



Town of Carrboro

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

Meeting Agenda Board of Aldermen



Tuesday, June 4, 2019

7:00 PM

Board Chambers - Room 110

7:00-7:15

A. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

1. [19-203](#) Proclamation - Gun Violence Awareness Day
2. [19-206](#) Proclamation - Honoring the State Champion Carrboro Jaguar Women's Soccer Team

7:15-7:20

B. ANNOUNCEMENT OF UPCOMING MEETINGS

7:20-7:30

C. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

7:30-7:40

D. CONSENT AGENDA

1. [19-201](#) Approval of Minutes from May 14 and May 21
2. [19-193](#) Request to Consider Authorizing the Town Manager to Approve Bids, Select a Contractor and Award a Contract for Morgan Creek Greenway Phase 1 Construction and Construction Engineering and Inspection Services (CEI) for Phase I of the Morgan Creek Greenway

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider authorizing the Town Manager to approve bids, select a contractor and award a contract for the construction of Phase 1 of the Morgan Creek Greenway and to select and award a contract with a consulting engineering firm for CEI services for the same greenway project.

Attachments: [Attachment A Resolution to Award Contracts for Morgan Creek Greenway, Phase 1](#)

3. [19-192](#) Recognition of Donation to the Carrboro Police Department by University Ford of Chapel Hill
PURPOSE: The purpose of this item is to recognize the generous donation from University Ford of Chapel Hill of the use of a fifteen-passenger van.
Attachments: [Resolution.pdf](#)
4. [19-195](#) Stormwater Utility Monthly Report
PURPOSE: The purpose of this item is to provide the first monthly update regarding Stormwater Utility projects and initiatives.
Attachments: [June 2019 Stormwater Report](#)
5. [19-196](#) Economic Development Report for the Month of June
PURPOSE: The purpose of this agenda item is to update the Board on economic development activity within the Town.
Attachments: [June Economic Development Report](#)
6. [19-198](#) Proposed amendments to Chapter 4 (Personnel Policy) of the Town Code related to holiday compensation for shift employees, compensatory time, and personal time off
PURPOSE: The purpose of this item is to amend Chapter 4 Personnel Policy of the Town Code sections 4-52, 4-73, and 4-74
Attachments: [Attachments A1-A2 Holiday Leave Rev Ordinance](#)
[Attachments B1-B2 Personal Time Off Leave Rev Ordinance](#)
[Attachments C1-C2 Compensatory Time Rev Ordinance](#)
[Attachment D Holiday Leave Rev Ordinance 07-01-2019_Final](#)
[Attachment E Personal Time Off Ordinance 07-01-2019_Final Draft](#)
[Attachment F Compensatory Ordinance 07-01-2019_Final Draft](#)
7. [19-199](#) Report from the Human Services Advisory Board of the 2019 Human Services Application Process
PURPOSE: The purpose of this item is to update the Board on the findings for the changes to application process in 2019 and the comments by the Human Services Advisory Board for the 2020 process.
8. [19-197](#) Independent Audit Contract for Fiscal Year Ending June 30, 2019
PURPOSE: To award contract for the Town's annual independent audit for the fiscal year ending June 30, 2019.
Attachments: [A RESOLUTION AWARDING 2019 AUDIT CONTRACT](#)
[Town of Carrboro Audit Engagement Letter and Contract 06 30 2019](#)

E. OTHER MATTERS

7:40-8:10**1. [19-180](#) Transportation Projects Update**

PURPOSE: The purpose of this agenda item is to provide the Board of Aldermen with an update on the progress of current transportation projects around town.

Attachments: [Attachment A - Update on Transportation Projects July 2019](#)

8:10-9:20**2. [19-200](#) Follow up from Review of Preliminary Draft Ordinance and Master Plan to Rezone Property at Old NC 86 and Eubanks Road to a Site Specific, Flexible Zoning (FLX) District**

PURPOSE: The purpose of this item to provide the Board with follow up information from the April 9th meeting regarding the preliminary materials for the Site Specific, Flexible Zoning (FLX) District proposed for the property at the corner of Eubanks Road and Old NC 86.

Attachments: [Attachment A - Staff Report](#)

F. MATTERS BY BOARD MEMBERS



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Agenda Item Abstract

File Number:19-203

Agenda Date: 6/4/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

Proclamation - Gun Violence Awareness Day



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Agenda Item Abstract

File Number:19-206

Agenda Date: 6/4/2019

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Version: 1

Proclamation - Honoring the State Champion Carrboro Jaguar Women's Soccer Team



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Agenda Item Abstract

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Version: 1

Approval of Minutes from May 14 and May 21



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Agenda Item Abstract

File Number:19-193

Agenda Date: 6/4/2019

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Version: 1

TITLE:

Request to Consider Authorizing the Town Manager to Approve Bids, Select a Contractor and Award a Contract for Morgan Creek Greenway Phase 1 Construction and Construction Engineering and Inspection Services (CEI) for Phase I of the Morgan Creek Greenway

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider authorizing the Town Manager to approve bids, select a contractor and award a contract for the construction of Phase 1 of the Morgan Creek Greenway and to select and award a contract with a consulting engineering firm for CEI services for the same greenway project.

DEPARTMENT: Planning, Finance, Public Works, Town Attorney

CONTACT INFORMATION: Christina Moon - 919-918-7325; Patricia McGuire - 919-918-7327; Arche McAdoo - 919-918-7439; Ben Schmadeke - 919-7424; Nick Herman - 919-929-3909

INFORMATION: On December 4, 2018, the Board of Aldermen authorized the Town Manager to execute a supplemental agreement with NCDOT and adopted an amendment to the capital project ordinance for the Morgan Creek Greenway to reflect the revised project phasing and the addition of Orange County transit funds to apply toward the local match (Agenda materials:

<https://carrboro.legistar.com/MeetingDetail.aspx?ID=639319&GUID=9C76F18E-4917-4968-8D2F-B8DB11219AEE&Options=&Search=>>)

The Town advertised the project for construction on June 2nd, with the bid opening scheduled for June 25th. To keep the project moving forward during the summer break, staff is requesting the Board authorize the Town Manager to recommend a contractor to NCDOT for concurrence and subsequently to negotiate and award a contract for construction. Staff anticipates advertising a Request for Letters of Interest (RFLOI) for Construction Engineering and Inspection Services (CEI) in the near future so that an engineering firm may be selected about the same time.

FISCAL & STAFF IMPACT: The total budget adopted for the construction and CEI services is \$1,576,500. The standard cost estimate for CEI services is 15-20% of construction.

RECOMMENDATION: Staff recommends that the Board consider adopting the resolution (*Attachment A*) authorizing the Town Manager to negotiate and award a contract for the construction and to negotiate and execute a contract for Construction Engineering and Inspection Services (CEI) .

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO APPROVE BIDS, SELECT A CONTRACTOR AND AWARD A CONTRACT FOR MORGAN CREEK GREENWAY PHASE 1 CONSTRUCTION AND CONSTRUCTION ENGINEERING AND INSPECTION (CEI) SERVICES FOR PHASE 1 OF THE MORGAN CREEK GREENWAY

WHEREAS, The Carrboro Board of Aldermen has adopted Capital Improvement Project Ordinance for the construction of Phase 1 of the Morgan Creek Greenway (TIP# EL-4828A), and has appropriated \$1,567,500 for this project; and,

Whereas the Town of Carrboro has initiated a municipal agreement with the North Carolina Department of Transportation for the design and construction of Phase 1 of the Morgan Creek Greenway; and,

WHEREAS, the Town has advertised the project with a bid opening scheduled for June 25, 2019; and

WHEREAS, the Town has prepared a Request for Letters of Interest to select the most qualified engineering firm for CEI services to deliver the project; and

WHEREAS, federal and state law requires that negotiations be conducted with the selected firm to establish a fair and reasonable price for the contract; and

WHEREAS, NCDOT policy requires an audit of a firm's contract proposal prior to the beginning of negotiations.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board authorizes the Town Manager to approve bids, select a contractor and award a contract for:

- a. Morgan Creek Greenway Phase 1 Construction; and
- b. Construction Engineering and Inspections services for Phase 1 of the Morgan Creek Greenway, not to exceed 20% of construction contract.

The combined total of these two contracts shall not exceed the total project construction budget of \$1,567,500.

A copy of this resolution shall be provided to the Town's Chief Financial Officer within five (5) days of adoption.

This is the 4th day of June in the year 2019.



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Version: 1

TITLE:

Recognition of Donation to the Carrboro Police Department by University Ford of Chapel Hill

PURPOSE: The purpose of this item is to recognize the generous donation from University Ford of Chapel Hill of the use of a fifteen-passenger van.

DEPARTMENT: Police

CONTACT INFORMATION: Chief Walter Horton, 919-918-7397; POII Paul Tivnan, 919-918-7397

INFORMATION: The Carrboro Police Department received a donation of the use of a Ford fifteen-passenger van from University Ford of Chapel Hill. In a letter to the Police Department, University Ford wishes to donate the use of a van for the Carrboro Police Summer Camp for teens, being held June 17 - 21, 2019. The summer camp is held to expose those who have an interest in law enforcement, to learn about the different roles of law enforcement officers and agencies in the triangle. This donation will allow the Police Department's staff to transport participants of the camp safely to different education venues.

University Ford will be added as an additional insured under the Town's current policy for the use of the van during the summer camp.

FISCAL & STAFF IMPACT: The rental fee of \$516 for the passenger van will be waived. The only cost to the Town will be for fuel, which will be covered in our existing budget.

RECOMMENDATION: Town Staff recommend that the Board of Aldermen consider adopting the attached resolution.

ATTACHMENT A

A RESOLUTION OF APPRECIATION TO UNIVERSITY FORD FOR THEIR DONATION

WHEREAS, University Ford of Chapel Hill has graciously offered to donate the use of a 15 passenger van by waiving the rental fee of \$516 to the Carrboro Police Department for use during the police summer camp held June 17 – 21, 2019; and

WHEREAS, this donation will allow the police department's staff to transport participants of the camp safely to different education venues.

WHEREAS, donation of this van will help the Carrboro Police Department continue the goal of education and positive interactions with the public;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that:

1. On behalf of the Town of Carrboro and its residents, the Board of Aldermen hereby expresses its sincere thanks and gratitude to University Ford of Chapel hill for its generous donation.
2. The resolution shall be entered into the official minutes of the Board of Aldermen and a copy thereof shall be delivered to University of Chapel Hill.
3. This resolution shall become effective upon adoption.

This is the 4th day of June in the year 2019.



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File Number:19-195

Agenda Date: 6/4/2019

File Type:Agendas

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Version: 1

TITLE:

Stormwater Utility Monthly Report

PURPOSE: The purpose of this item is to provide the first monthly update regarding Stormwater Utility projects and initiatives.

DEPARTMENT: Public Works

CONTACT INFORMATION: Randy Dodd, Stormwater Utility Manager, 919 918-7341

INFORMATION: The report identifies 16 separate projects and initiatives that Stormwater staff are and will/could be involved in within the next 12-18 months. These are specific efforts, some time limited and others part of ongoing stormwater program development, that are above and beyond the baseline workload associated with, for example: general program administration, e.g., coordination with and reporting to other Carrboro staff, the Stormwater Advisory Commission, and the Board as well as local, state, and federal agencies and contractors; tracking impervious surfaces; responding to billing and other community member inquiries; MS4 inspections; reviewing development plans; stream determinations/buffer reviews; and illicit discharge response and pollution prevention.

FISCAL & STAFF IMPACT: There is no fiscal impact associated with this update. There will be nearer and longer term fiscal and staff impacts, as presented in the report.

RECOMMENDATION: It is recommended that the Board receive the staff report.

STORMWATER UTILITY MONTHLY REPORT

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PART 1: WATER QUANTITY DRIVEN WORK

1. FEMA Hazard Mitigation Grant Program (HMGP) Active Elevation Project



Project Description: Utilization of FEMA HMGP funds to elevate homes on Lorraine Street.

Project Background: In 2016, the Town was awarded a FEMA grant (administered by the NC Department of Public Safety [NCDPS]) to elevate two homes at 400 Lorraine Street and 403 Lorraine Street. After start up project delays, the Town hired Summit Design and Engineering Services in the late spring of 2018 to assist with pre-construction/design and bidding services, construction administration and grant compliance monitoring. Stormwater staff began providing administrative support for the project in October 2018. Summit wrapped up the preconstruction/design phase of the project in December, construction bid advertisement followed, and a responsive bid was received, but the bid exceeded the available funding. Staff requested grant extension and additional funding to cover increased construction costs in February.

Status: Awaiting State/Federal response. The extension and additional funding request has been passed on by NCDPS staff to FEMA, but as of May 29th, a response has not been received.

Fiscal and Staffing Considerations: Costs associated for work covered by the grant, if extended and fully funded, will be reimbursed to the Town with a combination of both Federal and State funds covering 100% of the costs associated with the project. Elevation costs, if fully funded, can be reimbursed at up to \$175k per home. There is a significant staff impact to administer the grant funds.

Additional Information:

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3767377&GUID=67B319F8-E1CC-4E4B-9DC2-5FA5AEC6CCED&Options=&Search=&FullText=1>

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=2825729&GUID=06EB126A-0AE5-4A83-BFD0-0AA28C2CA6F1&Options=ID|Text|&Search=Flood>

https://www.fema.gov/media-library-data/1493317448449-b83f27544e36b7bf67913f964a56b15a/HMA_Homeowners_Guide_040717_508.pdf

[b83f27544e36b7bf67913f964a56b15a/HMA Homeowners Guide_040717_508.pdf](https://www.fema.gov/media-library-data/1493317448449-b83f27544e36b7bf67913f964a56b15a/HMA_Homeowners_Guide_040717_508.pdf)

2. FEMA Hazard Mitigation Grant Program Letters of Interest (Acquisition and Elevation)



Project Description: The information presented below provides a backup plan for the elevation projects described in #1 above, along with an acquisition project for 116 Carol Street, and a new elevation project for 100 James Street

Project Background: Following on Hurricane Florence, FEMA announced a new round of HMGP funding. In addition to the Lorraine Street properties discussed above, two additional homeowners at 116 Carol Street and 100 James Street (properties included in previous HMGP applications for acquisitions that did not move forward) have responded, and been included in a Letter of Interest submitted by the Town to the NCDPS. Staff submitted one Letter of Interest for an acquisition project for 116 Carol Street and a second Letter of Interest for elevation of homes at 100 James Street along with 400 and 403 Lorraine Street. Another step that staff has taken is resubmittal of these same Letters of Interest under a new funding round that has opened up in association with Hurricane Michael. This is being pursued at the recommendation of State and County staff as an additional backup option in the event that insufficient federal funds are available from Florence for FEMA to accept Carrboro's Hurricane Florence Letters of Interest.

Status: Awaiting State/Federal response. Staff are awaiting response from NCDPS to see if the Letters of Interest submitted in March have been accepted, which would allow negotiation of a grant agreement between the Town and NCDPS, to begin.

Fiscal and Staffing Considerations: If either or both LOI is accepted and a grant agreement executed, costs associated for work covered by the grant, will be reimbursed to the Town with a combination of both Federal and State funds covering 100% of the costs associated with the project(s). Elevation costs can be reimbursed at up to \$175k per home, and acquisition costs at up to \$276k per home. There would be a significant staff impact to administer the grant funds.

Additional Information:

https://www.fema.gov/media-library-data/1493317448449-b83f27544e36b7bf67913f964a56b15a/HMA_Homeowners_Guide_040717_508.pdf

3. FEMA Public Assistance: Public Works Stream Restoration



Project Description: This project will involve two phases of repairing/restoring a badly eroding stream channel in an extremely high risk situation adjacent to Public Works. The first phase will be preliminary engineering; the second will be construction/restoration.

Project Background: Stormwater staff have been leading the Town's exploration of FEMA Public Assistance funding following on Hurricane Florence. There are two unnamed intermittent streams that flow from the south side of downtown along South Greensboro Street and Old Pittsboro Road, join just above the 54 Bypass, and then flow under the bypass and along the Public Works property line before joining Morgan Creek. The stream channel is very incised adjacent to Public Works, with an extremely actively eroding bank. During Hurricane Florence, a large section of the streambank immediately adjacent to the fuel tanks (as well as outbuildings) collapsed, escalating and accelerating the importance of addressing the bank erosion. This project has been an identified need since 2015.

Status: Active. Staff plan to bring a project ordinance to the Board for approval and release an RFQ for assistance with preliminary engineering from a private engineering firm in June, and continue to work diligently with NCDPS and FEMA to obtain federal assistance for this project. Stormwater staff consider this to be the highest priority capital project.

Fiscal and Staffing Considerations: The amount of federal assistance is currently uncertain, with the estimated amount being 50-100% of the total cost of \$300-\$600k. Stormwater staff recommend that the preliminary engineering phase of moves forward regardless of the amount of federal assistance available. There will be a significant staff impact associated with project and grant management.

Additional Information:

https://www.fema.gov/media-library-data/1534520496845-4b41646e3d8839c768deb3a7f4ded513/PADeliveryModelFactSheetFINAL_Updated_052418.pdf
<https://carrboro.legistar.com/LegislationDetail.aspx?ID=2288740&GUID=0B2EA271-314B-4ED8-8A38-0E199F87A49F%3E&FullText=1>

4. FEMA Public Assistance: Broad Street Culvert Replacement



Project Description: This project will involve two phases to replace an old and undersized culvert on the 400 block of Broad Street. The first phase will be preliminary engineering; the second will be construction.

Project Background: Stormwater staff have been leading the Town's exploration of FEMA Public Assistance funding following on Hurricane Florence. An old and undersized culvert on Broad Street has been responsible for previous overtopping of the road, and has been identified as being a candidate for FEMA PA funding. This site has been included in previous Town flood studies by Sungate Engineering.

