durham, County of Orange, County of Chatham, and the North Carolina
28 Department of Transportation in cooperation with the United States Department of
29 Transportation will participate in a continuing, cooperative, and comprehensive transportation
30 planning process with responsibilities and undertakings as related in the following paragraphs:
31

- 32 1. The Durham-Chapel Hill-Carrboro Metropolitan Planning Area, will consist of the
33 Durham Urbanized Area as defined by the United States Department of Commerce,
34 Bureau of the Census, plus that area beyond the existing urbanized area boundary that
35 is expected to become urbanized or be affected by urban policies within a twenty-year
36 planning period. This area is hereinafter referred to as the Metropolitan Planning Area.
37
- 38 2. The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) shall
39 include the boards of general purpose local government – the Durham City Council,
40 Chapel Hill Town Council, Carrboro Board of Aldermen, Hillsborough Board of
41 Commissioners, Durham County Board of Commissioners, Orange County Board of
42 Commissioners, and Chatham County Board of Commissioners; the North Carolina
43 Department of Transportation; a MPO Board hereinafter defined, a MPO Technical

Comment [BE4]: Changed from “Durham Urbanized Area” in response to NCDOT comment.

Comment [BE5]: Changed reference from Federal Transit Act of 1991 to the U.S.C. related to Metropolitan Planning and public transportation

Comment [BE6]: Added Clean Air Act – references U.S.C. requirements on conformity

Comment [BE7]: Added.

Comment [BE8]: Metropolitan Planning Area – not Metropolitan Area Boundary – is term used in U.S.C.

Comment [BE9]: Changed from Durham-Chapel Hill-Carrboro Urbanized Area. Census uses “Durham Urbanized Area”

Comment [BE10]: New name for TAC

Committee hereinafter defined, and the various agencies and units of local, regional, state, and federal government participating in the transportation planning for the area.

Comment [BE11]: New name for TCC

Comment [BE12]: Added regional. Could refer to TJCOG, Triangle Transit, etc.

3. The Metropolitan Planning Area boundary will be periodically reviewed and revised in light of new developments, basic data projections for the current planning period, and as may otherwise be required by federal and state laws.

4. The continuing transportation planning process will be a cooperative one reflective of and responsive to the programs of the North Carolina Department of Transportation, and to the comprehensive plans for growth and development of the Municipalities of Durham, Chapel Hill, Carrboro, and Hillsborough; and the Counties of Durham, Orange, and Chatham. Attention will be given to cooperative planning with the neighboring metropolitan and rural planning organizations.

Comment [BE13]: Changed to more inclusive language (previously only referenced CAMPO).

5. The continuing transportation planning process will be in accordance with the intent, procedures, and programs of Title VI of the Civil Rights Act of 1964, as amended.

6. The continuing transportation planning process will be in accordance with the intent, procedures, and programs of Clean Air Act of 1970, as amended.

Comment [BE14]: Added

7. Transportation policy decisions within the MPO are the shared responsibility of the MPO Board, the N.C. Board of Transportation, and participating local governments.

Comment [BE15]: Changed from "Planning Area" in response to NCDOT comment.

8. Transportation plans and programs, and land use policies and programs, for the Planning Area, having regional impacts, will be coordinated with Triangle Transit, the neighboring metropolitan and rural planning organizations, and Triangle J Council of Governments.

Comment [BE16]: Changed to more inclusive language (previously only referenced CAMPO).

9. A MPO Board is hereby established with the responsibility for cooperative transportation decision-making for the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO). The MPO Board shall have the responsibility for keeping the policy boards informed of the status and requirements of the transportation planning process; assisting in the dissemination and clarification of the decisions, inclinations, and policies of the policy boards, and for providing opportunities for citizen participation in the transportation planning process.

The MPO Board will be responsible for carrying out the provisions of 23 U.S.C. Section 134; Title 49 U.S.C. Chapter 53; and 42 U.S.C. 7504 and 7506(c); including but not limited to:

Comment [BE17]: Updated reference to public transportation U.S.C.

Comment [BE18]: Added. References Clean Air Act requirements.

- a. Establishment of goals and objectives for the transportation planning process;

- 1 b. Review and approval of a Prospectus for transportation planning which defines
2 work tasks and responsibilities for the various agencies participating in the
3 transportation planning process;
4
5 c. Review and approval of the transportation Unified Planning Work Program;
6
7 d. Review and approval of changes to the National Highway System, Functional
8 Classification, and Metropolitan Planning Area boundary;
9
10 e. Review and approval of the Comprehensive and Metropolitan Transportation
11 Plans. As specified in General Statutes Section 136-66.2(a), the Comprehensive
12 Transportation Plan shall include the projects in the Metropolitan Transportation
13 Plan and may include additional projects that are not included in the financially
14 constrained plan or are anticipated to be needed beyond the horizon year as
15 required by 23 U.S.C. Section 134. As specified in General Statutes Section 136-
16 66.2(d) revisions to the Comprehensive Transportation Plan are required to be
17 jointly approved by the North Carolina Department of Transportation and the
18 MPO Board;
19
20 f. Review and approval of the Transportation Improvement Program and changes
21 to the Transportation Improvement Program. As specified in 23 U.S.C. Section
22 134(k), all federally funded projects carried out within the boundaries of a
23 metropolitan planning area serving a transportation management area
24 (excluding projects carried out on the National Highway System) shall be
25 selected for implementation from the approved TIP by the metropolitan
26 planning organization designated for the area in consultation with the State and
27 any affected public transportation operator;
28
29 g. Review and approval of planning procedures for air quality conformity and
30 review and approval of air quality conformity determination for projects,
31 programs, and plans;
32
33 h. Review and approval of a Congestion Management Process;
34
35 i. Review and approval of the distribution and oversight of federal funds designated
36 for the DCHC MPO under the provisions of MAP-21 and any other subsequent
37 Transportation Authorizations;
38
39 j. Review and approval of a policy for public involvement for the DCHC MPO;
40
41 k. Review and approval of an agreement between the MPO, the State, and public
42 transportation operators serving the Metropolitan Planning Area that defines
43 mutual responsibilities for carrying out the metropolitan planning process in
44 accordance with 23 C.F.R. 450.314;

Comment [BE19]: Old MOU includes “urban area boundary”. Urbanized area set by Census. Smoothed UZA no longer necessary.

Comment [BE20]: Changed from “as well as” in response to NCDOT comment

Comment [BE21]: Changed from “may be” in response to NCDOT comment.

Comment [BE22]: Updated to reflect current names of plans and legislation.

Comment [BE23]: Added reference to specific language for selection of TIP projects in Transportation Management Areas.

Comment [BE24]: Added

Comment [BE25]: Added

Comment [BE26]: Changed from “Durham Urbanized Area” in response to NCDOT comment.

Comment [BE27]: Added

Comment [BE28]: Added

Comment [BE29]: Added

1
2 l. Oversight of the Lead Planning Agency staff;

Comment [BE30]: Added

3
4 m. Revision in membership of the MPO Technical Committee hereinafter defined;

5
6 n. Development and approval of committee bylaws for the purpose of establishing
7 operating policies and procedures;

8
9 o. Review and approval of cooperative agreements with other transportation
10 organizations, transportation providers, counties, and municipalities.

Comment [BE31]: Added.

11
12 The membership of the MPO Board shall include:

- 13
14 a. Two members of the Durham City Council;
15 b. One member of the Chapel Hill Town Council;
16 c. One member of the Carrboro Board of Aldermen;
17 d. One member of the Hillsborough Board of Commissioners;
18 e. One member of the Durham County Board of Commissioners;
19 f. One member of the Orange County Board of Commissioners;
20 g. One member of the Chatham County Board of Commissioners;
21 h. One member of the North Carolina Board of Transportation;
22 i. One member of the Triangle Transit Board of Trustees.

23
24 Municipal and county public transit providers shall be represented on the MPO Board
25 through their respective municipal and county local government board members.

Comment [BE32]: Added to address MAP-21
requirement that transit providers be voting members
of the MPO Board.

26
27 It shall be the responsibility of each member jurisdiction to appoint a representative and
28 an alternate(s) to the MPO Board.
29

30 A quorum of the MPO Board shall consist of a majority of the voting members whose
31 votes together represent a majority of the possible weighted votes identified in the
32 weighted vote schedule below. A majority vote shall be sufficient for approval of
33 matters coming before the committee with the exception that a committee member
34 may invoke the following weighted vote provisions on any matter:
35

Government Body	Votes
City of Durham	16*
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Durham County	4
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Chatham County	2
Town of Hillsborough	2
N.C. Board of Transportation	1

Triangle Transit	1
Total	38

* 8 votes per representative

Representatives from each of the following bodies will serve as non-voting members of the MPO Board:

- a. A representative of the Federal Highway Administration;
- b. A representative of the Federal Transit Administration;
- c. Other local, regional, state, or federal agencies impacting transportation in the planning area at the invitation of the MPO Board.

The MPO Board will meet as often as it is deemed appropriate and advisable. On the basis of a majority vote, the MPO Board may appoint members of the Board to act as Chair and Vice-Chair with the responsibility for coordination of the Board's activities. A member of the Lead Planning Agency staff will serve as Secretary to the Board and will work cooperatively with the staff of other jurisdictions.

10. A MPO Technical Committee shall be established with the responsibility of general review, guidance and coordination of the transportation planning process for the planning area and with the responsibility for making recommendations to the respective local, state, and federal governmental agencies and the MPO Board regarding any necessary actions relating to the continuing transportation planning process. The MPO Technical Committee shall be responsible for development, review and recommendations for approval and changes to the Prospectus, Unified Planning Work Program, Transportation Improvement Program, National Highway System, Functional Classification, Metropolitan Planning Area boundary, Metropolitan Transportation Plan, and Comprehensive Transportation Plan, for planning citizen participation, and for documenting reports of various transportation studies.

Membership of the MPO Technical Committee shall include technical representatives from local and state agencies directly related to and concerned with the transportation planning process for the planning area. Representatives will be designated by the chief executive officer of each represented agency. Departments or divisions within local and state agencies that should be represented on the MPO Technical Committee include, but are not limited to, those responsible for transportation planning, land use planning, transportation operations, public works and construction, engineering, public transportation, environmental conservation and planning, bicycle and pedestrian planning, and economic development. Initially, the membership shall include, but not be limited to, the following:

- a. The City of Durham 5 representatives
- b. The Town of Chapel Hill 3 representatives

Comment [BE33]: Proposed Weighted Voting is based on the current MOU, but makes Durham County and Orange County equivalent due to similar populations and increases Chapel Hill due to comparatively larger size. In response to Carrboro's comments, all local governments receive a minimum of two votes. The number of weighted votes for all jurisdictions were doubled from the draft MOU. Quorum is 6 members who represent 20 weighted votes.

Comment [BE34]: Current MOU "A Division Administrator(s) of the Federal Highway Administration and/or the Federal Transit Administration, or their representative(s);"

Comment [BE35]: Changed from City of Durham Department of Transportation

Comment [BE36]: Changed from "the transportation study" in response to Orange County comment.

Comment [BE37]: Added.

- c. The Town of Carrboro 2 representatives
- d. The Town of Hillsborough 1 representative
- e. Durham County 3 representatives
- f. Orange County 3 representatives
- g. Chatham County 1 representative
- h. The N.C. Department of Transportation 5 representatives
- i. Triangle J Council of Governments 1 representative
- j. Duke University 1 representative
- k. N.C. Central University 1 representative
- l. The University of North Carolina 1 representative
- m. The Raleigh-Durham Airport Authority 1 representative
- n. Triangle Transit 1 representative
- o. The Research Triangle Park Foundation 1 representative
- p. The N.C. Department of the Environment and Natural Resources 1 representative

Comment [BE38]: Increased to 3 to be equal with Durham County.

Comment [BE39]: Added due to air quality and Merger Process roles

The City of Durham's membership shall not include members of the Lead Planning Agency staff.

Comment [BE40]: Added

In addition to voting membership, the following agencies shall have non-voting membership:

- a. The Federal Highway Administration 1 representative
- b. The Federal Transit Administration 1 representative
- c. The U.S. Army Corps of Engineers 1 representative
- d. The U.S. Environmental Protection Agency 1 representative
- e. The U.S. Fish and Wildlife Service 1 representative
- f. The N.C. Department of Cultural Resources 1 representative
- g. The N.C. Department of Commerce 1 representative
- h. The U.S. Department of Housing and Urban Development 1 representative
- i. The N.C. Railroad Company 1 representative
- j. The N.C. Trucking Association 1 representative
- k. The N.C. Motorcoach Association 1 representative
- l. Regional Transportation Alliance 1 representative

Comment [BE41]: Current MOU says 2 from USDOT. Proposed MOU specifically requests one from FHWA and one from FTA.

Comment [BE42]: Added – all have role in Merger Process

Comment [BE43]: Added due to Livability Initiative.

Comment [BE44]: Added to incorporate freight interests.

Comment [BE45]: Added as a substitute for the Greyhound membership currently in the TCC bylaws. Represents private charter bus operators.

Comment [BE46]: Added to incorporate economic development interests.

The MPO Technical Committee shall meet when it is deemed appropriate and advisable. On the basis of a majority vote, the MPO Technical Committee may appoint voting members of the Committee to act as Chair and Vice-Chair with the responsibility for coordination of the Committee's activities.

