



Town of Carrboro

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

Meeting Agenda Town Council



Tuesday, June 1, 2021

7:00 PM

Remote Meeting - View Livestream or Cable TV

18

7:00-7:05

A. ROLL CALL

7:05-7:25

B. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

1. [21-201](#) Proclamation - Pride Month
2. [21-203](#) Proclamation- Immigrant Heritage Month
3. [21-204](#) Proclamation - Gun Violence Awareness Day

7:25-7:30

C. ANNOUNCEMENT OF UPCOMING MEETINGS

7:30-7:50

D. PUBLIC COMMENT

Comments are limited to three minutes per speaker.

7:50-8:00

E. CONSENT AGENDA

1. [21-208](#) Approval of Minutes from the May 11, 2021 Meeting Minutes
2. [21-193](#) Recognition of Carrboro Civic Club

PURPOSE: The purpose of this item is for the Town Council to recognize the Carrboro Civic Club for their contributions to the community and pass a resolution thanking them for the donation of the property at 108 Bim Street.

Attachments: [Attachment A - Resolution - Civic Club Recognition](#)
[Attachment B - Staff Memo -Carrboro Civic Club](#)

3. [21-181](#) Appointments to the Board of Adjustment

PURPOSE: The purpose of this agenda item is for the Town Council to make appointments to the Board of Adjustment.

Attachments: [Attachment A - Appointment Resolution](#)
[Attachment B - Matrix](#)
[Attachment C - Chair Forms and Applications](#)

F. OTHER MATTERS

8:00-8:30

1. [21-206](#) Presentation of Town Manager's Recommended Budget for Fiscal Year 2021-2022

PURPOSE: The Town Manager's Recommended Budget for FY 2021-22 was submitted to the Town Council on May 25, 2021. The purpose of this agenda item is for the Manager to provide a presentation to the Council on highlights of the FY 2021-22 Recommended Budget.

8:30-9:30

2. [21-205](#) American Rescue Plan Act - Eligible Programs and Expenditures

PURPOSE: This agenda item is a presentation of eligible programs and expenditures under the American Rescue Plan Act.

Attachments: [SLFRP FAQ](#)

9:30-9:40

3. [21-194](#) Parking Lease Agreement with 300 E. Main

PURPOSE: To approve a lease agreement with 300 E. Main and add at least 62 new parking spaces to the Downtown Parking count.

G. MATTERS BY COUNCIL MEMBERS



Town of Carrboro

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

Agenda Item Abstract

File Number:21-201

Agenda Date: 6/1/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

Proclamation - Pride Month



Town of Carrboro

Town Hall
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Carrboro, NC 27510

Agenda Item Abstract

File Number:21-203

Agenda Date: 6/1/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

Proclamation- Immigrant Heritage Month



Town of Carrboro

Town Hall
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Agenda Item Abstract

File Number:21-204

Agenda Date: 6/1/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

Proclamation - Gun Violence Awareness Day



Town of Carrboro

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

Agenda Item Abstract

File Number:21-208

Agenda Date: 6/1/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

Approval of Minutes from the May 11, 2021 Meeting Minutes



Town of Carrboro

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

Agenda Item Abstract

File Number:21-193

Agenda Date: 6/1/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 2

TITLE:

Recognition of Carrboro Civic Club

PURPOSE: The purpose of this item is for the Town Council to recognize the Carrboro Civic Club for their contributions to the community and pass a resolution thanking them for the donation of the property at 108 Bim Street.

DEPARTMENT: Town Manager's Office

CONTACT INFORMATION: David Andrews, Town Manager, dandrews@townofcarrboro.org
<<mailto:dandrews@townofcarrboro.org>>

INFORMATION: On [February 2nd 2021 <https://carrboro.legistar.com/LegislationDetail.aspx?ID=4770957&GUID=B361F900-0DB6-4806-8117-D48F320A1B6D>](https://carrboro.legistar.com/LegislationDetail.aspx?ID=4770957&GUID=B361F900-0DB6-4806-8117-D48F320A1B6D), Council Members accepted the donation of the 108 Bim Street property and requested a future agenda item to formally recognize the Carrboro Civic Club's generous donation and acknowledge their contributions to the community. The Carrboro Civic Club's history and community contributions are summarized in Attachment B. The Civic Club has requested that the building continues to serve the community, and the Town Council has requested an agenda item to discuss future uses of the property. This discussion will be scheduled for the fall.

FISCAL & STAFF IMPACT: None at this time.

RECOMMENDATION: Town Staff recommends that the Town Council consider adopting the attached resolution (Attachment A).

**A RESOLUTION OF APPRECIATION TO THE CARRBORO CIVIC CLUB FOR
THEIR GENEROUS DONATION AND CONTRIBUTIONS TO THE COMMUNITY**

WHEREAS, the Carrboro Civic Club donated the property located at 108 Bim Street to the Town; and

WHEREAS, the Carrboro Civic Club desires that the building continues to function for civic purposes and serve the Civic Clubs' mission, which is "To Promote Health, Beautification and the Betterment of the Community"; and

WHEREAS, the Town Council accepted the donated property on the 2nd February in 2021; and

WHEREAS, donation of this property will enhance the Town's efforts in serving the community; and

WHEREAS, the Town Council requested a resolution to express their appreciation for the Carrboro Civic Club's generous donation of the 108 Bim Street property and recognize their contributions to the Town;

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

1. On behalf of the Town of Carrboro and its residents, the Town Council hereby expresses its sincere thanks and gratitude to the Carrboro Civic Club for its generous donation and recognizes its contributions to the community.
2. The resolution shall be entered into the official minutes of the Town Council and a copy thereof shall be delivered to the Carrboro Civic Club.
3. This resolution shall become effective upon adoption.

This is the _ day of _ 2021.

Memorandum



To: Town of Carrboro Mayor and Town Council
From: David Andrews, Town Manager
Date: June 1, 2021
Re: Carrboro Civic Club – 108 Bim Street Background

On February 2nd, 2021, the Town Council accepted the donation of the historic structure located on 108 Bim Street and directed Staff to research the history of the Carrboro Civic Club. In response to the request, this memo (Attachment B) has been prepared and included in the Town Council agenda packet to provide an overview of the Carrboro Civic Club’s history and community contributions.

History



The Carrboro Civic Club’s historic building at 108 Bim Street was the former administrative building for Carrboro Woolen Mills and was donated to the Chapel Hill Junior Service League, who in turn, donated the building to the Carrboro Civic Club and was accepted by Trustees Ruth West, I. A. West, and Jessie Williams on May 25th, 1948.

The Carrboro Civic Club, founded in 1945, was formed by a group of women with the mission to beautify the Town of Carrboro by planting crepe myrtles and hollies along Main Street and other areas of the Town. The Civic Club’s mission evolved to include additional efforts “to promote health, beautification and betterment of the community.”

Some examples of the Civic Club’s contributions and community outreach were uncovered during conversations with Richard Ellington. In the 1950’s, with the help of medical professionals, members formed the Well Baby Clinic to offer free preventive care, including immunizations, health check-ups and screenings for mothers and their infants. As literacy advocates, members raised funds to open a public library in the clubhouse, offering supplemental reading materials to young children. Conveniently located next to Carrboro Elementary, the library was open to students until 1959 when the school relocated to Ash Street and the building converted to Town Hall. In the 1980’s, members participated in a six-month “Seat Belts Pay Off” program, a campaign to increase seat belt use in

Chapel Hill and Carrboro through economic incentives. Their support of the Arts was evidenced by the furnishing of an on-site kiln for local residents and artists to create clay projects.

