



Town of Carrboro

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

Meeting Agenda Town Council



Tuesday, June 9, 2020

7:00 PM

Remote Meeting - View Livestream or Cable TV

18

7:00-7:05

A. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

7:05-7:10

B. ROLL CALL

7:10-7:15

C. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

Comments are limited to three minutes per speaker. If you wish to make a public comment during an online meeting, please contact the Town Clerk's office via email at publiccomment@townofcarrboro.org or by phone at (919) 918-7309.

7:15-7:25

D. CONSENT AGENDA

1. [20-237](#) Approval of Minutes from May 26, 2020
2. [20-196](#) Amendment to Project Ordinance and Construction Authorization for the Broad Street Culvert Replacement
PURPOSE: The purpose of this item is for the Town Council to appropriate additional funding from the Stormwater Enterprise Fund and authorize the Town Manager to execute a construction contract to complete construction for the Broad Street culvert replacement.
Attachments: [Amendment - Broad Street Culvert Replacement Construction](#)
[Broad Street Culvert Replacement - Cost Est](#)
3. [20-239](#) Authorization for Mayor Lavelle to Send Letter to Chief Justice Beasley to Remove the Portrait of Thomas Ruffin Displayed in the Courtroom of the NC Supreme Court and the Statue of Thomas Ruffin Displayed in the NC Court of Appeals

PURPOSE: The purpose of this item is for the Town Council to endorse the letter and authorize the mayor to send it on behalf of the Town Council.

Attachments: [Attachment A - Letter to Chief Justice Beasley - Orange County BOCC Support of NC CRED Request re Removal of Picture and Statue of Thomas Ruffin](#)
[Attachment B - Ruffin Statement - NC CRED - to Chief Justice Beasley FINAL](#)

E. OTHER MATTERS

7:25-7:55

1. [20-241](#) Update from Chief Schmidt on COVID-19

7:55-8:15

2. [20-233](#) Carrboro Tourism Development Authority (CTDA) FY2020-21 Budget

PURPOSE: The purpose of the agenda item is for the Town Council to receive a summary of the CTDA FY2020-21 Budget.

Attachments: [CTDA Adopted Budget 2020-21](#)

8:15-8:45

3. [20-236](#) Review of the Lloyd Broad Neighborhood Overlay District Provisions

PURPOSE: Town Council is asked to review information about how the overlay district provisions have been working.

8:45-9:45

4. [20-238](#) Continued Discussion on How COVID 19 Is Disproportionately Affecting Blacks, Latinos and Other Underserved and Marginalized Communities and Adoption of Action Steps

PURPOSE: The purpose of this agenda item is for the Council to continue the discussion from the June 2, 2020 meeting on how COVID 19 is disproportionately affecting Blacks, Latinos and other underserved and marginalized communities.

Attachments: [Attachment A - Email from Joal Hall Broun COVID-19- Please place this in the record of tonite's discussion](#)
[Attachment B - Email from Eliazar Posada Tonight's Conversation on COVID19](#)
[Attachment C - Gov. Cooper EO143-Addressing-the-Disproportionate-Impact-of-COVID-19-on-Communities-of-Color.pdf](#)

9:45-10:15

5. [20-235](#) Community Climate Action Plan Modules Project

PURPOSE: The purpose of this item is to provide a report to the Town Council on the Community Climate Action Plan Modules Project and request approval for project implementation.

Attachments: [Attachment A - Resolution To Receive Report and Approve Project Implementation](#)
 [Attachment B - CCAP Modules Project Summary](#)
 [Attachment C - EAB Recommendation](#)

F. **MATTERS BY COUNCIL MEMBERS**



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Agenda Item Abstract

File Number:20-237

Agenda Date: 6/9/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

Approval of Minutes from May 26, 2020



Town of Carrboro

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Carrboro, NC 27510

Agenda Item Abstract

File Number:20-196

Agenda Date: 6/9/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Amendment to Project Ordinance and Construction Authorization for the Broad Street Culvert Replacement

PURPOSE: The purpose of this item is for the Town Council to appropriate additional funding from the Stormwater Enterprise Fund and authorize the Town Manager to execute a construction contract to complete construction for the Broad Street culvert replacement.

DEPARTMENT: Public Works, Finance

CONTACT INFORMATION: Randy Dodd, Stormwater Utility Manager 919-918-7341; Ben Schmadeke, Capital Projects Manager, 919 918-7424, Arche McAdoo, Finance Director, 919-918-7439, Cary McNallan, Budget and Contracts Specialist, 919-918-7301

INFORMATION: Staff have been pursuing a culvert replacement for the 400 block of Broad Street because of the old and undersized culvert that is in poor condition, and history of impacts to the road and adjacent properties. The preliminary engineering for this project, authorized per a project ordinance on June 18, 2019, has been completed, and has included coordination with the neighboring residents. The plans include a temporary bypass that provides for continuous access to residents and service providers. A project webpage has been created, which includes a link to the construction plans.

A modification of the project ordinance to allocate an additional \$136k for construction is recommended. Staff will move forward with bidding and construction upon Council approval. Bidding will employ procedures for soliciting bids from Historically Underutilized Businesses (HUBs), including Minority and Women Owned Business Enterprises (MWBs). Staff will also continue to coordinate with neighbors in preparation for and throughout construction.

FISCAL & STAFF IMPACT: A total of \$136k of new funding is needed for the construction phase of the project. Staff time for project coordination will also be needed.

RECOMMENDATION: Staff recommends that the Council adopt the resolution (Attachment A) appropriating an additional \$136k for project construction from the Stormwater Enterprise Fund and authorizing the Town Manager to execute a construction contract.

**STORMWATER UTILITY ENTERPRISE FUND
CAPITAL PROJECT ORDINANCE AMENDMENT
FOR BROAD STREET CULVERT REPLACEMENT PROJECT**

WHEREAS, the Town Council of Carrboro on June 18, 2019 adopted a Capital Project Ordinance appropriating \$20,000 for preliminary engineering for the Broad Street Culvert Replacement at the Public Works Facility site, and amended the Ordinance to provide an additional \$30,000 on January 14, 2020; and,

WHEREAS, it is now necessary to obtain construction services to complete the project, estimated at \$135,775;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO THAT:

Section 1: Funding for the Broad Street Culvert Replacement Capital Project is authorized to be increased from \$50,000 to \$186,000 for this project until all activity is completed.

Section 2. The funding in Section 1 above is appropriated from the Stormwater Utility Enterprise Fund Operating Budget to the Storm Water Utility Enterprise Capital Project Fund.

Section 3: All other conditions and expectations set forth in the original capital project ordinance of June 18, 2019, as amended on January 14, 2020 continue to be in effect.

Section 4: The Town Manager is authorized to solicit and obtain construction contractual services to complete the project.

Section 5. Within five (5) days after this amendment is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