11. The Durham City Council, Chapel Hill Town Council, Carrboro Board of Aldermen, Hillsborough Board of Commissioners, Durham County Board of Commissioners, Orange County Board of Commissioners, and Chatham County Board of Commissioners shall

1 serve as the primary means for citizen input to the continuing transportation planning
2 process. During the Metropolitan Transportation Plan reevaluation, citizen involvement
3 in the planning process shall be encouraged during re-analysis of goals and objectives
4 and plan formation. This citizen involvement will be obtained through procedures
5 outlined in the MPO's policy for public involvement.

Comment [BE47]: Deleted "...goals and objectives surveys, neighborhood forums, and public hearings in accordance with..."

6
7 The MPO Board may also receive public input or hold public hearings as may also be
8 required by federal or state law.
9

Comment [BE48]: Changed from "North Carolina Highway Action Plan"

10 Section II

11
12 It is further agreed that the subscribing agencies will have the following responsibilities, these
13 responsibilities being those most logically assumed by the several agencies:
14

15 The Municipalities and the Counties

Comment [BE49]: Condensed into one section. Current MOU includes identical language for all seven municipalities and counties.

16
17 The municipalities and the counties will assist in the transportation planning process by
18 providing planning assistance, data, and inventories in accordance with the Prospectus.
19 The municipalities and the counties shall coordinate zoning and subdivision approval
20 within their respective jurisdictions in accordance with the adopted Metropolitan
21 Transportation Plan and the Comprehensive Transportation Plan.
22

23 Additionally, the City of Durham will serve as the Lead Planning Agency for the
24 transportation planning process in the Planning Area.
25

26 The municipalities and the counties will participate in funding the portion of the costs of
27 the MPO's work program not covered by federal or state funding as reflected in the
28 annual Planning Work Program approved by the MPO Board. The portion to be paid by
29 each municipal and county member government will be based upon its pro rata share of
30 population within the MPO Planning Area, utilizing the most recent certified North
31 Carolina Office of State Planning municipal and county population estimates. In
32 addition, MPO members may also voluntarily contribute additional funds for other
33 purposes such as to participate in funding the costs of special studies, or other
34 specialized services as mutually agreed upon.

Comment [BE50]: Added in response to Chapel Hill comment.

Comment [BE51]: Added. Uses same language as CAMPO.

35
36 Funding provided by member agencies will be used to provide the required local match
37 to federal funds. Failure by member agencies to pay the approved share of costs would
38 impact the MPO's ability to match federal funds and could have the effect of
39 invalidating the MPO's Unified Planning Work Program and the annual MPO self-
40 certification, and could also result in the withholding of transportation project funds.
41 Failure by member governments to pay the approved share of costs may also result in
42 the withholding of MPO services and funding.
43
44

Comment [BE52]: Added. This paragraph was rewritten in response to NCDOT and Orange County comment.

1 The municipalities and the counties receiving federal transportation funding designated
2 for the Durham Urbanized Area as approved by the MPO Board through the Unified
3 Planning Work Program shall comply with adopted reporting and oversight procedures.

Comment [BE53]: Added

4 North Carolina Department of Transportation

5
6
7 The Department will assist in the transportation planning process by providing planning
8 assistance, data, and inventories in accordance with the Prospectus. Should any
9 authorized local government body choose to adopt or amend a transportation corridor
10 official map for a proposed public transportation corridor pursuant to N.C.G.S. § 136-
11 44.50, the Department may offer assistance by providing mapping, data, inventories, or
12 other Department resources that could aid the local government body in adopting or
13 amending a transportation corridor official map.

Comment [BE54]: Changed from “The Department, to the fullest extent possible and as permitted by existing state and federal regulations, will provide assistance in the protection of necessary rights-of-way for those transportation facilities designated in the adopted Metropolitan Transportation Plan and Comprehensive Transportation Plan” in response to NCDOT comment.

14 Triangle Transit

15
16
17 Triangle Transit will assist in the transportation planning process by providing planning
18 assistance, data, and inventories in accordance with the Prospectus. Triangle Transit
19 shall comply with adopted reporting and oversight procedures for the receipt of federal
20 transportation funding designated for the Durham Urbanized Area as approved by the
21 MPO Board through the Unified Planning Work Program.

Comment [BE55]: Added.

22 E-Verify Compliance for All Parties to this Agreement

23
24
25 Each of the parties covenants that if it enters into any subcontracts in order to perform
26 any of its obligations under this contract, it shall require that the contractors and their
27 subcontractors comply with the requirements of NC Gen. Stat. Article 2 of Chapter
28 64. In this E-Verify Compliance section, the words contractors, subcontractors, and
29 comply shall have the meanings intended by applicable provisions of NC Gen. Stat.
30 Chapters 153A and 160A.

Comment [BE56]: Added in response to City of Durham comment.

31 Section III

32
33
34 Parties to this Memorandum of Understanding may terminate their participation in the
35 continuing transportation planning process by giving ninety (90) days written notice to the
36 other parties prior to the date of termination. If any party should terminate participation, this
37 Memorandum of Understanding shall remain in force and the Durham-Chapel Hill-Carrboro
38 Metropolitan Planning Organization shall continue to operate as long as 75% or more of the
39 population within the Metropolitan Planning Area is represented by the remaining members.
40 For the purpose of determining 75% representation, the populations within incorporated areas
41 are represented by the respective municipal governments and the populations within the
42 unincorporated areas are represented by the respective county governments.

Comment [BE57]: Changed from “thirty (30)” in response to Carrboro and City of Durham comment.

43 Section IV

1
2 In witness whereof, the parties of this Memorandum of Understanding have been authorized
3 by appropriate and proper resolutions to sign the same, the City of Durham by its Manager, the
4 Town of Chapel Hill by its Mayor, the Town of Carrboro by its Mayor, the Town of Hillsborough
5 by its Mayor, Durham County by its Chair, Orange County by its Chair, Chatham County by its
6 Chair, Triangle Transit by its Chair, and the Secretary of Transportation on behalf of the
7 Governor of the State of North Carolina and the North Carolina Department of Transportation,
8 this the _____ day of _____, ____.

Comment [BE58]: Added in response to
NCDOT comment.

9
10 (Seal) _____ City of Durham

11
12
13
14 _____ By _____
15 Clerk _____ Manager

16
17 (Seal) _____ Town of Chapel Hill

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21 _____ By _____
22 Clerk _____ Mayor

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24 (Seal) _____ Town of Carrboro

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28 _____ By _____
29 Clerk _____ Mayor

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31 (Seal) _____ Town of Hillsborough

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35 _____ By _____
36 Clerk _____ Mayor

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38 (Seal) _____ County of Durham

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42 _____ By _____
43 Clerk _____ Chair

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(Seal) County of Orange

Clerk By _____
Chair

(Seal) County of Chatham

Clerk By _____
Chair

(Seal) Triangle Transit

Clerk By _____
Chair

(Seal) North Carolina Department of
Transportation

By _____
Secretary

Comment [BE59]: Signature lines will be on separate pages in the final MOU for easier execution.

NORTH CAROLINA

DURHAM-CHAPEL HILL-CARRBORO
METROPOLITAN PLANNING ORGANIZATION

MEMORANDUM OF UNDERSTANDING

for

CONTINUING, COOPERATIVE, AND COMPREHENSIVE
TRANSPORTATION PLANNING

between

THE GOVERNOR OF THE STATE OF NORTH CAROLINA,
CITY OF DURHAM, TOWN OF CHAPEL HILL, TOWN OF CARRBORO,
TOWN OF HILLSBOROUGH, COUNTY OF DURHAM,
COUNTY OF ORANGE, COUNTY OF CHATHAM, AND
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

in cooperation with

THE UNITED STATES DEPARTMENT OF TRANSPORTATION

September 10, 1993

WITNESSETH THAT

WHEREAS, Chapter 136, Article 3A, Section 136-66.2(a) of the General Statutes of North Carolina require that:

"Each municipality with the cooperation of the Department of Transportation, shall develop a comprehensive plan for a street system that will serve present and anticipated volumes of vehicular traffic in and around the municipality. The plan shall be based on the best information available including, but not limited to, population growth, economic conditions and prospects, and patterns of land development in and around the municipality and shall provide for the safe and effective use of streets and highways through such means as parking regulations, signal systems, and traffic signs, markings, and other devices. The Department of Transportation may provide financial and technical assistance in the preparation of such plans."; and,

WHEREAS, the said Chapter 136, Article 3A, Section 136-66.2(b) provides that:

"After completion and analysis of the plan, the plan may be adopted by both the governing body of the municipality and the Department of Transportation as the basis for future street and highway improvements in and around the municipality. As a part of the plan, the governing body of the municipality and the Department of Transportation shall reach an agreement as to which of the existing and proposed streets and highways included in the plan will be a part of the State highway system and which streets will be part of the Municipal street system. As used in this article, the State highway system shall mean both the primary highway system of the State and the secondary road system of the State within municipalities."; and,

WHEREAS, the said Chapter 136, Article 3A, Section 136.66.2(d) provides that:

"Either the municipality or the Department of Transportation may propose changes in the plan at any time by giving notice to the other party, but no change shall be effective until it is adopted by both the Department of Transportation and the municipal governing board."; and,

WHEREAS, Section 134(a) of Title 23 United States Code states:

"It is in the national interest to encourage and promote the development of transportation systems, embracing various modes of transportation in a manner which will efficiently maximize mobility of people and goods within and through urbanized areas and minimize transportation-related fuel consumption and air pollution. To accomplish this objective, metropolitan planning organizations, in cooperation with the State, shall develop transportation plans and programs for urbanized areas of the State. Such plans and programs shall provide for the development of transportation facilities (including pedestrian walkways and bicycle transportation facilities) which will function as an inter-modal transportation system for the State, the metropolitan areas, and the Nation. The process for developing such plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems."; and,

WHEREAS, a transportation planning process includes the operational procedures and working arrangements by which short and long-range transportation plans are soundly conceived and developed and continuously evaluated in a manner that will:

1. Assist governing bodies and official agencies in determining courses of action and in formulating attainable capital improvement programs in anticipation of community needs; and,
2. Guide private individuals and groups in planning their decisions which can be important factors in the pattern of future development and redevelopment of the area; and,

WHEREAS, it is the desire of these agencies that a continuing, cooperative, and comprehensive transportation planning process, be established for the DURHAM-CHAPEL HILL-CARRBORO Urban Area to comply with Title 23 U.S.C. 134; and Sections 3(a)(2), 4(a), 5(g)(1), and 5(1) of the Federal Transit Act of 1991, and the Intermodal Surface Transportation Efficiency Act of 1991 {49 U.S.C. 1602(a)(2), 1603(a), 1604(g)(1), and 1604(1)}. NOW THEREFORE the following MEMORANDUM OF UNDERSTANDING is made:

Section I.

It is hereby agreed that the CITY OF DURHAM, TOWN OF CHAPEL HILL, TOWN OF CARRBORO, TOWN OF HILLSBOROUGH, COUNTY OF DURHAM, COUNTY OF ORANGE, COUNTY OF CHATHAM, AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION in cooperation with the UNITED STATES DEPARTMENT OF TRANSPORTATION, will participate in a continuing transportation planning process with responsibilities and undertakings as related in the following paragraphs:

1. The Durham-Chapel Hill-Carrboro Planning Area (as defined by the Metropolitan Area Boundary) will be the Durham-Chapel Hill-Carrboro Urbanized Area, as defined by the United States Department of Commerce, Bureau of the Census, plus that area beyond the existing urbanized area boundary that is expected to become urbanized or be affected by urban policies within a twenty year planning period.
2. The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) for the Durham-Chapel Hill-Carrboro Urban Area shall include the boards of general purpose local government -- the Durham City Council, Chapel Hill Town Council, Carrboro Board of Aldermen, Hillsborough Board of Commissioners, Durham County Board of Commissioners, Orange County Board of Commissioners, and Chatham County Board of Commissioners; the North Carolina Department of Transportation; a Transportation Advisory Committee hereinafter defined; a Technical Coordinating Committee

hereinafter defined; and the various agencies and units of local, State, and federal government participating in transportation planning for the area.

3. The Metropolitan Area Boundary (MAB) will be periodically reviewed and revised in light of new developments, basic data projections for the current planning period, and as may otherwise be required by federal and State laws.
4. The continuing transportation planning process will be a cooperative one and all planning discussions will be reflective of and responsive to the programs of the North Carolina Department of Transportation, and to the comprehensive plans for growth and development of the Municipalities of Durham, Chapel Hill, Carrboro, and Hillsborough; and the Counties of Durham, Orange, and Chatham. Attention will be given to cooperative planning with the Capital Area Metropolitan Planning Organization (CAMPO).
5. The continuing transportation planning process will be in accordance with the intent, procedures, and programs of Title VI of the Civil Rights Act of 1964, as amended.
6. Transportation policy decisions within the Planning Area are the shared responsibility of the Transportation Advisory Committee, the N. C. Board of Transportation, and participating local governments.
7. Transportation plans and programs, and land use policies and programs, for the planning area, having regional impacts, will be coordinated with the Triangle Transit Authority (TTA), the Capital Area Metropolitan Planning Organization (CAMPO), and the Triangle J Council of Governments.
8. A TRANSPORTATION ADVISORY COMMITTEE (TAC) is hereby established with the responsibility for cooperative transportation planning decision making for the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO). The Transportation Advisory Committee shall have the responsibility for keeping the policy boards informed of the status and requirements of the transportation planning process; assisting in the dissemination and clarification of the decisions, inclinations, and policies of the policy boards; and for providing opportunities for citizen participation in the transportation planning process.