The Carrboro Civic Club dedicated themselves to many humanitarian club projects that enhanced the lives of Carrboro's residents. Their numerous contributions extend past the projects mentioned above. Additional community partnerships and highlights include:

- American Field Service's 4th of July celebration at Kenan Stadium
- Agricultural Extension Service Workshops
- Adoption of "Sisters" in nursing homes
- Carrboro United Methodist Church
- Carrboro Fire and Rescue
- Duke Power's – Share the Warmth Program
- Home Assistants Service Training Classes
- Lion's Club
- Meals on Wheels
- Services to Shut-Ins
- Triangle Hospice
- YMCA
- Carrboro Recreation and Parks Department

Operations

The property has served as a congregate space for residents, community service groups, businesses and nonprofit organizations and consists of two open rooms with access to a kitchen, bathrooms, and 10-12 parking spaces. Recent uses of 108 Bim Street include:

- Chapel Hill Christian Church – Serves as a Food Collection point for the Inter-Faith Council and Sunday Worship Service.
- Jenkins Driving School – Provides a driving school in Spanish for those with traffic violations and supplemental instruction for driver's education students attempting to obtain their permit/license.
- Girl Scouts – Site for local troop meetings.
- Le Leche League – Offers a parent-to-parent breastfeeding support group.



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Agenda Item Abstract

File Number:21-181

Agenda Date: 6/1/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Appointments to the Board of Adjustment

PURPOSE: The purpose of this agenda item is for the Town Council to make appointments to the Board of Adjustment.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Cathy Dorando, 919-918-7309

INFORMATION: The Board of Adjustment currently has eight seats available for appointment with five of those being a first term expiration seat.

Applications were received from Marcus Page and Thomas Tiemann. Sriv Navaratnam, Brian Hageman, Linda Bowerman, and John Baker have first times expiring and would like to be reappointed.

Brian Hageman is the chair of the Board of Adjustment and provided the chair forms for the Council's review. Chair forms are located directly in front of the application.

Town Council members are encouraged to review the [Advisory Board Recruitment and Appointment Policy](http://townofcarrboro.org/DocumentCenter/View/5358/Town-of-Carrboro-Advisory-Board-Recruitment-and-Appointment-Policy->) [<http://townofcarrboro.org/DocumentCenter/View/5358/Town-of-Carrboro-Advisory-Board-Recruitment-and-Appointment-Policy->](http://townofcarrboro.org/DocumentCenter/View/5358/Town-of-Carrboro-Advisory-Board-Recruitment-and-Appointment-Policy->).

All applicant and chair information is attached.

A matrix is also included.

FISCAL & STAFF IMPACT: N/A

RECOMMENDATION: It is recommended that the Mayor and Council review the applications and consider making appointments.

**A RESOLUTION MAKING AN APPOINTMENT TO THE
BOARD OF ADJUSTMENT**

THE TOWN COUNCIL HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE
BOARD OF ADJUSTMENT:

Appointee	Term Expiration
Linda Bowerman	2/2024
Brian Hageman	2/2024
Sriv Navaratnam	2/2024
Marcus Page	2/2025
Thomas Tiemann	2/2025

Section 2. The Town of Carrboro Town Council requests that the Orange County Board of Commissioners reappoint John Garret Baker to a three year term on the Board of Adjustment in the Extraterritorial Planning Area Seat. There were no other applicants qualified for this appointment.

Section 3. This resolution shall become effective upon adoption.

Current makeup of the Board of Adjustment:

NAME	ADDRESS	TERM EXPIRATION	DOB	RACE	SEX	OCCUPATION
Sriv Navaratnam (Reapplied)	303 Tramore Dr.	2/2020	11/1959	Asian	M	Program Manager
Brian Hageman (Reapplied)	1227 Hillsborough Rd.	2/2021	6/1967	Caucasian	Male	Account Executive
Linda Bowerman (Reapplied)	6008 Meadow Run Ct.	2/2021	4/1963	White	Female	Artist
John Baker (Reapplied)	8210 Reynard Rd.	2/2021	11/1977	White	Male	Landscape Architect
VACANT						
Expired Term						
Expired Term						
Expired Term						
VACANT						
VACANT						

Applicant summary information (full detail in application):

NAME	ADDRESS	DOB	RACE	SEX	OCCUPATION
Thomas Tiemann	100 Stable Road	8/1977	White	Male	Retired
Marcus Page	306 Estes Dr.	11/1990	Black/African American	Male	Legal Governance Associate

Print

Advisory Board Chair Report (Complete One Per Applicant) - Submission #5340

Date Submitted: 4/21/2021

Advisory Board Name:*

Adjustment Board

Chair Name*

Brian Hageman

Applicant First Name:*

Thomas

Applicant Last Name:

Tieman

1. Has the applicant previously served on this or another advisory board?*

☐

Yes

☒

No

2. If yes, how many total years have they served?

This should be available on the application or by asking the applicant.

3. Is the applicant already serving on this advisory board and seeking reappointment to their second, full term?

☐

Yes (Skip to Last Question)

☒

No

4. Is the applicant already serving on this advisory board and completed their two full terms?

☐

Yes

☒

No

5. Is the applicant applying for a special or expert seat on the advisory board?*

☐

Yes

☒

No

6. If yes, which seat?

7. Did the applicant attend an advisory board meeting?*

☒

Yes

☐

No

8. If applicant did not attend an advisory board meeting, did you contact them via phone or email?

☐

Yes

☒

No

9. Applicant has demonstrated a clear understanding of the time commitment, roles, and responsibilities of serving on the advisory board:

- ☒
- Yes
- ☐
- No

10. If no, briefly explain:

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

- ☐
- Diversity
- ☐
- Occupation, Experience, or Special Skills
- ☐
- Other

If other, please explain:

Print

Advisory Board Application - Submission #5117

Date Submitted: 1/2/2021

First Name*

Thomas

Last Name*

Tiemann

Date*

1/2/2021

Select today's date

Address1*

100 Stable Rd

Address2

City*

Carrboro

State

NC

Zip*

27510

Is this address located within the corporate limits of the Town of Carrboro?*

Yes

Please select Yes or No.

Is this address located within the Town's ETJ, Planning Jurisdiction, or Northern Transition Area?*

Planning Jurisdiction

Telephone (111)-111-1111*

9196362283

Please enter your primary contact phone number.

Email Address*

tiemann@elon.edu

Enter your primary email address.

The demographic information provided below is of interest because your elected officials want the Town's advisory boards to reflect the diversity of the Town. Diversity of the applicant pool is a priority of the Board.

Current Age*

8/13/1977

Race*

White

Please enter your race.

Sex*

Male

Please enter your sex.

Occupation*

Retired

Please enter your occupation.

Are you a registered Orange County Voter?*

Yes

Please answer Yes or No

Length of Residence in Orange County*

28 years

How long have you been a resident of Orange County?

Length of Residence in the Town of Carrboro*

20 years

How long have you been a resident of the Town of Carrboro?