Status: Active. Staff plan to bring a project ordinance to the Board for approval and release an RFQ for assistance with preliminary engineering from a private engineering firm in June, and continue to work diligently with NCDPS and FEMA to obtain federal assistance for this project.

Fiscal and Staffing Considerations: The amount of federal assistance is currently uncertain, with the estimated amount being 75-100% of the total cost of \$75-\$125k. There will be a significant staff impact associated with project and grant management.

Additional Information:

[https://www.fema.gov/media-library-data/1534520496845-](https://www.fema.gov/media-library-data/1534520496845-4b41646e3d8839c768deb3a7f4ded513/PADeliveryModelFactSheetFINAL_Updated_052418.pdf)

[4b41646e3d8839c768deb3a7f4ded513/PADeliveryModelFactSheetFINAL_Updated_052418.pdf](https://www.fema.gov/media-library-data/1534520496845-4b41646e3d8839c768deb3a7f4ded513/PADeliveryModelFactSheetFINAL_Updated_052418.pdf)

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=2288740&GUID=0B2EA271-314B-4ED8-8A38-0E199F87A49F%3E&FullText=1>

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=2288740&GUID=0B2EA271-314B-4ED8-8A38-0E199F87A49F%3E>

5. FEMA Public Assistance: Damage Recovery from Hurricane Florence



Overview

Public Assistance (PA) is FEMA's largest grant program providing funds to assist communities responding to and recovering from major disasters or emergencies declared by the President. The program provides emergency assistance to save lives and protect property, and assists with permanently restoring community infrastructure affected by a federally declared incident.

Eligible Applicants

Eligible applicants include states, federally recognized tribal governments (including Alaska Native villages and organizations so long as they are not privately owned), U.S. territories, local governments, and certain private non-profit (PNP) organizations.

PNPs must have "an effective ruling letter from the U.S. Internal Revenue Service, granting tax exemption under sections 501(c), (d), or (e) of the Internal Revenue Code of 1954, or satisfactory evidence from the State that the nonrevenue producing organization or entity is a nonprofit one organized or doing business under State law."¹ Additionally, for a PNP operated facility to be eligible, the PNP must demonstrate the facility provides a critical service or provides a non-critical, but essential government service and is open to the general public. A facility that provides a critical service is defined as one used for an educational, utility, emergency, or medical purpose.²

Project Categories

FEMA processes PA grant funding according to the type of work the applicant undertakes. Eligible work must be required as a result of the declared incident, be located in the designated area, be the legal responsibility of the applicant, and be undertaken at a reasonable cost.

Eligible work is classified into the following categories:

Emergency Work

Category A: Debris removal

Category B: Emergency protective measures

Permanent Work

Category C: Roads and bridges

Category D: Water control facilities

Category E: Public buildings and contents

Category F: Public utilities

Category G: Parks, recreational, and other facilities

Federal funding guidelines for each of these categories are listed in the *Public Assistance Program and Policy Guide*, which is located [online at https://www.fema.gov/media-library/assets/documents/111781](https://www.fema.gov/media-library/assets/documents/111781).

Application Process

After a federal declaration, the recipient (i.e. state, tribe, or territory) conducts Applicant Briefings to inform potential applicants (i.e. state, local, tribal, territorial, and PNP officials) of the assistance available and how to apply. Applicants must then file a Request for Public Assistance within 30 days of the date their respective area is designated by the federal declaration.

Following the approved request, FEMA and the applicants will conduct additional meetings to discuss disaster

Project Description: The Town has been working through the FEMA Public Assistance process for damage recovery from Hurricane Florence. This aspect of Public Assistance is associated with covering the costs associated with debris removal, emergency protective measures, and restoring equipment and facilities to pre-storm conditions. It is administrated separately from the activities described in #3 and #4 above.

Project Background: Stormwater staff have been leading the Town's pursuit of FEMA Public Assistance funding. Staff have submitted claims for losses not covered by insurance and have been working with FEMA/NCDPS staff to document and receive reimbursement, as well as reimbursement for staff time associated with emergency response and follow up. This process has been underway since the winter. It is estimated that the Town will receive about \$100k reimbursement for storm preparation, debris removal, facility and park restoration, uninsured losses, and staff time.

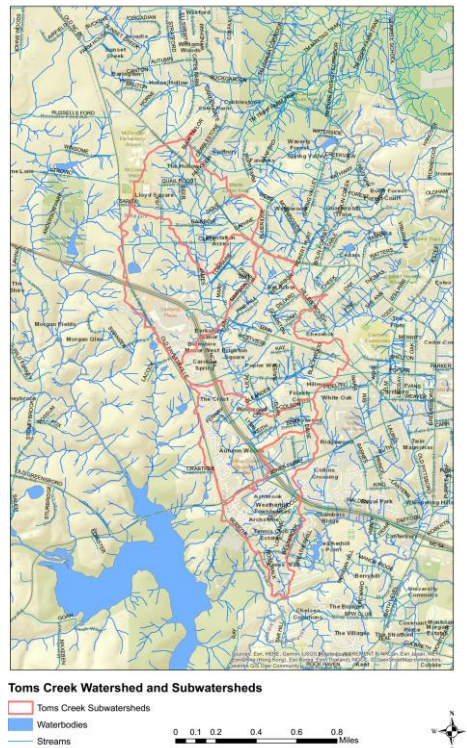
Status: Active. The Florence damage recovery Public Assistance funding work is nearing completion. Staff completed documentation in late May, and the Town is awaiting final review and reconciliation.

Fiscal and Staffing Considerations: Staff anticipated being reimbursed approximately \$100k in uninsured costs. This work has required several hundred hours of Stormwater staff time since late 2018.

Additional Information:

https://www.fema.gov/media-library-data/1534520496845-4b41646e3d8839c768deb3a7f4ded513/PADeliveryModelFactSheetFINAL_Updated_052418.pdf
https://www.fema.gov/pdf/government/grant/pa/fema323_app_handbk.pdf

6. Toms Creek Watershed Study/Strategy



Project Description: In April 2019, the Board directed staff to move forward with an engineering assessment of conditions in the Toms Creek watershed.

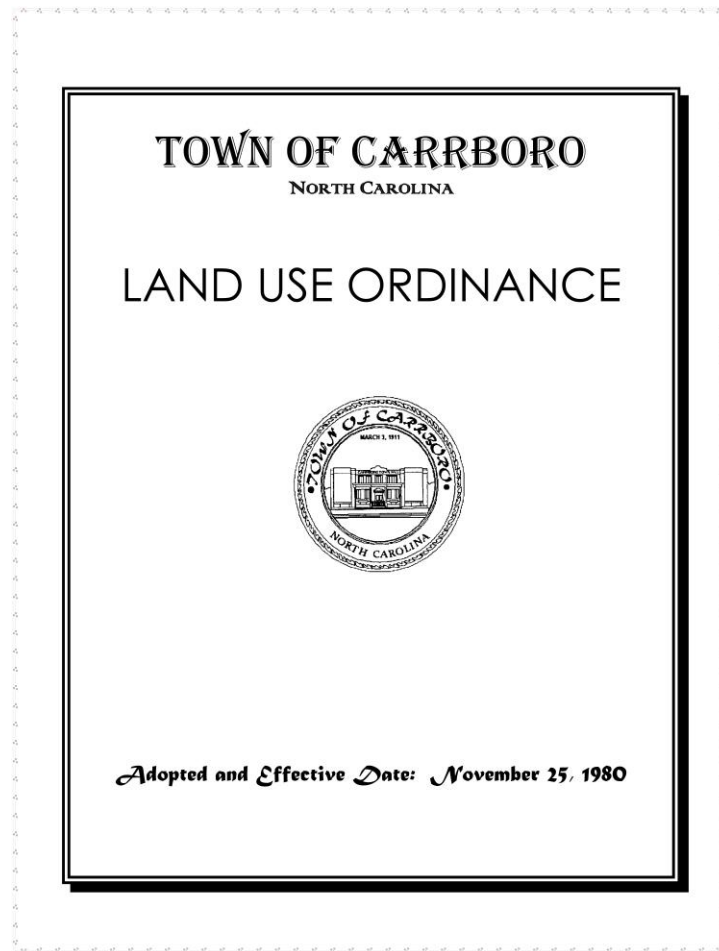
Project Background: For the Toms Creek watershed, flooding and drainage is a recurring and important theme. The upper watershed has received the most attention in recent years, including hydrologic and hydraulic modeling, due to the degree of flooding experienced by residential property owners, but properties with drainage and flooding concerns exist elsewhere in the watershed, both in the regulated floodplain and other areas. A watershed based approach is needed to comprehensively address the issues that exist. An emerging concern is resiliency in consideration of the growing number of recent intense storms and the potential for a shift to more flooding in the future due to climate change. Water quality/stream ecology has not been studied in the watershed to any significant degree; this effort should initiate these considerations.

Status: Active. Staff anticipate releasing an RFQ within 1-2 months to seek support from a consultant to complete this work by early to mid-2020. Community input and engagement will be included as part of the scope of the consultant's work.

Fiscal and Staffing Considerations: There will be a cost for contractual services and for implementation of the resulting strategy. There will be a staff impact with securing the services of a consultant and overseeing the consultant's work.

Additional Information: Additional information is available from multiple Board agenda items from 2013-2019. A project website will be created with relevant historical and project related information.

7. Land Use Ordinance Stormwater Provisions Review



Project Description: LUO stormwater provisions are currently under review.

Project Background: At the April 16th Board of Aldermen meeting, the Board referred further review of the stormwater provisions in the LUO to staff and the Stormwater Advisory Commission in consideration of the flooding and drainage impacts being experienced and elevated risk for increasing impacts due to climate change.

Status: Active. This is being actively considered by Planning and Public Works staff, the Town Engineer, and the Stormwater Advisory Commission.

Fiscal and Staffing Considerations: There is no fiscal impact with reviewing and amending the LUO. There is a staff impact with performing the review.

Additional Information:

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3919560&GUID=59CDD594-2973-4C2B-813C-738A1CF5707B&Options=&Search>

<http://www.townofcarrboro.org/DocumentCenter/View/698/Article-XVI-Floodways-Floodplains-Drainage-and-Erosion-PDF>

PART 2: WATER QUALITY & FEDERAL/STATE REGULATORY DRIVEN WORK

8. NPDES Town wide Permit

What is an MS4 Permit Compliance Audit?

An MS4 Audit is a structured review of the Stormwater Management Program to evaluate whether the MS4 is meeting the requirements specified in the NPDES MS4 Permit & Stormwater Management Plan (SWMP)



AKA do you have your ducks in a row?

Department of Environmental Quality



Regulatory Requirement: The Town is regulated under a town wide permit that requires the Town to implement a comprehensive stormwater management program that includes six minimum measures:

- (1) Public education and outreach on stormwater impacts
- (2) Public involvement/participation
- (3) Illicit discharge detection and elimination
- (4) Construction site stormwater runoff control (delegated to Orange County)
- (5) Post-construction stormwater management for new development and redevelopment, and
- (6) Pollution prevention/good housekeeping for municipal operations.

The initial Carrboro permit was issued effective July 1, 2005, renewed in 2011, and again in 2017. The Town maintains a Stormwater Management Plan that describes permit compliance details.

Background: In 1990, under the authority of the federal Clean Water Act and starting with large (population >100k) municipalities (and industries), EPA began regulating stormwater runoff. In 2000, the scope was extended to smaller municipalities, and EPA delegated the authority to the State to issue these municipalities (including Carrboro) a stormwater permit.

Status: Active. There is a planned EPA/State NPDES Phase II stormwater permit audit in 2020, with new compliance expectations from EPA and the State of the Town (and all NC municipalities). Given the State staff's communications about the audit and Stormwater staff understanding of the current permit compliance performance, staff anticipate that a Letter of Deficiency would probably be given if the audit were to occur today. Stormwater Staff intend to emphasize permit performance in the staff work plan for the remainder of 2019 and into 2020.

Fiscal and Staffing Considerations: Preparing for this audit and improving the Town's permit compliance and record keeping activities will be a major undertaking for staff in the months to come.

Additional Information:

<https://deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/npdes-ms4-permitting>

9. NPDES Public Works Facility NPDES Permit

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF ENERGY, MINERAL, AND LAND RESOURCES
GENERAL PERMIT NO. NCG080000

TO DISCHARGE STORMWATER UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

for establishments primarily engaged in the following activities:

Vehicle Maintenance Areas

Regulatory Requirement: Under federal and state law, the Public Works facility continues to be regulated through an NPDES stormwater general permit.

Background: In 1990, under the authority of the federal Clean Water Act and starting with large (population >100k) municipalities (and industries), EPA began regulating stormwater runoff. In 2000, the scope was extended to smaller municipalities, and EPA delegated the authority to the State to issue these municipalities a stormwater permit. In addition to receiving a town wide permit, Carrboro received a separate permit for the Public Works facility given the operations occurring at the site and potential for stormwater impacts on water quality.

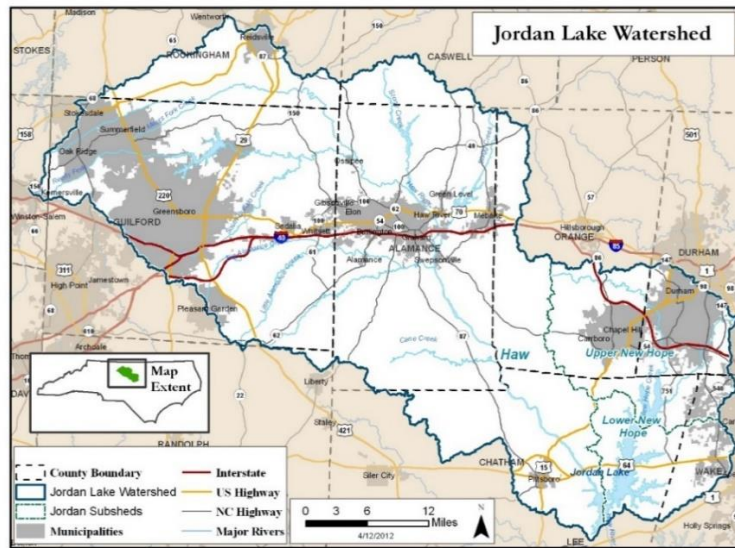
Status: Active. This activity has been and remains in a regular/routine operational status.

Fiscal and Staffing Considerations: The Town has been working with a consultant for about \$6k/year to support regulatory compliance. There is also an ongoing and relatively low level of staff activity to maintain compliance.

Additional Information:

<https://deq.nc.gov/about/divisions/energy-mineral-land-resources/npdes-stormwater-gps>

10. Jordan Lake Rules Compliance



Regulatory Requirement: The Jordan Lake Rules are a nutrient management strategy designed to restore water quality in the lake by reducing the amount of pollution entering upstream. Restoration and protection of the lake is essential because it serves as a water supply for several thriving communities, a prime recreation area for more than a million visitors each year, and an important aquatic ecosystem.

Background: Jordan Lake was impounded in 1983 by damming the Haw River near its confluence with the Deep River. It was created to provide flood control, water supply, protection of water quality downstream, fish and wildlife conservation, and recreation. The lake has had water quality issues from the beginning, with the North Carolina Environmental Management Commission declaring it as nutrient-sensitive waters (NSW) the same year it was impounded. Since that time, Jordan Lake has consistently rated as eutrophic or hyper-eutrophic, with excessive levels of nutrients present. The most relevant provisions in the rules for Carrboro relate to stormwater management for both new and existing development, riparian buffers, and fertilizer application.

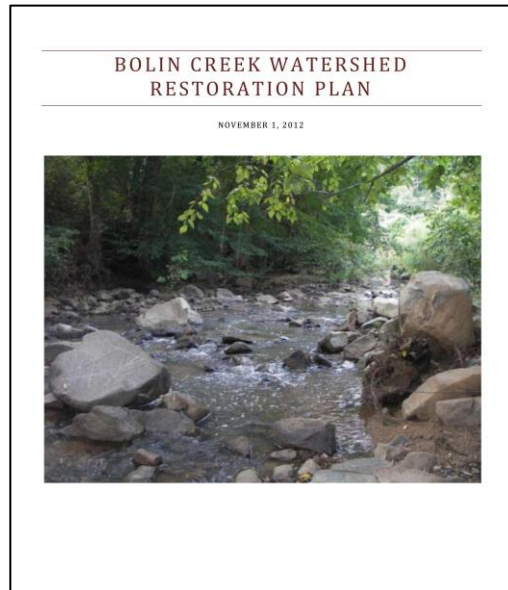
Status: Awaiting State review. There was significant Town activity between about 2005 and 2015 to prepare for and enact ordinance provisions and begin work on implementation activities. Legislative action has delayed further implementation. Jordan Lake Rules regulatory review is anticipated for 2020 as a UNC Collaboratory study wraps up.

Fiscal and Staffing Considerations: The Town continues to be required to submit annual reports identifying stormwater retrofits, and has programmed these projects in the 5 year CIP. It is preliminary at this point to speculate on the potential fiscal/staff/regulatory impacts that will result, beyond an understanding that some staff time will be required to stay informed and report back as the review is pursued.

Additional Information:

<https://deq.nc.gov/about/divisions/water-resources/water-planning/nonpoint-source-planning/jordan-lake-nutrient>

11. Bolin Creek Watershed Restoration Plan Implementation



Regulatory Requirement: The downstream extent of Bolin Creek in Carrboro, and continuing into Chapel Hill, is on the state/federal list of impaired waters. Local actions are needed to improve water quality.