The TRANSPORTATION ADVISORY COMMITTEE will be responsible for carrying out the provisions of 23 U.S.C. 134; and Sections 5(1) and 8(a) and 8(c) of the Urban Mass Transportation Act of 1964 as amended {49 U.S.C. 1604(1) and 1607(a) and

1607(c)); including, but not limited to:

- a. Establishment of goals and objectives for the transportation planning process;
- b. Review and approval of a *Prospectus* for transportation planning which defines work tasks and responsibilities for the various agencies participating in the transportation planning process;
- c. Review and recommendation of changes to the National Highway System, Functional Classification, Urban Area Boundary, and Metropolitan Area Boundary;
- d. Review and approval of the transportation *Unified Planning Work Program* (UPWP);
- e. Review and approval of the comprehensive transportation plan and any changes to the Plan. (The Thoroughfare Plan is an element of the comprehensive transportation plan, and as required by General Statutes' Section 136-66.2(d) revisions in the Thoroughfare Plan must be jointly approved by the local governing boards and the North Carolina Department of Transportation);
- f. Review and approval of the *Transportation Improvement Program* and changes to the *Transportation Improvement Program* for multi-modal capital and operating expenditures and to insure coordination between local and State capital and operating improvement programs;
- g. Revision in membership of the Technical Coordinating Committee hereinafter defined; and
- h. Development and approval of committee bylaws for the purpose of establishing operating policies and procedures.

The membership of the TRANSPORTATION ADVISORY COMMITTEE shall include:

- a. Two members of the Durham City Council;
- b. One member of the Chapel Hill Town Council;
- c. One member of the Carrboro Board of Aldermen;
- d. One member of the Hillsborough Board of Commissioners;
- e. One member of the Durham County Board of Commissioners;
- f. One member of the Orange County Board of Commissioners;

- g. One member of the Chatham County Board of Commissioners; and
- h. One member of the North Carolina Board of Transportation.

It shall be the responsibility of each member jurisdiction to appoint a representative(s) and an alternate(s) to the Transportation Advisory Committee.

A quorum of the Transportation Advisory Committee shall consist of a majority of the voting members whose votes together represent a majority of the total possible weighted votes identified in the weighted vote schedule below. A majority vote shall be sufficient for approval of matters coming before the committee with the exception that a committee member may invoke the following weighted vote provisions on any matter:

<u>Governmental Body</u>	<u>Votes</u>
City of Durham	6*
Town of Chapel Hill	2
Durham County	2
Town of Carrboro	1
Town of Hillsborough	1
Orange County	1
Chatham County	1
N. C. Board of Transportation	1
Total	15

* Three (3) votes per representative

Representatives from each of the following bodies will serve as non-voting members of the Transportation Advisory Committee:

- A Division Administrator(s) of the Federal Highway Administration and/or the Federal Transit Administration, or their representative(s);
- A member of the Triangle Transit Authority (TTA) Board of Trustees; and
- Other local, regional, State, or federal agencies impacting transportation in the planning area at the invitation of the TAC.

The Transportation Advisory Committee will meet as often as it is deemed appropriate and advisable. On the basis of a majority vote, the Transportation Advisory Committee may appoint members of the Committee to act as Chair and Vice-Chair with the responsibility for coordination of the Committee's activities. A member of the staff of the City of Durham Department of Transportation will serve as Secretary to the Committee and will work cooperatively with the staff of other jurisdictions.

9. A TECHNICAL COORDINATING COMMITTEE (TCC) shall be established with the responsibility of general review, guidance, and coordination of the transportation planning process for the Planning Area and with the responsibility for making recommendations to the respective local, State, and federal governmental agencies and the Transportation Advisory Committee regarding any necessary actions relating to the continuing transportation planning process. The TCC shall be responsible for development, review, and recommendation for approval and changes to the *Prospectus*, *Unified Planning Work Program*, *Transportation Improvement Program*, *National Highway System*, *Functional Classification*, *Urban Area Boundary*, the *Metropolitan Area Boundary*, and the *Comprehensive Transportation Plan*, for planning citizen participation, and for documenting reports of the transportation study.

Membership of the Technical Coordinating Committee shall include technical representatives from local and State agencies directly related to and concerned with the transportation planning process for the Planning Area. Representatives will be designated by the chief executive officer of each represented agency. Initially, the membership shall include, but not be limited to, the following:

- | | |
|--|---------------------|
| a. The City of Durham | (5 representatives) |
| b. The Town of Chapel Hill | (3 representatives) |
| c. The Town of Carrboro | (2 representatives) |
| d. The Town of Hillsborough | (1 representative) |
| e. Durham County | (3 representatives) |
| f. Orange County | (2 representatives) |
| g. Chatham County | (1 representative) |
| h. The N. C. Department
of Transportation | (5 representatives) |

- i. Triangle "J" Council of Governments (1 representative)
- j. Duke University (1 representative)
- k. N. C. Central University (1 representative)
- l. The University of North Carolina (1 representative)
- m. The Raleigh-Durham Airport Authority (1 representative)
- n. The Triangle Transit Authority (1 representative)
- o. The Research Triangle Park Foundation (1 representative)

In addition to voting membership, the U. S. Department of Transportation shall have two (2) non-voting representatives.

The Technical Coordinating Committee shall meet when it is deemed appropriate and advisable. On the basis of majority vote of its membership, the Technical Coordinating Committee may appoint voting members of the Committee to act as Chair and Vice-Chair with the responsibility for coordination of the Committee's activities.

10. The Durham City Council, Chapel Hill Town Council, Carrboro Board of Alderman, Hillsborough Board of Commissioners, Durham County Board of Commissioners, Orange County Board of Commissioners, and Chatham County Board of Commissioners shall serve as the primary means for citizen input to the continuing transportation planning process. During the comprehensive transportation plan reevaluation, citizen involvement in the planning process shall be encouraged during re-analysis of goals and objectives and plan formation. This citizen involvement will be obtained through goals and objectives surveys, neighborhood forums, and public hearings in accordance with procedures outlined in the "North Carolina Highway Action Plan."

The Transportation Advisory Committee may also receive public input or hold public hearings as may also be required by federal or State law.

Section II.

It is further agreed that the subscribing agencies will have the following responsibilities, these responsibilities being those most logically assumed by the several agencies:

City of Durham

The Department of Transportation of the City of Durham will serve as the LEAD PLANNING AGENCY for the transportation planning process in the Planning Area and will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the *Prospectus*. Additionally, the City shall coordinate zoning and subdivision approvals within its jurisdiction in accordance with the adopted Comprehensive Transportation Plan and the mutually adopted Thoroughfare Plan.

Town of Chapel Hill

The Town of Chapel Hill will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the *Prospectus*. Additionally, the Town shall, coordinate zoning and subdivision approval within its jurisdiction in accordance with the adopted Comprehensive Transportation Plan and the mutually adopted Thoroughfare Plan.

Town of Carrboro

The Town of Carrboro will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the *Prospectus*. Additionally, the Town shall, coordinate zoning and subdivision approval within its jurisdiction in accordance with the adopted Comprehensive Transportation Plan and the mutually adopted Thoroughfare Plan.

Town of Hillsborough

The Town of Hillsborough will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the *Prospectus*. Additionally, the Town shall, coordinate zoning and subdivision approval within its jurisdiction in accordance with the adopted Comprehensive Transportation Plan and the mutually adopted Thoroughfare Plan.

Durham County

Durham County will assist in the transportation planning process by providing planning assistance, data, and inventories in

accordance with the *Prospectus*. Additionally, Durham County shall, coordinate zoning and subdivision approval within its jurisdiction in accordance with the adopted Comprehensive Transportation Plan and the mutually adopted Thoroughfare Plan.

Orange County

Orange County will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the *Prospectus*. Additionally, Orange County shall, coordinate zoning and subdivision approval within its jurisdiction in accordance with the adopted Comprehensive Transportation Plan and the mutually adopted Thoroughfare Plan.

Chatham County

Chatham County will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the *Prospectus*. Additionally, Chatham County shall coordinate zoning and subdivision approval within its jurisdiction in accordance with the adopted Comprehensive Transportation Plan and the mutually adopted Transportation Plan.

North Carolina Department of Transportation

The Department will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the *Prospectus*. The Department, to the fullest extent possible and as permitted by existing State and federal regulations, will provide assistance in the protection of necessary rights-of-way for those thoroughfares designated in the adopted Comprehensive Transportation Plan and the mutually adopted Thoroughfare Plan.

Section III.

Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving 30 days written notice to the other parties prior to the date of termination. If any party should terminate participation, this Memorandum of Understanding shall remain in force and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization shall continue to operate as long as 75% or more of the population within the Metropolitan Area Boundary is represented by the remaining members. For the purpose of determining 75% representation, the populations within incorporated areas are represented by the respective municipal governments and the populations within the unincorporated areas are represented by the respective county governments.

Section IV.

In witness whereof, the Secretary of Transportation, on behalf of the Governor of the State of North Carolina has signed this Memorandum of Agreement and the parties of this Memorandum of Understanding have been authorized by appropriate and proper resolutions to sign the same, the City of Durham by its City Manager, the Town of Chapel Hill by its Mayor, the Town of Carrboro by its Mayor, the Town of Hillsborough by its Mayor, Durham County by its Chair, Orange County by its Chair, Chatham County by its Chair, and the North Carolina Department of Transportation by the Secretary of Transportation, this 28th day of January, 1994.

(Seal)

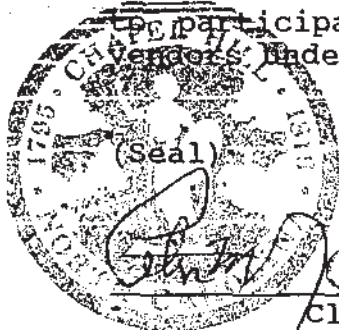
Margaret M Bowers
Clerk



CITY OF DURHAM

John S. Howell
City Manager

Policy of City of Durham. (a) THE CITY OF DURHAM OPPOSES THE PRACTICE OF APARTHEID IN THE REPUBLIC OF SOUTH AFRICA AND URGES EACH OF ITS CONTRACTORS TO REFRAIN FROM INVESTING OR DOING BUSINESS IN THE REPUBLIC OF SOUTH AFRICA. (b) The City of Durham opposes discrimination on the basis of race and sex and urges all its contractors to provide a fair opportunity for minorities and women to participate in their work force and as subcontractors and vendors under City contracts.



(Seal)

John S. Howell
Clerk

TOWN OF CHAPEL HILL

By Kenneth S. Brown
Mayor

(Seal)

James C. Williamson
Clerk

TOWN OF CARRBORO

By Deen G. Kinross
Mayor

This Instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

(Seal)

TOWN OF HILLSBOROUGH

Donna Ray
Clerk

By *Harold H. Johnson*
Mayor

(Seal)

COUNTY OF DURHAM

Harry E. Winstead
Clerk

By *Mark V. [illegible]*
Chair

(Seal)

COUNTY OF ORANGE

Kathleen Baker
Deputy Clerk

By *Moses Carey*
Chair

(Seal)

COUNTY OF CHATHAM

Sandra B. Cape
Clerk

By *Henry W. Dunsley*
Chair

GOVERNOR OF THE STATE OF
NORTH CAROLINA AND THE
NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

By *[Signature]*
Secretary of Transportation

Approved for Execution for Michael Easley, Attorney General

1/21/94
date

By *James E. Magner Jr.*
Assistant Attorney General

MEMORANDUM

To: Transportation Advisory Committee
DCHC MPO

From: DCHC MPO Lead Planning Agency

Date: February 12, 2014

Subject: **DCHC MPO MOU**

The MPO began an update to the DCHC MPO's Memorandum of Understanding in 2013. After several months of TCC and TAC review, in June 2013 a draft MOU was sent to all of our member jurisdictions requesting review and comment by September 2013. These comments were considered by LPA staff, the TCC, and TAC, and a response was provided. Several changes were made to the MOU, but not all suggestions were agreed to by the MPO.

On October 9, 2013, the TAC endorsed a final MOU for approval by the member governments. Subsequently, a minor change was made to the MOU to comply with the State's E-Verify legislation. This was shared with the TAC in November 2013, and LPA transmitted the document to our member jurisdictions requesting approval of the MOU by February 20, 2014.

An update on the approval will be provided at the TAC meeting. LPA staff is aware of the following actions taken by our member governments. A few minor changes were requested by member jurisdictions in their approval of the document. These minor changes likely can be incorporated in the final MOU without requiring re-approval by the member government boards. Some governments have resolutions that allow the City/Town/County Manager to make changes to agreements after being approved by the board as long as the changes are not substantive or adverse to the locality. LPA staff will need to check with each government if they allow these minor changes to be made.