PROBABLE COST OF CONSTRUCTION

Broad Street Culvert Replacement

5/26/2020

STD.	ITEM DESCRIPTION	QUANTITY		COST PER UNIT		TOTAL COST
1. Site Demolition						
SP	A. Tree Protection Fence	350	LF	3.00	LF	1,050.00
340	B. Pipe Removal	14	LF	35.00	LF	490.00
SP	C. Flowable Fill	4.7	CY	750.00	CY	3,525.00
200	D. Clearing and Grubbing	1.0	LS	2,000.00	LS	2,000.00
200	E. Select Tree Removal	5	EA	2,500.00	EA	12,500.00
		Subtotal Site Demolition:				19,565.00
2. Earthwork						
260	A. Proof Roll	1.0	HR	200.00	HR	200.00
300	B. Foundation Conditioning Material	25	TON	60.00	TON	1,500.00
300	C. Foundation Conditioning Geotextile	120	SY	5.00	SY	600.00
230	D. Borrow Excavation (Temporary Detour)	35	CY	40.00	CY	1,400.00
225	E. Unclassified Excavation	90	CY	40.00	CY	3,600.00
		Subtotal Earthwork:				7,300.00
3. Erosion Control						
1005	A. #57 Stone	20	TON	45.00	TON	900.00
876	B. Rip Rap, Class A	10	TON	50.00	TON	500.00
SP	C. Boulders	20	TON	80.00	TON	1600.00
876	D. Geotextile for Drainage	40	SY	5.00	SY	200.00
1605	E. Temporary Silt Fence	200	LF	4.00	LF	800.00
1610	F. Erosion Control Stone, Class B	24	TON	60.00	TON	1,440.00
1610	G. Sediment Control Stone	20	TON	40.00	TON	800.00
1630	H. Silt Excavation	30	CY	15.00	CY	450.00
SP	I. Coir Fiber Matting	550	SY	5.00	SY	2,750.00
1632	J. 1/4" Hardware Cloth	50	LF	8.00	LF	400.00
SP	K. Coir Fiber Wattle	60	LF	15.00	LF	900.00
1660	L. Seeding and Mulching	0.05	AC	6,000.00	AC	300.00
SP	M. Impervious Dike	20	LF	150.00	LF	3,000.00
SP	N. Riparian Buffer Restoration	1	LS	5,000.00	LS	5,000.00
SP	O. Concrete Washout Structure	1	EA	2,000.00	EA	2,000.00
		Subtotal Erosion Control:				21,040.00
4. Construction Surveying, Layout & As-Built						
SP	A. Construction Surveying and Layout	1	LS	1,000.00	LS	1,000.00
SP	B. As-Built Survey (Prepared by PLS)	1	LS	1,000.00	LS	1,000.00
		Subtotal Surveying & Layout:				2,000.00
5. Storm Drainage						
310	A. 54" R.C. Pipe Culvert, Class III	60	LF	250.00	LF	15,000.00
838	B. Reinforced Endwall	5.0	CY	1,500.00	CY	7,500.00
876	C. Rip Rap, Class I	27	TON	60.00	TON	1,620.00
416	D. Channel Excavation	125	CY	40.00	CY	5,000.00
876	E. Geotextile for Drainage, Type 2	46	SY	5.00	SY	230.00
SP	F. 12" Temporary Pipe	20	LF	30.00	LF	600.00
SP	G. 24" Temporary Pipe	68	LF	45.00	LF	3,060.00
SP	H. Impervious Select Material (Stream Plug)	16	CY	60.00	CY	960.00
		Subtotal Storm Drainage:				33,970.00
6. Curb, Stone Base and Paving						
520	A. ABC Stone (6" Thick)	60	TON	40.00	TON	2,400.00
848	B. 6" Concrete Driveway	12	SY	60.00	SY	720.00
545	B. Incidental Stone Base	30	TON	40.00	TON	1,200.00
		Subtotal Curb, Stone Base and Paving:				4,320.00
7. Utilities						
OWASA	A. 2" PVC Water Line Replacement (Class 200)	25	LF	50.00	LF	1,250.00
OWASA	B. Select Backfill	10	TON	50.00	TON	500.00
OWASA	C. 2" Water Line Abandonment	170	LF	5.00	LF	850.00
OWASA	D. Copper Tubing for Water Service(s) (Open Cut)	65	LF	25.00	LF	1,625.00
SP	E. Utility Coordination	1	LS	2,500.00	LS	2,500.00
		Subtotal Utilities:				6,725.00
8. Miscellaneous						
800	A. Mobilization (5% Max)	1	LS	5,200.00	LS	5,200.00
150	B. Maintenance of Traffic	1	LS	2,000.00	LS	2,000.00
SP	C. Temporary Shoring	130	SF	50.00	SF	6,500.00
		Subtotal Miscellaneous:				13,700.00
		Subtotal of Items 1 - 8:				\$108,620.00
		25% Contingency:				\$27,155.00
		TOTAL OF PROBABLE COST OF CONSTRUCTION:				\$135,775.00



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Agenda Item Abstract

File Number:20-239

Agenda Date: 6/9/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Authorization for Mayor Lavelle to Send Letter to Chief Justice Beasley to Remove the Portrait of Thomas Ruffin Displayed in the Courtroom of the NC Supreme Court and the Statue of Thomas Ruffin Displayed in the NC Court of Appeals

PURPOSE: The purpose of this item is for the Town Council to endorse the letter and authorize the mayor to send it on behalf of the Town Council.

DEPARTMENT: Town Council

CONTACT INFORMATION: Mayor Lavelle, Council Members Foushee and Seils

INFORMATION: The Town Clerk received a request from Mayor Lavelle and Council Members Foushee and Seils to schedule this item for the Town Council's action. The information below was included in the request:

The ask for the Town Council on June 9 is to authorize the mayor to send a letter to Chief Justice Cheri Beasley endorsing the request by the North Carolina Commission on Racial and Ethnic Disparities for the North Carolina Supreme Court to remove the life-size portrait of former Chief Justice Thomas Ruffin from its courtroom and the life-size statue of Ruffin at the entrance to the North Carolina Court of Appeals. The attached documents are included as background information.

Council Members Foushee and Seils, with the assistance of former public defender James Williams, are also preparing a resolution regarding the 15th Amendment for the Town Council's consideration on June 23rd.

FISCAL & STAFF IMPACT:

RECOMMENDATION: It is recommended that the Mayor and Town Council take action on this item by endorsing the Mayor to send the letter.

PENNY RICH, CHAIR
RENEE PRICE, VICE CHAIR
JAMEZETTA BEDFORD
MARK DOROSIN
SALLY GREENE
MARK MARCOPLOS
EARL MCKEE

Orange County Board of Commissioners
Post Office Box 8181
200 South Cameron Street
Hillsborough, North Carolina 27278



May 6, 2020

Chief Justice Cherie Beasley
Supreme Court of North Carolina
PO Box 2170
Raleigh, NC 27602

Dear Chief Justice Beasley,

The Orange County Board of Commissioners was contacted by James Williams, Chair of the North Carolina Commission on Racial and Ethnic Disparities (NC CRED), for their endorsement of a letter he had recently sent to you calling upon the North Carolina Supreme Court to remove the life-sized portrait of Thomas Ruffin that dominates its courtroom and the life-sized statue of him that guards the entrance to the North Carolina Court of Appeals.

Mr. Williams said in his letter that Mr. Ruffin was a man who trafficked in enslaved African Americans for profit, beat them with his own hands, tore apart their families, and reshaped the law to allow limitless violence to their bodies. Yet his likeness has been the visual focal point for every visitor to our state's highest courts for over a century. He indicated that the time had come to remove him from this position of special veneration.

The Orange County Board of Commissioners wholeheartedly endorses NC CRED's request to remove the life-sized portrait of Thomas Ruffin that dominates the North Carolina Supreme Court and the life-sized statue of him that guards the entrance to the North Carolina Court of Appeals.

Sincerely,

A handwritten signature in black ink that reads "Penny Rich". The signature is written in a cursive style with a large, stylized "P" and "R".

Penny Rich, Chair
Orange County Board of Commissioners



NC Commission on Racial & Ethnic Disparities
in the Criminal Justice System

April 27, 2020

The Honorable Cheri Beasley
Chief Justice
North Carolina Supreme Court
P. O. Box 1841
Raleigh, NC, 27602

Dear Chief Justice Beasley,

The North Carolina Commission on Racial and Ethnic Disparities (NC CRED) calls upon the North Carolina Supreme Court to remove the life-sized portrait of Thomas Ruffin that dominates its courtroom and the life-sized statue of him that guards the entrance to the North Carolina Court of Appeals. Ruffin was a man who trafficked in enslaved African Americans for profit, beat them with his own hands, tore apart their families, and reshaped the law to allow limitless violence to their bodies. Yet his likeness has been the visual focal point for every visitor to our state's highest courts for over a century. The time has come to remove him from this position of special veneration.

Ruffin, born into a slave-owning Virginia family in 1787, was not predestined to a path of racial brutality. He left the South to attend Princeton at the age of sixteen, at a moment when New Jersey was enacting a law to end slavery. The experience moved him to write home “greatly lamenting” the “uncommon hard fate” of enslaved people and despairing of “any means by which it may be ameliorated.”¹ The young Ruffin was asking himself questions about the

¹ Sterling Ruffin to Thomas Ruffin (June 1804), in 1 THE PAPERS OF THOMAS RUFFIN 54 (J.G. de Roulhac Hamilton ed., 1918). The son's letter to his father does not survive; the quoted words are the senior Ruffin's summary of what his son wrote him.



NC Commission on Racial & Ethnic Disparities
in the Criminal Justice System

morality of slavery that were not uncommon in his generation. Some of his contemporaries, like Ruffin's eventual Supreme Court colleague William Gaston, carried those doubts forward in their lives and acted on them, to the benefit of the enslaved.²

Thomas Ruffin left his doubts behind. He received ten slaves as a wedding gift in 1809³ and then continued to acquire more. Plantation life for these men and women was shockingly abusive, and Ruffin knew it. In 1824, for example, a friend alerted him to the "evil and barbarous Treatment of [his] Negroes" by overseers on his plantation, including the "barbecu[ing], pepper[ing]and salt[ing]" of one named Will.⁴ Ruffin himself took the rod to an enslaved woman named Bridget for giving him a look he found insolent.⁵

Of course, many men in Ruffin's circles owned slaves, and ruthless discipline was not unique to Ruffin's plantation. But Ruffin also did something his peers did not: he launched a slave-trading partnership with an associate named Chambers that bought human beings in the border states and sold them at a profit in the deep south. By the 1820s, slave trading was hardly the most reputable of businesses, and Ruffin knew it. A colleague Ruffin invited to join the partnership in 1822 turned him down flat, saying that the "feelings of his mind in some measure revolt[ed]" against "the trafic [sic]" in human beings.⁶ The disrepute of the enterprise did not

² Barbara A. Jackson, *Called to Duty: Justice William A. Gaston*, 94 NC L Rev 2051 (2016).