Background: Carrboro staff worked with Chapel Hill and other local, state and federal agency staff in 2006 to create the Bolin Creek Watershed Restoration Team (BCWRT) because of the impaired waters listing. At the time, the Bolin Creek watershed was selected as one of only 7 watersheds in the state to receive focused state and federal assistance in preparing grant applications and leveraging other resources to remove Bolin Creek from the impaired waters list. The selection was based on the listing and the existence of restoration planning efforts for the larger Morgan and Little Creek Watersheds, but also, because of the local interest in and capacity for progressive environmental initiatives. The BCWRT's long term goal is to improve the health of Bolin Creek and its tributaries and remove it from the impaired waters list. This is an ambitious goal that will require a robust commitment for many years to come.

Status: Inactive. Watershed restoration plan implementation has been inactive since 2012 due to insufficient capacity/resources.

Fiscal and Staffing Considerations: There are no near term considerations. Longer term fiscal and staff considerations are uncertain. Competitive 319 grant funds (40% local match) could be pursued.

Additional Information:

<https://townofcarrboro.org/280/Bolin-Creek-Watershed-Restoration>

PART 3: WORK DRIVEN BY BOTH WATER QUANTITY AND QUALITY INTERESTS

12. Stormwater Level of Service Review

The Stormwater Finance Landscape:

Where We've Come from and Where We've Yet to Go



UNC SCHOOL OF GOVERNMENT
Environmental Finance Center

Description: The purpose of this review is to research, consider, and prepare background material to present to the Board of Aldermen related to options for levels of service for the stormwater program going forward.

Background: The Town has been incrementally increasing the levels of stormwater services for several decades through Land Use Ordinance changes, preparation and implementation of multiple federal and state regulatory requirements, and in the past decade, in response to increases in intense rainfall events and increased flooding. This culminated in the creation of the Stormwater Utility and establishment of dedicated stormwater funding in 2017-18. The purpose of this review is to identify several level of service options. One specific topic to be reviewed is the degree of Town responsibility for maintenance and inspection of privately owned Stormwater Control Measures.

Status: Active. Staff have initiated a review that will consider legal, financial, and operational issues, with a plan to present the review and options to the Board in September. Stormwater staff are also increasing inspections of Stormwater Control Measures as a specific increased service which has the additional benefits of a cost effective means for flood mitigation, a step towards compliance with the NPDES permit, and community education.

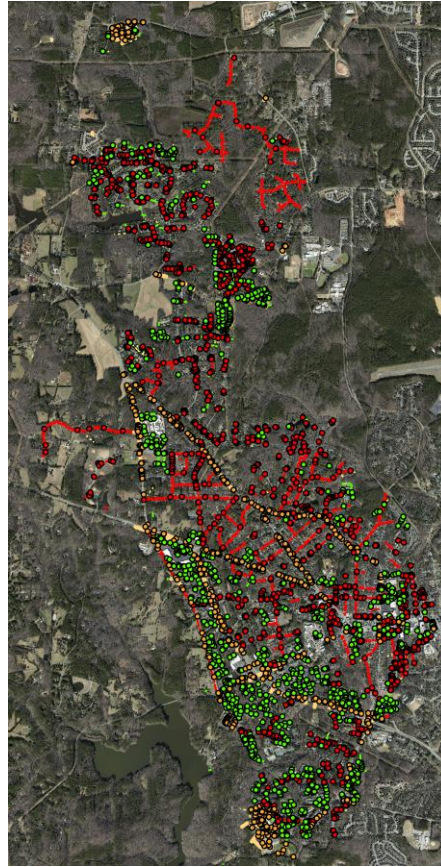
Fiscal and Staffing Considerations: By nature of the review, future fiscal and staff impacts would occur if changes to the level of service are chosen. Different Departments and staff members will need to be involved in the review.

Additional Information:

https://efc.sog.unc.edu/sites/default/files/2019/NC%20Stormwater%20Landscape_Final%20Draft_0.pdf

<https://www.epa.gov/sites/production/files/2018-01/documents/overcoming-barriers-to-development-and-implementation-of-asset-management-plans.pdf>

13. Municipal Separate Storm Sewer System (MS4) Inventory and Asset Management



Description: This initiative will involve using new technology to update the MS4 inventory, assess MS4 conditions, and create an asset management system and tools. Asset management is a strategic approach to maintaining and sustaining infrastructure in order to deliver services at the lowest overall life cycle cost. This method is intended for managing any assets, has traditionally been used for drinking water and wastewater, and is increasingly being used by stormwater utilities.

Background: A GIS based system inventory was first completed about 15 years ago in preparation for the Town's NPDES permit. While maintenance of the inventory is ongoing, some additional work is needed to fully complete the inventory so it can serve as the foundation for comprehensive stormwater asset management needs. A system/asset condition assessment has not completed, nor has an asset management system been created.

Status: Temporarily Inactive. While ongoing inventory updates have occurred that capture new development, and technology upgrades and staffing support are being planned for, staff capacity and existing technology is currently limiting further work.

Fiscal and Staffing Considerations: The details of fiscal and staff impacts are to be determined. Stormwater staff will coordinate with Public Works, IT and GIS staff, and the Town Engineer.

Additional Information: <https://louisville.edu/cepm/projects/sustainable-community-capacity-building/asset-management-for-stormwater>

<https://www.epa.gov/sites/production/files/2018-01/documents/overcoming-barriers-to-development-and-implementation-of-asset-management-plans.pdf>

14. Other Stormwater Utility Funded Infrastructure Improvements



Image capture: Nov 2018 © 2019 Google

Roberts Street

Description: MS4 system improvements are being considered in conjunction with local road improvements.

Background: The Public Works Department is looking into improvements to local unpaved roads. As part of that consideration, new stormwater conveyances are being considered. The Stormwater Enterprise Fund could help fund these improvements.

Status: Temporarily Inactive. It is likely that this will become active and more details will be available in the new fiscal year.

Fiscal and Staffing Considerations: The fiscal impacts will become clearer once preliminary design work is completed. It is anticipated that this will not require a significant amount of Stormwater staff time, but could require significant Stormwater Enterprise Fund resources.

Additional Information: To be provided in future updates.

15. Stormwater Project Planning and Prioritization

	Criteria	Type	Possible	Points						
				10	9	8	7	6	5	4
	Public safety/welfare	Public interest	Mandatory	High infrastructure impacts			Medium infrastructure impacts			Low infrastructure impacts
Community Benefits	Conveyance repair/replacement	Infrastructure	10	Public infrastructure or insurable structures affected			Private property impacted			
	Public visibility/educational value	Public interest	10	High			Medium			
	Detention	Flood mitigation	10	Public infrastructure, insurable structures protected			private insurable structures protected			no insurable structures protected
	Water supply protection	Public interest	10				Yes			
	Green infrastructure	Multiple	10	Green street/parking lot			> 1 acre & reduction in curve # by >15			Other green infrastructure
	Stream/riparian repair/restoration	Stream/geomorphic	10	Perennial stream			Intermittent stream			
Environmental Benefits	Runoff (volume) reduction	Multiple	10	>cfs			> < cfs			>< cfs
	Impaired waters	Water quality/stream	8			Lower Bolin Creek		Upper Bolin Creek		
	Nutrient reduction	Water quality	7				> N reduction			< < N reduction
Feasibility	Landowner	Feasibility	10	Town owned		Other local agency		State/federal		Private-landowner easement/agreement
	In CIP?	Feasibility	5						Yes	

Description: The purpose of this work is to create a process for planning for and prioritizing large stormwater improvement/capital projects, to inventory all potential projects with a 10-20 year planning horizon, and to develop a prioritized 5 year project list/CIP update during FY 20.

Background: Carrboro has been identifying stormwater capital projects in the Capital Improvements Program (CIP) since 2012. These projects have been significantly but not solely motivated by the implementation of State's rules to restore Jordan Lake. Other studies have been completed and potential projects identified by the Town Engineer and also through, for example, the State's Ecosystem Enhancement program, Bolin Creek watershed restoration efforts, and efforts to identify infrastructure replacement/ improvement and stream repair/restoration projects. Identifying and implementing capital projects is an ongoing Town process, with updates to the CIP typically prepared annually.

Status: Temporarily inactive. Town staff plan to continue working on this early in FY 20, and to bring recommendations forward to the Stormwater Advisory Commission and Board of Aldermen later in FY 20. The Toms Creek strategy (#10) and Asset Management (#14) above are relevant.

Fiscal and Staffing Considerations: There is no fiscal impact associated with identifying, planning for, and prioritizing projects. There will be a staff impact to pursue this work through much of FY 20, and a lower level impact in subsequent years.

Additional Information:

<http://www.townofcarrboro.org/AgendaCenter/ViewFile/Agenda/12052018-3552>

16. Drainage Policy Review and Residential Assistance Program

TOWN DRAINAGE POLICY

The following constitutes a statement of the official policy of the Town of Carrboro, as adopted by the Board of Aldermen on June 12, 1984, relating to the improvement and maintenance of drainage ways within the town. This supersedes all previously adopted policies.

I. Drainage on Public Rights-Of-Way and Easements

The Town will continue to maintain at its own expense all drainage ditches, piped and unpiped, and other drainage ways located within public street rights-of-way or drainage easements conveyed to and accepted by the Town.

II. Drainage Problems On Private Property For Which the Town Is Legally Responsible

The Town will correct at its own expense a drainage problem created on private property where it is demonstrated to the reasonable satisfaction of the Public Works Director that: (i) surface water is being channeled from the public street right-of-way onto private property in a location where water would not naturally have flowed in the pre-development stage; or (ii) the drainage problem is created by water being channeled from the public street right-of-way onto private property, into a natural drainage way that is inadequate to handle the volume of water so channeled, and a substantial portion of the water consists of runoff from land not drained by the natural drainage way in the predevelopment stage; or (iii) the Town is otherwise legally responsible and liable for creating the drainage problem.

III. Town Participation In Drainage Improvements On Private Property Where The Town Is Not Legally Responsible For The Drainage Problem.

A. The Board of Aldermen has determined that drainage problems exist throughout the Town and that it is in the public interest and serves a public purpose for the Town to establish a public drainage system and to participate in the costs of making improvements to the public drainage system in accordance with the policies and procedures set forth in this section.

B. The Board of Aldermen hereby adopts that map entitled Stormwater Drainage Map and dated May 1, 1984 as the official public drainage system map for the town. The map indicates the network of natural drainage ways located on private property within the Town that the Town will improve and maintain, subject to the remaining provisions of this

Description: Stormwater staff have initiated a review of the Town's 1984 Drainage Policy and development of recommendations for an assistance program for residential property owners.

Background: Since the Stormwater Utility was formed, stormwater technical assistance provided by staff has increased. In May, staff consulted individually with 19 property owners and also performed a neighborhood walkabout, and were present at Carrboro Day and to discuss stormwater related topics with a number of other residents. The residential assistance that staff have provide to date has not involved any financial assistance. An updated policy and program would help clarify the details of both technical and financial assistance (if any) that the Town may wish to provide for private residential property owners.

Status: Inactive. Stormwater staff initiated work on an updated policy and program document, but have put this work on hold given the current workload. Staff anticipate working on this in FY 20 through finalization of initial recommendations, internal staff review, and Stormwater Advisory Commission and Board of Aldermen review. This would allow any new direction to be ready to implement in FY 21.

Fiscal and Staffing Considerations: Any fiscal impact resulting from financial assistance to be provided as part of a new program will be determined through administrative and policy level review. There has been and will continue to be a staff impact associated with technical assistance. This impact will increase if staff will be administering a new program.

Additional Information:

<http://www.townofcarrboro.org/AgendaCenter/ViewFile/Agenda/03142019-3607>



Town of Carrboro

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

Agenda Item Abstract

File Number:19-196

Agenda Date: 6/4/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Economic Development Report for the Month of June

PURPOSE: The purpose of this agenda item is to update the Board on economic development activity within the Town.

DEPARTMENT: Economic and Community Development

CONTACT INFORMATION: Annette D. Stone, AICP ECD Director (919) 918-7319 or astone@townofcarrboro.org

INFORMATION: The ECD Department has been asked to provide a monthly update of economic activity within the town.

FISCAL & STAFF IMPACT: n/a

RECOMMENDATION: Staff recommends the Board receive the report.

ECONOMIC DEVELOPMENT - PRIVATE SECTOR

South Green



PROJECT DESCRIPTION: Development with 45,000 square feet of multiple commercial buildings on a 5.6 acre site at 501 South Greensboro Street.

CURRENT STATUS: Buildings 1, 3 and 4 are under construction. Known tenants include Atlas Taco Bar, Craftboro Brewing Depot, Nailz (organic salon), Coronato (pizza by Teddy Diggs), and Carrboro Yoga. The newest tenant is an orthodontist Dr. Jeff Bernhdt. The developer is expecting a partial opening in July/August.

PROJECT BACKGROUND: This Conditional Use Permit application proposed multiple commercial buildings on a site at 501 South Greensboro Street that formerly was occupied by Rogers-Triem. The site had considerable known flooding issues, which was addressed through collaboration with Town and NCDOT. The Board of Aldermen set a public hearing for the rezoning and CUP request on April 28, 2015. The project went before the Joint Advisory Boards Meeting on April 2 and ESC on April 8. The Board approved the project, with conditions, on June 9, 2015.

ESTIMATED TAX VALUE: \$13,000,000

Lloyd Farm (no change)



PROJECT DESCRIPTION: A mixed use project with multiple commercial buildings on approximately ~40 acres, including Harris Teeter grocery and energy center. A proposed 200 unit senior living residential facility and 20 townhomes. It is located at the corner of Old Fayetteville Road and Highway 54 on property historically known as Lloyd Farm. The developer is proposing a payment in lieu between \$743,000 and an additionally \$250,000 conditioned on the ability to provide on-site affordable housing units.

CURRENT STATUS: The application for rezoning was approved by the Board on October 23, 2018. A concept plan has been submitted to staff and is under review by the town advisory boards at the joint meeting to be held February 7, 2019. The project continues to move through development review with an all department meeting scheduled for May 2, 2019.

PROJECT BACKGROUND: Project was originally considered by the Board and denied in 2016. The applicant modified the plan and resubmitted an application in the spring of 2018. A public hearing was held September 25, 2018 and continued until October 23, 2018. The Board approved the Conditional Rezoning on October 23, 2018.

ESTIMATED TAX VALUE: \$64,000,000

Shelton Station



PROJECT DESCRIPTION: A mixed use development located at 410 North Greensboro on 2.64 acres of land with 22,716 sq ft of commercial space, and 94 1 and 2 bedroom apartment units including 20 affordable units.

CURRENT STATUS: The commercial portion of the building is now 80% occupied with UNC Horizons and Figure Eight Films as tenants. The opening is anticipated for June 15th. Marketing and leasing is underway with 16% of the at-market rate units pre-leased. Staff has been meeting with developers to ensure permit compliance including establishing rent rates for affordable units.



PROJECT BACKGROUND: Conditional use permit plans in accordance with the B-1(g) conditional zoning district approved by the Board of Aldermen was granted (with conditions) on April 2, 2013.

ESTIMATED TAX VALUE: Residential Units \$11,000,000

ACTUAL TAX VALUE: Commercial \$3,042,700

Hilton Garden Inn - East Main Square(no change)



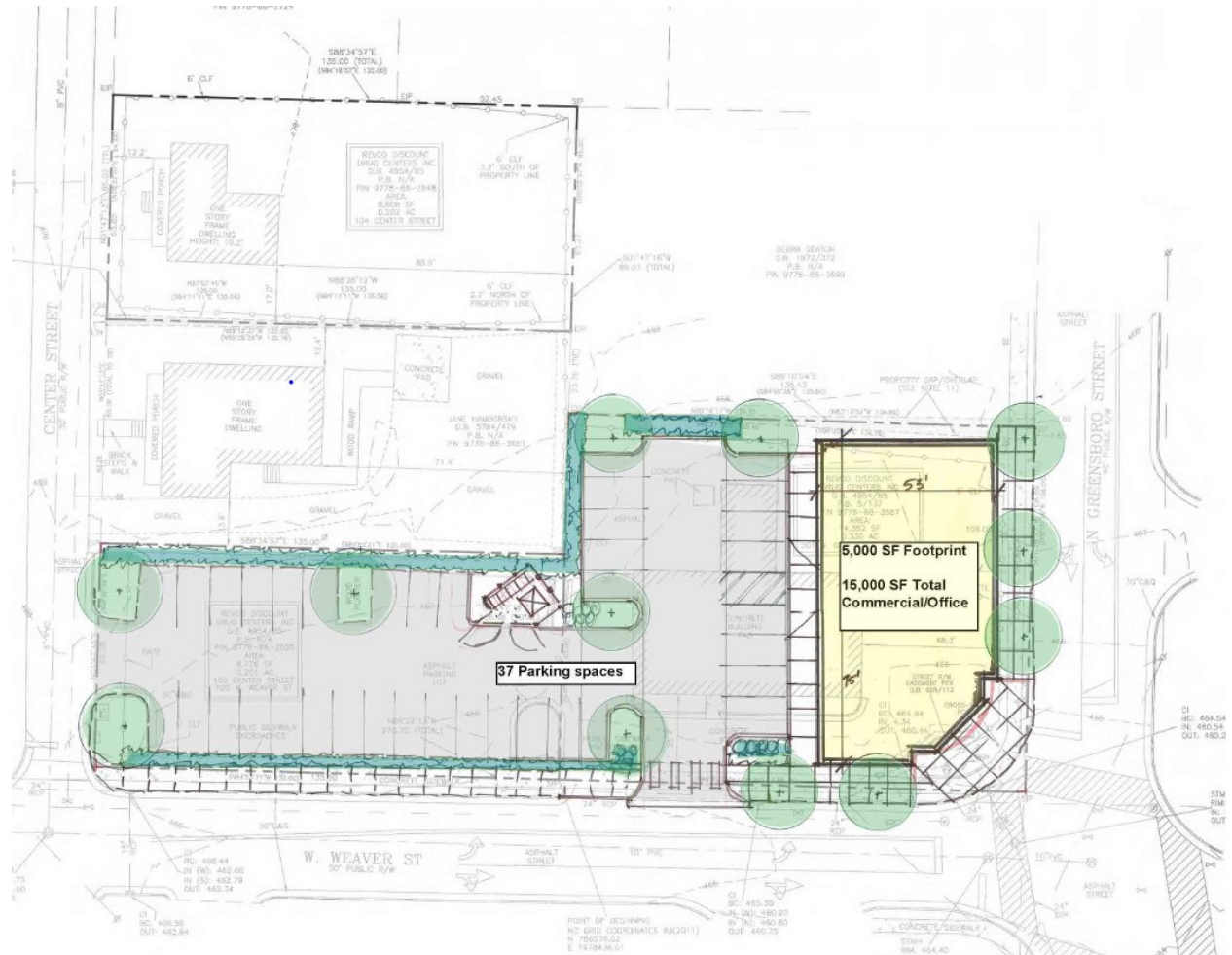
PROJECT DESCRIPTION: A five story, 144 room hotel with conference space to be located immediately behind the existing East Main Square shopping strip.