- City of Durham – approved on 2/3/2014 with one minor change:
 - The MOU will be signed by the City Manager, not the Mayor.
- Durham County – to be considered on 2/10/2014
- Town of Chapel Hill – to be considered on 2/10/2014
 - The staff memo recommends that:
 - The MOU should include the process for developing and monitoring the development of the UPWP;
 - Triangle Transit should share a portion of the local match;
 - The MOU should include the role of the MPO in oversight of the Durham and Orange County Transit Plans;

- Town of Carrboro – considered on 2/4/2014; Voted to take up final adoption at next meeting pending additional information on:
 - MPO's response to Orange County BOC's quorum language suggestion;
 - MPO's response to Chapel Hill's request for Triangle Transit to provide a share of the local match;
- Town of Hillsborough – approved on 12/9/2014
- Orange County – considered on 1/23/2014; Supported MOU in concept and requested minor changes:
 - Page 6, line 30-32 - Change to "In order for a quorum of the MPO Board to be established: a) A simple majority of the voting members shall be present; and b) The total number of weighted votes associated with the simple majority as identified in the weighted voting schedule below shall represent a majority of the total number of possible weighted votes."
 - The above language has the same meaning as the current language defining a quorum and thus is not a substantive change.
 - Page 1, line 42 – Spell out TIP as Transportation Improvement Program
 - Page 2, line 17 – Spell out MPO as Metropolitan Planning Organization
 - Page 3, line 39 – Add “policy” before boards
- Chatham County – considered on 12/16/2014, not approved
 - The County is opposed to the weighted voting provision for the MPO Board and the inclusion of area outside the urbanized area in the MPO's Planning Area.
 - LPA staff is waiting on formal correspondence from Chatham County documenting their concerns and a response from Chatham County staff on scheduling a meeting with them to discuss their concerns.
- Triangle Transit - to be considered on 2/26/2014
 - One error has been pointed out by staff on page 3, line 27, Triangle Transit needs to be included in the list.
- North Carolina Department of Transportation – NCDOT staff report that they will not consider approval of the MOU until all other members have approved it.

TAC Action: Receive update and discuss any changes.



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Legislation Text

File #: 14-0048, **Version:** 1

TITLE:

Discussion of Advisory Board Appointments

PURPOSE: The Mayor and Board of Aldermen will discuss appointments to the Town's advisory boards.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Cathy Wilson, 918-7309

INFORMATION: In February of each year some terms on all the Town's advisory boards expire. Those persons whose terms expire in February 2014 were notified that their terms were expiring and told that if they wished to be considered for re-appointment, that they should re-apply for service. In addition, all positions were advertised. Advisory board chairs provided recommendations for the Board's consideration (Attached). The Board of Aldermen are provided with a resolution making 2014 appointments (Attachment A), the list of current advisory board vacancies, names of applicants, and recommended appointees (Attachment B), the list of current advisory board membership (Attachment C), and copies of all applications.

The Advisory Boards Recognition Dinner is scheduled for April 17, 2014 at which time current and retiring advisory board members will be recognized for their service to the town.

FISCAL IMPACT: None

RECOMMENDATION: Town staff recommends that the Board of Aldermen consider the applications for appointment and take action on the resolution.

APPOINTMENTS TO ADVISORY BOARD

NOW, THEREFORE, BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN THAT THE FOLLOWING APPOINTMENTS ARE MADE:

BOARD	AVAILABLE SEATS/CURRENT EXPIRATION	APPOINTEES
Board of Adjustment	In-Town (2 seats 2014)	
Board of Adjustment	Trans. Area (1 seat 2016)	None
Board of Adjustment	ETJ Seat (1 seat 2014)	None
Planning Board	In-Town (3 seats-2014) In-Town (1 Seat-2015)	
Planning Board	Trans. Area (1 seat 2014)	None
Appearance Commission/ NPDC	4 seats (2-2014, 1-2015, 1- 2016)	
Transportation Advisory Board	3 seats (2014)	
Recreation and Parks Commission	In-Town (3 seats, 2-2014, 1-2015)	
Recreation and Parks Commission	Out-of-Town (1 seat, 2014)	
Human Services Commission	4 seats (2-2014, 1-2015, 1-2016)	
Economic Sustainability Commission	At-Large (2- 2014 seats)	
Economic Sustainability Commission	Resident (1-2014 seat)	
Environmental Advisory Board	4 seats (3-2014, 1-2015)	
Northern Transition Area	Carrboro Rep. (1 seat,	

ATTACHMENT A

Advisory Board	2014)	
Northern Transition Area Advisory Board	3 Orange County Rep. (1- 2015, 2-2014)	
Arts Committee	3 seats	

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: _Kendra Van Pelt_____

Date of application/last contact: _2/10/2014_____

Summary of qualifications:

I have been unable to meet with Kendra Van Pelt. We had plans to meet on 2/5/14, which she canceled. She asked if we could meet on Saturday, 2/8/14, and she would contact me with a time. She did not contact me. I called her on Monday, 2/10/14 and asked her if she was still interested in meeting. She said she was. We set the date of 2/12/14. Again, she was to contact me as to a time that worked for her. I did not hear from her again.

In all fairness, given the weather and the road conditions, perhaps she just assumed I would know that getting together was untenable, but I think a call or text would have been appropriate.

I hesitate to write her off, given this freak snowstorm, so would await guidance as to whether I should still interview her if she contacts me.

Also, I think it is important to note that when people read that there is an opening on the Board of Human Services, people have no idea what that means, and in fact have a very different concept of what the work entails. I know I did, and I also know of other board members who were surprised by the demands of the job. People think they are going to meet with people in the community that are down on their luck, and they are going to do some sort of social work. I think a brief description of what the board does would be helpful for people signing up to work on the board. I know that when I explained to Kendra what the job entailed, she sounded surprised and I could hear her enthusiasm waning.

Thank you!

Mari Weiss, Chair

Board of Human Services

Name: _Kendra Van Pelt_____

Date of application/last contact: _2/10/2014_____

Summary of qualifications:

I have been unable to meet with Kendra Van Pelt. We had plans to meet on 2/5/14, which she canceled. She asked if we could meet on Saturday, 2/8/14, and she would contact me with a time. She did not contact me. I called her on Monday, 2/10/14 and asked her if she was still interested in meeting. She said she was. We set the date of 2/12/14. Again, she was to contact me as to a time that worked for her. I did not hear from her again.

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Human Services Commission

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Also, I think it is important to note that when people read that there is an opening on the Board of Human Services, people have no idea what that means, and in fact have a very different concept of what the work entails. I know I did, and I also know of other board members who were surprised by the demands of the job. People think they are going to meet with people in the community that are down on their luck, and they are going to do some sort of social work. I think a brief description of what the board does would be helpful for people signing up to work on the board. I know that when I explained to Kendra what the job entailed, she sounded surprised and I could hear her enthusiasm waning.

Thank you!

**Mari Weiss, Chair
Board of Human Services**

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

____Yes ____No (Briefly
explain:_____)

Applicant attended Advisory Board meeting prior to BOA review.

____Yes (Date: _____) ____No (Briefly
explain:_____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

____Yes ____No
Briefly explain:

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

____ Gender diversity

____ Racial or ethnic diversity

____ Age range diversity

____ Neighborhood/geographic diversity

____ Occupation, experience or special skills

____ Previous public service or community involvement

____ Other: _____

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: _____

Date of application/last contact: _____

Summary of qualifications:

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

____ Yes ____ No (Briefly explain: _____)

Applicant attended Advisory Board meeting prior to BOA review.

____ Yes (Date: _____) ____ No (Briefly explain: _____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

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Briefly explain:

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____ Other: _____

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Date of application/last contact: _____
Summary of qualifications:

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

____ Yes ____ No (Briefly explain: _____)

Applicant attended Advisory Board meeting prior to BOA review.

____ Yes (Date: _____) ____ No
Briefly explain:

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

____ Yes ____ No
Briefly explain:

Human Services Commission

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_____ Previous public service or community involvement

_____ Other: _____

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Name: _____

Date of application/last contact: _____

Summary of qualifications:

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

____ Yes ____ No (Briefly explain: _____)

Applicant attended Advisory Board meeting prior to BOA review.

____ Yes (Date: _____) ____ No (Briefly explain: _____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

____ Yes ____ No (Briefly explain: _____)

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please*

Human Services Commission

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____ Neighborhood/geographic diversity

____ Occupation, experience or special skills

____ Previous public service or community involvement

____ Other: _____

Applicant(s) recommended at this time (1 per open seat)

Applicant 1: _____

Outstanding qualifications: _____

How applicant compliments current board composition:

Other comments: _____

Applicant 2: _____

Outstanding qualifications: _____

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

How applicant compliments current board composition:

Other comments: _____

Applicant 3: _____

Outstanding qualifications: _____

How applicant compliments current board composition:

Other comments: _____

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

____ Yes ____ No (Briefly
explain: _____)

Applicant attended Advisory Board meeting prior to BOA review.

____ Yes (Date: _____) ____ No (Briefly
explain: _____)

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

____ Yes ____ No

Briefly explain:

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

____ Gender diversity

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____ Age range diversity

____ Neighborhood/geographic diversity

____ Occupation, experience or special skills

____ Previous public service or community involvement

____ Other: _____

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: _____

Date of application/last contact: _____

Summary of qualifications:

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

____ Yes ____ No (Briefly
explain: _____)

Applicant attended Advisory Board meeting prior to BOA review.

____ Yes (Date: _____) ____ No (Briefly
explain: _____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

Human Services Commission

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____ Neighborhood/geographic diversity

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____ Previous public service or community involvement

____ Other: _____

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: _____

Date of application/last contact: _____

Summary of qualifications:

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

____ Yes ____ No (Briefly
explain: _____)

Applicant attended Advisory Board meeting prior to BOA review.

____ Yes (Date: _____) ____ No
Briefly explain:

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

____ Yes ____ No

Briefly explain:

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

____ Gender diversity

____ Racial or ethnic diversity

____ Age range diversity

____ Neighborhood/geographic diversity

____ Occupation, experience or special skills

____ Previous public service or community involvement

____ Other: _____

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

<p>Name: _____</p> <p>Date of application/last contact: _____</p> <p>Summary of qualifications:</p> <p>Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.</p> <p>____ Yes ____ No (Briefly explain: _____)</p> <p>Applicant attended Advisory Board meeting prior to BOA review.</p> <p>____ Yes (Date: _____) ____ No (Briefly explain: _____)</p> <p>Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.</p> <p>____ Yes ____ No (Briefly explain: _____)</p>

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

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____ Gender diversity

____ Racial or ethnic diversity

____ Age range diversity

____ Neighborhood/geographic diversity

____ Occupation, experience or special skills

____ Previous public service or community involvement

____ Other: _____

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Applicant(s) recommended at this time (1 per open seat)

Applicant 1: _____
Outstanding qualifications: _____

How applicant compliments current board composition:

Other comments: _____

Applicant 2: _____

Outstanding qualifications: _____

How applicant compliments current board composition:

Other comments: _____

Applicant 3: _____

Outstanding qualifications: _____

How applicant compliments current board composition:

Other comments: _____

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Seth Maid

Date of application/last contact: 2013

Summary of qualifications:

Seth Maid is a diligent, intelligent, insightful asset to the Humans Services Advisory Board. In many instances, he is our go to person when one of the other commissioners has a question about an application. He has 9 years serving in the non-profit arena, and has already served one term on the Board.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No (Briefly explain: He Reapplied for the position.)

Applicant attended Advisory Board meeting prior to BOA review.

☐ Yes (Date:) ☐ No (Briefly explain: SEE ABOVE)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes ☐ No
Briefly explain: See Above

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

☒ Gender diversity

☐ Racial or ethnic diversity

☒ Age range diversity

☒ Neighborhood/geographic diversity

☒ Occupation, experience or special skills

☒ Previous public service or community involvement

☐ Other: _____

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: _____

Date of application/last contact: _____

Summary of qualifications:

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

____ Yes ____ No (Briefly
explain: _____)

Applicant attended Advisory Board meeting prior to BOA review.

____ Yes (Date: _____) ____ No (Briefly
explain: _____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

____ Yes ____ No
Briefly explain:

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

____ Gender diversity

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

____ Racial or ethnic diversity

____ Age range diversity

____ Neighborhood/geographic diversity

____ Occupation, experience or special skills

____ Previous public service or community involvement

____ Other: _____

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: _____
Date of application/last contact: _____
Summary of qualifications:

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

____ Yes ____ No (Briefly explain: _____)

Applicant attended Advisory Board meeting prior to BOA review.

____ Yes (Date: _____) ____ No
Briefly explain:

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

____ Yes ____ No
Briefly explain:

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

____ Gender diversity

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

____ Racial or ethnic diversity

____ Age range diversity

____ Neighborhood/geographic diversity

____ Occupation, experience or special skills

____ Previous public service or community involvement

____ Other: _____

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: _____

Date of application/last contact: _____

Summary of qualifications:

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

____ Yes ____ No (Briefly explain: _____)

Applicant attended Advisory Board meeting prior to BOA review.

____ Yes (Date: _____) ____ No (Briefly explain: _____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

____ Yes ____ No (Briefly explain: _____)

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

____ Gender diversity

____ Racial or ethnic diversity

____ Age range diversity

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

<input type="checkbox"/> Neighborhood/geographic diversity
<input type="checkbox"/> Occupation, experience or special skills
<input type="checkbox"/> Previous public service or community involvement
<input type="checkbox"/> Other: _____

Human Services Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Applicant(s) recommended at this time (1 per open seat)

Applicant 1: _____

Outstanding qualifications: _____

How applicant compliments current board composition:

Other comments: _____

Applicant 2: _____

Outstanding qualifications: _____

How applicant compliments current board composition:

Other comments: _____

Applicant 3: _____

Outstanding qualifications: _____

How applicant compliments current board composition:

Other comments: _____

Northern Transition Area Advisory Committee

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Jay Bryson

Date of application/last contact: 10/7/13 but not received until

Summary of qualifications:

12/10/13: last contact 1/4/2014. As per application, Jay has been a member of the NTAC for several years & has served the Town of Cambridge in other positions

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No (Briefly 1/4/2014

explain: applicant confirms desire to remain serving as a member of NTAC

Applicant attended Advisory Board meeting prior to BOA review.