³ Sally Hadden, "Judging Slavery: Thomas Ruffin and *State v. Mann*," in *LOCAL MATTERS: RACE, CRIME, AND JUSTICE IN THE NINETEENTH-CENTURY SOUTH* 5 (Christopher Waldrep & Donald C. Nieman eds., Univ. of Georgia Press, 2001).

⁴ Letter from A.D. Murphey to Thomas Ruffin (June 3, 1824), in Thomas Ruffin Papers, Southern Historical Collection, UNC Chapel Hill.

⁵ Letter from Thomas Ruffin to Archibald D. Murphey, (Oct. 29, 1831), in Thomas Ruffin Papers.

⁶ Letter from Quinton Anderson to Thomas Ruffin (Jan. 15, 1822), in Thomas Ruffin Papers.



NC Commission on Racial & Ethnic Disparities
in the Criminal Justice System

stop Ruffin from participating; it simply led him to conceal his role. He drafted the partnership agreement to require Chambers to carry on the business in his name alone.⁷

Ruffin was a devoted husband and father, but the family ties of the African Americans he owned and traded meant nothing to him. When it made financial sense, he sold husbands away from wives and children away from parents. Offered \$150 for an older enslaved man named Noah who had been with him for years, Ruffin asked Noah whether he wanted to be sold. He did not; he was “extremely anxious to spend the remnant of his pilgrimage here on earth in the society of his beloved better half.” Ruffin sold him off anyway.⁸ And the ledgers of his slave-trading business show sales of many parentless children, like “Little Charles,” a boy of ten, and his “two cisters younger,” on whom Ruffin turned a profit of \$325 in 1825.

Ruffin inflicted his most grievous injury on enslaved African Americans in his 1829 opinion for the Supreme Court in the case of *North Carolina v. Mann*, unquestionably one of the most brutal in the entire law of American slavery. A jury in Edenton took the extraordinary step of convicting John Mann of the crime of assault for shooting an enslaved woman named Lydia in the back as she ran from his discipline.⁹ Mann was not Lydia’s owner; he had merely rented her for a time. This important fact would have allowed the Supreme Court to leave his conviction in place. But Judge Ruffin exonerated Mann. Even as a renter of Lydia, Mann had an “uncontrolled authority over [her] body” that extended all the way to shooting her. Slavery

⁷ Articles of Agreement between Benjamin Chambers and Thomas Ruffin (Oct. 26, 1821), in Thomas Ruffin Papers.

⁸ Letter from Thomas Ruffin to Anne Ruffin (Jan. 3, 1852), Letter from Sally Ruffin to Thomas Ruffin (Jan. 11, 1858), Letter from Sally Ruffin to Thomas Ruffin (Jan. 17, 1852), all in Thomas Ruffin Papers.

⁹ Sally Greene, “*State v. Mann* Exhumed,” 87 N.C. L. Rev. 701 (2009).



NC Commission on Racial & Ethnic Disparities
in the Criminal Justice System

depended on the total submission of the slave to the master, Ruffin argued, and “the power of the master must be absolute to render the submission of the slave perfect.”¹⁰

The law did not compel this outcome or this way of expressing it. This is what Thomas Ruffin chose. He claimed to find the *Mann* case lamentable, a matter he would have preferred to avoid. A lifetime of callousness and brutality toward African American slaves suggests otherwise.

Thomas Ruffin’s record on slavery and the rights of African Americans is a blight on our state’s legal history. Even in the context of his own time his views and actions were regressive and malign. For these reasons, NC CRED respectfully requests the removal of Thomas Ruffin’s life-sized portrait and statue from the places of reverence they now occupy.

Respectfully,

James E. Williams, Jr.

Board Chair

North Carolina Commission on Racial and Ethnic Disparities

cc: Amanda Culbreth Bryan, Michelle Lanier

¹⁰ North Carolina v. Mann, 13 N.C. 263, 266 (1829).



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Update from Chief Schmidt on COVID-19



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File Number:20-233

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File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Carrboro Tourism Development Authority (CTDA) FY2020-21 Budget

PURPOSE: The purpose of the agenda item is for the Town Council to receive a summary of the CTDA FY2020-21 Budget.

DEPARTMENT: Economic Development

CONTACT INFORMATION: Betsy Bertram, Interim Economic Development Director 918-7318; Cary McNallan, Acting Finance Director 918-7301

INFORMATION: The CTDA met on June 1, 2020 and adopted their FY2020-21 budget. The Town Council requires the CTDA to provide a summary of their budget. The CTDA has the authority to set their budget and the Town Council is not required to approve the budget.

FISCAL & STAFF IMPACT: The Town of Carrboro receives the hotel/motel taxes and forwards 97% of those collections to the CTDA. The amount estimated for the CTDA for FY21 is \$160,050.

RECOMMENDATION: Staff recommends that the Council accept the CTDA budget report.

Carrboro Tourism Development Authority
FY 2020-21 Adopted Budget

<u>Acct #</u>	<u>Account Description</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>Change \$</u>	<u>Increase %</u>
		<u>Adopted Budget</u>	<u>Adopted Budget</u>		
432600	HOTEL/MOTEL OCCUPANCY TAX	\$ (174,953)	\$ (160,050)	\$ 14,903	-8.5%
450000	FUND BALANCE APPROPRIATED	(71,697)	(25,450)	46,247	-64.5%
501604	GENERAL & ADMINISTRATIVE	15,750	10,750	(5,000)	-31.7%
502600	ADVERTISING	25,000	15,000	(10,000)	-40.0%
502600	ADVERTISING	-	-	-	N/A
502700	WAY FINDING	50,000	-	(50,000)	-100.0%
504630	300 E MAIN PARKING	45,000	45,000	-	0.0%
504632	MUSIC FESTIVAL CTDA	47,500	47,500	-	0.0%
504633	POETRY CTDA	8,250	8,250	-	0.0%
504634	FILM CTDA	21,150	21,150	-	0.0%
504635	FREIGHT TRAIN BLUES CTDA	15,000	21,500	6,500	43.3%
504703	COMMUNITY EVENTS	19,000	16,350	(2,650)	-13.9%
505300	DUES AND SUBSCRIPTION		-	-	N/A
Revenue Total		\$ (246,650)	\$ (185,500)	\$ 61,150	-24.8%
Expense Total		\$ 246,650	\$ 185,500	\$ (61,150)	-24.8%
Revenues Over (Under) Expenses		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	



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Version: 1

TITLE:

Review of the Lloyd Broad Neighborhood Overlay District Provisions

PURPOSE: Town Council is asked to review information about how the overlay district provisions have been working.

DEPARTMENT: Planning Department

CONTACT INFORMATION: Marty Roupe, Development Review Administrator, 919-918-7333 or mroupe@townofcarrboro.org <<mailto:mroupe@townofcarrboro.org>>; Walter Horton, Police Chief, 919-918-9397 or whorton@townofcarrboro.org <<mailto:whorton@townofcarrboro.org>>

INFORMATION: When the Lloyd Broad Neighborhood Overlay District land use ordinance provisions were adopted in June 2018, Town Council requested that a follow up report be provided regarding how they were working. This agenda item contains information about development activity and any known complaints regarding land use or other issues in the neighborhood since that time.

Development Activity:

Development and building related activity has been fairly limited since adoption of the ordinance in June 2018. The Zoning Division processed and the Board of Adjustment approved a Variance application involving an encroachment into a stream buffer for the property owner at 406 Broad Street in September 2018 for an addition to the existing home. The addition maximized but did not exceed the permissible size for an addition under the new ordinance, allowing the home to increase from approximately 1,240 sf to 2,000 sf. The property owner had to obtain and file a recombination plat with a neighbor before building the addition, so the addition hasn't actually been constructed yet. The plat has recently been recorded, so construction likely will begin soon.

A zoning permit application was also approved on January 15, 2019 for a home addition at 208 Broad Street. After the addition, the home will be 1,948 sf, thereby almost maximizing the permissible size. This work has been completed.

Lastly, a zoning permit was approved on June 25, 2019 at 217 Broad Street to allow for the addition of a 12' X 12' rear deck. The Zoning Division has not received any additional inquiries or land use permit applications since adoption of the provisions. This work has been completed as well.