I wish to be considered for appointment to the following committee/board(s) (Select no more than two (2)):

- | | |
|---|--|
| <input type="checkbox"/> Affordable Housing Advisory Commission | <input type="checkbox"/> Greenways Commission |
| <input type="checkbox"/> Appearance Commission/NPDC | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input type="checkbox"/> Arts Committee | <input type="checkbox"/> OWASA Board of Directors |
| <input checked="" type="checkbox"/> Board of Adjustment | <input checked="" type="checkbox"/> Planning Board |
| <input type="checkbox"/> Climate Action Team | <input type="checkbox"/> Recreation and Parks Commission |
| <input type="checkbox"/> Economic Sustainability Commission | <input type="checkbox"/> Stormwater Advisory Commission |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> Tourism Development Authority* |
| <input type="checkbox"/> Human Services Commission | <input type="checkbox"/> Transportation Advisory Board |

Please note that membership is limited to one advisory board at a time. You shall not be considered for appointment to another board unless you resign before filing an application or you are in the last six months of your current term.

Other (advisory board not listed):

Please indicate by typing the advisory board that you are applying for.

****Employer/Self Employed**

Retired

Please enter your employment information. This is a requirement for application for the Tourism Development Authority.

Advisory Board Preference*

Board of Adjustment

Please indicate your preference by typing your first choice. Please limit your selection above to two boards).

Number of Years Employed

5 years since retired

Enter the number of years you have been employed at the organization listed to the left.

**** Provide examples of how you are involved in the promotion of travel and tourism in the Town of Carrboro.**

Required only for the Tourism Development Authority Application.

Community Activities/Organizational Memberships*

Past member and past chair of Carrboro Planning Board. Past member and chair of Hillsborough Board of Adjustment

Please enter the requested information.

Relevant Experience:*

Past service (see above). Retired economist with strength in urban economics.

Reasons You Wish to be Appointed*

Help keep and improve livability of Carrboro

We believe as a Town and as a Town Council that racial equity and diversity and inclusion are important. Please tell us your thoughts about this and why they are important not only in advisory board/commission work but also in all facets of local government and community work.*

In any policy making body it is important that voices be heard from many parts of the community represented.

Have you ever served on any Town of Carrboro Committee or Board?*

If yes, which one(s)?

Planning Board

Yes

Are you currently serving on a Town Board or Committee?*

☐ Yes

☒ No

If yes, are you applying for a third consecutive term?*

☐ Yes

☒ No

If yes, please describe how you meet one, or more, of the following exceptions noted below.

After completing two full terms, a member must take off one year before applying for re-appointment to the same advisory board. However, a board member may apply to serve on another advisory board if he/she desires. The Board of Aldermen may make exceptions to this rule under the following circumstances: 1. To retain diversity on an advisory board; 2. A lack of applicants.

Print

Advisory Board Chair Report (Complete One Per Applicant) - Submission #5341

Date Submitted: 4/21/2021

Advisory Board Name:*

Adjustment Board

Chair Name*

Brian Hageman

Applicant First Name:*

Marcus

Applicant Last Name:

Page

1. Has the applicant previously served on this or another advisory board?*

☐

Yes

☒

No

2. If yes, how many total years have they served?

This should be available on the application or by asking the applicant.

3. Is the applicant already serving on this advisory board and seeking reappointment to their second, full term?

☐

Yes (Skip to Last Question)

☒

No

4. Is the applicant already serving on this advisory board and completed their two full terms?

☐

Yes

☒

No

5. Is the applicant applying for a special or expert seat on the advisory board?*

☐

Yes

☒

No

6. If yes, which seat?

7. Did the applicant attend an advisory board meeting?*

☒

Yes

☐

No

8. If applicant did not attend an advisory board meeting, did you contact them via phone or email?

☒

Yes

☐

No

9. Applicant has demonstrated a clear understanding of the time commitment, roles, and responsibilities of serving on the advisory board:



Yes



No

10. If no, briefly explain:

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



Diversity



Occupation, Experience, or Special Skills



Other

If other, please explain:

Print

Advisory Board Application - Submission #5301

Date Submitted: 3/10/2021

First Name*

Marcus

Last Name*

Page

Date*

3/10/2021

Select today's date

Address1*

306 Estes Drive Ext Apt I-7

Address2

City*

Carrboro

State

North Carolina

Zip*

27510

Is this address located within the corporate limits of the Town of Carrboro?*

Yes

Please select Yes or No.

Is this address located within the Town's ETJ, Planning Jurisdiction, or Northern Transition Area?*

Unsure

Telephone (111)-111-1111*

6513572086

Please enter your primary contact phone number.

Email Address*

marcus.l.page@gmail.com

Enter your primary email address.

The demographic information provided below is of interest because your elected officials want the Town's advisory boards to reflect the diversity of the Town. Diversity of the applicant pool is a priority of the Board.

Current Age*

11/15/1990

Race*

Black or African American

Please enter your race.

Sex*

Male

Please enter your sex.

Occupation*

Legal Governance Associate

Please enter your occupation.

Are you a registered Orange County Voter?*

Yes

Please answer Yes or No

Length of Residence in Orange County*

8 months

How long have you been a resident of Orange County?

Length of Residence in the Town of Carrboro*

8 months

How long have you been a resident of the Town of Carrboro?

I wish to be considered for appointment to the following committee/board(s) (Select no more than two (2)):

- | | |
|---|--|
| <input type="checkbox"/> Affordable Housing Advisory Commission | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input type="checkbox"/> Appearance Commission/NPDC | <input type="checkbox"/> OWASA Board of Directors |
| <input type="checkbox"/> Arts Committee | <input checked="" type="checkbox"/> Planning Board |
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Racial Equity Commission |
| <input type="checkbox"/> Climate Action Team | <input type="checkbox"/> Recreation and Parks Commission |
| <input type="checkbox"/> Economic Sustainability Commission | <input type="checkbox"/> Stormwater Advisory Commission |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> Tourism Development Authority* |
| <input type="checkbox"/> Human Services Commission | <input type="checkbox"/> Transportation Advisory Board |
| <input type="checkbox"/> Greenways Commission | |

Please note that membership is limited to one advisory board at a time. You shall not be considered for appointment to another board unless you resign before filing an application or you are in the last six months of your current term.

Other (advisory board not listed):

Please indicate by typing the advisory board that you are applying for.

****Employer/Self Employed**

Please enter your employment information. This is a requirement for application for the Tourism Development Authority.

Advisory Board Preference*

Planning Board and Board of Adjustments

Please indicate your preference by typing your first choice. Please limit your selection above to two boards).

Number of Years Employed

Enter the number of years you have been employed at the organization listed to the left.

**** Provide examples of how you are involved in the promotion of travel and tourism in the Town of Carrboro.**

Required only for the Tourism Development Authority Application.

Community Activities/Organizational Memberships*

N/A as I have just moved here less than a year ago and due to the pandemic.

Please enter the requested information.

Relevant Experience:*

I have served on multiple committees and boards that range from the arts, financial industry along with the educational system from district wide to the collegiate level.

Reasons You Wish to be Appointed*

I wish to be appointed to serve a difference within my new community. I am looking to bring a diversity that's not only cultural but experience as well.

We believe as a Town and as a Town Council that racial equity and diversity and inclusion are important. Please tell us your thoughts about this and why they are important not only in advisory board/commission work but also in all facets of local government and community work.*

I believe racial equity, diversity and inclusion is important for any and every town because it's important that every member within the town should have someone that looks like them or can give a cultural difference to town, board or commission decisions. As someone who is a person of color within a new town such as Carrboro, it is more than impactful to see local government and the community work together to combat the issues that our community deals with while created great lasting memories within the community by hosting townhall meetings, events and activities for everyone to be a part of.

Have you ever served on any Town of Carrboro Committee or Board?*

If yes, which one(s)?