☒ Yes (Date: 9/4/2013) ☐ No

Briefly explain: The NTAC has not had a regular meeting since the application was received on 12/10/13

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes ☐ No

Briefly explain: As previously stated, applicant has served before & is a current member of NTAC.

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. Please note that candidates who do not meet any of these qualities are still eligible for appointment. Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☐ Gender diversity

☐ Racial or ethnic diversity

☐ Age range diversity

Northern Transition Area Advisory Committee

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.



Neighborhood/geographic diversity

Occupation, experience or special skills



Previous public service or community involvement

Other: _____

As chair of the NTAAC I recommend
that Jay Bryan's application be
accepted. His experience with this
Committee & with land use matters
makes him a valued member.

— Amy Johnson 1/5/2014

Northern Transition Area Advisory Committee

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Suzan Poulton

Date of application/last contact: 10/5/13 / last contact 1/4/2014

Summary of qualifications:

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No (Briefly 1/4/2014
explain: applicant states she would prefer to serve on the Planning Board where she is currently a member.

Applicant attended Advisory Board meeting prior to BOA review.

☐ Yes (Date:) ☒ No (Briefly
explain: there have not been any regular NZAAC meetings since receiving this application on 12/10/13.

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes ☐ No (Briefly
explain: But prefers to stay on the Planning Board.

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. Please note that candidates who do not meet any of these qualities are still eligible for appointment. Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☐ Gender diversity

☐ Racial or ethnic diversity

☐ Age range diversity

☒ Neighborhood/geographic diversity

☐ Occupation, experience or special skills

Northern Transition Area Advisory Committee

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

<input checked="" type="checkbox"/> Previous public service or community involvement
<input type="checkbox"/> Other: _____

As chair of the NTAA C, we would welcome
Susan as a member but understand
that she is currently serving on the Planning
Board's prefer to remain there.
_____ Amy Juelman 1/5/2014

Arts Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Eva Weber_____

Date of application/last contact:___1/16/2014 (application) / 2/10/2014 (last contact)___

Summary of qualifications:

Work experience at an art museum, an art gallery, and as a substitute teacher.

MA in Art History.

Published 7 books about art history.

Freelance writer.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒X___Yes ☐___No (Briefly explain: Talked with Eva by email and in person about joining the committee.)

Applicant attended Advisory Board meeting prior to BOA review.

☒X___Yes (Date: _2/10/14_____) ☐___No (Briefly explain: _Eva attended out February meeting and actively participated. _____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒X___Yes ☐___No

Briefly explain: Eva is aware of our meeting times and the commitment necessary to be on the committee.

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are*

Arts Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

still eligible for appointment. Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☒ Gender diversity

☐ Racial or ethnic diversity

☒ Age range diversity

☐ Neighborhood/geographic diversity

☐ Occupation, experience or special skills

☐ Previous public service or community involvement

☐ Other: _____

Arts Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Applicant(s) recommended at this time (1 per open seat)

Applicant 1: _Eva Weber

Outstanding qualifications: _____
_Eva has extensive experience in the art history. She brings a track record of work, service, and passion to the arts.

How applicant compliments current board composition: _Eva would be a good fit for our current board composition.

Other comments: _The only concern expressed by some committee members was that Eva is very new to our community (7 months). While she is very qualified to discuss, support, and engage the arts, she lacks an in-depth understanding of our specific community.

Applicant 2: _____
Outstanding qualifications: _____

How applicant compliments current board composition:

Other comments: _____

Applicant 3: _____
Outstanding qualifications: _____

Arts Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

How applicant compliments current board composition:

Other comments:

Economic Sustainability Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Betsy Bertram

Date of application/last contact: 2-10-14

Summary of qualifications:

Manager (and family member of owners) of Townsend Bertram & Company; a family owned business in downtown Carrboro.

Event planner, coordinating events with other local businesses as well as the public. As a member of the management team, Betsy brings knowledge of financial oversight, business processes and a strong desire to promote localism in Carrboro.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No
(Briefly explain:_____)

Applicant attended Advisory Board meeting prior to BOA review.

☐ Yes (Date: _____) ☒ No
(Briefly explain:_____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes ☐ No
Briefly explain:

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☐ Gender diversity

☐ Racial or ethnic diversity

Economic Sustainability Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

____ Age range diversity

____ Neighborhood/geographic diversity

☒ Occupation, experience or special skills

____ Previous public service or community involvement

____ Other: _____

Name: Margot Carmichael Lester

Date of application/last contact: 11-15-13 / 2-3-14

Summary of qualifications:

Ms. Lester has withdrawn her application. She has other time commitments that did not exist when she submitted her application.

Name: Erin Jobe

Date of application/last contact: 11-28-13 / 2-3-14

Summary of qualifications:

Current Manager of the Carrboro Farmer's Market. Prior to that, she worked with the Downtown Raleigh Alliance promoting use of public spaces, community events and coordinating an artwalk, parades and festivals.

Carrboro resident for the past 3 years.

She is applying to be on the TDA and Recs & Parks commission as well. The ESC is her first choice, however.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ____ No

(Briefly explain: _____)

Applicant attended Advisory Board meeting prior to BOA

Economic Sustainability Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

review.

___Yes (Date: _____) **X** No
(Briefly explain:_____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

X Yes ___No
Briefly explain:

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

___Gender diversity

___Racial or ethnic diversity

___Age range diversity

___Neighborhood/geographic diversity

___X___Occupation, experience or special skills

___X___Previous public service or community involvement

___Other: _____

Economic Sustainability Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Marty Mondell

Date of application/last contact: 11-15-2013 / 2-3-14

Summary of qualifications:

Ms. Mondell has been a long time resident of both Chapel Hill and Carrboro and currently resides in Carrboro. She participated in the redevelopment of the Century Center, funding of the Adams Tract, and participated in the Library location discussion. She supports Carrboro's focus on the environment and sustainability and would like to add her voice to the conversation.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No
(Briefly explain: _____)

Applicant attended Advisory Board meeting prior to BOA review.

☐ Yes (Date: _____) ☒ No
(Briefly explain: _____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes ☐ No
Briefly explain:

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☐ Gender diversity

Economic Sustainability Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

_____ Racial or ethnic diversity

_____ Age range diversity (ESC chair did not ask her age, but she indicates that she has lived here a long time)

_____ Neighborhood/geographic diversity

_____ Occupation, experience or special skills

_____ Previous public service or community involvement

_____ Other: _____

Economic Sustainability Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Wendy Dale

Date of application/last contact: 6/7/13

Summary of qualifications:

Currently not a resident of Carrboro or Orange County, however Ms. Dale owns a condominium in the Collins Crossing complex and rents to tenants through the Section 8 program.

Her interest in the ESC comes from her experience with the Town and Police regarding the poor in our community. She also is interested in creating space and activities for the youth in our community. She believes many if the problematic issues in our town are economically driven and wants to participate in the conversation.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No
(Briefly explain: _____)

Applicant attended Advisory Board meeting prior to BOA review.

☐ Yes (Date: _____) ☒ No
Briefly explain:

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes ☐ No
Briefly explain:

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

Economic Sustainability Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

____ Gender diversity

____ Racial or ethnic diversity

____ Age range diversity

____ Neighborhood/geographic diversity

____ Occupation, experience or special skills

____ Previous public service or community involvement

____ Other: _____

Economic Sustainability Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Leo Gaev

Date of application/last contact: 6/7/13

Summary of qualifications:

Resident of downtown Carrboro as well as a business owner in downtown Carrboro.

Brings a perspective from an art/service/trade type business.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No
(Briefly explain:_____)

Applicant attended Advisory Board meeting prior to BOA review.

☒ Yes (Date: November or December 2013) ☐ No
Briefly explain:

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes ☐ No
Briefly explain:

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

_____ Gender diversity

Economic Sustainability Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

☐ Racial or ethnic diversity

☐ Age range diversity

☐ Neighborhood/geographic diversity

☒ Occupation, experience or special skills

☐ Previous public service or community involvement

☐ Other: _____

Name: Hannah Popish

Date of application/last contact: 1-15-14

Summary of qualifications:

Previous board member of Chatham Habitat for Humanity

Carrboro resident for the last 3.5 years

Orange County resident for 19 years

Trained mediator through the Dispute Settlement Center

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☐ Yes ☒ No

(Briefly explain: Hannah is currently out of the country but given the date of her application, I assume that she is still interested.)

Applicant attended Advisory Board meeting prior to BOA review.

☐ Yes (Date: _____) ☒ No

(Briefly explain: _____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

Economic Sustainability Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

☐ Yes ☒ No

(Briefly explain: I answer no because I have not had an opportunity to discuss this with her.)

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☐ Gender diversity

☐ Racial or ethnic diversity

☐ Age range diversity

☐ Neighborhood/geographic diversity

☐ Occupation, experience or special skills

☐ Previous public service or community involvement

☐ Other: _____

Name: Terri Turner

Date of application/last contact: 11-21-13

Summary of qualifications:

Current Chair of the ESC. Long term downtown resident. Business Manager at Weaver Street Realty for past 13 years.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No

(Briefly explain: _____)

Economic Sustainability Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Applicant attended Advisory Board meeting prior to BOA review.

☒ Yes (Date: _____) No
(Briefly explain:_____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes _____No
Briefly explain:

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

_____ Gender diversity

_____ Racial or ethnic diversity

_____ Age range diversity

_____ Neighborhood/geographic diversity

___X___ Occupation, experience or special skills

___X___ Previous public service or community involvement

_____ Other: _____

Economic Sustainability Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Applicant(s) recommended at this time (1 per open seat)

Applicant 1: Leo Gaev

Outstanding qualifications: Downtown resident and small business owner.

How applicant compliments current board composition:

As both a resident and owner of a trade/light industrial business in downtown Carrboro, Leo will bring a wholly new perspective on how zoning & redevelopment projects impact his type of small business.

Other comments: _____

Applicant 2: Betsy Bertram

Outstanding qualifications: Currently one of the managers (and family member) of Townsend Bertram & Company.

How applicant compliments current board composition:

Townsend & Bertram is a one Carrboro's most successful small businesses and Betsy is set to take over the reins from her parents who started the business 25 years ago. Her membership will bring another perspective on business ownership.

Other comments: _____

Applicant 3: Hannah Popish

Outstanding qualifications: Trained mediator

How applicant compliments current board composition:

Hannah is a social worker and trained mediator through the Dispute Settlement Center in Carrboro. These observation and problem solving skills will be useful in reviewing loan applications and development plans brought before the ESC. She can also help facilitate challenging conversations when they arise.

Other comments: _____

The following is a list of current advisory board vacancies, the names of applicants and recommended appointees:

BOARD	AVAILABLE SEATS/CURRENT EXPIRATION	APPLICANTS	RECOMMENDED APPOINTEES
Board of Adjustment	In-Town (2 seats 2014)	1.James Baker 2.Sriv Navaratnam 3.Robert Kirschner	1.James Baker
Board of Adjustment	Trans. Area (1 seat 2016)	None	None
Board of Adjustment	ETJ Seat (1 seat 2014)	None	None
Planning Board	In-Town (3 seats-2014) In-Town (1 Seat-2015)	1.Rafael Da Cost Baptisa 2.Jae Furman 3.Susan Poulton 4.Catherine Adamson 5.Bethany Chaney	1. Rafael Da Cost Baptisa 2. Susan Poulton 3. Catherine Adamson 4. Bethany Chaney
Planning Board	Trans. Area (1 seat 2014)	None	None
Appearance Commission/ NPDC	4 seats (2-2014, 1-2015, 1- 2016)	1.Wendy Dale	Wendy M. Dale

BOARD	TYPE OF TERM	APPLICANTS	RECOMMENDED APPOINTEES
Transportation Advisory Board	3 seats (2014)	1.Jesse Cohn 2. Anthony Burton (Withdrew application 2/20/14) 3.Colleen Barclay 4.Kendra Van Pelt 5.Diane McDuffee 6.Kurt Stolka	1.Jessee Cohn 2. Anthony Burton
Recreation and Parks Commission	In-Town (3 seats, 2-2014, 1-2015)	1.Rafael Da Cost Baptisa 2.Jae Furman 3. Kendra Van Pelt	1.Rafael Da Cost Baptisa 2.Kendra Van Pelt Erin Jobe (Recently Appointed to CTDA)
		Erin Jobe	
Recreation and Parks Commission	Out-of-Town (1 seat, 2014)	Daniel Siler	Daniel Siler

BOARD	TYPE OF TERM	APPLICANTS	RECOMMENDED APPOINTEES
Human Services Commission	4 seats (2-2014, 1-2015, 1-2016)	1.Kendra Van Pelt 2. Seth Maid	Seth Maid
Economic Sustainability Commission	At-Large (2- 2014 seats)	1.Betsy Bertram 2. Margot Lester 3. Erin Jobe 4.Marty Mondell 5.Wendy Dale 6.Hannah Poppish 7.Terri Turner	1.Betsy Bertram 2.Hannah Popish
Economic Sustainability Commission	Resident (1-2014 seat)	1. Leo Gaev	Leo Gaev
Environmental Advisory Board	4 seats (3-2014, 1-2015)	1.Michelle Holder 2. Bruce Sinclair 3. Gabriel Rivin 4. Jae Furman 5. Kendra Van Pelt	1.Michelle Holder 2.Bruce Sinclair 3.Gabriel Rivin 4.Jae Furman
Northern Transition Area Advisory Board	Carrboro Rep. (1 seat, 2014)	1.Jay Bryan	1.Jay Bryan 2.Susan Poulton (if not appointed to Planning Board)

BOARD	TYPE OF TERM	APPLICANTS	RECOMMENDED APPOINTEES
Northern Transition Area Advisory Board	3 Orange County Rep. (1-2015, 2-2014)	None	None
Arts Committee	3 seats	1.Eva Weber	Eva Weber

TOWN OF CARRBORO

BOARDS AND COMMISSIONS

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BOARD OF ADJUSTMENT (Meets on the 3rd Wednesday of each month at 7:30 p.m.)