Complaints and Miscellaneous Issues:

Agenda Date: 6/9/2020

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Mr. Billy Jackson, owner of 302 Lloyd Street, recently submitted an email regarding use of property and other matters at 308 Lloyd Street. Another email was sent by Mr. Jackson one week later regarding additional issues at the same property. Information related to Mr. Jackson's messages is provided below:

- Ms. Showchien Hsieh, owner of 308 Lloyd Street, stated to staff that she lived in the house until earlier this Spring, at which point she moved and listed it on AirBnB;
- Ms. Hsieh stated to staff that she rented the property on two occasions through the service, and that she did not / does not know how many people were present during either rental period;
- Staff reviewed the applicable Land Use Ordinance provisions and made clear to Ms. Hsieh that short term rentals require a Special Use Permit for what our LUO calls a Tourist Home and that she will need to obtain the permit if additional short term rentals are desired;
- Ms. Hsieh replied by stating that she has now removed the property from AirBnB and has established a long term, one year, lease beginning June 1, 2020;
- About the long term lease, staff also reviewed the applicable Land Use Ordinance regulations and discussed the lease situation with Ms. Hsieh. It is staff's understanding that the completed lease agreement includes four unrelated signatories. Staff further understands from Ms. Hsieh that additional family members to the signatories may reside there as well. Staff is now advising Ms. Hsieh regarding what occupancy will comply with the ordinance;
- About the bricks, Fire Marshall Ray Enoch has determined that the bricks located in the front yard of the property are a nuisance violation under Chapter 11 of the Town Code. Mr. Enoch is contacting the property owner and requiring that they be removed. As additional information, note that the presence of the bricks does not constitute a Land Use Ordinance or Building Code violation;
- During the period of time the overlay district provisions have been in place, the Police Department has received 107 calls for service from the neighborhood. Seven calls were about on street parking and five were related to noise. Chief Horton will provide an overview of the information during the Council meeting.
- The Town also received a complaint about a handicap accessibility at Piedmont Health Center that required follow up from Zoning and Inspections. The matter has now been addressed.

The Planning Department has reached out to members of the neighborhood with whom we had regular contact during development of the ordinance and asked for their thoughts on the effectiveness of the ordinance to date. Staff has also made it clear to members of the neighborhood that they may request to participate in the June 9 Council discussion.

Agenda Date: 6/9/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

FISCAL & STAFF IMPACT: No fiscal impact noted with reviewing the information provided.

RECOMMENDATION: Town staff requests that the Town Council review the information.



Town of Carrboro

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

Agenda Item Abstract

File Number:20-238

Agenda Date: 6/9/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Continued Discussion on How COVID 19 Is Disproportionately Affecting Blacks, Latinos and Other Underserved and Marginalized Communities and Adoption of Action Steps

PURPOSE: The purpose of this agenda item is for the Council to continue the discussion from the June 2, 2020 meeting on how COVID 19 is disproportionately affecting Blacks, Latinos and other underserved and marginalized communities.

DEPARTMENT: Town Council

CONTACT INFORMATION: Mayor and Town Council Members, Staff for action: David Andrews, Town Manager, Anita Jones-McNair, Recreation and Parks Director and Racial Equity Officer, Rebecca Buzzard, Housing and Community Services Director

INFORMATION: Council Member Foushee compiled the list of proposed actions from each Council Member and those will be discussed. The Town Council should direct the Town Manager with action items from the proposed list below. Town Council is also asked to review the three attachments as supplemental information for the discussion on Tuesday.

Housing

- Direct financial assistance for housing/rental assistance and utility fees - TOC and County Housing departments, requesting CARES Act funds to assist with this effort
- Affordable Housing Special Revenue Fund

Public Health

- Support for health department COVID19 needs - need space and funding to expand testing access/other COVID-related activities
- Need more efficient data collection

Agenda Date: 6/9/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

- Access and provision of PPE - ongoing and should continue, giving priority to the most vulnerable and marginalized/underserved community members
- Access to free testing with expanded testing sites
- Identify and connect community members with readily accessible mental health services

Outreach/Education/Engagement

- Outreach/Education/Engagement- multiple languages, intentional cultural sensitivity around language, values and perspectives. Everyone does not receive/process information the same way, meeting people where they are at is key. Need a strategic plan sooner rather than later

Additional Comments

- GARE Initiative - keep it fully funded and on track, no delays!
- Engage in County Recovery Plan for more access to resources
- Police racial bias and equity efforts/Orange County Bias Free Policing Coalition - audit to assess potential for re-allocation of resources from policing->address basic human needs and other root causes, criminal justice reform/debt fund
- Make housing and food a BUDGET PRIORITY - even if it means cutting other items
- Public benefit vs public charge rule - for those who are on track for a green card, what are implications?
- Collaboration with non-profits when possible.

FISCAL & STAFF IMPACT: No fiscal impact at this time but future budget considerations are likely

Agenda Date: 6/9/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

needed.

RECOMMENDATION: Staff recommends that the Town Council identify action steps for the Town Manager to implement.

From: [Barbara Foushee](#)
To: [Catherine Dorando](#)
Subject: Fwd: COVID-19- Please place this in the record of tonite"s discussion
Date: Thursday, June 4, 2020 6:37:25 PM

Please include this email in the Disproportionate COVID 19 agenda item.

Barbara M. Foushee
Mayor Pro Tem
Carrboro Town Council
919-270-4087
www.townofcarrboro.org
A Tree, Bee and Bike Friendly Community

Begin forwarded message:

From: Joal Broun <joal.rechelle.broun@gmail.com>
Date: June 2, 2020 at 6:24:12 PM EDT
To: council <council@townofcarrboro.org>, Catherine Dorando
<CDorando@townofcarrboro.org>
Subject: COVID-19- Please place this in the record of tonite's discussion

Dear Council members,

I wanted to provide my comments in the absence of my ability to speak because of a conflict with meetings. I am writing you to regularly place close attention to the disparate impacts of COVID-19. As you know this disease has had a greater impact upon Black and Hispanic members of our community. This pandemic has illustrated the systematic barriers to full equality in this community, the County, the State, and this nation.

I would like the Board to discuss concrete ways of how Carrboro will move in the future to foster a culture of equity in the town in the areas of:

- 1) Housing;
- 2) Transportation;
- 3) Economic Development

I especially want the Council have some thoughtful conversations regarding whether the restaurant /service/entertainment industry which is a large part of our economy should be diversified in a manner that maintains what we have and then have an incubator to support other types of businesses. I would like the Council to consider two funds: 1) Unemployment Supports: 2) and Rent Support. I would also suggest that the Council look at using a consistent analysis to determine the effects of any Council policy to those who have been historically marginalized and face greater challenges during this greater health and economic environment.

In conclusion, I request a regular look at the effects of COVID-19 to ensure that

as a town we make the necessary actions for the future during these challenging times Let us use this time and these challenges to make substantial changes to have different outcomes that are not race-based.

--

Joal H. Broun

It always seems impossible until it is done.

Nelson Mandela

From: [Barbara Foushee](#)
To: [Catherine Dorando](#)
Subject: Fwd: Tonights Conversation on COVID19
Date: Thursday, June 4, 2020 6:36:08 PM

Please include this letter in the Disproportionality of COVID 19 agenda item

Barbara M. Foushee
Mayor Pro Tem
Carrboro Town Council
919-270-4087
www.townofcarrboro.org
A Tree, Bee and Bike Friendly Community

Begin forwarded message:

From: Eliazar Posada <eposada@elcentronc.org>
Date: June 2, 2020 at 11:18:20 PM EDT
To: Lydia Lavelle <LLavelle@townofcarrboro.org>, Barbara Foushee <bmfoushee@townofcarrboro.org>, Damon Seils <dseils@townofcarrboro.org>, Randee Haven-O'Donnell <havenod@gmail.com>, Jacquelyn Gist <JGist@townofcarrboro.org>, Sammy Slade <sslade@townofcarrboro.org>, Susan Romaine <sromaine@townofcarrboro.org>, Catherine Dorando <CDorando@townofcarrboro.org>
Subject: Tonights Conversation on COVID19

Buenas noches everyone,

I wanted to follow up my comments tonight with this email to make sure my message came through.

1st - Thank you for creating a space for folks to speak to yall tonight. I do have one suggestion to increase accessibility for folk; in the future would it be possible to send a "how will this meeting will work" info with the link, so folks are prepared. I got a few texts asking me how the meeting worked form folks whose first time it was talking to y'all tonight.

2nd - I apologize for my rambling and at times incohesive comments. As I said, this week has been hard for me, as it has been for so many others. I am glad you were able to hear from a few of our members to really highlight some of the issues I was not able to articulate tonight.

3rd - I took the liberty to bullet point some things I heard form folks tonight, and those I wanted to touch on.

- Outreach. As I have said before and we have heard before, we need to meet people where they are. We have been doing our best to reach as many people as we can with real and culturally competent information for people, yet it's not

enough. We have a robust way of getting to folks, but we can not do everything. I know the Town does great work and we know all of you are allies, but we have seen COVID-19 show some faults in community outreach, for everyone including our organization.