CURRENT STATUS: The developer has reported that construction is on hold until further notice.

PROJECT BACKGROUND: The project received a CUP in March of 2016 and a two year extension for the permit in January of 2018.

ESTIMATED TAX VALUE: \$12,000,000

201 North Greensboro Lot



The project is a three (3) story 15,000 square feet retail/office building proposed for the corner of North Greensboro and West Weaver Street. The property was recently sold by Revco Co. to a CKE III LLC. The project is being managed by Beacon Properties out of Chapel Hill. The project includes a property on Center Street where an existing house has been demolished and new residential dwelling unit will be built. The project is moving through concept review with the advisory boards at this time.

Estimated Tax Value: Land sold for \$1,900,000

Other Updates:

- Milltown - Closed From Facebook - As of today, (Monday, May 28, 2019) Milltown is permanently closed. We've had an amazing run of almost 15 years in Carrboro, not only taking pride in introducing so many people to Belgian beer culture in the early days of Pop the Cap in NC, but to be a place where first dates occurred, partnerships were forged, marriages proposed, first gigs played & so many fantastic Oktoberfest's/Carrboro Music Fests!!

But with time, Carrboro and the towns around us have changed and increased their own food & beverage offerings, and the beer market has altered dramatically. We are ready to pass the torch to the next entrepreneur and are actively working with potential new owners of the building and business that will carry on and keep the location a cornerstone of Carrboro.

We thank you all, employees (some have been with us since day one!), customers, friends and partners past & present for being a part of each other's lives. We end not with regret but with so many great memories from so many fun times. And we hope that we've done well enough in our 15 years that each of you carries a fond memory of Milltown that will occasionally make you smile in the years that lie ahead.

Josh & Drew Wittman

- Crossties Bistro and Beer Garden - Closed from their Facebook page on May 15th - After almost three years, I have decided to close CrossTies Bistro. I have enjoyed our time cooking up great Barbecue and other southern fare, but as my boys get older I want to simplify and prioritize spending more time with them. Thank you to all the people, past and present, who have made CrossTies a great place to eat, drink and connect with family and friends. Thank you to the community for allowing us to serve you and trusting us with your dining experiences. Where possible, some of our staff will be incorporated into Venable and Bside, hoping to lessen the impact of closing on our crew. The Station will remain open, so we look forward to seeing everyone out for some great music soon.
-Drew
- 406 E. Main St - Kalisher Building is on the market for lease. Staff is monitoring the Town's ED agreement for occupancy of the building.
- Claremont South Commercial - a two story mixed use building with the first floor containing 6,797sf of office space and the 2nd floor containing 4,879sf and a total of four residential units. Conditional Use Permit originally approved by the Board of Aldermen in April 2012. Construction on this project has not begun as of yet.
- Space For Sale or Lease -

Address	Description	Sale/Lease Price/Contact Info
406 East Main Street	Kalisher/Art is Love 5334 SF Office space	\$22/SF/YR Reggie Oakley (919) 287-3213
505 W Main Street	1400 SF Office Bldg	For Sale \$525,000 Thomas Watts (919) 260-0054
610 Jones Ferry Road	11,683 SF office/light manufacturing Willow Creek Professional Center	For Sale - \$20 - \$22 SF Tommy Honey (Avison Young) Tommy.Honey@avisonyoung.com
202 South Greensboro	900 SF office flex space next to Glass Halfull aka the Old Post Office building	Annual Lease - Price not disclosed Michael Joerling mailto:joerling10@gmail.com
311 East Main Street	8000 SF retail/flex space Old Fireplace Building next to Wings	For Sale/Lease - Price Not Disclosed Jim Shortbridge

		jleons@hotmail.com
602 Jones Ferry Road	4,620 SF retail space at Willow Creek Shopping Center	Annual Lease \$16 SF Tommy Honey (Avison Young) Tommy.Honey@avisonyoung.com
209 and 205 Lloyd Street	Office Space	Annual Lease – \$19 SF N. R. Milans and Associates nrmilan@aol.com
104 NC – 54 Hwy	Carrboro Plaza 1200 SF	Annual Lease – \$21-\$26 SF Morris Commercial Jodi Amanda Tata (919)-407-1285
Tr 4 Berkshire Manor	1.4 acres located at the intersection of Main and Hwy 54	For Sale - \$325,000 Clayton Commercial Realty (919) 260-6078
410 N Greensboro Street	1250 – 4645 SF 1 st floor retail space Shelton Station	Annual Lease - \$27 sq. ft. Legacy Real Property Group (919)967-6711
250 E. Winmore Ave	914 SF Office Space	For Sale - \$258,000 or Annual Lease \$24 SF Morris Commercial – John Morris (919)942-1141
115 Ruth Street	2.27 AC Vacant Land	For Sale \$200,000 Keller Williams Elite Realty Michelle Edwards (919)484-2280
Chapel Hill Comps		
136 E Rosemary St	84,013 SF Class B Office Space	Avg Annual Lease \$31 SF
210 N Columbia St	8176 SF Class B Office Space	Avg Annual Lease \$26 SF
150 Providence Rd	10,000 SF Class B Office Space	Annual Lease \$18.50 SF
300 Market Street	1400 SF Class B Office Space	Annual Lease \$24 SF
400 W Franklin St	3600 SF Retail	Annual Lease \$28 SF
1728 Fordham Blvd	Retail at Rams Plaza	Between \$16 - \$22 SF

Sources: Loopnet and ECD



Agenda Item Abstract

File Number:19-198

Agenda Date: 6/4/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Proposed amendments to Chapter 4 (Personnel Policy) of the Town Code related to holiday compensation for shift employees, compensatory time, and personal time off

PURPOSE: The purpose of this item is to amend Chapter 4 Personnel Policy of the Town Code sections 4-52, 4-73, and 4-74

DEPARTMENT: Human Resources and Finance

CONTACT INFORMATION: Julie Eckenrode, HR Director 919-918-7308; Kathleen Nolan, Payroll and Benefits Specialist 919-918-7304

INFORMATION: In a recent audit of the various personnel policies, Finance and Human Resources recognized some deficiencies and liabilities in current personnel policies.

Section 4-52 Holidays: Compensation for Public Safety Shift Personnel

The current system of tracking holiday pay for shift employees is inefficient, prone to error, and creates financial liability for the Town. Shift personnel's holiday hours are currently "banked" for later use. The proposed language would pay out holiday hours in real time. As each holiday passes, shift employees will receive holiday pay in their next pay check similarly to non-shift employees. This ensures that employees are paid holiday time at the rate it is earned thus reducing financial liability for the town. This will also reduce a huge administrative burden on supervisors, administrative assistants and payroll.

Section 4-73 Personal Time Off

Currently, employees earn petty leave and school leave. Petty leave can only be taken in increments of up to 4 hours in a day, and school leave is geared toward employees who are parents. It is proposed to combine these two types of leave in to one type called "personal time off." It is proposed to eliminate the 4 hour limit and we believe this change improve equity among all employees, whether a parent or not.

Section 4-74 Compensatory Time

Currently the Town has no limits related to compensatory time earned nor does it require compensatory time to be utilized before other types of leave. This is creating a financial liability for the Town in that compensatory time balances are paid out at separation or retirement. The proposed policy language also provides the option to pay out comp time above the max accrual limits each year if needed. This would reduce liability and ensure that this time is paid out at the same rate it was earned.

Agenda Date: 6/4/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

FISCAL & STAFF IMPACT: The change to the holiday compensation for shift employees will drastically reduce staff time currently spent tracking holiday hours. We expect the changes to the holiday policy and the comp time policy to reduce financial liability for the Town.

RECOMMENDATION: It is recommended that the Board of Alderman approve all proposed changes.

Attachment A-1
Current Policy Language

Section 4-52 Holidays: Compensation When Work is Required or Regularly Scheduled Off for Shift Personnel (Amend. 6/3/08)

Employees required to perform work on regularly scheduled holidays may be granted, at the option of the Town, compensatory time off or be paid at their hourly rate for hours actually worked in addition to any holiday pay to which they are entitled. Sworn police personnel receive eleven (11) paid holidays as other Town staff; however, shift employees of the Fire Department, when they are to be compensated for holidays, shall receive the equivalent of five (5) 24-hour tour of duty days as holiday compensation.

Compensatory time for holidays worked may be accumulated without any applicable maximum until December 31st of each year. If the employee departs from service, payment for accumulated holidays shall not exceed 11 work days (five 24-hour tour of duty days for shift fire personnel). Effective the last payroll in the calendar year, any employee with more than this maximum number of holidays shall have the excess accumulation transferred to their sick leave balance so that only 11 days (five 24 hour tour of duty days for shift fire personnel) are carried forward to January 1st of the next calendar year.

Compensatory time for holidays worked is accumulated while the employee is in continuous service and in pay status, or while on workers' compensation leave.

Attachment A-2
Proposed Policy Language

Section 4-52 Holidays: Compensation for Public Safety Shift Personnel (Amend.
07/01/2019)

Sworn shift police and fire personnel, whether on duty or not, shall receive pay for all eleven Town holidays as the holidays occur. Sworn shift police officers shall receive pay at straight time for the number of hours equivalent to a regularly scheduled shift, i.e. 8.4 hours or 12 hours. Shift fire personnel shall receive pay for the holidays at 11 hours of straight time per holiday. Compensatory time shall not be awarded or accrued for holiday compensation when shift personnel are required to work on a holiday. No holiday compensation for hours worked shall be accrued by an employee.

Because the Town continues to operate emergency services seven days a week, twenty-four hours per day, public safety personnel working a shift may be required to work on scheduled holidays. When shift public safety personnel are required to work on a scheduled holiday, the employee shall receive regular pay for all hours actually worked. Holiday pay shall not be factored into overtime pay; however, in accordance with the Fair Labor Standards Act (FLSA), all hours actually worked shall be factored into overtime calculations, including those hours worked on scheduled holidays.

Attachment B-1

Current Policy Language

Section 4-73 Petty Leave

Permanent employees shall be allowed seventy (70) minutes per month or fourteen hours per year petty leave with pay over and above sick leave or annual leave with pay. Employees may take petty leave in increments of fifteen minutes up to a maximum of four (4) hours, with the permission of the supervisor. Any time taken above four hours will be charged to annual leave, sick leave, or leave without pay as may be appropriate. Petty leave shall be in addition to any other leave employees may earn and accumulate, but it will not be accumulative beyond the end of a calendar year. Petty leave may be granted for personal matters that cannot be transacted outside of office hours, time lost reporting to work, medical appointments, and absences due to adverse weather conditions.

Section 4-74 Parental School Leave

All Town employees may take up to four hours of paid leave annually to involve him or her in school activities. This leave is subject to the three following conditions:

- 1) The leave must be taken at a time mutually agreed upon by the employee and the Town;
- 2) The Town may require the employee to request the leave in writing at least 48 hours prior to the time of the desired leave; and
- 3) The Town may require written verification from the child's school that the employee was involved at the school during the leave time.

Attachment B-2
Proposed Policy Language

Section 4-73 Personal Time Off

Effective July 1, 2019, permanent employees shall be granted eighteen (18) hours per year of personal time off over and above sick leave and annual leave with pay. Personal time off under Section 4-73 is separate from Town closures due to adverse weather. (See Section 4-36 Adverse Weather, Rev. 11/15.)

Personal time off must be requested through supervisors and may be taken in the same manner as sick and annual leave. Personal time off shall accrue biweekly at a rate of .6923 hours per pay period beginning on January 1st of each calendar year. Employees may not carry over unused personal time off from year to year. Any unused personal time off not taken by December 31st shall be lost.

Attachment C-1
Current Policy Language

Section 4-74 Parental School Leave

No current compensatory time policy; current Section 4-74 to be replaced with compensatory time policy language in Attachment A-2.

Attachment C-2
Proposed Policy Language

Section 4-74 Compensatory Time

As necessitated to ensure Town operations, non-exempt employees may, at times, be required to work more than their regularly scheduled hours. According to the Fair Labor Standards Act, local governments may elect to award compensatory time in lieu of overtime pay. 29 U.S.C.A. § 207(o)(1).

Effective July 1, 2019, non-exempt, non-public safety employees may accrue up to a maximum of forty (40) hours of compensatory time per calendar year. Non-exempt, public safety employees may accrue up to a maximum of one hundred (100) hours of compensatory time per calendar year. Exempt employees are not eligible for overtime pay and may not earn compensatory time.

All non-exempt employees must use any earned compensatory time before taking any other earned leave, including annual leave (vacation), personal time off, and/or sick leave. Compensatory time in excess of the allowed maximum shall not be accumulative beyond the end of each calendar year. Any unused compensatory time in excess of the allowed maximum as of December 31st may be paid out in a lump sum by January 31st following the end of the calendar year.

The Town Manager may grant a one-time exception to the maximum compensatory time accrual for an employee or class of employees if so doing would be in the best interest of the Town. In order to reduce instances of overtime work and compensatory time earnings, all Department Heads and supervisors are expected to adjust employee work schedules during periods of heavy workloads.

**AN ORDINANCE AMENDING CHAPTER 4 OF THE CARRBORO TOWN CODE TO
REVISE HOLIDAY COMPENSATION FOR SHIFT PERSONNEL**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1: Article VII of Chapter 4 of the Carrboro Town Code is amended by deleting all current existing provisions of Section 4-52 Holidays: Compensation When Work is Required or Regularly Scheduled Off for Shift Personnel and replaced with the following provisions as follows:

Section 4-52 Holidays: Compensation for Public Safety Shift Personnel (Amend.
07/01/2019)

Sworn shift police and fire personnel, whether on duty or not, shall receive pay for all eleven Town holidays as the holidays occur. Sworn shift police officers shall receive pay at straight time for the number of hours equivalent to a regularly scheduled shift, i.e. 8.4 hours or 12 hours. Shift fire personnel shall receive pay for the holidays at 11 hours of straight time per holiday. Compensatory time shall not be awarded or accrued for holiday compensation when shift personnel are required to work on a holiday. No holiday compensation for hours worked shall be accrued by an employee.

Because the Town continues to operate emergency services seven days a week, twenty-four hours per day, public safety personnel working a shift may be required to work on scheduled holidays. When shift public safety personnel are required to work on a scheduled holiday, the employee shall receive regular pay for all hours actually worked. Holiday pay shall not be factored into overtime pay; however, in accordance with the Fair Labor Standards Act (FLSA), all hours actually worked shall be factored into overtime calculations, including those hours worked on scheduled holidays.

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

Section 3. This ordinance shall become effective upon July 1, 2019 for shift police personnel and January 1, 2020 for shift fire personnel¹.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this ____ day of _____, 2019.

Ayes: _____

Noes: _____

Absent or Excused: _____

¹ Shift fire personnel currently receive all holiday hours at January 1; therefore, this calendar year, some firefighters have used all or most of their available hours.

**AN ORDINANCE AMENDING CHAPTER 4 OF THE CARRBORO TOWN CODE
TO CHANGE PETTY AND PARENTAL SCHOOL LEAVE TO PERSONAL TIME OFF**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1: Article VII of Chapter 4 of the Carrboro Town Code is amended by eliminating Sections 4-73 Petty Leave and adding amended Section 4-73 Personal Time Off:

Section 4-73 Personal Time Off

Effective July 1, 2019, permanent employees shall be granted eighteen (18) hours per year of personal time off over and above sick leave and annual leave with pay. Personal time off under Section 4-73 is separate from Town closures due to adverse weather. (See Section 4-36 Adverse Weather, Rev. 11/15.)

Personal time off must be requested through supervisors and may be taken in the same manner as sick and annual leave. Personal time off shall accrue biweekly at a rate of .6923 hours per pay period beginning on January 1st of each calendar year. Employees may not carry over unused personal time off from year to year. Any unused personal time off not taken by December 31st shall be lost.

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

Section 3. This ordinance shall become effective July 1, 2019.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this ____ day of _____, 2019.

Ayes: _____

Noes: _____

Absent or Excused: _____

**AN ORDINANCE AMENDING CHAPTER 4 OF THE CARRBORO TOWN CODE
TO INCLUDE A COMPENSATORY TIME PROVISION**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1: Article VII of Chapter 4 of the Carrboro Town Code is amended by eliminating the current provisions of Parental School Leave and inserting provisions related to Compensatory Time:

Section 4-74 Compensatory Time

As necessitated to ensure Town operations, non-exempt employees may, at times, be required to work more than their regularly scheduled hours. According to the Fair Labor Standards Act, local governments may elect to award compensatory time in lieu of overtime pay. 29 U.S.C.A. § 207(o)(1).