No

Are you currently serving on a Town Board or Committee?*

☐

Yes

☒

No

If yes, are you applying for a third consecutive term?*

☐

Yes

☒

No

If yes, please describe how you meet one, or more, of the following exceptions noted below.

After completing two full terms, a member must take off one year before applying for re-appointment to the same advisory board. However, a board member may apply to serve on another advisory board if he/she desires. The Board of Aldermen may make exceptions to this rule under the following circumstances: 1. To retain diversity on an advisory board; 2. A lack of applicants.



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Carrboro, NC 27510

Agenda Item Abstract

File Number:21-206

Agenda Date: 6/1/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Presentation of Town Manager's Recommended Budget for Fiscal Year 2021-2022

PURPOSE: The Town Manager's Recommended Budget for FY 2021-22 was submitted to the Town Council on May 25, 2021. The purpose of this agenda item is for the Manager to provide a presentation to the Council on highlights of the FY 2021-22 Recommended Budget.

DEPARTMENT: Town Manager, Finance

CONTACT INFORMATION: David L. Andrews, 918-7315 and Arche McAdoo, , 918-7439

INFORMATION: By state law, the Town Manager is required to submit a FY 2021-22 Recommended Budget and budget message to the Mayor and Town Council by June 1st. This recommended budget is to be made available for public inspection and the Town Council is required to hold a public hearing on it prior to adoption.

The FY 2021-22 Recommended Budget and budget message was submitted to the Town Council on May 25, 2021 and a public hearing established for June 8, 2021. The recommended budget can be found on the Town's website at the following location:

<https://www.townofcarrboro.org/2397/Recommended-Annual-Operating-Budget-2021-2022>

The total budget recommended by the Town Manager is \$71.6 million comprised of General Fund at \$25.0 million, Special Revenue Fund at \$3.3 million, Capital Fund at \$41.9 million, Storm Water Utility Enterprise Fund recommended budget is \$971,254; and Parking Enterprise Fund is \$290,500.

Two notable changes in the 2021-22 recommended budget include: a) increase of the property tax rate for Affordable Housing Fund from 1 cent to 1.5 cent; and, b) a change in the Town's health insurance program from the traditional co-insurance Preferred Provider Organization (PPO) to a high deductible health plan (HDHP). This will decrease the cost of health insurance costs for the Town by \$546,612 with subsequent reductions in premiums paid by employees with dependent or family coverage.

If the Council desires to hold one or more work sessions on the Town Manager's recommended budget, the following dates have been reserved: June 1 and June 8, 2021. Budget work sessions allow for an opportunity to develop a more thorough understanding of the budget recommendation. Department heads will be available at work sessions to answer questions.

Agenda Date: 6/1/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

FISCAL & STAFF IMPACT: N/A

RECOMMENDATION: That the Town Council accept the Town Manager's presentation on the Recommended Budget for FY 2021-22 and provide directions to the Town Manager for the final budget to be adopted on June 22, 2021.



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Agenda Item Abstract

File Number:21-205

Agenda Date: 6/1/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

American Rescue Plan Act - Eligible Programs and Expenditures

PURPOSE: This agenda item is a presentation of eligible programs and expenditures under the American Rescue Plan Act.

DEPARTMENT: Town Manager and Finance

CONTACT INFORMATION: David Andrews. 918-7315; Arche McAdoo, 918-7439

INFORMATION: The American Rescue Plan Act was signed into law on March 11, 2021 and provides funding to state and local governments to meet pandemic response needs and rebuild a stronger, more equitable economy as the country recovers. Recipients have broad flexibility to decide how best to use this funding to meet the needs of their communities, including: 1) revenue replacement for the provision of government services to the extent the reduction in revenue is due the COVID-19 public health emergency; 2) premium pay to essential employees; 3) assistance to small businesses, nonprofits, household and hard-hit industries, and economic recovery; and 4) investments in water, sewer and broadband infrastructure.

For “non-entitlement unit of local government”, of which the Town is, the United States Treasury will allocate and pay funds to state governments and the state will distribute funds to non-entitlement units of local government. It is estimated that the Town will receive \$6.2 million under the Act. Fifty percent of these funds are expected to be distributed to the Town in May 2021 with the other fifty percent distributed in 2022. All funds must be obligated by 2024 and spent by 2026.

The US Treasury Secretary released Guidance/Interim Final Rule and Frequently Asked Questions (FAQ) on May 10, 2021. Additional clarifications and guidance are expected to be on-going from Treasury. Based on staff’s review of the IRS Guidance/Interim Final Rule and participation in various webinars offered by National League of Cities, North Carolina League of Municipalities, UNC School of Government, staff has prepared a presentation for the Council on what we have learned further about programs/activities available under the Act.

FISCAL & STAFF IMPACT: The Town expects to receive \$6.2 million from the American Rescue Plan Act.

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RECOMMENDATION: That the Council receive this presentation and provide instructions and guidance to staff to for identifying the harmful effects of COVID-19 and negative impact and proposed programs/activities to be taken with funding from the American Rescue Plan Act.

Coronavirus State and Local Fiscal Recovery Funds

Frequently Asked Questions

AS OF MAY 10, 2021

This document contains answers to frequently asked questions regarding the Coronavirus State and Local Fiscal Recovery Funds (CSFRF / CLFRF, or Fiscal Recovery Funds). Treasury will be updating this document periodically in response to questions received from stakeholders. Recipients and stakeholders should consult the Interim Final Rule for additional information.

- For overall information about the program, including information on requesting funding, please see <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments>
- For general questions about CSFRF / CLFRF, please email SLFRP@treasury.gov
- Upon publication of the Interim Final Rule in the Federal Register, Treasury encourages stakeholders to submit public comments on the Interim Final Rule at [regulations.gov](https://www.regulations.gov)

Eligibility and Allocations

1. Which governments are eligible for funds?

The following governments are eligible:

- States and the District of Columbia
- Territories
- Tribal governments
- Counties
- Metropolitan cities
- Non-entitlement units, or smaller local governments

2. Which governments receive funds directly from Treasury?

Treasury will distribute funds directly to each eligible state, territory, metropolitan city, county, or Tribal government. Smaller local governments that are classified as non-entitlement units will receive funds through their applicable state government.

3. Are special-purpose units of government eligible to receive funds?

Special-purpose units of local government will not receive funding allocations; however, a state, territory, local, or Tribal government may transfer funds to a special-purpose unit of government. Special-purpose districts perform specific functions in the community, such as fire, water, sewer or mosquito abatement districts.

4. How are funds being allocated to Tribal governments, and how will Tribal governments find out their allocation amounts?

\$20 billion of Fiscal Recovery Funds was reserved for Tribal governments. The American Rescue Plan Act specifies that \$1 billion will be allocated evenly to all eligible Tribal governments. The remaining \$19 billion will be distributed using an allocation methodology based on enrollment and employment.

There will be two payments to Tribal governments. Each Tribal government's first payment will include (i) an amount in respect of the \$1 billion allocation that is to be divided equally among eligible Tribal governments and (ii) each Tribal government's pro rata share of the Enrollment Allocation. Tribal governments will be notified of their allocation amount and delivery of payment 4-5 days after completing request for funds in the Treasury Submission Portal. The deadline to make the initial request for funds is May 24, 2021.