- Mental Health assistance. While there are some places in Carrboro to get some help for depression, substance abuse, abuse or other issues, many places are limited to provide assistance in spanish. If you have additional resources we do not know of, I would very much love to have that so we can begin to refer people.

- Rent assistance. We need some financial assistance as soon as possible for our community. As you may know, many of our community members did not and will not receive assistance from the federal government. This is a time to find creative ways to ensure peoples' immigration status does not cause them their homes, health or lives.

- Testing and PPE. We have heard that Latinx folks, while making up only about 15% of the state's population, are accounting for about 35% of the positive COVID19 tests. We have made a partnership with a clinic to get folks tested as well as distributed a few thousands masks but there needs to be more areas where our community can go to get tested, receive PPE and relevant information in a culturally competent way. We know many of our community do not have the ability to get masks and other PPE, or understands why it's important. If possible create a targeted multimedia outreach plan to inform not just the need to use a mask but why that is.

- Immigration Status and Public Charge. We have been educating our community on how their immigration status may or may not affect them receiving services, and frankly there are not enough resources to meet the need for undocumented folks. We have received the question of how the public charge rule may impact their immigration cases. Maybe a step forward in proving some trust and visibility in accessing whatever aid exists from the town, is answering that question as a town. "Will receiving these benefits impact people's immigration case through the public charge rules"

Lastly - My Personal Thoughts. (not as ECH Rep) This is a very emotionally heavy and hard time for many in our community. Racial equity and the deconstruction and elimination of systematic racism has to be at the core of any action Carrboro, heck any government takes. I know and trust yall. I know you are a huge support for El Centro Hispano, but we can all do more. COVID is something that has shown in many ways what we have been talking about for years, from the number of people of color who get tested to those who get the virus to those who are able to get PPE to the way we distribute assistance, the inequity is undeniable.

I believe it takes all of us working together to address all these issues and I am more than willing to do anything in my power to assist the town.

I also want to add that I didn't mean to break down tonight, but I am glad you got to see it. For me, and everyone working to support our communities, this

situation is beyond personal. We have to be at many times the rocks our community needs to stand on or the person to help them understand that we will get through it, and it takes a toll. I know you can feel it too, so I do have a personal ask, as you look towards our local nonprofits to help in this time, which we are all willing to do, please consider the emotional work you add to those organizations. I would even go further to ask that you provide additional funds to give organizations the option to hold space for their staff to recover and receive any mental health assistance they may need, if the organization wants that assistance. I struggle to ask for organizational funding at this time because I want all the available help to go directly to our community, so I won't actively ask for funding but that you keep it in mind.

Thank you so much for all the work you do everyday for our town.

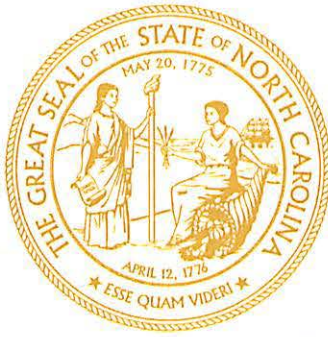
Please know I care very much for all of you and trust you.

Eliazar,



El Centro Hispano (ECH) is a grassroots community-based organization that works to strengthening community, build bridges and advocate for equity and inclusion of the Hispanic/Latino community in the triangle area of North Carolina.

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State of North Carolina

ROY COOPER
GOVERNOR

June 4, 2020

EXECUTIVE ORDER NO. 143

ADDRESSING THE DISPROPORTIONATE IMPACT OF COVID-19 ON COMMUNITIES OF COLOR

WHEREAS, on March 10, 2020, the undersigned issued Executive Order No. 116 which declared a State of Emergency to coordinate the state's response and protective actions to address the Coronavirus Disease 2019 (COVID-19) public health emergency and to provide for the health, safety, and welfare of residents and visitors located in North Carolina ("Declaration of a State of Emergency"); and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 outbreak a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the "Stafford Act"); and

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, *et seq.* and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared that the COVID-19 pandemic in the United States constitutes a national emergency, retroactive to March 1, 2020; and

WHEREAS, the undersigned has issued Executive Order Nos. 117–122, 124–125, 129–131, 133–36 and 138–142 for the purposes of protecting the health, safety and welfare of the people of North Carolina; and

WHEREAS, on March 25, 2020, the President of the United States, pursuant to Section 401 of the Stafford Act, approved a Major Disaster Declaration, FEMA-4487-DR, for the State of North Carolina; and

WHEREAS, the Congress of the United States of America has enacted The Coronavirus Aid, Relief, and Economic Security (CARES) Act, which includes the appropriation of funds to the State of North Carolina to be used to cover costs that are necessary expenditures incurred due to the COVID-19 public health emergency during the period March 1, 2020 through December 30, 2020; and

WHEREAS, according to the “Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments” issued by the U.S. Treasury on April 22, 2020 and related U.S. Treasury FAQs updated on May 4, 2020 (the “Guidance”), permissible uses of CARES Act funding include expenditures that are reasonably necessary for their intended use in the reasonable judgment of the government officials responsible for spending CARES Act payments and such government officials do not need to submit proposed expenditures to the U.S. Treasury for approval; and

WHEREAS, community health centers, free and charitable clinics, local health departments and rural health centers provide crucial health services to vulnerable populations in North Carolina. With communities of color being at higher risk of the impact of COVID-19, these organizations are essential to North Carolina’s fight against COVID-19; and

WHEREAS, these health care provided services and associated costs during this pandemic have been substantially dedicated to mitigating or responding to the COVID-19 public health emergency; and

WHEREAS, in order to continue providing health services while also reducing exposure to COVID-19 with in-person visits, access to telehealth services is essential to North Carolina’s fight against COVID-19; and

WHEREAS, the overall wellbeing and management of underlying health conditions is crucial for high risk communities; and

WHEREAS, according to the North Carolina Justice Center, prior to the COVID-19 pandemic, North Carolina’s uninsured rate was approximately 13 percent and during the last two (2) weeks of March, over 105,000 North Carolinians lost their employer-sponsored health insurance due to job loss; and

WHEREAS, the North Carolina Department of Health and Human Services (“NCDHHS”) has confirmed the number of cases of COVID-19 in North Carolina continues to rise, in part due to community spread of the virus; and

WHEREAS, more than thirty-one thousand people in North Carolina have had laboratory-confirmed cases of COVID-19, and over nine hundred people in North Carolina have died from the disease; and

WHEREAS, North Carolina was one of the first states to compile and release demographic data including incidence of COVID-19 by race, ethnicity, age, and gender and NCDHHS publishes these COVID-19-related statistics; and

WHEREAS, notwithstanding the efforts mentioned above, as of June 1, 2020, African Americans make up 22 percent of North Carolina’s population, but account for 30 percent of confirmed COVID-19 cases and 34 percent of COVID-19 deaths in cases where race is known in the state; and

WHEREAS, notwithstanding the efforts mentioned above, Hispanics make up 39 percent of COVID-19 confirmed cases, in cases where ethnicity is known, while only accounting for about 10 percent of the population; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) acknowledges that social and economic differences often create health differences in communities of color, and that public health emergencies can isolate communities of colors from necessary resources; and

WHEREAS, Historically Underutilized Businesses account for 58 percent of North Carolina’s small business community; and

WHEREAS, the North Carolina Department of Administration conducted a 2020 COVID-19 Business Survey of Historically Underutilized Businesses, which surveyed nearly 400 of these minority and women owned businesses, and 90 percent of the surveyed businesses reported that their business had been impacted by COVID-19; and

WHEREAS, the COVID-19 pandemic is exposing racial disparities that are entrenched in our health care and economic institutions for communities of color; and

WHEREAS, the undersigned has taken executive action to address the health and economic impact of COVID-19 on high-risk communities, including but not limited to, directing NCDHHS to work with health insurance plans to identify burdens for COVID-19 testing in order to reduce cost-sharing, ceasing disconnection of utilities and discouraging disconnection of telecommunication services, broadening unemployment insurance benefits, prohibiting residential and commercial evictions, vigorously encouraging social distancing, and providing for childcare for essential workers; and

WHEREAS, social determinants of health influence all aspects of human life and in order to improve health or eliminate health disparities, there must be a greater focus on all social determinants of health by the medical community in the state; and

WHEREAS, environmental justice refers to the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies; and

WHEREAS, the U.S. Environmental Protection Agency concludes that “many minority, low-income, tribal, and indigenous people in the United States have experienced higher levels of environmental pollution and other social and economic burdens” that “have led to poorer health outcomes, as well as fewer financial or advocacy opportunities;” and

WHEREAS, all North Carolinians have a right to clean air, clean water, clean soil, and a stable climate, and they deserve an opportunity to participate fully and meaningfully in decisions that affect their living environment; and