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(VACANT)					2/2014 ETJ (Orange County Appointee)
Robert Kirschner	131 Friar Lane, Carrboro	kirschnerpublic@aol.co	H-932-9056	4/10/07	2/2014 In-Town
Sriv Navaratnam	303 Tramore Dr., CH 27516	srivnava@yahoo.com	H-933-3175	10/16/07	2/2014 In-Town
Catherine DeVine, Vice Chair	506 Oak Avenue, Carrboro	catherinedevine0@gmail.com	H-967-3795	10/16/07 2/21/12 (2 nd)	2/2015 In-Town
Joseph Collins	401 Bolin Creek Drive, Carrboro	collinsj@email.unc.edu	H 967-7407 W 962-0153	5/3/2011 2/21/12 (1 st full)	2/2015 In-Town
Richard Ellington	109 Bruton Dr., CH 27516	rke@email.unc.edu	H-967-4168 W-698-8591	2/25/03 2/21/12	2/2015 In-Town
David Collins, Chair	100 Keith Rd., Carrboro	collinsd@email.unc.edu	H-929-6161 W-966-7392	3-2-2004	2/2016 In-Town
Thomas Arnel	400 Davie Rd., Apt. 27, Carrboro	tarnel9@gmail.com	H-929-0942 W-962-2050	3-2-2004 2/19/13	2/2016 In-Town
(VACANT)					2/2016 Joint Planning Transition Area (Orange County Appointee)
Michelle Johnson					Board Liaison

PLANNING BOARD (Meets the 1st and 3rd Thursdays of each month at 7:30 p.m.)

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Bethany Chaney, Chair	217-E Hillsborough Road, Carrboro, NC 27510	Bethany.e.chaney@gmail.com	H919-360-4346	10/4/11 (1)	2/2014 In Town
Catherine Adamson	116 Alabama Avenue, Carrboro, NC 27510	cadamson@alumni.unc.edu		10/16/12(1)	2/2014 In Town
Ed Eldred	112 High St. Carrboro 27510	edeldred@gmail.com	929-8383	6-4-13	2/2014

					In-Town
Susan Poulton	8720 Union Grove Church Rd., CH 27516	shmpoulton@gmail.com	H-929-0769 W-681-4750	5/3/2005	2/2014 Trans. Area
Dana Davis	1207 W. Main St. 27510	danatdavis@yahoo.com	621-9772	6-4-13	2/2015 In-Town
(VACANT)					2/2015 In-Town
Braxton Foushee, 2 nd Vice-Chair	100 Williams St. Carrboro, 27510	Dunkin322@hotmail.com	H919-417-0587	2/21/12	2/2015 In-Town
David Clinton	106 Fox Run, CH 27516	dclinton2@nc.rr.com	H-967-5751 W-682-2870	5/18/2004 5/3/2007 3/16/2010 2/19/13	2/28/2016 ETJ
Heather Hunt,	109 W. Carr Street, Carrboro, NC 27510	heathunt@gmail.com	H919-933-3918 B919-843-9032	10/4/2011 (1) 2/19/13	2/2016 In-Town
Andy Cohen	301 Oak Avenue, Carrboro <NC 27510	Andrew.cohen.esq@gmail.com	H 919-929- 9888 919-414-7125	9/3/13	2/2015 In-Town
Matthew Barton	218 Stratford Dr., CH 27516	matthew.barton@ieee.org	H-967-1943	9/5/06 2/19/13	2/2016 In-Town
Damon Seils					Board Liaison

APPEARANCE COMMISSION/NEIGHBORHOOD PRESERVATION DISTRICT COMMISSION

(Meets the 1st Thursday of each month at 7:30 p.m.)

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Raymond Conrad	116 Della St. Chapel Hill, NC 27516	raymondconrad@earthlink.net	H919-967-7356	2/21/12	2/2014
Thomas Wiltberger,	503 Oak Avenue, Carrboro	tom@terraviva.com	H-968-6169	8/20/2002	2/2014

Chair			W-451-0740		
(VACANT)					2/2015
Sarah Andrews	502 W. Poplar Ave. #A-2, Carrboro	sarahbandrews@gmail.com	H-370-3512 W-92-3290	3/3/2009	2/2014
Eric Feld	#731 Chateau Apartments 201 Highway 54 West Carrboro, NC 27510	efeld@townofchapelhill.org	H-537-8343 W-969-5077	5/15/12	2/2015
Kim Calandra	404 S Greensboro Street, Carrboro, NC 27510	serenityandwisdom@gmail.com	919-971-3934	10/16/12 (1)	2/2015
Emily Kreutzer	806 Davie Rd., Carrboro	Escarbor@email.unc.edu	H- 804-304- 8804	10/06/2009	2/2016
Sheryl K. Forbis	117 W Carr Street, Carrboro, NC 27510	sforbis@nc.rr.com	H919-929-9055 W919-360- 9046	10/4/11 (1) 2/19/13	2/2016
(VACANT)					2/2016
Lydia Lavelle					Board Liaison

TRANSPORTATION ADVISORY BOARD (Meets the 1st and 3rd Thursdays of each month at 7:30 p.m.)

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Kurt Stolka, Chair	102 Todd Street Unit B, Carrboro NC 27510	kurt.stolka@gmail.com	H703-581-3742	2/8/11	2/2014
Melissa Kim	700 N. Greensboro St., Carrboro NC 27510	mlangleykim@gmail.com	571-214-1822	10/16/12(1)	2/2014
Heidi Perry	407 Robert Hunt Drive, Carrboro	heidi@unc.edu	H-929-8671 W-966-3561, Ex. 249	1/14/2003	2/2014
Seth LaJeunesse	400 Davie Rd., #64, Carrboro	smlgrad@yahoo.com	H-357-6079 W-843-1845	3/3/2009 2/21/12	2/2015
Colleen Barclay	116 Pine St Apt B Carrboro	Colleen.j.barclay@gmail.com	966-5826	6-4-13	2/2016
John Nicopoulos	245 Sweet Bay Place, Carrboro NC 27510	jnicopoulos@hotmail.com	H919-537-8022	5/15/12 (1) 2/19/13	2/2016
Linda Haac, Vice Chair	102 Millrock Court, Carrboro, NC 27510	lindahaac@yahoo.com	H919-967-3626	10/4/11 (1)	2/2015
Sammy Slade					Board Liaison

RECREATION AND PARKS COMMISSION (Meets the 1st Monday of each month at 7:00 p.m.)

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Steven Canady	180 BPW Club Rd J-11 Carrboro	venady@msn.com	919-904-9065	2-19-13	2/2014 In-Town
Sarah Ludington	502 Waterside Drive, Carrboro, NC 27510	shludington@gmail.com	H919-967-7416	6/19/12 (1)	2/2014 In-Town
(VACANT)					2/2014 Out-of-Town
Cassandra Hayne	101 Rock Haven Rd. #G706, Carrboro, NC 27510	chayne@email.unc.edu	H641-919-5073	2/21/12 (1)	2/2015 In-Town
Annetta Streater SCHOOL REP	Chapel Hill-Carrboro City Schools, 750 S. Merritt Mill Rd., Chapel Hill, NC 27516		919 967 8211		2/2015 School Rep.
(Vacant)					2/2015 In-Town
Eric Allman, Chair	104 Brighton Ct. Chapel Hill, NC 27516	ecallman@hotmail.com	H-370-7427	4/5/2005 2/21/12 5/15/12(mov ed to out-of- town)	2/2016 Out-of-Town
Doris Murrell, Vice Chair	110 Williams St., Carrboro	murrelldoris@yahoo.com	H-968-6559 W-966-8191	3/8/77 2/21/12	2/2016 In-Town
Susan Berry	222 Old Fayetteville Road, Carrboro	Writer. sjbarry@gmail.com			2/2016 In-Town
VACANT					2/2014 In-Town
Jacquelyn Gist					Board Liaison

HUMAN SERVICES COMMISSION (Meets primarily at budget time.)

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Seth Maid	222 Old Fayetteville Road #G306 Carrboro, NC 27510	sethmaid@gmail.com	H 919-260- 5507	2/8/2011 (1)	2/2014
(VACANT)					2/2015
Earleen Burch	100 A Kay Street, Carrboro NC 27510	earleen_burch@unc.edu	H 919-968- 0549	2/8/2011(1)	2/2014

			W 919-968-2535		
Daniel Graubman	112 NC HWY 54 Bypass, Apt. L6, Carrboro, NC 27510	Daniel.graubman@gmail.com	H919-627-1654	2/21/12 (1)	2/2015
Mari Weiss, Chair	1909 N. Hawick Ct., CH 27516	dramamamamari@yahoo.com	H-240-4091	4/7/09 (1) 2/21/12 (2)	2/2015
Andrea Tanner	2003 S Hawick Ct. Chapel Hill 27516	acarsontanner@gmail.com	919-240-7114	2-19-13	2/2016
(VACANT)					2/2016
Jacquelyn Gist					Board Liaison

ECONOMIC SUSTAINABILITY COMMISSION (Meets on the 2nd Wednesday of each month at 7:30 p.m.)

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Brian C Russell	138 Ridge Trail, Chapel Hill, NC 27516	brian@yesh.com	H 919-949-5737 W 919-695-9128	2/8/2011	2/2014 At-Large
Christopher Stephenson	305 Gary Road, Carrboro NC 27510	chris@cjstephenson.com	H 919-942-9378 W 919-260-4719	2/8/2011	2/2014 Resident
Terri Turner, Chair	601 Jones Ferry Road, Apt C1 Carrboro, NC 27510	terri@weaverstreetrealty.com	H-923-2345 W-929-5658	2/10/2009	2/2014 At-Large
Bob Saunders, Vice Chair	1547 Pathway Dr., Carrboro	rwsaunders@msn.com	H-649-4097 W-839-0300	2/9/2010 2/19/13	2/2016 Resident
David Jessee	106-C S. Greensboro St., Carrboro	davidjessee@mindspring.com	H-548-6408	2/10/2009 2/19/13	2/2016 Business Owner
Paul Daughtry	118 C East Main Street Carrboro	podaughtry@gmail.com	919-618-0919	2/19/2013	2/2016 Downtown Resident
Sarah Blacklin	400 Davie Road #67, Carrboro, NC 27510	sblacklin@hotmail.com	H 919-928-4771	2/21/12	2/2015 At-Large
Arthur Beven Ramsey	304 West Main Street, Suite 101 Carrboro, NC 27510	twilo12@hotmail.com	H – 922-3110 W -928-9001	6/21/11 2/21/12 (1 st full term)	2/2015 Business Owner

Christopher Butler	206 Maple Ave. Carrboro, NC 27510	chris@newfangled.com	H919-609-4375	2/21/12	2/2015 At-Large
Art Menius	The ArtsCenter, 300-G E. Main St., Carrboro	director@artscenterlive.com	W-929-2787, Ext. 217		Arts Committee Liaison
Randee Haven-O'Donnell					Board Liaison

ENVIRONMENTAL ADVISORY BOARD (Meets the first and third Thursdays of each month at 7:00 p.m.)

[\(go to Table of Contents\)](#)

Bruce Sinclair	1530 Pathway Drive, Carrboro, NC 27510	bsinclair@nc.rr.com	H919-593-7971 W919-392-7633	2/8/11	2/2014
Hiram Dustin Chicurel-Bayard Vice Chair	214 James Street, Carrboro, NC 27510	hbayard@gmail.com	H 609-529-7145 W919-853-8467	11/15/11 (1)	2/2014
Gabriel Rivin	506 N Greensboro St. #11, Carrboro	Gabe.rivin@gmail.com	310-780-5819	2/19/2013	2/2014
Robert Crook	300 Waterside Drive, Carrboro 27510	crookkohler@bellsouth.net	H-918-7788 W-260-5082	6/7/2011 2/19/2013	2/2016
Sheila Walsh-Reddy	242 Sweet Bay Place, Carrboro	sheilawalshreddy@gmail.com	202-674-4847	2/19/2013	2/2016
Matthew Arnsberger, Chair	105 Aberdeen Ct., Carrboro	arnsberger@mindspring.com	W-960-6856	2/10/2009 2/21/12(2 nd)	2/2015
VACANT					2/2015
Randee Haven-O'Donnell					Board Liaison

NORTHERN TRANSITION AREA ADVISORY COMMITTEE (Meets the third Monday of each month at 7:00 p.m.)