In mid-May or shortly after completing the initial request for funds, Tribal governments will receive an email notification to re-enter the Treasury Submission Portal to confirm or amend their 2019 employment numbers that were submitted to the Department of the Treasury for the CARES Act's Coronavirus Relief Fund. The deadline to confirm employment numbers is June 7, 2021. Treasury will calculate each Tribal government's pro rata share of the Employment Allocation for those Tribal governments that confirmed or submitted amended employment numbers. In mid-June, Treasury will communicate to Tribal governments the amount of their portion of the Employment Allocation and the anticipated date for the second payment.

Eligible Uses – Responding to the Public Health Emergency / Negative Economic Impacts

5. What types of COVID-19 response, mitigation, and prevention activities are eligible?

A broad range of services are needed to contain COVID-19 and are eligible uses, including vaccination programs; medical care; testing; contact tracing; support for isolation or quarantine; supports for vulnerable populations to access medical or public health services; public health surveillance (e.g., monitoring case trends, genomic sequencing for variants); enforcement of public health orders; public communication efforts; enhancement to health care capacity, including through alternative care facilities; purchases of personal protective equipment; support for prevention, mitigation, or other services in congregate living facilities (e.g., nursing homes, incarceration settings, homeless shelters, group living facilities) and other key settings like schools; ventilation improvements in congregate settings, health care settings, or other key locations; enhancement of public health data systems; and other public health responses. Capital investments in public facilities to meet pandemic operational needs are also eligible, such as physical plant improvements to public hospitals and health clinics or adaptations to public buildings to implement COVID-19 mitigation tactics.

6. If a use of funds was allowable under the Coronavirus Relief Fund (CRF) to respond to the public health emergency, may recipients presume it is also allowable under CSFRF/CLFRF?

Generally, funding uses eligible under CRF as a response to the direct public health impacts of COVID-19 will continue to be eligible under CSFRF/CLFRF, with the following two exceptions: (1) the standard for eligibility of public health and safety payrolls has been updated; and (2) expenses related to the issuance of tax-anticipation notes are not an eligible funding use.

7. If a use of funds is not explicitly permitted in the Interim Final Rule as a response to the public health emergency and its negative economic impacts, does that mean it is prohibited?

The Interim Final Rule contains a non-exclusive list of programs or services that may be funded as responding to COVID-19 or the negative economic impacts of the COVID-19 public health emergency, along with considerations for evaluating other potential uses of Fiscal Recovery Funds not explicitly listed. The Interim Final Rule also provides flexibility for recipients to use Fiscal Recovery Funds for programs or services that are not identified on these non-exclusive lists but which meet the objectives of section 602(c)(1)(A) or 603(c)(1)(A) by responding to the COVID-19 public health emergency with respect to COVID-19 or its negative economic impacts.

8. May recipients use funds to respond to the public health emergency and its negative economic impacts by replenishing state unemployment funds?

Consistent with the approach taken in the CRF, recipients may make deposits into the state account of the Unemployment Trust Fund up to the level needed to restore the pre-pandemic balances of such account as of January 27, 2020, or to pay back advances received for the payment of benefits between January 27, 2020 and the date when the Interim Final Rule is published in the Federal Register.

9. What types of services are eligible as responses to the negative economic impacts of the pandemic?

Eligible uses in this category include assistance to households; small businesses and non-profits; and aid to impacted industries.

Assistance to households includes, but is not limited to: food assistance; rent, mortgage, or utility assistance; counseling and legal aid to prevent eviction or homelessness; cash assistance; emergency assistance for burials, home repairs, weatherization, or other needs; internet access or digital literacy assistance; or job training to address negative economic or public health impacts experienced due to a worker's occupation or level of training.

Assistance to small business and non-profits includes, but is not limited to:

- loans or grants to mitigate financial hardship such as declines in revenues or impacts of periods of business closure, for example by supporting payroll and benefits costs, costs to retain employees, mortgage, rent, or utilities costs, and other operating costs;
- Loans, grants, or in-kind assistance to implement COVID-19 prevention or mitigation tactics, such as physical plant changes to enable social distancing, enhanced cleaning efforts, barriers or partitions, or COVID-19 vaccination, testing, or contact tracing programs; and
- Technical assistance, counseling, or other services to assist with business planning needs

10. May recipients use funds to respond to the public health emergency and its negative economic impacts by providing direct cash transfers to households?

Yes, provided the recipient considers whether, and the extent to which, the household has experienced a negative economic impact from the pandemic. Additionally, cash transfers must be reasonably proportional to the negative economic impact they are intended to address. Cash transfers grossly in excess of the amount needed to address the negative economic impact identified by the recipient would not be considered to be a response to the COVID-19 public health emergency or its negative impacts. In particular, when considering appropriate size of permissible cash transfers made in response to the COVID-19 public health emergency, state, local, territorial, and Tribal governments may consider and take guidance from the per person amounts previously provided by the federal government in response to the COVID crisis.

11. May funds be used to reimburse recipients for costs incurred by state and local governments in responding to the public health emergency and its negative economic impacts prior to passage of the American Rescue Plan?

Use of Fiscal Recovery Funds is generally forward looking. The Interim Final Rule permits funds to be used to cover costs incurred beginning on March 3, 2021.

12. May recipients use funds for general economic development or workforce development?

Generally, not. Recipients must demonstrate that funding uses directly address a negative economic impact of the COVID-19 public health emergency, including funds used for economic or workforce development. For example, job training for unemployed workers may be used to address negative economic impacts of the public health emergency and be eligible.

13. How can recipients use funds to assist the travel, tourism, and hospitality industries?

Aid provided to tourism, travel, and hospitality industries should respond to the negative economic impacts of the pandemic. For example, a recipient may provide aid to support

safe reopening of businesses in the tourism, travel and hospitality industries and to districts that were closed during the COVID-19 public health emergency, as well as aid a planned expansion or upgrade of tourism, travel and hospitality facilities delayed due to the pandemic.

Tribal development districts are considered the commercial centers for tribal hospitality, gaming, tourism and entertainment industries.

14. May recipients use funds to assist impacted industries other than travel, tourism, and hospitality?

Yes, provided that recipients consider the extent of the impact in such industries as compared to tourism, travel, and hospitality, the industries enumerated in the statute. For example, nationwide the leisure and hospitality industry has experienced an approximately 17 percent decline in employment and 24 percent decline in revenue, on net, due to the COVID-19 public health emergency. Recipients should also consider whether impacts were due to the COVID-19 pandemic, as opposed to longer-term economic or industrial trends unrelated to the pandemic.

Recipients should maintain records to support their assessment of how businesses or business districts receiving assistance were affected by the negative economic impacts of the pandemic and how the aid provided responds to these impacts.

15. How does the Interim Final Rule help address the disparate impact of COVID-19 on certain populations and geographies?

In recognition of the disproportionate impacts of the COVID-19 virus on health and economic outcomes in low-income and Native American communities, the Interim Final Rule identifies a broader range of services and programs that are considered to be in response to the public health emergency when provided in these communities. Specifically, Treasury will presume that certain types of services are eligible uses when provided in a Qualified Census Tract (QCT), to families living in QCTs, or when these services are provided by Tribal governments.

Recipients may also provide these services to other populations, households, or geographic areas disproportionately impacted by the pandemic. In identifying these disproportionately-impacted communities, recipients should be able to support their determination for how the pandemic disproportionately impacted the populations, households, or geographic areas to be served.