WHEREAS, further action is necessary to eliminate disparities and mitigate the impact of COVID-19, through delivery of COVID-19 related health services and economic stimulus opportunities for vulnerable populations; and

WHEREAS, Andrea Harris dedicated her life to eliminating disparities in North Carolina, fighting for social, economic and racial equity for all North Carolinians, and

WHEREAS, as a Bennett College graduate, she taught school for a brief period before starting her life’s work – community advocacy in her hometown in Vance County; and

WHEREAS, wanting to do more and make a greater impact, Andrea Harris co-founded the non-profit North Carolina Institute of Minority Economic Development to support minority and women owned businesses; and

WHEREAS, she finished her career as a Senior Fellow at Self-Help Credit Union, and also served in my administration on the Advisory Council for Historically Underutilized Businesses and on the Board of Trustees for Vance-Granville Community College; and

WHEREAS, Andrea Harris left an indelible impression and the State of North Carolina is forever grateful for her contributions which have helped to inspire these actions; and

WHEREAS, Executive Order No. 116 invoked the Emergency Management Act, and authorizes the undersigned to exercise the powers and duties set forth therein to direct and aid in the response to, recovery from, and mitigation against emergencies; and

WHEREAS, pursuant to N.C. Gen. Stat. § 143-48(a), “[I]t is the policy of this State to encourage and promote the use of small contractors, minority contractors, physically handicapped contractors, and women contractors in State purchasing of goods and services”; and

WHEREAS, pursuant to N.C. Gen. Stat. §§ 143-48.4 and 143-128.4, the Secretary of the North Carolina Department of Administration shall have the authority to develop and administer a statewide uniform program for certification of a historically underutilized business and adopt rules and procedures regarding the same; and

WHEREAS, pursuant to N.C. Gen. Stat. § 143-52(a), competitive bids on contracts shall be received in accordance with rules and regulations to be adopted by the Secretary of the Department of Administration; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.10(b)(2), the undersigned may make, amend, or rescind necessary orders, rules, and regulations within the limits of the authority conferred upon the Governor in the Emergency Management Act; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.10(b)(7), the officers and personnel of the departments, offices, and agencies of the state and its political subdivisions are required to cooperate with the undersigned and extend their services to the undersigned so that they can be utilized upon request; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(a)(1), the undersigned may utilize all available state resources as reasonably necessary to cope with an emergency, including the transfer and direction of personnel or functions of state agencies or units thereof for the purpose of performing or facilitating emergency services.

NOW, THEREFORE, by the authority vested in the undersigned as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED**:

Section 1. The Andrea Harris Social, Economic, Environmental, and Health Equity Task Force

A. Establishment and Purpose

The Andrea Harris Social, Economic, Environmental, and Health Equity Task Force (“Task Force”) is hereby established. The mission of the Task Force is to create economic stability, eliminate health disparities, and achieve environmental justice in North Carolina by convening testimony, identifying best practices, and reporting this information to the Office of the Governor.

B. Duties

The Task Force shall focus on the following areas:

1. Access to healthcare for underserved communities.
 - a. Monitor and report best practices to increase access to telehealth and broadband internet-based medical treatment;
 - b. Monitor and report whether North Carolinians have adequate insurance coverage in responding to COVID-19 and managing underlying health conditions; and
 - c. Assess application of the “Medical Home” approach to providing comprehensive, family-centered, and culturally-competent care that meets the social, cultural, and linguistic needs of all North Carolinians.
2. Enhanced patient engagement in healthcare settings.
 - a. Encourage medical professionals to engage communities of color to gather information and provide a platform for transparency and inclusion;
 - b. Support and identify opportunities to increase the number of minority health professionals servicing communities of color; and
 - c. Encourage increased cultural competence in the provision of care for communities of color.
3. Economic opportunities in business development and employment.
 - a. Assess and report ways the state may further support historically underutilized businesses;
 - b. Advance economic recovery by prioritizing actions that create quality employment opportunities for the North Carolina workforce;
 - c. Assess and report opportunities for organizational capability and capacity building; and

- d. Prioritize workforce development across all sectors (including healthcare work force development).
4. Environmental Justice and Inclusion.
 - a. Enhance public engagement and increase public participation by low income, minority communities in Department decisions and actions;
 - b. Quantify health and welfare benefits of pollution reduction and identify opportunities to increase the deployment of clean energy resources;
 - c. Advance climate justice by prioritizing actions that equitably reduce greenhouse gas emissions, increase community resilience to the impacts of climate change, and advance sustainable economic and infrastructure recovery efforts for low-income, minority and vulnerable communities; and
 - d. Encourage and enhance environmental justice, inclusion and equity education.
5. Create educational opportunities for communities of color in the following areas:
 - a. Health literacy;
 - b. Financial literacy; and
 - c. General academia.
 - d. In addition, the Task Force shall make recommendations on strategies to increase funding for health education in community centers servicing vulnerable communities.
6. The Task Force shall advance these goals through community engagement, corporate citizenship with North Carolina businesses and organizations, and policymaking.
7. By December 1, 2020, and every six (6) months thereafter, the Task Force shall provide to the Office of the Governor a status report on the progress and recommendations made in the focus areas determined by Section 1 of this Executive Order. The second of the bi-annual status reports will incorporate actions taken by the Task Force in response to feedback received from the Office of the Governor.

C. Membership

1. The Task Force shall be comprised of a minimum of fifteen (15) members appointed by the Governor.
2. The Governor shall designate the Chair of the Task Force.
3. The Task Force shall represent, to the extent possible, all demographics of North Carolina, and shall include the following members:
 - a. Secretary of the North Carolina Department of Administration, who shall be the Chair of the Task Force;
 - b. Secretary of the North Carolina Department of Health and Human Services or designee;
 - c. Director of the North Carolina Office of Minority Health and Health Disparities or designee;
 - d. Secretary of the North Carolina Department of Environmental Quality or designee;
 - e. Member of the Commission on Indian Affairs;
 - f. Member of the Hispanic Latino Council;
 - g. Member of North Carolina Council for Women Advisory Board;
 - h. Member of the NCPRO Office (created below);
 - i. Member of the Commission on Inclusion;
 - j. Representative from a North Carolina Historically Black College or University;

- k. And other appropriate experts from the focus areas listed above.
4. The Governor may appoint additional members to the Task Force.
5. All members shall serve at the pleasure of the Governor.

D. Meetings and Quorum

This Task Force shall meet at least bi-monthly during the State of Emergency and quarterly thereafter. The Task Force may also meet upon the call of the Task Force Chair, or upon written request of the majority of the Task Force members. A simple majority of Task Force members shall constitute quorum to transact business.

E. Administration

1. The Task Force may create sub-committees.
2. The North Carolina Department of Administration shall provide necessary administrative and staff support services to the Task Force.
3. The Task Force shall serve without compensation but may receive per diem allowance and reimbursement for travel and subsistence expenses in accordance with state law and Office of State Budget and Management policies and regulations. During the duration of the State of Emergency, all meetings shall be held utilizing video conferencing tools approved by the North Carolina Department of Information Technology.

F. Duration

The Task Force shall remain in effect for two (2) years after the effective date of this Executive Order unless repealed, replaced, or rescinded by another applicable Executive Order. An Executive Order rescinding the Declaration of the State of Emergency will not automatically rescind this Section.

Section 2. Eliminating Economic Disparities in North Carolina

A. North Carolina Pandemic Recovery Office. The undersigned has established an office specifically designated to focus on North Carolina's recovery from the pandemic. Given the disproportionate impact of this pandemic on minority communities, it is more vital than ever to ensure that all communities benefit from any relief. The North Carolina Pandemic Recovery Office ("NCPRO") shall ensure that all resources provided for COVID-19 relief shall be distributed accordingly. NCPRO shall work closely with each state agency to ensure equitable delivery of COVID-19 related stimulus and resources. Additionally, NCPRO leadership, staff and policies shall be inclusive and representative of all communities.

1. Understanding that small businesses and historically underutilized businesses are essential to North Carolina communities and economy, NCPRO shall work with the Historically Underutilized Business program within the North Carolina Department of Administration to advocate for the economic recovery of minority-owned businesses in the state.
2. NCPRO shall work with all agencies and organizations distributing pandemic recovery funds, including the Golden LEAF Foundation and the NC Rural Center, to ensure those who receive and administer state relief funds distribute these funds equitably for the benefit of all North Carolina communities. In addition, NCPRO shall work with the North Carolina Department of Commerce to ensure Community Development Block Grant funding is equitably distributed to all North Carolina communities.