Effective July 1, 2019, non-exempt, non-public safety employees may accrue up to a maximum of forty (40) hours of compensatory time per calendar year. Non-exempt, public safety employees may accrue up to a maximum of one hundred (100) hours of compensatory time per calendar year. Exempt employees are not eligible for overtime pay and may not earn compensatory time.

All non-exempt employees must use any earned compensatory time before taking any other earned leave, including annual leave (vacation), personal time off, and/or sick leave. Compensatory time in excess of the allowed maximum shall not be accumulative beyond the end of each calendar year. Any unused compensatory time in excess of the allowed maximum as of December 31st may be paid out in a lump sum by January 31st following the end of the calendar year.

The Town Manager may grant a one-time exception to the maximum compensatory time accrual for an employee or class of employees if so doing would be in the best interest of the Town. In order to reduce instances of overtime work and compensatory time earnings, all Department Heads and supervisors are expected to adjust employee work schedules during periods of heavy workloads.

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

Section 3. This ordinance shall become effective July 1, 2019.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this ____ day of _____, 2019.

Ayes: _____

Noes: _____

Absent or Excused: _____



Town of Carrboro

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

Agenda Item Abstract

File Number:19-199

Agenda Date: 6/4/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Report from the Human Services Advisory Board of the 2019 Human Services Application Process

PURPOSE: The purpose of this item is to update the Board on the findings for the changes to application process in 2019 and the comments by the Human Services Advisory Board for the 2020 process.

DEPARTMENT: Economic and Community Development

CONTACT INFORMATION: Annette Stone, AICP Economic and Community Development Director
astone@townofcarrboro.org <<mailto:astone@townofcarrboro.org>> (919) 918-7319

INFORMATION: In October of 2018, the Board approved a pilot program for the Human Services funding process that had recently been adopted by Chapel Hill. The process included a revised shortened application, strategic priorities, and revisions to the application review process. The following are the comments of the Human Services Advisory Board (HSAB) for next year's application process;

1. There was a consensus of the HSAB that they should hear presentations from all applicants, including those under \$5000. The HSAB reasoned that even though the intention was to streamline the process for non-profits with small staffs, it is to the advantage of non-profits that may not have professional grant writing skills to be able to present and tell their stories of service to the community and help the HSAB with their understanding of the application. The HSAB did believe that a 15 minute meeting with the non-profits was overly burdensome for the non-profit.
2. The HSAB plans on meeting late summer to discuss and prepare for a joint meeting with the Chapel Hill Board and Orange County. The intention of the meeting would be to discuss clarifying questions on the application and suggestions for asking in ways that would better get at the questions most often asked by the HSAB for both Carrboro and Chapel Hill.
3. The HSAB committed to attending the annual orientations held by Chapel Hill and Carrboro staffs to assist with answering follow-up questions for non-profits.
4. Finally, the HSAB discussed race and equity training. HSAB appreciated the Board of Aldermen for beginning to comprehensively look at Town practices and policies that affect race and equity and urge the Board to provide training to HSAB and all town advisory boards on these issues. The HSAB also requested

Agenda Date: 6/4/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

that the Town provide training opportunities before the next application funding cycle in January 2020. The HSAB recognizes the need to lift barriers to participating and serving on town advisory boards and encourage the Board of Aldermen to move forward with efforts to remove barriers.

The HSAB request for training in advance of the 2020 funding cycle is being reviewed by staff and opportunities for training are being sought out. Staff will return in the fall with follow-up on joint meetings between the Carrboro and Chapel Hill HSABs and any recommended changes to the Human Services funding process.

FISCAL & STAFF IMPACT: No additional fiscal or staff impact at this time.

RECOMMENDATION: Staff recommends the Board receive the report.



Town of Carrboro

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

Agenda Item Abstract

File Number:19-197

Agenda Date: 6/4/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

Independent Audit Contract for Fiscal Year Ending June 30, 2019

PURPOSE: To award contract for the Town's annual independent audit for the fiscal year ending June 30, 2019.

DEPARTMENT: Finance

CONTACT INFORMATION: Arche L. McAdoo, 918-7439

INFORMATION: The Local Government Budget and Fiscal Control Act (LGBFCA) requires each local government to prepare an annual financial report on their financial position at the end of the fiscal year and financial results of operations. The LGBFCA also requires that this financial report be audited by an independent certified public accountant.

Dixon Hughes Goodman LLP, the Town's independent auditor, has submitted a contract to audit the Town's accounts and letter of engagement for the fiscal year ending June 30, 2019. The audit cost is \$51,490.00, unchanged from last year. Depending upon the total expenditures of state and/or federal funds (e.g. Powell Bill Funds, federal grants, etc.), the Town may be required to have one or more single audits prepared. The cost for a single audit is \$3,000 for up to two major programs and \$1,750 for any additional major program thereafter. At the request of the Town, Dixon Hughes Goodman LLP has included preparation of the Town's annual financial statements at an additional cost of \$3,100.00.

FISCAL & STAFF IMPACT: The total cost for audit and financial statement preparation will not exceed \$60,590.00. Funds for the cost of the annual audit, single audits and financial statement preparation have been requested in the Finance Department's FY 2019-20 General Fund operating budget.

RECOMMENDATION: That the Board: 1) award a contract to Dixon Hughes Goodman LLP for a total cost not to exceed \$60,590 for independent audit of Town accounts, preparation of single audits if necessary, and preparation of annual financial statements for fiscal year ending June 30, 2019; and, 2) authorize the Mayor to sign the Audit Contract and Letter of Engagement as required by the North Carolina Local Government Commission.

**A RESOLUTION AWARDING THE CONTRACT FOR INDEPENDENT AUDIT FOR
FISCAL YEAR ENDING JUNE 30, 2019**

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO
THAT:

Section 1. The audit contract for the fiscal year ending June 30, 2019 is awarded to Dixon Hughes Goodman LLP for a total cost not to exceed \$60,590.00.

Section 2. The Mayor is authorized to sign the Audit Contract and Letter of Engagement as required by the North Carolina Local Government Commission.

Section 3. This resolution shall become effective upon adoption.

May 27, 2019

Board of Aldermen
Town of Carrboro
301 West Main Street
Carrboro, North Carolina 27510

We are pleased to confirm our understanding of the services we are to provide for Town of Carrboro, (the "Town") for the year ending June 30, 2019. This attachment to item 17, "Contract to Audit Accounts" (LGC-205) is intended to further clarify certain provisions of the Contract.

AUDIT SERVICES

We will audit the financial statements of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of the Town as of and for the year ending June 30, 2019.

AUDIT OBJECTIVES

The objective of our audit is the expression of opinions as to whether the Town's financial statements are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America. The objective also includes reporting on:

- Internal control related to the financial statements and compliance with laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act, as amended, Title 2 U.S. Code of Federal Regulations ("CFR") Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* ("Uniform Guidance") and the *State Single Audit Implementation Act* (collectively referred to as the "Single Audits").

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. The reports will state that the report is not suitable for any other purpose. If during our audit we become aware that the Town is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act; the provisions of the Uniform Guidance, and the *State Single Audit Implementation Act*, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our audits. Our reports will be addressed to the governing board of the Town. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements or the Single Audits are other than unmodified, we will discuss the reasons with the governing board and/or the appropriate members of management. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or may withdraw from this engagement.

AUDIT PROCEDURES - GENERAL

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from errors, fraudulent financial reporting, misappropriation of assets, or violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*. In addition,

an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for the Single Audits. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures may include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of certain assets and liabilities by correspondence with selected individuals, creditors, and financial institutions. We may request written representations from the Town's attorneys as part of the engagement, and they may bill the Town for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from management about its responsibilities for the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards. Because of the importance of management's written or verbal representations to an effective audit, management agrees to release and indemnify Dixon Hughes Goodman LLP and its personnel from any liability and costs relating to our services under this letter attributable to any knowing misrepresentations by management.

In providing our audit services we are required by law and our professional standards to maintain our independence from the Town. We take this mandate very seriously and thus guard against impermissible relationships which may impair the very independence which management and the users of our report require. As such management should not place upon us special confidence that in the performance of our audit services we will act solely in your interest. Therefore, management acknowledges and agrees we are not in a fiduciary relationship with management and we have no fiduciary responsibilities to management in the performance of our services described herein.

AUDIT PROCEDURES - INTERNAL CONTROLS

Our audit includes obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control over financial reporting. Accordingly we will express no such opinion. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under auditing standards generally accepted in the United States of America, *Government Auditing Standards*, the Uniform Guidance and the *State Single Audit Implementation Act*.

As required by the Uniform Guidance and the *State Single Audit Implementation Act*, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal and state award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no

opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance and the *State Single Audit Implementation Act*.

AUDIT PROCEDURES - COMPLIANCE

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Town's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance and the *State Single Audit Implementation Act* require that we also plan and perform the audit to obtain reasonable assurance about whether the Town has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *Office of Management and Budget ("OMB") Compliance Supplement* and the *Audit Manual for Governmental Auditors in North Carolina* for the types of compliance requirements that could have a direct and material effect on each of the Town's major programs. The purpose of these procedures will be to express an opinion on the Town's compliance with requirements applicable to each of its major programs in our reports on compliance issued pursuant to Uniform Guidance and the *State Single Audit Implementation Act*.

MANAGEMENT'S RESPONSIBILITIES

Management is responsible for (1) establishing and maintaining effective internal controls, including internal controls over federal awards, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. Management is also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements).

Management is responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. Management is also responsible for providing us with access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation and other matters. Management also agrees to provide us with any additional information that we may request from management for the purpose of the audit as well as unrestricted access to any person within the Town from whom we determine it necessary to obtain audit evidence.

Management responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information. Management responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any

uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

Management is responsible for the design, implementation and maintenance of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the Town involving (1) management; (2) employees who have significant roles in internal control; and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Management responsibilities include informing us of management's knowledge of any allegations of fraud or suspected fraud affecting the Town received in communications from employees, former employees, grantors, regulators, or others. In addition, management is responsible for identifying and ensuring that the Town complies with applicable laws and regulations, contracts, agreements, and grants for taking timely and appropriate steps to remedy any fraud, illegal acts, violations of contracts or grant agreements, or abuse that we may report. As required by the Uniform Guidance and the *State Single Audit Implementation Act*, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a Summary Schedule of Prior Audit Findings and a Corrective Action Plan if necessary.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the "Audit Objectives" section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. Management is also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

Management is responsible for identifying all federal and state awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal and state awards (including notes and noncash assistance received) in conformity with the Uniform Guidance and the *State Single Audit Implementation Act*. Management agrees to include our report on the schedule of expenditures of federal and state awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal and state awards. Management also agrees to include the audited financial statements with any presentation of the schedule of expenditures of federal and state awards that includes our report thereon. Management responsibilities include acknowledging to us in the written representation letter that (1) management is responsible for presentation of the schedule of expenditures of federal and state awards in accordance with the Uniform Guidance and the *State Single Audit Implementation Act*; (2) management believes the schedule of expenditures of federal and state awards, including its form, and content, is stated fairly in accordance with the Uniform Guidance and the *State Single Audit Implementation Act*; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) management has disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal and state awards.

We understand that the Town's employees will prepare all cash, accounts receivable, and other confirmations we request and will locate any documents selected by us for testing.

REQUIRED SUPPLEMENTARY INFORMATION

Our audit is for the purpose of forming an opinion on the financial statements taken as a whole. Accounting principles generally accepted in the United States ("GAAP") provide for certain required supplementary information ("RSI") to accompany the basic financial statements. We understand the following RSI will accompany the basic financial statements:

1. Management's Discussion and Analysis ("MD&A")
2. Law Enforcement Officers' Special Separation Allowance - Schedule of Funding Progress
3. Schedule of Changes in Total Pension Liability for the Law Enforcement Officers' Special Separation Allowance
4. Schedule of Total Pension Liability as a Percentage of Covered Payroll for the Law Enforcement Officers' Special Separation Allowance
5. Schedule of Changes in the Total OPEB Liability and Related Ratios
6. Schedule of the Proportionate Share of Net Pension Liability (Asset) for Local Government Employees' Retirement System
7. Schedule of Contributions to Local Government Employees' Retirement System

Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context.

The Town's management is responsible for the fair presentation of the RSI. As part of our engagement, we will apply certain limited procedures to the RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

SUPPLEMENTARY INFORMATION

We understand that the following supplementary information other than RSI will accompany the basic financial statements:

1. Combining non-major and fiduciary fund statements
2. Budgetary schedules for all funds required to adopt a budget other than the General Fund and annually adopted major special revenue funds
3. Schedule of Ad Valorem Taxes Receivable
4. Analysis of Current Tax Levy - Town-Wide Levy

Such information is presented for the purpose of additional analysis of the financial statements and is not a required part of the basic financial statements. The Town's management is responsible for the fair presentation of the supplementary information. We will subject the supplementary information to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the accounting and other records used to prepare the financial statements or to the financial statements themselves in accordance with auditing standards generally accepted in the United States of America.

Management's responsibilities include acknowledging to us in the written representation letter that (a) management is responsible for presentation of the supplementary information in accordance with GAAP; (b) that management believes the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (c) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (d) management has disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Our responsibility is to report whether such information is fairly stated in all material aspects in relation to the basic financial statements taken as a whole. Management agrees to include our report on the supplementary information other than RSI in any document that contains, and indicates that we have reported on, the supplementary information other than RSI. Management also agrees to include the audited financial statements with any presentation of the supplementary information other than RSI that includes our report thereon OR make the audited financial statements readily available to users of the supplementary information other than RSI no later than the date the supplementary information other than RSI is issued with our report thereon.

OTHER INFORMATION

Our audit is for the purpose of forming an opinion on the basic financial statements taken as a whole. We understand the Town will prepare schedules for inclusion in the Comprehensive Annual Financial Report. Such information is presented for the purpose of additional analysis and is not a required part of the basic financial statements. The Town's management is responsible for such information. We will not subject such information to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we will not express an opinion or provide any assurance on it.

MANAGEMENT'S RESPONSIBILITY FOR NONATTEST SERVICES

Management agrees to assume all management responsibilities and to oversee the non-attest services we will provide by designating an individual possessing suitable skill, knowledge and/or experience. Management is responsible for evaluating the adequacy and results of the services performed and accepting responsibility for the results of such services. Management is responsible for designing, implementing, and maintaining internal controls.

We will provide the following non-attest services:

- We will assist with preparation of the Town's financial statements, the preparation of fund to accrual accounting adjustments, the Schedule of Expenditures of State and Federal Awards, and related notes;
- We will advise management about appropriate accounting principles and their application and will assist in preparation of the Town's basic financial statements. The responsibility for the

basic financial statements and all representations contained therein remains with management, which includes members of the governing board;

- At the conclusion of the engagement, we will complete the appropriate sections of and sign the Data Collection Form that summarizes our audit findings (if required). We will provide to management the required electronic copy of the financial reporting package (including the basic financial statements, Schedule of Expenditures of Federal and State Awards, auditors' reports on internal controls and compliance, Schedule of Findings and Questioned Costs, Corrective Action Plan (if required) and a Summary Schedule of Prior Audit Findings (if required) along with the Data Collection Form) to be uploaded on the federal clearinghouse's website; and,
- At the conclusion of the engagement, we will upload the audited financial statements and compliance reports on the North Carolina State Treasurer's website.

Management is responsible for evaluating the adequacy and results of the above non-attest services performed and accepting responsibility for the results of such services. This includes management's review and approval of all adjustments we may propose to the accounting records of the Town or its financial statements as a result of these services.

USE OF FINANCIAL STATEMENTS

If the Town's financial statements are to be included in a client prepared document, other than the Town's *Comprehensive Annual Financial Report*, which includes other information, the Town should notify us of the nature of the document and allow us to read such document prior to submitting the document to others. An example of another document would be an official statement in connection with a public debt offering.

AUDIT ADMINISTRATION, FEES AND OTHER

In connection with providing our professional services, we may engage the assistance of outside service providers for non-substantive services. We may share confidential information about the Town with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, management will be asked to provide its consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we are responsible for the adequate oversight of all services provided by the third-party service provider and for ensuring that all services are performed with competence and due professional care.

The audit documentation for this engagement is the property of Dixon Hughes Goodman LLP and constitutes confidential information. However, we may be requested to make certain audit documentation available to the a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office or North Carolina Office of the State Auditor pursuant to authority given to it by law or regulation. If requested, access to such audit documentation will be provided under the supervision of Dixon Hughes Goodman LLP personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may

intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

This engagement is limited to the services outlined above. We will perform all services in accordance with applicable professional standards.

John Frank is the engagement partner and is responsible for supervising the engagement and signing the report of authorizing another individual to sign. We plan to begin our audit work in June 2019.

Our fees for these services and any additional services are detailed in the "Contract to Audit Accounts" (LGC-205) dated May 27, 2019. This estimate is based on the assumption there will be no significant bookkeeping assistance required or significant changes in the Town's operations including (but not limited to): issuance of new debt; new construction projects; creation of new funds; new or "State Mandated" major programs required to be tested for Single Audit; or additional procedures required in response to the discovery of fraud. We will issue contract addendums for additional fees related to any bookkeeping or changes mentioned above. The additional fees will be billed at our standard hourly rates depending on the experience level of the individuals performing the work.

Should management require additional services incidental to those specified herein which are not the subject of a separate engagement letter, upon your request for the performance of those services we will confirm to management in writing or by electronic mail the requested services we will provide. Such services, including our fees, shall be rendered subject to and in accordance with the provisions of this letter.