Eligible services include:

- Addressing health disparities and the social determinants of health, including: community health workers, public benefits navigators, remediation of lead paint or other lead hazards, and community violence intervention programs;

- Building stronger neighborhoods and communities, including: supportive housing and other services for individuals experiencing homelessness, development of affordable housing, and housing vouchers and assistance relocating to neighborhoods with higher levels of economic opportunity;
- Addressing educational disparities exacerbated by COVID-19, including: early learning services, increasing resources for high-poverty school districts, educational services like tutoring or afterschool programs, and supports for students' social, emotional, and mental health needs; and
- Promoting healthy childhood environments, including: child care, home visiting programs for families with young children, and enhanced services for child welfare-involved families and foster youth.

Eligible Uses – Revenue Loss

16. How is revenue defined for the purpose of this provision?

The Interim Final Rule adopts a definition of “General Revenue” that is based on, but not identical, to the Census Bureau’s concept of “General Revenue from Own Sources” in the Annual Survey of State and Local Government Finances.

General Revenue includes revenue from taxes, current charges, and miscellaneous general revenue. It excludes refunds and other correcting transactions, proceeds from issuance of debt or the sale of investments, agency or private trust transactions, and revenue generated by utilities and insurance trusts. General revenue also includes intergovernmental transfers between state and local governments, but excludes intergovernmental transfers from the Federal government, including Federal transfers made via a state to a locality pursuant to the CRF or the Fiscal Recovery Funds.

Tribal governments may include all revenue from Tribal enterprises and gaming operations in the definition of General Revenue.

17. Will revenue be calculated on an entity-wide basis or on a source-by-source basis (e.g. property tax, income tax, sales tax, etc.)?

Recipients should calculate revenue on an entity-wide basis. This approach minimizes the administrative burden for recipients, provides for greater consistency across recipients, and presents a more accurate representation of the net impact of the COVID- 19 public health emergency on a recipient’s revenue, rather than relying on financial reporting prepared by each recipient, which vary in methodology used and which generally aggregates revenue by purpose rather than by source.

18. Does the definition of revenue include outside concessions that contract with a state or local government?

Recipients should classify revenue sources as they would if responding to the U.S. Census Bureau’s Annual Survey of State and Local Government Finances. According to the Census Bureau’s [Government Finance and Employment Classification manual](#), the following is an example of current charges that would be included in a state or local government’s general revenue from own sources: “Gross revenue of facilities operated by a government (swimming pools, recreational marinas and piers, golf courses, skating rinks, museums, zoos, etc.); auxiliary facilities in public recreation areas (camping areas, refreshment stands, gift shops, etc.); lease or use fees from stadiums, auditoriums, and community and convention centers; and rentals from concessions at such facilities.”

19. What is the time period for estimating revenue loss? Will revenue losses experienced prior to the passage of the Act be considered?

Recipients are permitted to calculate the extent of reduction in revenue as of four points in time: December 31, 2020; December 31, 2021; December 31, 2022; and December 31, 2023. This approach recognizes that some recipients may experience lagged effects of the pandemic on revenues.

Upon receiving Fiscal Recovery Fund payments, recipients may immediately calculate revenue loss for the period ending December 31, 2020.

20. What is the formula for calculating the reduction in revenue?

A reduction in a recipient’s General Revenue equals:

$$\text{Max } \{ [\text{Base Year Revenue} * (1 + \text{Growth Adjustment})^{\left(\frac{n_t}{12}\right)}] - \text{Actual General Revenue}_t ; 0 \}$$

Where:

Base Year Revenue is General Revenue collected in the most recent full fiscal year prior to the COVID-19 public health emergency.

Growth Adjustment is equal to the greater of 4.1 percent (or 0.041) and the recipient’s average annual revenue growth over the three full fiscal years prior to the COVID-19 public health emergency.

n equals the number of months elapsed from the end of the base year to the calculation date.

Actual General Revenue is a recipient’s actual general revenue collected during 12-month period ending on each calculation date.

Subscript *t* denotes the calculation date.

21. Are recipients expected to demonstrate that reduction in revenue is due to the COVID-19 public health emergency?

In the Interim Final Rule, any diminution in actual revenue calculated using the formula above would be presumed to have been “due to” the COVID-19 public health emergency. This presumption is made for administrative ease and in recognition of the broad-based economic damage that the pandemic has wrought.

22. May recipients use pre-pandemic projections as a basis to estimate the reduction in revenue?

No. Treasury is disallowing the use of projections to ensure consistency and comparability across recipients and to streamline verification. However, in estimating the revenue shortfall using the formula above, recipients may incorporate their average annual revenue growth rate in the three full fiscal years prior to the public health emergency.

23. Once a recipient has identified a reduction in revenue, are there any restrictions on how recipients use funds up to the amount of the reduction?

The Interim Final Rule gives recipients broad latitude to use funds for the provision of government services to the extent of reduction in revenue. Government services can include, but are not limited to, maintenance of infrastructure or pay-go spending for building new infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety services.

However, paying interest or principal on outstanding debt, replenishing rainy day or other reserve funds, or paying settlements or judgments would not be considered provision of a government service, since these uses of funds do not entail direct provision of services to citizens. This restriction on paying interest or principal on any outstanding debt instrument, includes, for example, short-term revenue or tax anticipation notes, or paying fees or issuance costs associated with the issuance of new debt. In addition, the overarching restrictions on all program funds (e.g., restriction on pension deposits, restriction on using funds for non-federal match where barred by regulation or statute) would apply.

Eligible Uses – General

24. May recipients use funds to replenish a budget stabilization fund, rainy day fund, or similar reserve account?

No. Funds made available to respond to the public health emergency and its negative economic impacts are intended to help meet pandemic response needs and provide immediate stabilization for households and businesses. Contributions to rainy day funds and similar reserves funds would not address these needs or respond to the COVID-19 public health emergency, but would rather be savings for future spending needs.

Similarly, funds made available for the provision of governmental services (to the extent of reduction in revenue) are intended to support direct provision of services to citizens. Contributions to rainy day funds are not considered provision of government services, since such expenses do not directly relate to the provision of government services.

25. May recipients use funds to invest in infrastructure other than water, sewer, and broadband projects (e.g. roads, public facilities)?

Under 602(c)(1)(C) or 603(c)(1)(C), recipients may use funds for maintenance of infrastructure or pay-go spending for building of new infrastructure as part of the general provision of government services, to the extent of the estimated reduction in revenue due to the public health emergency.

Under 602(c)(1)(A) or 603(c)(1)(A), a general infrastructure project typically would not be considered a response to the public health emergency and its negative economic impacts unless the project responds to a specific pandemic-related public health need (e.g., investments in facilities for the delivery of vaccines) or a specific negative economic impact of the pandemic (e.g., affordable housing in a Qualified Census Tract).

26. May recipients use funds to pay interest or principal on outstanding debt?

No. Expenses related to financing, including servicing or redeeming notes, would not address the needs of pandemic response or its negative economic impacts. Such expenses would also not be considered provision of government services, as these financing expenses do not directly provide services or aid to citizens.

This applies to paying interest or principal on any outstanding debt instrument, including, for example, short-term revenue or tax anticipation notes, or paying fees or issuance costs associated with the issuance of new debt.

27. May recipients use funds to satisfy nonfederal matching requirements under the Stafford Act? May recipients use funds to satisfy nonfederal matching requirements generally?

Fiscal Recovery Funds are subject to pre-existing limitations in other federal statutes and regulations and may not be used as non-federal match for other Federal programs whose statute or regulations bar the use of Federal funds to meet matching requirements. For example, expenses for the state share of Medicaid are not an eligible use. For information on FEMA programs, please [see here](#).