B. Historically Underutilized Business Office. The critical need to prioritize the use of historically underutilized businesses to create and maintain a vibrant, sustainable, and diverse business community in North Carolina was previously recognized in Exec. Order No. 25, 32 N.C. Reg. 958-962 (Nov. 15, 2017) issued on November 2, 2017. The disparate impact of COVID-19 makes it more important than ever for the state to support and encourage the continued growth and

development of these businesses. The undersigned therefore tasks the North Carolina Department of Administration, through its Historically Underutilized Business Office (“HUB Office”), to develop a plan to emphasize economic recovery for small businesses, specifically including historically underutilized businesses, from the devastating effects of the COVID-19 pandemic. The HUB Office shall coordinate with, and assist, NCPRO and NCDHHS to ensure that historically underutilized small businesses have access to all available economic recovery funds and access to contract opportunities with the State of North Carolina arising from the economic recovery effort. Specifically, the undersigned directs the HUB Office to undertake the following actions:

1. Support and assist businesses that are historically underutilized and lack adequate access to opportunities with tools and resources to promote economic recovery and procurement of state contracts. To further ensure that small historically underutilized businesses have equal access to opportunities, \$500,000 shall be allocated to the HUB Office to start a small business enterprise program.
2. In partnership with the North Carolina Institute for Minority Economic Development, the Golden Leaf Foundation, and other appropriate parties, develop and make available a listing of certified small historically underutilized businesses with 100 employees or less and an annual net income of not more than \$1,500,000, after “Cost of Goods Sold” is deducted;
3. Streamline the certification of small historically underutilized businesses through the HUB program to accelerate meeting the needs of firms adversely impacted by COVID-19;
4. Work directly with the State Construction Office and State Purchasing Office to identify construction, purchasing and professional services contracts by state agencies that do not exceed \$250,000 to increase access to opportunities for small businesses. To further enhance and improve the State’s good faith efforts to recruit diverse businesses for participation in public projects, the State Construction Office and State Purchasing Office shall develop a rule to require all projects to include at least one bid or proposal from a certified small historically underutilized business. Exceptions to this rule must be approved by the Secretary of the Department of Administration or her designee.

Section 3: Eliminating Health Disparities in NC

- A. **The North Carolina Office of Minority Health and Health Disparities** was legislatively established in 1992 and tasked with the responsibility of reducing and eliminating health disparities among all racial and ethnic minorities and other underserved populations in North Carolina. The undersigned tasks NCDHHS to reevaluate and elevate their mission, and to request appropriate funding and resources to meet that updated need.
- B. **The North Carolina Department of Health and Human Services** and other contracted entities shall assure that COVID-19 testing and related services are accessible to all communities. NCDHHS will prioritize testing for high-risk settings and communities where increased exposure and conditions leading to adverse risk of complications and death from COVID-19 are present.

NCDHHS shall take the following actions:

1. Preventative Care and Other Eligible Health Services
 - a. NCDHHS and other agencies of state government responsible for administering funding pursuant to the 2020 COVID-19 Recovery Act, N.C. Sess. Laws 2020-4, shall authorize use of such funds for the provision of COVID-19 related services including screening for underlying chronic illnesses, such as diabetes, hypertension, high blood pressure, heart disease, pulmonary illness, and others conditions associated with more serious complications from COVID-19 illness. These services include related and primary health services when provided to uninsured North Carolinians by healthcare providers, including community health centers, local health departments, rural health centers and free and charitable clinics, during the COVID-19 emergency.

2. Testing

- a. Provide necessary testing supplies and appropriate personal protective equipment (“PPE”) to health care provider organizations and systems, community health centers and nonprofit providers servicing vulnerable communities in the state.
- b. Partner with community organizations and others to establish testing sites in locations that are trusted and easy to access by communities of color.
- c. Update reporting processes to increase the inclusion of racial and ethnic demographic data.
- d. Support connecting individuals tested with comprehensive health care to address underlying chronic conditions – including behavioral health services.

3. Tracing

- a. Contact tracers should reflect the demographics of the communities they serve where possible to engender trust and engagement in controlling COVID-19 spread.
- b. NCDHHS will work with its contact tracing contractors to promote diversity in their hiring practices and cultural competency components in their trainings.
- c. Impacts on communities of color.
- d. The Division of Public Health shall regularly review all available data to determine the impacts on communities of color, with a particular emphasis on high COVID-19 case volume and deaths.
- e. NCDHHS shall use the collected data to allocate resources accordingly with a goal of mitigating the spread of COVID-19 and lessening adverse health impacts on racial and ethnic minorities.

Section 4: Eliminating Disparities in North Carolina

- A. North Carolina Department of Environmental Quality.** In response to the pandemic, the North Carolina Department of Environmental Quality (“DEQ”) evaluated the feasibility and advisability of holding public hearings and meetings for actions pending decisions by the DEQ within statutory or regulatory timelines. The priority in this evaluation has been the health and safety of the public and DEQ staff. Recognizing the need to balance environmentally-sound economic development across North Carolina and provide public participation opportunities to low-income, minority communities, and those vulnerable to COVID-19, DEQ identified two specific areas of concern: permitting actions of significant public interest; and permits that propose new environmental impacts located near low-income, minority, and COVID-19 vulnerable communities. In each case, and in accordance with the State’s phased approach, DEQ shall continue its work to enhance the safety of all North Carolinians in responding to the COVID-19 pandemic.

The COVID-19 pandemic has revealed, once again, the stark inequities in communities across the country and here in North Carolina. While this pandemic exacerbates institutional inequities, COVID-19 also creates an opportunity to address them. DEQ in partnership with the Secretary’s Environmental Justice and Equity Advisory Board commits to partner with and support and inform communities about this effort to eliminate social, environmental, economic, and health disparities. To achieve this goal, DEQ shall:

1. Lead the State’s effort to create a common discourse on environmental justice,
2. Identify communities of concern for purposes of all State related actions,
3. Coordinate with Executive Agencies on how to integrate environmental justice considerations into existing and future policies, programs, and procedures; and
4. Create lasting institutional structures for agencies to address equality, equity and justice for all North Carolinians.

B. North Carolina Department of Public Safety (“DPS”) will continue its work to enhance the safety of all North Carolinians in preparing for and responding to the COVID-19 pandemic. As the state coordinating agency during this declared State of Emergency, DPS has provided a broad spectrum of services to support vulnerable and underrepresented communities, including communities of color, in addressing pandemic related issues. Accordingly, the undersigned hereby directs DPS to continue the following activities:

1. The Division of Emergency Management shall continue to coordinate multi-agency and multi-jurisdictional efforts of the State Emergency Response Team to support medical surge, PPE procurement and distribution, food supply chain protection, logistics support for food banks and local school system feeding operations, , and housing and sheltering for vulnerable populations;
2. The Division of Emergency Management shall continue to ensure improved access during press conferences and broader information sharing by utilizing American Sign Language and Spanish language translation and interpretation services to include providing information in accordance with ADA compliance standards;
3. The Division of Emergency Management shall continue to ensure equity among all communities, particularly vulnerable and underrepresented communities, in preparing for, responding to, and recovering from disasters. While natural disasters such as extreme storms and flooding disproportionately affect vulnerable communities, COVID-19 and climate change increase the exposure of these communities to adverse impacts;
4. The North Carolina National Guard shall continue to provide expert planning, logistical support, and personnel where feasible to support mass testing, food distribution, and warehouse operations to support impacted and vulnerable communities across the state;
5. DPS law enforcement agencies shall continue to educate sworn law enforcement personnel on ways to effectively engage communities and reduce ethnic and racial intimidation originating from enforcing mask and face covering provisions related to the pandemic;
6. The North Carolina Division of Adult Correction and Juvenile Justice shall continue its many efforts to mitigate the spread of COVID-19 in adult and juvenile facilities; and
7. Successful reentry programs for persons leaving prison is critical to their post-release success and under normal circumstances can be difficult. DPS with the State Reentry Council Collaborative shall work with local agencies to help these individuals navigate in a COVID-19 influenced society.

C. Office of the Governor, Office of Public Engagement. Outreach and education can directly impact outcomes. The undersigned tasks the Office of Public Engagement to work with state agencies, faith leaders, stakeholder groups and community leaders to undertake the following outreach missions:

1. Increase awareness and education about how COVID-19 spreads, the dangers of preexisting conditions, and the heightened importance of social distancing for high-risk populations to help reduce the impact of the virus.
2. Increase awareness and education about COVID-19 relief services and resources.
3. Increase awareness and education about eliminating disparities.

D. All cabinet agencies. The undersigned encourages all cabinet agencies who receive funding meant to provide COVID-19 aid or relief to collaborate with the appropriate entities to ensure funding is directed towards increasing economic stability and the elimination of disparities in communities of color in North Carolina. All cabinet agencies shall work to reduce and eliminate social, environmental, economic and health disparities.

Section 5. Savings Clause

If any provision of this Executive Order or its application to any person or circumstances is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

Section 6. Distribution

I hereby order that this Executive Order be: (1) distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (2) promptly filed with the Secretary of the North Carolina Department of Public Safety, the Secretary of State, and the superior court clerks in the counties to which it applies, unless the circumstances of the State of Emergency would prevent or impede such filing; and (3) distributed to others as necessary to ensure proper implementation of this Executive Order.