In providing our services we may direct management to provide the Town's information to us through a separate web based client portal in an effort to provide greater security with respect to the information. In the event we request management to provide the Town's information to us through such a client portal, to the extent management fails to do so or in using the client portal management fails to monitor and restrict access only to your authorized personnel (any such failure being referred to herein as a "Portal Failure") we disclaim, and management release us from, any and all liability for loss and damage, including direct, indirect, consequential, incidental, and special damages such as loss of revenue or anticipated profits, arising from any interception, unintentional disclosure or communication or unauthorized use of such information incident to a Portal Failure. In addition, management agrees not to provide access to the client portal for use by any third-party with whom management is affiliated by contract or otherwise without our express prior written consent, and management shall indemnify and hold us harmless from and against any and all claims by any such third-party for all damages whatsoever, including direct or indirect damages, consequential, exemplary, incidental, special or punitive damages including lost profits or lost data, arising from such third party's use of materials on, accessed through, or downloaded from the client portal even if we are aware or have been advised of the use of or the access to, the client portal by such third party in contravention of the restrictions set forth herein.

Many of our clients choose to communicate with us by email, and we may use email in connection with this engagement unless management directs us otherwise. We will use reasonable precautions to protect your confidential information, but we have no obligation to employ any measures that management does not regularly employ in protecting your confidential information. As emails can be intercepted and read, disclosed, or otherwise used or communicated by an unintended third party, or may not be delivered to each of the parties to whom they are directed, we cannot guarantee or warrant that email from us will be properly delivered and read only by the addressee. Therefore, we specifically

disclaim any liability or responsibility whatsoever for interception or unintentional disclosure or communication of email transmissions, or for the unauthorized use or failed delivery of emails transmitted by us in connection with the performance of this engagement, or the disclosure or communication of confidential or proprietary information arising therefrom (hereinafter collectively referred to as "Email Interruption"). You agree that we shall have no liability for any loss or damage to any person or entity resulting from or related to any Email Interruption, including any consequential, incidental, direct, indirect, or special damages, such as loss of revenues or anticipated profits, and management hereby forever releases us from any such liability and shall indemnify us from any claim related thereto.

In the event DHG is required to respond to a subpoena, court order, government regulatory inquiry or other legal process relating to you or your management for the production of documents and/or testimony relative to information we obtained or prepared incident to this or any other engagement, you shall compensate DHG for all time we expend in connection with such response at normal and customary hourly rates, and to reimburse us for all out of pocket expenses incurred in regard to such response.

You represent and warrant to us that you do not derive substantial or a material amount of revenue from the manufacture, sale or distribution of cannabis or related products ("Cannabis Products") or from activities which in any material manner support the manufacture, sale or distribution of Cannabis Products.

This agreement and any claim arising out of the services provided shall be governed by the laws of the state of North Carolina, exclusive of its conflict of laws rules. The parties agree that any action between them related to or arising out of this engagement shall be brought only in the state or federal courts of North Carolina.

Whenever possible, each provision of this agreement shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision hereof shall be ineffective, or invalid, such ineffectiveness or invalidity shall be only to the extent of such prohibition or invalidity, without invalidating the remainder of the provision or the remaining provisions of this agreement, which shall otherwise remain in full force and effect. The agreements of Town of Carrboro and Dixon Hughes Goodman LLP contained in the Contract to Audit Accounts and this attachment shall survive the completion or termination of this engagement.

Summer scheduling is very tight and travel accommodations are difficult to change, therefore, a rescheduling fee of 10% may be charged if fieldwork has to be rescheduled within 1 month of the rescheduled starting date. In the event we need to reschedule we will try to accommodate your needs, however, due to other client commitments, we cannot guarantee a timetable that will allow us to complete the audit by the deadline stated in the Contract to Audit Accounts. Progress billings will be submitted to the North Carolina Office of the State Treasurer for approval and then mailed to management. All invoices are payable upon presentation.

Government Auditing Standards require that we provide management with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2017 peer review report accompanies this letter.

Town of Carrboro
May 27, 2019
Page 11 of 11

We appreciate the opportunity to be of service to Town of Carrboro and believe this letter accurately summarizes the significant terms of our engagement. If management has any questions, please let us know. If management agrees with the terms of our engagement as described in this letter, please sign the enclosed copy and the Contract to Audit Accounts and return it to us.

Very truly yours,

Dixon Hughes Goodman LLP

Dixon Hughes Goodman LLP

JAF/ccg

Enclosures

ACCEPTED AND AGREED:

This letter correctly sets forth the understanding of the **Town of Carrboro**.

By: _____ Date: _____
Lydia Lavelle, Mayor

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

By: _____
Arche McAdoo, Finance Officer

Report on the Firm's System of Quality Control

To the Partners of
Dixon Hughes Goodman LLP
and the National Peer Review Committee

We have reviewed the system of quality control for the accounting and auditing practice of Dixon Hughes Goodman LLP (the firm) applicable to engagements not subject to PCAOB inspection in effect for the year ended February 28, 2017. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under Uniform Guidance; audits of employee benefit plans, audits performed under FDICIA, and examinations of service organizations [SOC 1 and SOC 2 engagements].

As part of our peer review, we considered reviews by regulatory entities as communicated to the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Dixon Hughes Goodman LLP applicable to engagements not subject to PCAOB inspection in effect for the year ended February 28, 2017, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Dixon Hughes Goodman LLP has received a peer review rating of *pass*.

Postlethwaite & Netterville

Baton Rouge, Louisiana
August 11, 2017

October 26, 2017

Ralph Snow
Dixon Hughes Goodman LLP
4350 Congress ST Ste 900
Charlotte, NC 28209-4866

Dear Ralph Snow:

It is my pleasure to notify you that on October 26, 2017, the National Peer Review Committee accepted the report on the most recent System Review of your firm. The due date for your next review is August 31, 2020. This is the date by which all review documents should be completed and submitted to the administering entity.

As you know, the report had a peer review rating of pass. The Committee asked me to convey its congratulations to the firm.

Thank you for your cooperation and support of the profession's practice-monitoring programs.

Sincerely,



Michael Fawley
Chair - National PRC
nprc@aicpa.org 919-402-4503
National Peer Review Committee

CC: Candace Wright, David Hinshaw

Firm Number: 900010017108

Review Number: 529335

The	Governing Board
of	Primary Government Unit
and	Discretely Presented Component Unit (DPCU) (if applicable)

Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)

and	Auditor Name
	Auditor Address

Hereinafter referred to as Auditor

for	Fiscal Year Ending	Audit Report Due Date
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Must be within four months of FYE

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business- type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types).

2. At a minimum, the Auditor shall conduct his/her audit and render his/her report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if required by the State Single Audit Implementation Act, as codified in G.S. 159-34. If required by OMB *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the State Single Audit Implementation Act, the Auditor shall perform a Single Audit. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit performed under the requirements found in Subpart F of the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

County and Multi-County Health Departments: The Office of State Auditor will require Auditors of these Governmental Units to perform agreed upon procedures (AUPs) on eligibility determination on certain programs. Both Auditor and Governmental Unit agree that Auditor shall complete and report on these AUPs on

eligibility determination as required by OSA and in accordance with the instructions and timeline provided by OSA.

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.
4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.
5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2011 revisions, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Accounting Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC staff within four months of fiscal year end. If it becomes necessary to amend this due date or the audit fee, an amended contract along with a written explanation of the delay shall be submitted to the Secretary of the LGC for approval.
7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.
8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's (Units') records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. (This also includes any progress billings.) [G.S. 159-34 and 115C-447] All invoices for Audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to

the Auditor to present to the Governmental Unit(s) for payment. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.

9. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 12).

10. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.

11. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.

12. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

13. The Auditor shall submit the report of audit in PDF format to LGC Staff when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC along with an Audit Report Reissued Form (available on the Department of State Treasurer website). These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC staff.

If the OSA designates certain programs to be audited as major programs, as discussed in Item 2, a turnaround document and a representation letter addressed to the OSA shall be submitted to LGC Staff.

14. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the

Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

15. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing, on the Amended LGC-205 contract form and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to charter schools). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.

16. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 26 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

17. Special provisions should be limited. Please list any special provisions in an attachment.

See attached engagement letter

18. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the parent government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

19. The contract shall be executed, pre-audited (pre-audit requirement does not apply to charter schools), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

20. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

21. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

22. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

23. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

24. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

25. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.
26. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 16 for clarification).
27. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/slg/Pages/Audit-Forms-and-Resources.aspx>.
28. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

FEES FOR AUDIT SERVICES

For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and *Governmental Auditing Standards* (as applicable). Bookkeeping and other non-attest services necessary to perform the audit shall be included under this contract. However, bookkeeping assistance shall be limited to the extent that the Auditor is not auditing his or her own work or making management decisions. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience necessary to oversee the services and accept responsibility for the results of the services. Financial statement preparation assistance shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. The Auditor shall maintain written documentation of his or her compliance with these standards in the audit work papers.

Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter, but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8, 9, and 12 for details on other allowable and excluded fees.

Prior to submission of the completed audited financial report, applicable compliance reports and amended contract (if required) the Auditor may submit invoices for approval for services rendered, not to exceed 75% of the total of the stated fees below. If the current contracted fee is not fixed in total, invoices for services rendered may be approved for up to 75% of the prior year audit fee. Should the 75% cap provided below conflict with the cap calculated by LGC staff based on the prior year audit fee on file with the LGC, the LGC calculation prevails.

20 NCAC 03 .0505: All invoices for services rendered in an audit engagement as defined in 20 NCAC 3 .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law.

PRIMARY GOVERNMENT FEES

Primary Government Unit	
Audit	\$
Writing Financial Statements	\$
All Other Non-Attest Services	\$
75% Cap for Interim Invoice Approval	\$

DPCU FEES (if applicable)

Discretely Presented Component Unit	
Audit	\$
Writing Financial Statements	\$
All Other Non-Attest Services	\$
75% Cap for Interim Invoice Approval	\$

SIGNATURE PAGE**AUDIT FIRM**

Audit Firm	
Authorized Firm Representative (typed or printed)	Signature <i>John A. Franks</i>
Date	Email Address

GOVERNMENTAL UNIT

Governmental Unit	
Date Primary Government Unit Governing Board Approved Audit Contract (Ref: G.S. 159-34(a) or G.S. 115C-447(a))	
Mayor/Chairperson (typed or printed)	Signature
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE*(Pre-audit certificate not required for charter schools)*

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer (typed or printed)	Signature
Date of Pre-Audit Certificate	Email Address



Town of Carrboro

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

Agenda Item Abstract

File Number:19-180

Agenda Date: 6/4/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Transportation Projects Update

PURPOSE: The purpose of this agenda item is to provide the Board of Aldermen with an update on the progress of current transportation projects around town.

DEPARTMENT: Planning

CONTACT INFORMATION: Trish McGuire, 919-918-7327, pmcguire@townofcarrboro.org; Tina Moon, 919-918-7325, cmoon@townofcarrboro.org; Zach Hallock, 919-918-7329, zhallock@townofcarrboro.org

INFORMATION: Town staff have provided updates on the progress of Transportation Projects in town as requested by the Board of Aldermen. Previous updates can be found at the following links:

April 23, 2019 - Transportation Projects Update:

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3926165&GUID=6E93E2DB-CA44-4CE2-BE0E-3E2A986E521D>

April 23, 2019 - Pedestrian Safety Improvement Projects Update:

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3926162&GUID=E6707FF9-81A5-4D44-8C37-87F28F3126C6>

March 5, 2019 - Transportation Projects Update:

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3875184&GUID=440D644D-C28D-4622-A8C5-794E1EF4B11F>

October 2, 2018 - Transportation Projects Update:

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3690113&GUID=95517225-8985-4106-B563-EF96308A852A&Options=&Search=>>

The updated transportation projects memo can be found as Attachment A.

FISCAL & STAFF IMPACT: No impact associated with receiving this update.

RECOMMENDATION: Staff recommends the Board receive the update and provide comments or questions as desired.



TOWN OF CARRBORO
NORTH CAROLINA

TRANSMITTAL

PLANNING DEPARTMENT

DELIVERED VIA: ☐ *HAND* ☐ *MAIL* ☐ *FAX* ☒ *EMAIL*

To: David Andrews, Town Manager
Mayor and Board of Aldermen

From: Zachary Hallock, Transportation Planner

Date: June 4, 2019

Subject: Update on Transportation Projects

Summary

This document is intended to update the Board of Aldermen on the status of a number of active transportation projects. The Board last received a similar update on March 5, 2019. A link to the previous agenda item may be found at:

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3875184&GUID=440D644D-C28D-4622-A8C5-794E1EF4B11F&Options=&Search=>

Projects are largely organized in the follow manner: NCDOT Projects, Town Projects, Bicycle Projects and Planning, Development Projects, Pedestrian Safety Projects, and Transit Projects; this memo retains the project description included in the October 2018 and March 2019 reports with the latest information provided in red at the end of each section.

NCDOT Projects

Estes Drive/North Greensboro Street intersection project (U-5846)

[10/2/2018] - The Board received presentations on the conceptual design for roundabout at the intersection of Estes Drive and North Greensboro Street on May 10, 2016 and September 19, 2017. Consideration of a request to accept an offer from NCDOT relating to easements for project construction was provided to the Board on May 15, 2018 (meeting materials may be found here: <https://carrboro.legistar.com/MeetingDetail.aspx?ID=571559&GUID=A1B570A7-B73B-4797-AB48-DD36E6952A39&Options=&Search=>) NCDOT advertised the project for construction this summer, but received no bids. They are in the process of reviewing the bid proposal and anticipating rebidding in the near future. The project will be funded and managed by NCDOT.

[3/5/2019] - *Staff currently working with NCDOT to determine the best method for completing construction with the least disruption to local residents, commuters and businesses. This could be a full closure of the intersection, a partial closure--allowing traffic through the work zone with traffic control, or a combination of the two. Town staff (Fire, Police, Public Works, Community and Economic Development, etc.) is reviewing options for detour routes with NCDOT. Additional details will be forthcoming as a detour routing plan is developed.*

[6/4/2019] – *Direction from the state legislature has required NCDOT to limit expenditures in order to maintain budgetary requirements. This has resulted in the bidding for this construction project being put on hold. This project will be re-advertised at a later date.*

Merritt Mill/Franklin/E Main/Brewer intersection project (U-5847)

[10/2/2018] - The Board received information relating to the updated design for proposed improvements to the Merritt Mill/Franklin/E Main/Brewer intersection at its September 4, 2018 meeting. The new design focuses on enhancements to bike/ped infrastructure rather than capacity improvements for vehicles. NCDOT would manage and fund the project in its entirety (no local match). The highway project programmed as U-5847 would be removed from the STIP. The Board has approved a resolution supporting NCDOT investment in this location so that construction could move forward in a timely manner.

NCDOT indicated at the September 12th DCHC MPO Board Meeting that the design should be finalized in the near future and, that a NCDOT representative could attend a Town Board meeting to provide an update with additional details on the project design, if desired, with a target meeting date in October.

[3/5/2019] - A representative from NCDOT presented an update to the Board on December 4, 2018. (Meeting materials may be found here: <https://carrboro.legistar.com/LegislationDetail.aspx?ID=3767378&GUID=5EEC0515-3187-423A-8F93-8C2761E61A8B&Options=&Search=>) Town staff met with the owner of Carolina Carwash and with the business owners of owners of Al's Garage, prior to the December meeting, to inform them of the proposed changes to the intersection and the potential for minor impacts to their operations/property. Subsequent to the Board's meeting, NCDOT met on site with the owner of Carolina Carwash to discuss in more detail the specifics of the design, the preferred location of driveways on East Main and Brewer Lane and possible ways to improve stormwater management along Brewer Lane. Construction is anticipated to begin in May and to conclude in August, coinciding with UNC's summer break and NCDOT's scheduled resurfacing for Franklin Street and parts of East Main Street.

[6/4/2019] - *NCDOT is working with property owners acquire the easements or other small pieces of right of way needed for improvements. Work on the project within the existing right of way is expected to move forward independently.*

NC MOVES 2050 – NCDOT Strategic Long-range Transportation Plan

[3/5/2019] - NCDOT is currently conducting a long range, statewide transportation plan to better guide North Carolina's transportation policy and investment to 2050 and beyond. For

information on the planning process, to submit public comments, or details on other public engagement opportunities see the links below.

Plan Homepage: <https://www.ncdot.gov/initiatives-policies/Transportation/nc-2050-plan/Pages/default.aspx>

Public Comment Map: <https://vizmaps.wspis.com/2050plan/crowdsource/map>

Other Public Engagement Opportunities: <https://www.ncdot.gov/initiatives-policies/Transportation/nc-2050-plan/Pages/public-engagement.aspx>

NC 54 West – Corridor Study and TIP Projects

[10/2/2018] - The Board received a presentation on the draft report on October 16, 2019.

Information relating to the study including public information meeting materials are available at the project website: <http://www.nc54west.com/>

[3/5/2019] - Staff have coordinated with the DCHC MPO to develop an additional scope of work to better respond to the initial questions from Carrboro's MPO Board liaisons such as projected traffic volumes, origins and destinations, particularly on the section of NC 54 in Carrboro's planning jurisdiction. Staff will schedule a future presentation to the Board once this additional work is complete.

[6/4/2019] - A draft of the updated corridor study is expected to be ready around the end of the summer and staff are working to schedule a presentation of these results in the fall.

Two STIP projects were identified along this corridor as part of Prioritization 5.0 (2020-2029 STIP).

- R-5821A: NC 54 from Orange Grove Road to Old Fayetteville Road
 - This project largely consists of intersection capacity improvements (turn lanes, signal timing) along the length of the corridor.
- U-6071: NC 54 from Old Fayetteville Road to W Main Street
 - The focus of this project is to provide traffic operations/capacity improvements for the Old Fayetteville/NC 54 intersection, but Town and NCDOT staff have discussed expanding the scope of the project to include the West Main/James Street intersection, and the section of NC 54 in between. The sidepath along NC 54 from Main/James Street to Anderson Park has also been discussed as a possible bike/ped enhancement to the project. Funding for the sidepath, if included, would likely come from the bike-ped project submitted by the Town as part of P5.0; the amount (percentage) of local match for the sidepath, if constructed as an enhancement to a highway project, has not yet been determined.