Eligible Uses – Premium Pay

28. What criteria should recipients use in identifying essential workers to receive premium pay?

Essential workers are those in critical infrastructure sectors who regularly perform in-person work, interact with others at work, or physically handle items handled by others.

Critical infrastructure sectors include healthcare, education and childcare, transportation, sanitation, grocery and food production, and public health and safety, among others, as provided in the Interim Final Rule. Governments receiving Fiscal Recovery Funds have the discretion to add additional sectors to this list, so long as the sectors are considered critical to protect the health and well-being of residents.

The Interim Final Rule emphasizes the need for recipients to prioritize premium pay for lower income workers. Premium pay that would increase a worker's total pay above 150% of the greater of the state or county average annual wage requires specific justification for how it responds to the needs of these workers.

29. What criteria should recipients use in identifying third-party employers to receive grants for the purpose of providing premium pay to essential workers?

Any third-party employers of essential workers are eligible. Third-party contractors who employ essential workers in eligible sectors are also eligible for grants to provide premium pay. Selection of third-party employers and contractors who receive grants is at the discretion of recipients.

To ensure any grants respond to the needs of essential workers and are made in a fair and transparent manner, the rule imposes some additional reporting requirements for grants to third-party employers, including the public disclosure of grants provided.

30. May recipients provide premium pay retroactively for work already performed?

Yes. Treasury encourages recipients to consider providing premium pay retroactively for work performed during the pandemic, recognizing that many essential workers have not yet received additional compensation for their service during the pandemic.

Eligible Uses – Water, Sewer, and Broadband Infrastructure

31. What types of water and sewer projects are eligible uses of funds?

The Interim Final Rule generally aligns eligible uses of the Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF).

Under the DWSRF, categories of [eligible projects](#) include: treatment, transmission and distribution (including lead service line replacement), source rehabilitation and decontamination, storage, consolidation, and new systems development.

Under the CWSRF, categories of [eligible projects](#) include: construction of publicly-owned treatment works, nonpoint source pollution management, national estuary program projects, decentralized wastewater treatment systems, stormwater systems, water conservation, efficiency, and reuse measures, watershed pilot projects, energy efficiency measures for publicly-owned treatment works, water reuse projects, security measures at publicly-owned treatment works, and technical assistance to ensure compliance with the Clean Water Act.

As mentioned in the Interim Final Rule, eligible projects under the DWSRF and CWSRF support efforts to address climate change, as well as to meet cybersecurity needs to protect water and sewer infrastructure. Given the lifelong impacts of lead exposure for children, and the widespread nature of lead service lines, Treasury also encourages recipients to consider projects to replace lead service lines.

32. May construction on eligible water, sewer, or broadband infrastructure projects continue past December 31, 2024, assuming funds have been obligated prior to that date?

Yes. Treasury is interpreting the requirement that costs be incurred by December 31, 2024 to only require that recipients have obligated the funds by such date. The period of performance will run until December 31, 2026, which will provide recipients a reasonable amount of time to complete projects funded with Fiscal Recovery Funds.

33. May recipients use funds as a non-federal match for the Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF)?

Recipients may not use funds as a state match for the CWSRF and DWSRF due to prohibitions in utilizing federal funds as a state match in the authorizing statutes and regulations of the CWSRF and DWSRF.

34. Does the National Environmental Policy Act (NEPA) apply to eligible infrastructure projects?

NEPA does not apply to Treasury's administration of the Funds. Projects supported with payments from the Funds may still be subject to NEPA review if they are also funded by other federal financial assistance programs.

35. What types of broadband projects are eligible?

The Interim Final Rule requires eligible projects to reliably deliver minimum speeds of 100 Mbps download and 100 Mbps upload. In cases where it is impracticable due to geography, topography, or financial cost to meet those standards, projects must reliably deliver at least 100 Mbps download speed, at least 20 Mbps upload speed, and be scalable to a minimum of 100 Mbps download speed and 100 Mbps upload speed.

Projects must also be designed to serve unserved or underserved households and businesses, defined as those that are not currently served by a wireline connection that reliably delivers at least 25 Mbps download speed and 3 Mbps of upload speed.

36. For broadband investments, may recipients use funds for related programs such as cybersecurity or digital literacy training?

Yes. Recipients may use funds to provide assistance to households facing negative economic impacts due to Covid-19, including digital literacy training and other programs that promote access to the Internet. Recipients may also use funds for modernization of cybersecurity, including hardware, software, and protection of critical infrastructure, as part of provision of government services up to the amount of revenue lost due to the public health emergency.

Non-Entitlement Units (NEUs)

37. Can states impose requirements or conditions on the transfer of funds to NEUs?

As the statute requires states to make distributions based on population, states may not place additional conditions or requirements on distributions to NEUs, beyond those required by the ARPA and Treasury's implementing regulations and guidance.

For example, states may not impose stricter limitations than permitted by statute or Treasury regulations or guidance on an NEU's use of Fiscal Recovery Funds based on the NEU's proposed spending plan or other policies, nor permitted to offset any debt owed by the NEU against its payment. Further, states may not provide funding on a reimbursement basis (e.g., requiring NEUs to pay for project costs up front before being reimbursed with Fiscal Recovery Fund payments), because this approach would not comport with the statutory requirement that states make distributions to NEUs within the statutory timeframe.

38. Can states transfer additional funds to local governments beyond amount allocated to NEUs?

Yes. The Interim Final Rule permits states, territories, and Tribal governments to transfer Fiscal Recovery Funds to other constituent units of government or private entities beyond those specified in the statute, as long as the transferee abides by the transferor's eligible use and other requirements. Similarly, local governments are authorized to transfer Fiscal Recovery Funds to other constituent units of government (e.g., a county is able to transfer Fiscal Recovery Funds to a city, town or school district within it).

39. What is the definition of "budget" for the purpose of the 75 percent cap on NEU payments, and who is responsible for enforcing this cap?

States are responsible for enforcing the "75 percent cap" on NEU payments, which is a statutory requirement that distributions to NEUs not exceed 75 percent of the NEU's

most recent budget. Treasury interprets the most recent budget as the NEU's most recent annual total operating budget, including its general fund and other funds, as of January 27, 2020. States may rely for this determination on a certified top-line budget total from the NEU. Funding amounts in excess of such cap must be returned to Treasury.

40. May states use funds to pay for the administrative costs of allocating and distributing money to the NEUs?

Yes. If necessary, states may use Fiscal Recovery Funds to support the administrative costs of allocating and distributing money to NEUs, as disbursing these funds itself is a response to the public health emergency and its negative economic impacts.

41. When will states get their payments for NEUs? When will NEUs get their payments?

States can find their state-level allocations for NEUs on the Treasury website. Treasury plans to issue further guidance on distributions and payments to NEUs in the coming days.

State governments that request their own funds under the Coronavirus State Fiscal Recovery Fund through Treasury's Submission Portal will be considered by Treasury to have requested funding for their non-entitlement units as well.

42. When will NEUs know if they are eligible for payment?

Treasury plans to provide further guidance on distributions and payments to NEUs in the coming days.

Ineligible Uses

43. What is meant by a pension "deposit"? Can governments use funds for routine pension contributions for employees whose payroll and covered benefits are eligible expenses?

Treasury interprets "deposit" in this context to refer to an extraordinary payment into a pension fund for the purpose of reducing an accrued, unfunded liability. More specifically, the interim final rule does not permit this assistance to be used to make a payment into a pension fund if both: (1) the payment reduces a liability incurred prior to the start of the COVID-19 public health emergency, and (2) the payment occurs outside the recipient's regular timing for making such payments.