[\(go to Table of Contents\)](#)

Jeanette Moore	8000 Old NC 86, Chapel Hill 27516	jella@7147@gmail.com	919-451-4807		1/2015 Carrboro Rep.
Jay Bryan	8033 Old N.C.86, CH 27516	jaybryan7@msn.com	H-929-6482 W-933-1200	2/10/2009	1/2014 Carrboro Rep.

Amy Jeroloman, Chair	305 Deer Ridge Drive, CH 27516	ajeroloman@nc.rr.com	H 960-6099 W 966-6621	9/20/2011 (1)	1/2014 Orange County Rep.
Brian Decker	109 Dublin Road, CH 27516	Bdecker.unc@gmail.com	H 360-6529	10/18/2011 (1 unexp)	1/2014 Orange County Rep.
VACANT					1/2015 Orange County Rep.

ARTS COMMITTEE (Meets the 2nd Monday of each month at 6:00 p.m.)					
(go to Table of Contents)					
Lauren Sacks	207 Gary Road, Carrboro	Lsacks29@yahoo.com	919-475-1743	2/19/13	2//2014
(VACANT)					2/2014
Tremayne Cryer	103 Rockspring Court, Carrboro	Tremayne@tremaynecompany.com	408-537-3002	2/19/13	2/2014
Will McInerney	200 HWY 54 Apt. K3003	Will.mcinerney@gmail.com	919-357-7585	2/19/13	2/2015
Clara Jackson, Chair	104R NC Hwy. 54 West, #325 Carrboro, NC 27510	clara.clear.productions@gmail.com	H 919-914- 4622	2/21/12	2/2015
Art Menius, Vice Chair	The ArtsCenter, 300-G E. Main St., Carrboro	director@artscenterlive.com	W-929-2787, Ext. 217		ArtsCenter Rep.
Eve Barkley	209 Rose Walk Lane	evebarkley@me.com	368-4517	10/16/12 (1)	2/2016
Hassan Melehy	106 Kay St., Carrboro	hmelehy@earthlink.net	H-933-6452 W-962-1029	2/9/2010 2/19/2013	2/2016
VACANT					2/2016
Jay Parker	116 E Main Street	jayp@weaverstreetrealty.com	919-942-2879	2/19/13	2/2015
Jacquelyn Gist					Board Liaison
Arthur Beven Ramsey	304 West Main Street, Suite 101 Carrboro, NC 27510	twilo12@hotmail.com	H – 922-3110 W -928-9001		ESC Liaison
(VACANT)					Chapel Hill Designee
Rah Trost		rtrost@townofcarrboro.org	W 918-7367		Staff Liaison

GREENWAYS COMMISSION (Meets quarterly at 6:30 p.m.)[\(go to Table of Contents\)](#)

Johnny Randall, Vice Chair	1301 Arboretum Dr., CH	jrandall@unc.edu	H-968-8453 W-962-0522	9/2/08 9/4/12	7/1/2015 At-Large
Charlie Hileman, Chair	507 Hillsborough Road, Carrboro NC 27510	carrbonate@gmail.com	H-933-9199	09/13/11 06/18/13	7/1/2016 At-Large
Jeffrey Bloomfield, Jr.		jeffbloomfield@gmail.com	219-916-1779	06/18/13	7/1/2016 At-Large
Mary Parker Sonis	210 Cobblestone Drive, Chapel Hill NC 27516	msonis@nc.rr.com	H-932-9255	09/13/11	7/1/2014 At-Large
Robert Kirschner	131 Friar Lane, Carrboro 27510	kirschnerpublic@aol.com	H-928-4142	10/2/07 (1) 6/28/11 (2) 9/4/12	7/1/2015 At-Large
(VACANT)					7/1/2014 At-Large
Randee Haven-O'Donnell, (Mayor Lavelle – Alt)					Brd. of Aldermen Liaison

Board of Adjustment

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Applicant(s) recommended at this time (1 per open seat)

Applicant 1: James Baker

Outstanding qualifications: _____

How applicant compliments current board composition: Mr. Baker's age adds diversity of age. This is, in my opinion, a complement to the current Board—not a conflict. Additionally, Mr. Baker's education and training in law will compliment the Board's current skill sets.

Other comments: _____

Applicant 2: _____

Outstanding qualifications: _____

How applicant compliments current board composition: _____

Other comments: _____

Applicant 3: _____

Outstanding qualifications: _____

How applicant compliments current board composition: _____

Other comments: _____

Board of Adjustment

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Planning Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Rafael Da Costa Melo Baptista

Date of application/last contact: 10/18/2013

Summary of qualifications: Mr. Baptista hails from Portland, OR, where he was active in local issues and became interested in public administration. He is currently an MPA student at UNC-CH and aims to enter local government administration as a career path. He is an Advisory Board member of the Oregon Emerging Local Government Leaders Association. (According to their website, "The overarching goal of the group is to address the issue of mentoring the next generation of local government leaders.") He is also a member of the International City/County Management Association. While he has not lived in Carrboro very long, he already is active as a soccer coach and in his church (Newman Center).

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No (Briefly explain: Emailed him on 12/18/2013; received an immediate response and a commitment to attend a January planning board meeting.)

Applicant attended Advisory Board meeting prior to BOA review.

☒ Yes (Date: 1/16/2014) ☐ No (Briefly explain: All but one PB member was present. Spent 15 minutes discussing planning board operations, expectations, and the rewards of serving. Mr. Baptista was clearly engaged and made a positive impression on board members.)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes ☐ No
Briefly explain: Mr. Baptista was informed of the meeting schedule; average duration of meetings; and the particular rigors of joint review. He expressed his intent to remain on the board throughout his degree program.

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. Please

Planning Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

note that candidates who do not meet any of these qualities are still eligible for appointment. Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☐ Gender diversity

☒ Racial or ethnic diversity

☒ Age range diversity

☐ Neighborhood/geographic diversity

☐ Occupation, experience or special skills

☐ Previous public service or community involvement

☐ Other: _____

Planning Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Jae Furman

Date of application/last contact: January 27, 2013

Summary of qualifications: Mr. Furman has past experience serving on non-profit boards and is particularly interested in environmental issues. In a conversation and a subsequent e-mail, Mr. Furman expressed his primary interest would be to serve on the EAB, where his background and interests would be better applied.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No (Briefly explain: first e-mailed on 12/18/2013; had brief conversation before the holidays, during which he expressed a preference for serving on the EAB. He had already spoken at length with the EAB chair and was scheduled to attend a meeting in January.)

Applicant attended Advisory Board meeting prior to BOA review.

☐ Yes (Date: _____) ☒ No (Briefly explain: Mr. Furman was invited to attend the planning Board's January meeting but did not attend.)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☐ Yes ☒ No
Briefly explain: Did not discuss at length.

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☐ Gender diversity

☐ Racial or ethnic diversity

Planning Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

____ Age range diversity

____ Neighborhood/geographic diversity

____ Occupation, experience or special skills

____ Previous public service or community involvement

____ Other: _____

Planning Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Susan Poulton

Date of application/last contact: 10/18/2013

Summary of qualifications: Ms. Poulton is the Planning Board's long-standing representative from the Northern Transition Area. She has served multiple terms and is well-apprieved of Carrboro's planning policies and issues. There have been no alternative applications from the NTA, and she is happy to serve. Plus, we couldn't do without her annual holiday party. She keeps us going!

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No (Briefly explain: Confirmed in person at the holiday party.)

Applicant attended Advisory Board meeting prior to BOA review.

☒ Yes (Date: _____) ☐ No
Briefly explain: Currently serves with excellent attendance.

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes ☐ No
Briefly explain: Ms. Poulton demonstrates this through her attendance and full participation.

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☒ Gender diversity

Planning Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

☐ Racial or ethnic diversity

☐ Age range diversity

☒ Neighborhood/geographic diversity

☐ Occupation, experience or special skills

☒ Previous public service or community involvement

☐ Other: _____

Planning Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Bethany Chaney

Date of application/last contact: 10/31/2013

Summary of qualifications: Ms. Chaney has served one term on the planning board and one and one-half terms as Chair. She is a member of the BOA's Affordable Housing Task Force and active the Orange County Affordable Housing Coalition. She is a long-time Orange County resident and has lived in Carrboro for nearly ten years.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No (Briefly explain: Ms. Chaney talks to herself about stuff like this all the time.)

Applicant attended Advisory Board meeting prior to BOA review.

☒ Yes (Date: Last meeting was 1/16/2014) ☐ No (Briefly explain: _____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes ☐ No (Briefly explain: _Has demonstrated through service to date.)

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☒ Gender diversity

☐ Racial or ethnic diversity

☐ Age range diversity

Planning Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

____ Neighborhood/geographic diversity

____ Occupation, experience or special skills

____ Previous public service or community involvement

____ Other: _____

Name: Catherine Adamson

Date of application/last contact: 11/11/2013

Summary of qualifications: Ms. Adamson is completing her first term on the planning board, during which she has contributed consistently and thoughtfully. She joined the planning board after spending many months of her volunteer time organizing members of the Alabama Avenue community who were opposed to a commercial project that would have significantly infringed on this historically African-American and modest-income community. She contributed significantly to the recent Zoning Conversations sponsored by the planning board.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

 X Yes No (Briefly explain: confirmed via e-mail and during past planning board meeting.)

Applicant attended Advisory Board meeting prior to BOA review.

 X Yes (Date: Last meeting she attended was in December, 2013.) No (Briefly explain: _____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

 X Yes No (Briefly explain: Has demonstrated through

Planning Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

service to date.)

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☒ Gender diversity

☐ Racial or ethnic diversity

☐ Age range diversity

☒ Neighborhood/geographic diversity

☐ Occupation, experience or special skills

☐ Previous public service or community involvement

☐ Other: _____

Planning Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Applicant(s) recommended at this time (1 per open seat)

Applicant 1: Rafael Da Costa Melo Baptista

Outstanding qualifications: Demonstrated interest in planning and governance issues from his leadership activities and graduate studies.

How applicant compliments current board composition: Mr. Baptista brings both youth and important ethnic diversity to the Board. In addition, he has excellent knowledge and perspective on leadership development and engagement.

Other comments: _____

Applicant 2: Susan Poulton

Outstanding qualifications: Fifteen years of service to date. Ms. Poulton continues to serve the NTA and all of Carrboro through her service on the Board.

How applicant compliments current board composition: Ms. Poulton offers continuity given her length of service, and important representation for the NTA. In addition, her presence helps maintain gender balance on the board.

Other comments: She makes a mighty fine Mint Julep.

Applicant 3: Catherine Adamson

Outstanding qualifications: Ms. Adamson has demonstrated a facility for the issues and strong leadership capacity through her community organizing and activism, as an active participant on the planning board to date, and assisting with the recent Zoning Conversations.

How applicant compliments current board composition: She offers neighborhood diversity (Alabama Avenue) and gender balance, as well as continuity given her past term.

Other comments: _____

Applicant 4: Bethany Chaney

Outstanding qualifications: Knowledge of affordable housing issues; ability to lead and participate in constructive discussion; commitment to using planning

Planning Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

issues as a community engagement tool.

How applicant compliments current board composition: Offers continuity having completed one term and served as Chair for almost two; and also gender balance.

Other comments: _____

Appearance Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Wendy M. Dale
Date of application/last contact: 2/8/14
Summary of qualifications:

See application

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No (Briefly explain: _____)

Applicant attended Advisory Board meeting prior to BOA review.

☐ Yes (Date: _____) ☒ No
Briefly explain: _____

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes ☐ No
Briefly explain: _____

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☐ Gender diversity

☐ Racial or ethnic diversity

☒ Age range diversity

Appearance Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

☒ Neighborhood/geographic diversity

☒ Occupation, experience or special skills

☐ Previous public service or community involvement

☐ Other: _____

Wendy demonstrated a passion for maintaining Carrboro's aesthetic + character. She also expressed a strong sense of wanting to contribute in a civic capacity.

Recommend appointment
to Appearance Comm.



Chair,

Transportation Advisory Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: _____Jesse Cohn_____

Date of application/last contact:_____1/14/14_____

Summary of qualifications:

Applicant is currently studying city and regional planning with a specialization in transportation. Before coming to Carrboro, applicant worked for the US Department of Transportation Volpe Center in Cambridge, MA. In the Cambridge area, she was involved in bicycle advocacy and education, volunteered with Boston Bikes (the Mayor's initiative to increase cycling in the city) and MassBike (Massachusetts' statewide bicycling advocacy organization), as well as serving as the Bike Safety Chair on the Executive Board of the Christina Clarke Genco Foundation, a small foundation based out of Newton, MA. Prior internships included the Rails-to-Trails Conservancy in Washington, DC, the Washington Area Bicyclists Association, and the Rhode Island Public Transit Authority.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

____Yes __x__No (Briefly explain:_____)

Applicant attended Advisory Board meeting prior to BOA review.