Section 7. Effective Date

This Executive Order is effective immediately. Unless otherwise expressly stated in another Executive Order, Section 1 of this Executive Order shall remain in effect as stated in Section 1. The remainder of this Executive Order shall remain in effect for the duration of the State of Emergency or unless repealed, replaced, or rescinded by another applicable Executive Order.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 4th day of June in the year of our Lord two thousand and twenty.



Roy Cooper
Governor

ATTEST:



Elaine F. Marshall
Secretary of State





Town of Carrboro

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

Agenda Item Abstract

File Number:20-235

Agenda Date: 6/9/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Community Climate Action Plan Modules Project

PURPOSE: The purpose of this item is to provide a report to the Town Council on the Community Climate Action Plan Modules Project and request approval for project implementation.

DEPARTMENT: Manager's Office

CONTACT INFORMATION: Laura Janway, Environmental Sustainability Coordinator,
ljanway@townofcarrboro.org, (919) 918-7342; Rebecca Buzzard, Project Manager,
rbuzzard@townofcarrboro.org, (919) 918-7438

INFORMATION: The purpose of this item is to provide the Board with a report on the Community Climate Action Plan (CCAP) modules project and request approval to move forward with project implementation. Progress on the CCAP has been ongoing since the Board's adoption of the plan on January 24, 2017. (A complete copy of the CCAP may be found at:
<http://www.townofcarrboro.org/DocumentCenter/View/4116/Community-Climate-Action-Plan>).

This update includes a summary report (Attachment B) followed by a recommendation from the Environmental Advisory Board (Attachment C).

FISCAL & STAFF IMPACT: There is no fiscal or staff impact related to this item.

RECOMMENDATION: Staff recommends the Town Council consider the attached resolution to receive the report on the Community Climate Action Plan modules project and approve implementation of this initiative.

A RESOLUTION RECEIVING A REPORT ON THE COMMUNITY CLIMATE ACTION
PLAN MODULES PROJECT AND APPROVING PROJECT IMPLEMENTATION

WHEREAS, the Town Council has received a report regarding the Community Climate Action Plan modules project; and

WHEREAS, the Town of Carrboro has a number of emissions-reduction projects in process; and

WHEREAS, Town staff have requested Council input and approvals at key milestones; and

WHEREAS, staff have provided the Council with updates on particular projects at regular intervals.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Town Council that the Council receives this report on the Community Climate Action Plan modules project and approves implementation of this initiative.

This the 9th day of June in 2020.



TOWN OF CARRBORO

NORTH CAROLINA

TRANSMITTAL

Manager's Office

DELIVERED VIA: ☐ HAND ☐ MAIL ☐ FAX ☒ EMAIL

To: David Andrews, Town Manager

**From: Laura Janway, Environmental Planner
Rebecca Buzzard, Project Manager**

Date: June 9, 2020

Subject: Community Climate Action Plan Outreach Modules

Outreach and Engagement Modules

Project History and Current Status

The Community Climate Action Plan Modules Project is a community-driven outreach initiative aimed to educate and engage Carrboro residents in climate action.

The proposed initiative involves designing materials for Carrboro residents to educate others about specific climate action topics. The materials will be organized into modules, which will act as templates for residents to customize for presentations or demonstrations.

Goals

The goals outlined in the modules proposal are:

- Identify climate crisis resilience, sustainability, and mitigation measures based on environmental education outreach topics.
- Design and format climate outreach education and action modules.
- Identify resources and area-specific expertise for module presentations.
- Train and collaborate presenters prior to outreach sessions.

Alignment with Community Climate Action Plan (CCAP) Goals

The community sector accounts for 93% of greenhouse gas emissions within Carrboro, while municipal operations, public transit, and schools produce the remaining 7%. Significant community buy-in in every aspect of the Community Climate Action Plan (CCAP) is essential for emissions reduction and climate change mitigation.

CCAP Community Integration Recommendation #1 describes creating grassroots partnerships to engage the community to be a part of the solution.

Table 1. Current Modules in Development

Climate Action	Relevant CCAP Goal
Transportation and vehicular emissions	Section 3: Transportation
Energy Efficiency	Section 2: Building Energy Efficiency Measures
Solarization	Ecosystem Recommendation #1: Pursue Stormwater Utility
Composting: community, neighborhoods, and businesses	Ecosystem Recommendation #3: Accelerate/Expand Organic Waste Collection/Composting
Tree preservation, protection, and canopy	Ecosystem Recommendation #4: Tree Preservation, Protection and Conservation
Gardening	Gardening to grow food is not discussed in the CCAP, but general gardening aligns with Ecosystem Recommendation #5: Improve Regulations and Community Capacity to Discourage Invasive Plants and Encourage Native Plants. Gardening also aligns with goals for reducing emissions from food consumption, outlined in Food Choice Recommendation #1: 50% Challenge.
Food and Plant-Based Diets	Section 6: Food Choice Measures
Weatherization	Section 2: Building Energy Efficiency Measures

*Repurposing and Reuse and Climate Justice are proposed module topics which are not addressed in the CCAP. These topics have been suggested as potential updates to the CCAP. If these updates are pursued, the modules will be designed and implemented after CCAP revision.

Modules will be designed for different scales of outreach, including:

- Individual
- Households, families
- Community partners
 - Neighborhoods
 - Businesses, business organizations
 - Congregations
 - Non-profits
 - Clubs
 - Schools
 - Corporations

All outreach and community engagement will be conducted using a Racial Equity Lens.

Overview

Modules will be structured to present information to residents with varying degrees of familiarity with the climate crisis. Each module will first introduce the science of climate change with background information about the crisis on a global scale. Next, the modules will introduce the Town's actions to address climate change locally and implement the Community Climate Action Plan. Residents will then be given a chance to introduce themselves and discuss their personal reasons for attending the presentation. The following slides will focus on a specific climate-action related topic and discuss its contribution to emissions in the state of North Carolina and within Orange County.

The slides will next discuss specific recommendations for action in the CCAP. The presenter will then lead a guided practice for all attendees facilitated by self-reflection and visualization prompts. The final slides will provide residents with emission reduction strategies and resources to learn more information about the topics discussed.

Opportunities

There are opportunities for the modules project to align with Green Neighborhoods Initiative. Staff can work with module presenters to coordinate efforts with others in specific neighborhoods with similar interests. Module presenters could organize presentations for their neighborhoods and act as neighborhood climate captains through the Green Neighborhoods Initiative.

Implementation

The Town Environmental Sustainability Coordinator will review and approve each module after submission in order to evaluate alignment with the CCAP. The Town will ensure all information presented is obtained from reputable sources such as the Intergovernmental Panel on Climate Change (IPCC) and all cited data is acquired from peer-reviewed publications.

Staff will create a webpage on the Town website with information about the modules and instructions for utilization. The webpage will contain links for residents to download non-editable versions of each module. In order to receive a customizable version of the modules, presenters will need to complete a training session with staff. By working with presenters, staff can ensure that presentations are not altered to reduce their correlation with CCAP goals.

Paper versions of modules can be made available to residents if requested. Staff will continue to discuss methods of providing modules to residents who do not have access to online resources.

Staff plan to begin implementation of the modules project this summer. Virtual presentations will allow residents to perform climate action outreach while maintaining social distancing and adhering to guidelines to prevent the spread of COVID-19.



TOWN OF CARRBORO

Environmental Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

RECOMMENDATION

May 21, 2020

Motion to approve made by Kaufman, seconded by O'Connor, that the EAB recommends the Town Council approve the Community Climate Action Plan Modules Project and consider the following recommendations for project implementation:

- Provide a list of all modules in each presentation
- Modules should be reviewed and approved by the Town Environmental Sustainability Coordinator
- Hold train-the-trainer sessions
- Modules should be available to be viewed on the town website
 - Downloads of the slides could be made available to individuals who have completed train-the-trainer sessions
 - Provide links to modules on relevant Town Departmental website pages
- To the extent possible, show relative emissions reduction impact or energy savings for each recommended action
 - Use graphics to visualize impacts
 - Provide links to online calculators
 - Provide cost information for each action for comparison
- Make sure all information on slides and Town website is kept regularly updated
 - The Climate Action Sustainability Commission should be charged with keeping the materials updated

The EAB would like to thank Town Council Member Randee Haven-O'Donnell, Katie Veleta, Lauren Nyland, and all Carrboro residents who worked on this project.

VOTE:

AYES: (3) Turner, Kaufman, O'Connor

ABSENT/EXCUSED: (0)

NOES: (0)

ABSTENTIONS: (0)

Saura Janway
For Chair Tim Turner

5-21-20
(Date)