A scoping meeting to discuss these projects was held in June, 2018. The current schedule for R-5821A is ROW 2020, Construction 2022, and Completion 2024.

[3/5/2019] - U-6071 was not identified for funding in the draft 2020-2029 STIP, and as such, this item will be removed from future reports.

NC 54 Bike/Ped Safety Study: Old Fayetteville Road to Manning Drive (Chapel Hill)

[10/2/2018] - In January 2018, the Carrboro Planning and Police departments sent a letter to NCDOT in support of a request from Chapel Hill to conduct a corridor on NC 54, between Old Fayetteville Road and Columbia Street with a focus on bike-ped safety, particularly with regard to access to transit. NCDOT met with police and transportation staff from both towns to discuss a project scope and are in the process of finalizing the scope of services to engage with a consultant.

[3/5/2019] - NCDOT has contracted with VHB Engineering to perform data collection and safety analysis for this corridor, which will run from Old Fayetteville Road in Carrboro to Manning Drive in Chapel Hill. A kick-off meeting was held on January 30, 2019 which included an overview of the project corridor, and an initial site visit by the project team to key intersections along in order to make initial observations. Additional information and opportunities for public involvement will be provided as the project develops.

[6/4/2019] - The project team worked to distribute the survey to residents in the area around NC 54, which closed on May 17th. The project team is scheduled to meet in early July in order to review preliminary project recommendations, staff are working to ensure coordination between this project and the bicycle network recommendations being developed for the bike plan update.

Safety Concerns on Hillsborough Road @ McDougle School Driveway

[6/4/2019] - Staff have coordinated with NCDOT on the issues identified, Dawn McPherson (Division 7 Traffic Engineer) provided a response indicating that her staff would work to make sure the pavement markings and updated signage is completed before the beginning of the next school year.

Town Projects

East Main Street Study

[10/2/2018] - East Main Street is on NCDOT's upcoming schedule for resurfacing, providing an opportunity to revisit the current cross section of the street from Weaver Street to Rosemary Street. The engineering firm Stantec (on the DCHC MPO on-call services list) has been engaged to analyze the feasibility of an alternative cross section that would include bicycle and pedestrian improvements; this is the same firm that is designing the intersection improvements at Merritt Mill/Franklin/E Main/Brewer Lane. Public outreach and final design would only proceed if NCDOT approval for the modification is received. The contract is being finalized and a meeting with Stantec, Town staff and NCDOT is being scheduled to discuss the parameters of the analysis. NCDOT is aware of the Town's interest that the findings from this analysis, if deemed feasible, be considered prior to the resurfacing. Modifications to the scope of the intersection improvements at E Main/Brewer Lane may also affect the timing of the resurfacing for this section of East Main Street.

[3/5/2019] - Stantec has completed projected volumes for the corridor and has sent them to NCDOT for review. Staff is working with Stantec and NCDOT to complete the remaining

aspects of the operational analysis and to develop design alternatives for a new pavement plan for public input, with the target timeline of coinciding with the May 2019 resurfacing schedule. NCDOT has indicated that resurfacing for the eastern section of the Franklin-East Main Street corridor could be postponed to May 2020 to accommodate the Town's interest in a revised pavement plan should additional time be needed to complete the analysis.

[6/4/2019] - Stantec has completed the operational analysis of East Main Street which includes the Base Year (2017) and Future Year (2030) conditions for both the Existing Configuration and Proposed Restriping scenarios. The results of this analysis are currently under review by NCDOT Division 7 Staff.

Jones Ferry Road – Protected Bike Lanes (Possible Pilot Program)

[10/2/2018] - Town staff have been working with NCDOT to identify potential treatments for protected bike lanes on Jones Ferry Road, an interest identified as part of the Spot Safety Improvement Project for the corridor. Staff from NCDOT's Bicycle and Pedestrian Division have discussed options, (which may include possible funding) for the effort to be expanded into a pilot project for establishing protected bike lanes treatments that could be replicated throughout the state. To date, discussions with Public Works and NCDOT have focused on concerns over cost, maintenance, snow clearance, and transit operations. Staff have currently identified a set of potential treatments based on the NCDOT approved products list which could be utilized to create a protected bike lane. Public input for the ideas developed during this process could be rolled into the outreach for the Bike Plan Update, or pursued on a separate timeline. Additionally, this project would represent new ground for NCDOT as there are currently no state-maintained facilities with protected bike lanes, thus any results gleaned from this pilot project would be used to inform NCDOT design guidelines for protected bike lanes throughout the state.

[3/5/2019] - Staff have finalized a set of treatments identified from the NCDOT approved products list and are coordinating with both NCDOT Division 7 and NCDOT Division of Bicycle and Pedestrian Transportation to identify potential funding opportunities to support this pilot program. Staff anticipates discussion of these treatments as part of the Comprehensive Bicycle Transportation Plan update.

[6/4/2019] - As part of the Bicycle Plan Update, a stakeholder interview meeting will be held with NCDOT Division 7 staff during the month of June. The expectation is that this will provide a platform to discuss bicycle improvements on NCDOT facilities and identify the improvements most feasible for implementation with adjustments to recommendations as needed.

Bike Loop Detectors (U-4726-DF)

[10/2/2018] - Staff advertised the bike loop detectors last October but did not receive any bids. After learning of the schedule for resurfacing along Main Street, staff discussed different options to completing the project as part of the repaving process or as part of signal maintenance. After reviewing the project with FHWA and NCDOT as part of a federal audit, the Town was directed to advertise the project for a second time.

[3/5/2019] - Staff has prepared updated bid materials and is working with the Finance Department to reschedule the advertisement.

[6/4/2019] - The bids for the bike loop detectors will open on June 4th with a pre-bid meeting.

Homestead Road-Chapel Hill High School Multi-Use Path (U-4726-DE)

[10/2/2018] - Staff is working with the CEI firm to finalize a punch list and begin the remaining work on the project. The final plantings are scheduled for installation during the fall planting season, typically around November. A future spur linking the multi-use path to Claremont South is also in the works and once completed will provide a direct connection to residents living along the south side of Homestead Road in Claremont South and neighboring residential subdivisions, such as Wexford, Williams Woods, Cates Farm, and heading toward downtown Carrboro.

[3/5/2019] - Project is nearing closeout, staff are completing final review of project punch list. Staff is also in contact with the Zinns regarding the schedule for constructing the southern spur to the multi-use path from Claremont South and will provide additional updates when available.

Morgan Creek Greenway (EL-4828A)

[10/2/2018] - The Town submitted the project proposal (plans, specification manual and engineer's estimate) for Phase 1 of the greenway to NCDOT on September 14th for construction authorization, and has received notice from NCDOT that authorization was approved. Staff has also worked with NCDOT and the DCHC MPO staff to move the TAP-DA funds allocated to Phase 2 of the greenway to Phase 1, so that the money can be allocated to construction prior to the scheduled rescission in September 2019.

[3/5/2019] - Construction authorization has been received, a Request for Letter of Interest for Construction Engineering & Inspection (CEI) services has been submitted to NCDOT for review. Staff is working with the design engineer to complete final adjustments to plans and project manual. Staff has also reached out to the HOA presidents for Berryhill and the Canterbury Townhomes to set up a neighborhood meeting to provide an update on the project and anticipated construction schedule.

[6/4/2019] - Staff held a walkabout of the project alignment with residents of the Berryhill and Canterbury neighborhoods on April 11th. Staff are in receipt of the final construction plans from CJT (Coulter, Jewell, Thames) and have submitted the plans to NCDOT for review prior to approval for construction authorization. Staff have advertised the project for construction (June 2nd) and are preparing an agenda item for the Board which would authorize the Town Manager to execute a contract with a construction company during the summer break.

Jones Creek Greenway (C-5181)

[10/2/2018] - Staff advertised for engineering design services late last year and subsequently identified a recommended firm. NCDOT has approved the firm and their estimate for the scope of work for the project. Staff is preparing a draft contract for NCDOT approval. Once executed, design services will be underway, starting with a kick-off meeting for outreach. The project is funded entirely with CMAQ money. The estimate has come in over the amount earmarked for design services, and staff has been working with NCDOT and DCHC MPO staff to shift some

the funds programmed for construction to design in order to keep the project moving forward. CMAQ funds are also scheduled for rescission. The DCHC MPO Technical Committee has been reviewing different strategies to ensure that projects underway or shovel ready—receive existing funds and that the remaining projects are positioned to request/receive CMAQ funds with the upcoming call for projects.

[3/5/2019] - A kickoff meeting was held on Wednesday, January 30th. Staff are working with the consultants to identify dates for series of public drop-in sessions and presentations to the Board of Aldermen. Assuming that the project can proceed with a No-Rise, (no CLOMR needed), the anticipated schedule would be to provide updates at the following intervals of the design: 15% Design – 3/26 or 4/2, 30% Design – 5/7, 60% Design – 6/18. Planning department is also coordinating with the Police and other departments regarding the potential for safety concerns associated with a greenway that links to school, with a meeting date tentatively scheduled for the week of March 4th.

[6/4/2019] - The 30% design plan review meeting was held on May 20th. Staff are investigating the feasibility of incorporating a continuous bicycle-pedestrian counter (similar to that which exists currently on the Libba Cotten) to the project. Staff are working on additional coordination efforts with ITRE & NCDOT Bike-Ped Division to determine data collection and validation procedures if this addition is to move forward.

Estes Drive Corridor Study and Bike/Ped Improvements (EB-5886)

[10/2/2018] - Town staff is working with NCDOT and the Town of Chapel Hill to determine the project scope for bike/ped improvements along this corridor. The project has been split into separate projects (A & B) to allow each Town to execute a municipal agreement with NCDOT directly, provides more flexibility with regard to scheduling. Carrboro Planning staff is working with the Town attorney to prepare a draft agreement with GoTriangle to receive transit plan funds, including funds to proceed with the corridor study. The corridor study is intended to help inform the design of the western portion of the Estes Drive corridor for a seamless connection with the future roundabout at North Greensboro Street and sensitive design within the tight right-of-way between North Greensboro Street and the Wilson Park Greenway. It is anticipated that design and right-of-way acquisition would be managed by the towns and construction managed by NCDOT.

[3/5/2019] - Staff anticipates beginning a corridor study in FY2019 in order to best determine the interface between Chapel Hill and Carrboro sections of the project, as well design considerations related to the Estes Drive/N Greensboro Roundabout.

South Greensboro Street Sidewalk (C-5650)

[10/2/2018] - The Town has received a municipal agreement from NCDOT and is in the process of preparing a RFLOI for NCDOT approval to beginning advertising for design services.

[3/5/2019] - Staff has received initial approval of a draft Request for Letters of Interest (RFLOI) for design services from NCDOT. Planning staff is working with the Finance Department to schedule advertisement.

[6/4/2019] - Staff have posted advertisements for this design work and are currently receiving responses and responding to questions from interested applicants.

West Main Street Sidewalk

[10/2/2018] - As part of the development of the updated Durham and Orange county transit plans, the Town submitted a capital project request to construct a sidewalk along West Main Street between Fidelity Street and Poplar Street. Staff requested delaying the funds for the Main Street project to a later fiscal year in order to receive funds for the South Greensboro Street sidewalk in an earlier fiscal year. Correspondence between GoTriangle and the Town, to that effect, provided sufficient confirmation that funds would be available for the South Greensboro project—allowing the Town to proceed with the process of initiating a municipal agreement with NCDOT.

Barnes Street Sidewalk (EB-5890) & Jones Ferry Road Sidewalk (EB-5880)

[10/2/2018] - The Barnes Street and Jones Ferry Road sidewalk projects were programmed for funding in the 2018-2027 STIP. Staff has requested that the start date of these two projects begin in FY 2022, anticipating a schedule of design in FY 2022, ROW acquisition FY 2023 and construction FY 2024. The proximity of the two projects offers an opportunity to seek one contractor to construct both projects if such an arrangement provides an economy of scale benefit.

SPOT 5.0 Local Projects Scoring/Points Allocation

[10/2/2018]

- Old NC 86 Bike Lanes – Current SPOT methodology resulted in very low scoring such that this project (neither the Highway or Bike/Ped versions) is unlikely to receive funding
- Seawell School Road Bike/Ped connection – The version of the project with a multi-use path scored better than bike lanes and may score high enough to receive funding. Staff anticipates that the DCHC MPO Technical Committee will recommend allocating local points to this project.
- NC 54 Sidepath (Main St to Anderson Park) (This project may be incorporated as part of the TIP project U-6071 as noted above).
- NC 54 at Old Fayetteville intersection improvements (U-6071 this project was included in the June 2018 scoping meeting with NCDOT and has received some analysis as part of the NC 54 West Corridor study.

[3/5/2019] - Projects were submitted through the SPOT 5.0 prioritization process for funding in the 2020-2029 STIP. An update on the draft 2020-2029 STIP was presented to the Board on February 19, 2019. Of the projects listed above, only the NC 54 sidepath was identified in the draft STIP for possible funding. Per the Board's direction, the remaining projects will be submitted to the SPOT 6.0 process for considering in the next STIP 2022-2031. Agenda materials from the February meeting may be found at:

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3863585&GUID=2B1E4391-C99C-4E45-9B2A-8EDA86C3BBEC&Options=&Search> .

Bicycle Projects and Planning

Bicycle Transportation Plan Update

[10/2/2018] - Town staff have worked over the summer to review and execute the grant agreement to NCDOT to receive funding for the Bike Plan update. A Request for Proposals (RFP) has been finalized, planning and finance staff are currently working to set a date to advertise that RFP. The planning process for this update should also provide an opportunity to facilitate a broad public input process aimed at seeking citizen feedback on a number of different transportation projects in addition to the plan update.

[3/5/2019] - The first steering committee meeting was held on Thursday, February 28. This meeting covered project scope, overview of existing conditions, review of the 2009 plan vs expectations for the 2019 plan, and the initial public outreach strategy. Future steering committee meetings will be held on Thursday, March 28; Thursday, May 30; and Thursday, June 27. Additional information related to the Bicycle Plan and recordings of the Steering Committee meetings will be made available a project webpage which is currently under development.

[6/4/2019] - The draft bicycle facility network was presented to the Steering Committee on May 30th and will be presented to the Transportation Advisory Board at their June 6th meeting. Staff are preparing an agenda item to present this draft network, an overview of the planning process, and an outline of the draft plan update to the Board during the June 11th meeting.

Staff have received specific comments regarding the way the survey questions were framed/worded with respect to the age and duration of residency in Carrboro. Staff are working to develop a targeted stakeholder meeting for long-term Carrboro residents to ensure their voices are being heard.

Bicycle Friendly Communities Application

[10/2/2018] - This summer, town staff worked to complete the latest iteration of the Bicycle Friendly Communities (BFC) application. Upon nearing the deadline, staff spoke with the BFC program manager regarding the application and other administrative issues which might affect our current status. It was indicated that while our present Silver-level designation technically only runs through 2018, there is a leeway period allowed so long as an application is submitted during the next year. It was staff's understanding, based in part on that conversation, that having a complete (or nearly completed) Bike Plan update would significantly strengthen the application. With that in mind, staff's intention is to submit the formal BFC application in the fall of 2019 to ensure the best opportunity to reach Gold-level status.

[3/5/2019] - Staff continues to be in communication with the BFC staff to coordinate the submission of the Town's application with our progress on the bicycle plan update and the design of small-scale bicycle demonstration pilot infrastructure projects and potentially permanent infrastructure projects.

[6/4/2019] - Staff are conscious of this deadline and are working to update the application to incorporate changes over the past year, in particular the update to the bicycle plan. As the draft bicycle plan is being completed over the summer, staff will work with the consultants on how to best incorporate the specific details of the plan into the application.

Pathway Drive Bike Boulevard

[10/2/2018] - Since the Board last received an update on this project (November 21, 2017), staff has been working with the Town Engineer to develop a series of conceptual designs (typical sections) which could be used to seek public input. These 'typicals' represent simple landscaped bump-outs, chokers, and chicanes which will serve to calm traffic along Pathway Drive. In addition, sharrows would be added along the length of the street to better indicate that bicycle traffic should utilize the full travel lane. This option allows for the conversion of the existing cross sections (which includes bike lanes) to include elements of a bike boulevard; overall automobile speeds should be slower but would allow on-street parking to occur in some locations due to the new bump-outs and chokers.

[3/5/2019] - Town engineer has developed conceptual level typical sections of potential traffic calming measures to use along the corridor. These could be chicanes, bulb outs, or curb extensions all of which would also provide opportunities for stormwater improvements as well.

Cobblestone Colfax Connector

[10/2/2018] - The existing 5-foot wide sidewalk between the cul-de-sacs on Colfax Drive and Cobblestone Drive creates a bike/ped connection between the cul-de-sacs on Cobblestone Drive and Colfax Drive. Based on the surrounding network of bike/ped connections (the cut through from Colfax Drive to Claremont Drive, the newly opened Homestead Road-Chapel Hill High School Multi-Use Path (Bolin Creek Greenway Phase 1B) and the other planned improvements (traffic calming along Cobblestone Drive) upgrading the sidewalk to a wider multi-use path could serve to create a Bike Boulevard route from Hillsborough Road to Homestead Road. Town staff reached out to residents for comment on the idea of widening the path in September, and initial survey work is underway to determine how wide a potential path could be made as well as other details.