____Yes (Date: _____) __x__No (Briefly explain:_____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

__x__Yes ____No
Briefly explain:

Transportation Advisory Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☒ Gender diversity

☐ Racial or ethnic diversity

☐ Age range diversity

☐ Neighborhood/geographic diversity

☒ Occupation, experience or special skills

☒ Previous public service or community involvement

☐ Other: _____

Transportation Advisory Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: A. Anthony Burton

Date of application/last contact: 9/11/13

Summary of qualifications:

Applicant worked as a planner for the City of Fort Worth, Texas Planning and Development department for a year and a half and focused on transportation planning. Developed the City's first pedestrian plan, and prioritized all planned bike routes citywide. Further work experience involved prioritizing road infrastructure expenditures and assessing transportation impact fees on new development projects.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☐ Yes ☒ No (Briefly explain: _____)

Applicant attended Advisory Board meeting prior to BOA review.

☐ Yes (Date: _____) ☒ No (Briefly explain: _____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

Transportation Advisory Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

☐ Yes ☒ No

Briefly explain:

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☐ Gender diversity

☐ Racial or ethnic diversity

☐ Age range diversity

☐ Neighborhood/geographic diversity

☒ Occupation, experience or special skills

☒ Previous public service or community involvement

☐ Other: _____

Recreation and Parks Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: __Rafael Da Costa Melo Baptista__

Date of application/last contact: _10/18/2013/_/12/20/2013__

Summary of qualifications:

Rafael has refereed at Carrboro Rec and Parks soccer games, is involved in local organizations such as his church, the International City/County Management Association and the Emerging Local Government Leaders Association. He is also studying public administration at the master's level at UNC and would like to give back to the community. He thinks Parks and Rec fits him best given his interests in physical activities and passion for public service and local government.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒_x_ Yes ☐_No (Briefly explain: I emailed and spoke on the phone about Rafael's goals for serving his community, the Rec and Parks Commission time commitments, his ideas about what could be done on Rec and Parks and answered his questions about our current past projects and monthly routine.)

Applicant attended Advisory Board meeting prior to BOA review.

☐_Yes (Date: _____) ☒_x_ No (Briefly explain: _No board meeting was possible as I received applications after the Dec. meeting and had to speak to applicants and have recommendations in prior to the new year. I invited Rafael to come to the Jan. meeting and gave him the time, date and place._)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒_x_ Yes ☐_No

Briefly explain: We discussed monthly meetings, other volunteer opportunities such as town events and educational opportunities and advocacy events at the state and national levels for rec and parks. Rafael felt comfortable with this time commitment.

Recreation and Parks Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☐ Gender diversity

☒ Racial or ethnic diversity

☐ Age range diversity

☐ Neighborhood/geographic diversity

☒ Occupation, experience or special skills

☐ Previous public service or community involvement

☒ Other: ☐ Rec and Parks referee _____

Recreation and Parks Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Jae Furman

Date of application/last contact: Jan 27th, 2013- Contact=Dec 17, 2013

Summary of qualifications:

Avid hiker, cyclists with environmental background.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

 Yes x No (Briefly explain: Jae stated that he was most interested in the EAB and that he had conversations with Matthew A., chair of EAB, and feels that he will best be suited for this board.)

Applicant attended Advisory Board meeting prior to BOA review.

 Yes (Date:) x No (Briefly explain: Jae was invited to attend the Jan 2014 RPC meeting.)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

 Yes x No

Briefly explain: Jae stated that he feels EAB is best choice for him.

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

Recreation and Parks Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

____ Gender diversity

____ Racial or ethnic diversity

____ Age range diversity

____ Neighborhood/geographic diversity

____ Occupation, experience or special skills

____ Previous public service or community involvement

____ Other: _____

Recreation and Parks Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Kendra Van Pelt

Date of application/last contact: 8/1/13. contact = 12/17/2013

Summary of qualifications:

States that she is most interested in Arts commission and has some ideas about different things the Rec and Parks Department might include for different programs. She wants to get involved.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No (Briefly explain: I spoke with Kendra on the phone about her ideas for rec and parks programming and she said she would be happy to be a part of the rec and parks commission.)

Applicant attended Advisory Board meeting prior to BOA review.

☐ Yes (Date: _____) ☒ No

Briefly explain: No meeting date between the time I received applications and the due date for summary of applications. I invited her to Jan 2014 meeting.

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

Recreation and Parks Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

☒ Yes ☐ No

Briefly explain: We discussed meeting times and other volunteer opportunities. She thought that she could manage this in her schedule.

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☐ Gender diversity

☐ Racial or ethnic diversity

☐ Age range diversity

☐ Neighborhood/geographic diversity

☐ Occupation, experience or special skills

☐ Previous public service or community involvement

☒ Other: ☐ none _____

Recreation and Parks Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Erin Jobe

Date of application/last contact: 11/18/13-contact=12/17/13

Summary of qualifications: Erin is Carrboro Farmers Market manager, works with local officials, and works to promote Carrboro regularly. She would like to be involved in present and future events that Carrboro has to offer and has worked as part of the Rec and Parks department in other cities in the past.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☒ Yes ☐ No (Briefly explain: I meet with Erin and discussed the rec and parks commission details. She has a strong interest in serving Carrboro in some manner and is interested in the Economic Dev. And Rec and Parks Commissions.)

Applicant attended Advisory Board meeting prior to BOA review.

☐ Yes (Date:) ☒ No (Briefly explain: there was not a meeting time available as I received the applications after the rec and parks meeting in december and needed to have applications in prior to the Jan 2014 meeting. I invited Erin to the Jan meeting.)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes ☐ No (Briefly explain: Erin understands the)

Recreation and Parks Commission

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In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

____ Gender diversity

____ Racial or ethnic diversity

____ Age range diversity

____ Neighborhood/geographic diversity

___x___ Occupation, experience or special skills

___x___ Previous public service or community involvement

____ Other: _____

Name: ___Daniel Siler_____

Date of application/last contact: 11/27/13- Contact=12/17/2013__

Summary of qualifications: Daniel is a Chapel Hill resident who has lived in Orange Co. for 14 yrs and has been involved for many years with town politics due to his role as former news director at WCHL 1360. He feels that now he is in a place to help give back to Carrboro and is active with outdoor physical activity.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

___x___ Yes _____ No (Briefly explain: I spoke to Daniel at length over the telephone about his interest in local government and past knowledge of Carrboro. He would like to be involved with Rec and Parks and listed this commission as his one and only area of interest. He has specific ideas about new facilities/programs, but is interested in the larger aspect that parks and rec plays in Carrboro.)

Recreation and Parks Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Applicant attended Advisory Board meeting prior to BOA review.

☐ Yes (Date: _____) ☒ No (Briefly explain: The December meeting had passed prior to applications being received and the Jan meeting will take place after applications need to be submitted. I invited Daniel to the next meeting. _)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes ☐ No
Briefly explain: I described monthly meetings, volunteer opportunities, and other annual state and national meetings. Daniel was very eager to help and thought that he would be able to commit his time appropriately.

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☐ Gender diversity

☐ Racial or ethnic diversity

☐ Age range diversity

☐ Neighborhood/geographic diversity

☐ Occupation, experience or special skills

☒ Previous public service or community involvement

☒ Other: ☐ Volunteer work with UNC Athletics in the past _____

Recreation and Parks Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

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Recreation and Parks Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Applicant(s) recommended at this time (1 per open seat)

Applicant 1: _Rafael Da Costa Melo Baptista for Carrboro open seat for rec and parks commission_____

Outstanding qualifications: _____Rafael has volunteered for Rec and Parks in Carroro as a referee and has a feel for how important rec and parks is to this community. He is interested in local government and public administration with educational background in this area. He was involved in Parks when he lived in Portland, OR and seems very eager to give time and energy to the Carrboro Rec and Parks Commission_____

How applicant compliments current board composition: __Rafael would likely bring fresh, new ideas given his background and may better represent the Hispanic minority. He is a UNC student with lots of energy and passion for Recreation and Parks and feels it is a means to help strengthen community.

Other comments: _____

Applicant 2: _____Erin Jobe for Carrboro open seat for Rec and parks_____

Outstanding qualifications: _____Erin is an integral member of the Carrboro community given her involvement with the Farmer Market. She has a desire to serve and has been involved with Rec and Parks with past positions in other communities. _____

How applicant compliments current board composition: _____Erin would help bring more guidance with gardening topics, can incorporate the importance of coordination with other boards for better use of rec and parks space, and can bring the perspective of what other rec and parks departments are doing.

Other comments: _____Erin would be a great addition to either the rec and parks , Tourism Development Authority, or Economic Sustainability

Recreation and Parks Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Commission _____

Applicant 3: ____Daniel Siler for Open Chapel Hill Seat for Rec and Parks_____

Outstanding qualifications: ____Long involvement in local politics as news director for WCHL 1360 with a good knowledge base about Carrboro history and local politics. Has volunteer with UNC Athletics in the past and a strong desire to give back to the community. He only listed Rec and Parks as committee he considers for appointment.

How applicant compliments current board composition: _Daniel would bring new energy and ideas to the rec and Parks commission and could help with his knowledge base of local politics. He is a Chapel Hill resident and and been a resident of Orange Co. for 14 yrs with a good understanding of what local and regional residents find important in regards to rec and parks and also understands how important rec and parks is to Carrboro. He is interested in specific ideas, but also has a desire to help the overall goals and missions of the Rec and Parks Commission and department.

Other comments: _____

Applicant 4: __Kendra Van Pelt_____

Outstanding qualifications: ____Interested in helping town of Carrboro____

How applicant compliments current board composition: __If Kendra does not fit into one of her 3 top choices (Arts, EAB, Human Services), then she would be a great addition to Rec and Parks to help bring more energy and ideas.

Other comments: _____

Environmental Advisory Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Joe Furman

Date of application/last contact: 1/27/13

Summary of qualifications: Spoke with Joe on 12/12/13 with follow contact afterwards. Joe has shown serious interest in position with requests for notes on current EAB projects. He is the former ~~Chair~~ Conservation Chair for New Hope Audubon Society and familiar with numerous environmental issues. He is employed with the

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail. Nicholas Institute for the Environment at Duke University.
☒ Yes ☐ No (Briefly explain: _____)

Applicant attended Advisory Board meeting prior to BOA review. Attended (1) EAB mtg. informally in 2013.
☒ Yes (Date: _____) ☐ No (Briefly explain: _____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☒ Yes ☐ No
Briefly explain: _____

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

____ Gender diversity

____ Racial or ethnic diversity

Environmental Advisory Board

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☐ Age range diversity

☐ Neighborhood/geographic diversity *Bellentine / Lake Hogan / Legends Neighborhood*

☒ Occupation, experience or special skills

☒ Previous public service or community involvement

☐ Other: _____

Jae would be an excellent addition to EAB with regard to Cambaro's New Strategic Energy and Climate Action Plan, and other EAB mandates. Jae brings professional experience in analyzing and marketing energy conservation strategies to general public.

- Matthew

Environmental Advisory Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: <u>Kendra Van Pelt</u>
Date of application/last contact: <u>Aug 1, 2013 / 12/12/13</u>
Summary of qualifications: <u>Durham Tech School of Health and Safety.</u>
Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Briefly explain: _____)
Applicant attended Advisory Board meeting prior to BOA review. <input type="checkbox"/> Yes (Date: _____) <input checked="" type="checkbox"/> No (Briefly explain: _____)
Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board. <input type="checkbox"/> Yes <input type="checkbox"/> No <u>Role, responsibilities and commitment was verbally conveyed to Kendra on 12/12/13.</u>
In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. Please note that candidates who do not meet any of these qualities are still eligible for appointment. Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison. <input checked="" type="checkbox"/> Gender diversity <input type="checkbox"/> Racial or ethnic diversity

Environmental Advisory Board

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___ Age range diversity

___ Neighborhood/geographic diversity *Barnes Street*

___ Occupation, experience or special skills

___ Previous public service or community involvement

___ Other: _____

*Unable to say what special skills
Kendra can bring to EAB based upon
application and phone conversation
to date. 12/12*

Environmental Advisory Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Bruce Sinclair
Date of application/last contact: 11/26/13

Summary of qualifications:

Bruce is an active EAB appointee
and provides excellent contributions
to the EAB.

He should be re-appointed. - Matthew

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

☐ Yes ☐ No (Briefly
explain: _____)

Applicant attended Advisory Board meeting prior to BOA review.

☐ Yes (Date: _____) ☐ No (Briefly
explain: _____)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

☐ Yes ☐ No
Briefly explain:

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. Please note that candidates who do not meet any of these qualities are still eligible for appointment. Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

☐ Gender diversity

☐ Racial or ethnic diversity

Environmental Advisory Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

____ Age range diversity

____ Neighborhood/geographic diversity

____ Occupation, experience or special skills

____ Previous public service or community involvement

____ Other: _____

Environmental Advisory Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

<p>Name: <u>Gabriel Rivin</u></p> <p>Date of application/last contact: <u>11/1/13</u></p> <p>Summary of qualifications:</p> <p>Gabriel is an active EAB appointee and provides excellent contributions to the EAB. He should be reappointed. - Matthew</p> <hr/> <p>Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No (Briefly explain: _____)</p> <p>Applicant attended Advisory Board meeting prior to BOA review.</p> <p><input type="checkbox"/> Yes (Date: _____) <input type="checkbox"/> No (Briefly explain: _____)</p> <p>Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Briefly explain: _____</p> <p>In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. Please note that candidates who do not meet any of these qualities are still eligible for appointment. Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.</p> <p><input type="checkbox"/> Gender diversity</p> <p><input type="checkbox"/> Racial or ethnic diversity</p>

Environmental Advisory Board

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

____ Age range diversity

____ Neighborhood/geographic diversity

____ Occupation, experience or special skills

____ Previous public service or community involvement

____ Other: _____