[3/5/2019] - *Town engineering currently developing design and cost estimates.*

Small Bicycle Safety Projects

[10/2/2018] - Other, smaller, bike infrastructure projects have been identified for analysis and may be easier to implement either as part of the update to the Bicycle Plan or as standalone projects include:

- Roberson Street/Libba Cotten – Provide guidance to cyclists as they depart the bikeway and merge with on-street vehicular traffic.

[3/5/2019] - Staff are working with the Town Engineer to develop a conceptual design for this intersection.

- Shelton Street/Carrboro Elementary – Provide guidance to cyclists who are travelling in the opposite direction of traffic on Shelton Street in order to access the elementary school.

[3/5/2019] - Staff have received comments regarding the volumes of wrong way cycling on Shelton Street. Initial measurements indicate that pavement width on Shelton Street is wide enough to provide dedicated space for cyclists, but the geometry of its intersection

with Hillsborough Road is challenging both due to crosswalk locations and vehicle turning paths. Staff are working NCDOT to determine what options may be available in this location.

- [3/5/2019] - E Poplar Ave: Staff is exploring a pavement marking opportunity related to comments received of wrong way cyclists and interest in a designated bike route here as well.

Bike Share

[10/2/2018] - Staff continues to work with the Town of Chapel Hill and others to discuss bike share opportunities, to meet with possible vendors and to consider possible collaborations, and to monitor the program in Durham where bike share companies are required to get a permit. The Transportation Advisory Board has also discussed bike share at several points over the past few years.

[3/5/2019] - Following a report to the Board on February 2, 2019, Town staff continues coordination with Chapel Hill and the University of North Carolina on issues related to Bike Share and other Shared Active Transportation solutions. Agenda materials may be found at: <https://carrboro.legistar.com/LegislationDetail.aspx?ID=3851751&GUID=7B467DB8-085A-4ACE-9F56-E0DCFE4CF395&Options=&Search=>

[6/4/2019] - Gotcha, the bikeshare service provider for the University of North Carolina, has expressed interest in developing a pilot program to expand their services to the Towns of Carrboro and Chapel Hill. The anticipated duration of the pilot program is about 1 year. Gotcha would be providing equipment (E-bikes) and transaction services (smartphone application payment system and cash loadable RFID cards) at no cost to the Town. Gotcha's revenues are derived from user fees in the form of monthly plans, user fees, and advertisements (to be placed on the bikes). The details of the system will be determined at a later date, after

Residential Traffic Calming

[10/2/2018] - Planning staff have coordinated with Public Works over the summer to perform test runs for collecting traffic count data. While the purpose of this testing period was to ensure that all staff were familiar with the methodology, technical difficulties were encountered with the traffic counter equipment. IT staff is in the process of purchasing replacement counters. Once received and tested, staff will begin the analysis portion of residential traffic calming requests starting with the Cobblestone Drive request.

Over the summer, a graduate student intern worked with Planning Staff to evaluate the adopted Residential Traffic Management Plan and identify possible improvements to make the program work more smoothly.

[3/5/2019] - Staff have completed traffic counts and analysis steps outlined in the residential traffic management plan for the request related to Cobblestone Drive. A staff report is currently being developed for presentation to the Board later in March. Additional traffic calming requests are being processed as they are received. Staff is also working to set up a framework to collect

traffic speed/volume counts throughout Carrboro to better understand vehicle travel on streets in Town.

[6/4/2019] - Based on input from the neighborhood meeting held on May 4th, staff are working to implement a pilot project (using paint and plastic delineators) of which would provide temporary installations a set of Chicanes, a Neckdown, and speed bumps at key locations along the corridor. This would provide an opportunity to review the effectiveness of these devices, through additional data collection, prior to permanent installation of traffic calming devices. Planning, Public Works, and Engineering (Sungate) have coordinated to update the conceptual level design into a detailed one which can be used to guide installation of the pilot project.

Development Projects

Lloyd Farm/Plantation Acres

[3/5/2019] - A condition of the rezoning for the Lloyd Farm project was for the developer to prepare a new Traffic Impact Analysis (TIA) with updated traffic counts. The Town will also be conducting additional speed/volume counts to establish a more comprehensive understanding of the current traffic conditions and driver behaviors in Plantation Acres to inform possible traffic calming measures.

[6/4/2019] - Data collection has been completed and the existing conditions within the Plantation Acres neighborhood is being analyzed under the framework defined by the Residential Traffic Management Plan.

Eubanks Road FLX District Rezoning

[6/4/2019] - The developer has submitted a Traffic Impact Analysis (TIA) which is currently under review by both Town Staff and NCDOT Division; both parties met on May 29th to jointly review the TIA and provide comments to the developer.

Pedestrian Safety Projects

Citizen & TAB Bike/Ped Safety Requests

[10/2/2018] - In July, Town staff held a meeting with NCDOT representatives regarding the bike/ped safety requests, with a particular focus on crossings along Homestead Road by Claremont and multiple locations along North Greensboro Street. NCDOT identified possible infrastructure improvements such as signage and lighting for short-term enhancements as longer term items such as lane modifications which would require analysis.

[3/5/2019] - Staff are developing a comprehensive listing of identified locations where safety concerns have been commented on by citizens, the TAB, or from staff observations. Data is being compiled related to these locations including traffic volume & speed, bike/pedestrian volumes, crash data, status in local plans (Bike Plan and SRTS), cost estimates, and potential funding sources. This data will be used to evaluate possible improvements in relation to NCDOT guidance and to prioritize among these improvements deemed feasible.

[6/4/2019] - Staff will work with the Transportation Advisory Board during their June 20th meeting to incorporate their input as to how best prioritize the large number of projects currently being investigated. This prioritization will also include Bike/Ped Crash data, Vehicular Count data, Bike/Ped Count data (or comparable indicator such as bus stop boardings & alightings), and Preliminary Cost Estimates.

Slow Zone

[10/2/2018] - Staff met with NCDOT staff to discuss the concept of a slow zone in the downtown area using a combination of signage and infrastructure improvements that would provide cues to drivers to slow down. Staff plans to circle back to NCDOT to discuss more specific design proposals this fall. Informational signage developed as part of the Wayfinding project should dovetail nicely into the Slow Zone program.

[3/5/2019] - The Transportation Advisory Board has been working to develop a Downtown Slow Zone policy, which will outline the aspirational vision of enhancing the downtown experience, particularly bike-ped safety. Once completed, staff will work with NCDOT to evaluate the feasibility of implementation on NCDOT streets and with Public Works staff regarding possible modifications to the Town network to realize the vision. Staff has begun and will continue to collect speed/volume data on downtown streets to gain a better understanding of current conditions and to help inform what type of modifications would lead to desired change in behavior. Opportunities to create a slow zone in phases and in collaboration with the wayfinding project will also be explored. Staff will provide updates to the Board as work progresses.

[6/4/2019] – The Transportation Advisory Board has completed its work on the Downtown Slow Zone Policy. This document is currently under review by staff who are also working to share it with NCDOT and schedule and agenda item to present the policy to the Board.

Road to Zero

[10/2/2018] - Staff is evaluating what it would take to make a commitment to achieve the designation and to pursue those activities.

Safe Routes to School Implementation Committee

[10/2/2018] - Staff has reviewed the existing make-up of the implementation committee and has developed a draft description of a revised committee, based on Board comments in June. Discussion with the Active Routes to School Regional Coordinator, and the Town Attorney for input and refinement is still underway.

[3/5/2019] - Staff is preparing town code amendments which will revamp the committee as a subcommittee of the Transportation Advisory Board, and provide voting rights to students participating on the committee. As currently drafted, the restructured SRTS Implementation Committee would meet quarterly; staff would meet and/or provide updates to school representatives (typically principals) during separate, bi-annual meetings or as otherwise needed. Staff anticipates bringing the draft town code amendments to the Board later this spring/summer.

[6/4/2019] - A request to set public hearing for amendments to the Land Use Ordinance and Town Code to make changes to the SRTS Committee was presented to the Board on May 21st. The public hearing is to be held on June 25th, 2019.

Transit Projects

CHT Short Range Transit Plan

[3/5/2019] - Staff are coordinating with Chapel Hill Transit to bring a presentation on the proposed service changes under the Short Range Transit Plan to the Board before the end of March.

[6/4/2019] - A combination of factors has resulted in delayed implementation of the Short Range Transit Plan. A presentation will be provided at a later date to be determined by Chapel Hill Transit (CHT) staff, anticipated to be in the fall of this year. CHT has set a hard deadline for SRTP implementation of August 2020, but service changes may be implemented sooner if possible.

North-South Bus Rapid Transit (NSBRT)

[3/5/2019] - Work is ongoing.

[6/4/2019] - A joint Technical and Policy Committee meeting will be held on Monday, June 10th.



Town of Carrboro

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

Agenda Item Abstract

File Number:19-200

Agenda Date: 6/4/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Follow up from Review of Preliminary Draft Ordinance and Master Plan to Rezone Property at Old NC 86 and Eubanks Road to a Site Specific, Flexible Zoning (FLX) District

PURPOSE: The purpose of this item to provide the Board with follow up information from the April 9th meeting regarding the preliminary materials for the Site Specific, Flexible Zoning (FLX) District proposed for the property at the corner of Eubanks Road and Old NC 86.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon - 919-918-7325, Patricia McGuire - 919-918-7327, Nick Herman - 919-929-3905, Marty Roupe 919-918-7333

INFORMATION: At the April 9, 2019 meeting, the Board of Aldermen continued its review of the preliminary draft ordinance and graphic illustrations prepared for the FLX District, discussed the advisory board's comments, and requested for staff to follow up with additional information on a number of items. The purpose of this agenda item is to provide the requested information. The attached staff memorandum and table, organized by topical areas summarizes the questions and provides responses.

Additional background information relating to the 2011 DAD report may be viewed here:

<http://www.townofcarrboro.org/DocumentCenter/View/122/NSA-Workshop-Final-Report->>

Additional details and staff analysis of the DAD report may be found at the following link:

http://www01.townofcarrboro.org/BoA/Agendas/2013/01_29_2013_B1A.pdf

The applicant is in the process of updating the preliminary master site plan to include more detailed information, some of which will be informed by the Board's discussion. Staff is also working to provide more detail to the preliminary draft ordinance. Once these materials have been refined staff will schedule a second community drop-in session, and per the Board's direction, refer the updated materials to the advisory boards. A tentative updated schedule is included in the attached memorandum for the Board's review.

FISCAL & STAFF IMPACT: Staff time will also be necessary for public notice, drop-in sessions and public hearing agenda preparation.

Agenda Date: 6/4/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

RECOMMENDATION: Staff recommends that the Board discuss the responses from the April meeting and provide direction on next steps.



TOWN OF CARRBORO

NORTH CAROLINA

TRANSMITTAL

PLANNING DEPARTMENT

DELIVERED VIA: ☐ HAND ☒ MAIL ☐ FAX ☐ EMAIL

To: David Andrews, Town Manager
Mayor and Board of Aldermen

From: Tina Moon, Planning Administrator

Date: May 31, 2019

Subject: Follow-up Information Relating to Preliminary FLX District Materials from April 9, 2019

SUMMARY

The purpose of this memorandum is to provide a summary of information prepared in response to Board of Aldermen questions and comments at the April 9, 2019 meeting with regard to the preliminary FLX District materials. Topics are roughly organized in the following way: Background, Development Proposal, Transportation, Environment, Consistency with DAD workshop, Procedure/Next Steps. There are a couple of other topics, for which staff has reached out to other agencies but has not yet received responses, and anticipates having more information to report at the meeting.

BACKGROUND

The purpose of the Facilitated Small Area Plan for Carrboro's Northern Study Area, adopted by the Town of Carrboro and the Town of Chapel Hill, and Orange County in 1998 and 1999, was to plan for the future of development in Carrboro's transition areas. Work on the plan began with a two-day open forum facilitated by the Orange County Dispute Settlement Center and Randall Arendt, known for his approach toward conservation subdivision design. (The residential subdivision standards outlined in the land use ordinances for Town of Carrboro and Orange County follow Arendt's conservation subdivision methodology, including the incorporation of open space based on natural constraints.) One of the key recommendations of the Small Area Plan was the use of mixed-use village centers, village floating zones or floating mixed-use centers to provide opportunities for nonresidential uses at appropriate scales, and in 1999, the Town established the Village-Mixed Use District (Section 15-141.2) to realize this development model. In 2007, the Board of Aldermen appointed the Northern Study Area Plan Implementation Review Committee (NSAPIRC) to study other types of zoning mechanisms to allow for opportunities for commercial uses at a neighborhood

scale subject to performance standards. The recommendations of the NSAPIRC lead to the Town sponsored design workshop of the Parker Louis, LLC property at the northeast corner of Old NC 86 and Eubanks Road, facilitated by the Durham Area Designers (DAD) in February 2011 and the subsequent establishment of the Site Specific Flexible Development District (FLX) in June 2016. To be considered for a FLX district, the property in question must meet certain criteria relating to ownership, size, access to major arterial roads, and in particular, must have been the subject of a site specific planning study by the Town to determine the most appropriate development options for the site.

DEVELOPMENT PROPOSAL

Adam and Omar Zinn, the owners of Parker Louis LLC have submitted a request to rezone the six parcels that were the subject of the 2011 DAD study to a Site Specific Flexible Development District (FLX). As proposed, the district would contain four use areas: single-family residential, multi-family residential, mixed-use, and commercial. Process for developing a FLX district, is by ordinance, an iterative one intended to provide opportunities for input and collaboration from the Board, advisory boards and members of the public at key intervals. As such, the preliminary materials—conceptual master plan and draft ordinance presented to the Board on February 26, 2019 and referred to advisory boards on March 7th are not yet complete. Staff anticipates that the next iteration shared with the Board will include additional layers of detail on the conceptual master plan, and the draft ordinance.

CONSISTENCY WITH DAD WORKSHOP

By ordinance, the conceptual master plan, ordinance, etc.--must demonstrate compliance with the findings from the planning study. Since the DAD workshop yielded five conceptual plans, staff has referenced the common elements within all of the plans to use as the baseline for determining consistency and for inclusion in the conceptual master plan and draft ordinance. These include:

- commercial uses at a neighborhood or community scale
- diversity of housing types and sizes
- shared green spaces
- bicycle and pedestrian connectivity
- designated locations for transit service inside and outside the district
- central parking areas that can be shared among uses
- opportunities for uses intended to provide services for senior or elderly populations
- retaining a rural setting through the use of undisturbed buffers, building setbacks, landscaping, including, to the extent practicable, existing trees and the natural topography
- open space.

(The *Northern Study Area – Eubanks Site Report* may be found at the following link: <http://www.townofcarrboro.org/DocumentCenter/View/122/NSA-Workshop-Final-Report->).

TRANSPORTATION

Transit Service – Staff met with Chapel Hill Transit to discuss options for providing bus service to the proposed FLX development, and particularly whether to provide service within the project or

along Eubanks Road. CHT's initial recommendation is to add bus stops along both sides of Eubanks Road near the existing roundabout and, if possible, to provide bus pull-offs.

Traffic Impact Analysis - The Zinns engaged Kimley-Horn and Associates to conduct a Traffic Impact Analysis for the development proposal. The TIA has been sent to NCDOT and is currently under review.

ENVIRONMENT

As a follow up to questions regarding ecological studies, Town staff has reached out to the Orange County Department of Environment, Agriculture and Resource Conservation, the North Carolina Natural Heritage Program, the Army Corps of Engineers, Duke Forest and others to gain a better understanding of the role of these organizations in identifying environmental assets and regulating them. The Natural Heritage Program provides information in the form of a statewide GIS/database of natural areas, managed areas, rare species plants and wildlife species. The mapping tools represent areas with a broad brush based on natural features such as drainageways, soils, topography, tree cover etc. and can be used to assist with the identification of resources for grant applications, such as the Clean Water Trust Fund, for lands suitable for conservation easements or managed lands like Duke Forest or as a guide to development using design tools such as a conservation subdivisions. The Town and Orange County have prepared repositories of information in reports such as the 2004 Inventory of Natural Areas and Wildlife Habitats for Orange County, North Carolina (<https://www.townofcarrboro.org/DocumentCenter/View/563/Inventory-of-Natural-Areas-and-Wildlife-Habitats-for-Orange-County-PDF>), and the Town's natural development constraints mapping layer in GIS <http://gis.ci.carrboro.nc.us/Carrboro/CarrboroGIS/>. (Town GIS data presents layers the Town maintains (stream buffers, hardwoods, etc.) and layers provided by others; it is for planning purposes and needs to be field verified.) A similar forthcoming effort is the Eno-New Hope Landscape Conservation Plan, intended to augment current information about the locations of critical pathways for native animals and plants to travel between the many discrete natural areas located throughout the study area. Unless a development project is seeking state or federal funds, such as a transportation project, the information from these sources is non regulatory.

Ecological assessments typically fall under the category of environmental assessments or environmental site assessments (ESA) and are conducted as part of the due diligence process for the purchase of property. There are three levels of assessments based, in part, on the amount of field work involved. While wetlands are not typically included as part of a standard ESA, wetlands assessments are similarly classified by three levels; a consulting firm conducted the analysis which is then reviewed and approved by the Army Corps of Engineers (USACE). Assessments for ecological purposes are more focused in that the surveyor is looking for a particular species, during a particular season.

Staff is researching the costs associated with this type of work. The type of work described at the Board's meeting in April would likely be considered a phase 2 assessment.

PROCEDURE/NEXT STEPS

The Board is scheduled to see the next iteration of the FLX proposal—conceptual master plan and text amendment on June 25th as part of a request to set a public hearing for the early fall. Staff would anticipate holding a second public drop-in session over the summer or in early September and bringing the item to the joint advisory board meeting on September 5th. Staff will look for a location in the vicinity of the site, such as the Morris Grove Elementary School to hold the drop-in session.