Under this interpretation, a "deposit" is distinct from a "payroll contribution," which occurs when employers make payments into pension funds on regular intervals, with contribution amounts based on a pre-determined percentage of employees' wages and salaries. In general, if an employee's wages and salaries are an eligible use of Fiscal

Recovery Funds, recipients may treat the employee's covered benefits as an eligible use of Fiscal Recovery Funds.

Reporting

44. What records must be kept by governments receiving funds?

Financial records and supporting documents related to the award must be retained for a period of five years after all funds have been expended or returned to Treasury, whichever is later. This includes those which demonstrate the award funds were used for eligible purposes in accordance with the ARPA, Treasury's regulations implementing those sections, and Treasury's guidance on eligible uses of funds.

45. What reporting will be required, and when will the first report be due?

Recipients will be required to submit an interim report, quarterly project and expenditure reports, and annual recovery plan performance reports as specified below, regarding their utilization of Coronavirus State and Local Fiscal Recovery Funds.

Interim reports: States (defined to include the District of Columbia), territories, metropolitan cities, counties, and Tribal governments will be required to submit one interim report. The interim report will include a recipient's expenditures by category at the summary level and for states, information related to distributions to nonentitlement units of local government must also be included in the interim report. The interim report will cover activity from the date of award to July 31, 2021 and must be submitted to Treasury by August 31, 2021. Nonentitlement units of local government are not required to submit an interim report.

Quarterly Project and Expenditure reports: State (defined to include the District of Columbia), territorial, metropolitan city, county, and Tribal governments will be required to submit quarterly project and expenditure reports. This report will include financial data, information on contracts and subawards over \$50,000, types of projects funded, and other information regarding a recipient's utilization of award funds. Reports will be required quarterly with the exception of nonentitlement units, which will report annually. An interim report is due on August 31, 2021. The reports will include the same general data as those submitted by recipients of the Coronavirus Relief Fund, with some modifications to expenditure categories and the addition of data elements related to specific eligible uses. The initial quarterly Project and Expenditure report will cover two calendar quarters from the date of award to September 30, 2021 and must be submitted to Treasury by October 31, 2021. The subsequent quarterly reports will cover one calendar quarter and must be submitted to Treasury within 30 days after the end of each calendar quarter.

Nonentitlement units of local government will be required to submit the project and expenditure report annually. The initial annual Project and Expenditure report for nonentitlement units of local government will cover activity from the date of award to

September 30, 2021 and must be submitted to Treasury by October 31, 2021. The subsequent annual reports must be submitted to Treasury by October 31 each year.

Recovery Plan Performance reports: States (defined to include the District of Columbia), territories, metropolitan cities, and counties with a population that exceeds 250,000 residents will also be required to submit an annual recovery plan performance report to Treasury. This report will include descriptions of the projects funded and information on the performance indicators and objectives of each award, helping local residents understand how their governments are using the substantial resources provided by Coronavirus State and Local Fiscal Recovery Funds program. The initial recovery plan performance report will cover activity from date of award to July 31, 2021 and must be submitted to Treasury by August 31, 2021. Thereafter, the recovery plan performance reports will cover a 12-month period and recipients will be required to submit the report to Treasury within 30 days after the end of the 12-month period. The second Recovery Plan Performance report will cover the period from July 1, 2021 to June 30, 2022 and must be submitted to Treasury by July 31, 2022. Each annual recovery plan performance report must be posted on the public-facing website of the recipient. Local governments with fewer than 250,000 residents, Tribal governments, and nonentitlement units of local government are not required to develop a Recovery Plan Performance report.

Treasury will provide further guidance and instructions on the reporting requirements for program at a later date.

46. What provisions of the Uniform Guidance for grants apply to these funds? Will the Single Audit requirements apply?

Most of the provisions of the Uniform Guidance (2 CFR Part 200) apply to this program, including the Cost Principles and Single Audit Act requirements. Recipients should refer to the Assistance Listing for detail on the specific provisions of the Uniform Guidance that do not apply to this program. The Assistance Listing will be available on beta.SAM.gov.

Miscellaneous

47. May governments retain assets purchased with Fiscal Recovery Funds? If so, what rules apply to the proceeds of disposition or sale of such assets?

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds. If such assets are disposed of prior to December 31, 2024, the proceeds would be subject to the restrictions on the eligible use of payments.

48. Can recipients use funds for administrative purposes?

Recipients may use funds to cover the portion of payroll and benefits of employees corresponding to time spent on administrative work necessary due to the COVID-19 public health emergency and its negative economic impacts. This includes, but is not

limited to, costs related to disbursing payments of Fiscal Recovery Funds and managing new grant programs established using Fiscal Recovery Funds.

Operational Questions

49. How does an eligible entity request payment?

Eligible entities (other than non-entitlement units) must submit their information to the [Treasury Submission Portal](#). Please visit the [Coronavirus State and Local Fiscal Recovery Fund](#) website for more information on the submission process.

50. I cannot log into the Treasury Submission Portal or am having trouble navigating it. Who can help me?

If you have questions about the Treasury Submission Portal or for technical support, please email covidreliefitsupport@treasury.gov.

51. What do I need to do to receive my payment?

All eligible payees are required to have a DUNS Number previously issued by Dun & Bradstreet (<https://www.dnb.com/>).

All eligible payees are also required to have an active registration with the System for Award Management (SAM) (<https://www.sam.gov>).

And eligible payees must have a bank account enabled for Automated Clearing House (ACH) direct deposit. Payees with a Wire account are encouraged to provide that information as well.

More information on these and all program pre-submission requirements can be found on the [Coronavirus State and Local Fiscal Recovery Fund](#) website.

52. Why is Treasury employing id.me for the Treasury Submission Portal?

ID.me is a trusted technology partner to multiple government agencies and healthcare providers. It provides secure digital identity verification to those government agencies and healthcare providers to make sure you're you – and not someone pretending to be you – when you request access to online services. All personally identifiable information provided to ID.me is encrypted and disclosed only with the express consent of the user. Please refer to ID.me Contact Support for assistance with your ID.me account. Their support website is <https://help.id.me>.

53. Why is an entity not on the list of eligible entities in Treasury Submission Portal?

The ARP statute lays out which governments are eligible for payments. The list of entities within the Treasury Submission Portal includes entities eligible to receive a direct

payment of funds from Treasury, which include states (defined to include the District of Columbia), territories, Tribal governments, counties, and metropolitan cities.

Eligible non-entitlement units of local government will receive a distribution of funds from their respective state government and should not submit information to the Treasury Submission Portal.

If you believe an entity has been mistakenly left off the eligible entity list, please email SLFRP@treasury.gov.

54. What is an Authorized Representative?

An Authorized Representative is an individual with legal authority to bind the government entity (e.g., the Chief Executive Officer of the government entity). An Authorized Representative must sign the Acceptance of Award terms for it to be valid.

55. How does a Tribal government determine their allocation?

Tribal governments will receive information about their allocation when the submission to the Treasury Submission Portal is confirmed to be complete and accurate.

56. How do I know the status of my request for funds (submission)?

Entities can check the status of their submission at any time by logging into [Treasury Submission Portal](#).

57. My Treasury Submission Portal submission requires additional information/correction. What is the process for that?

If your Authorized Representative has not yet signed the award terms, you can edit your submission with in the into [Treasury Submission Portal](#). If your Authorized Representative has signed the award terms, please email SLFRP@treasury.gov to request assistance with updating your information.

58. My request for funds was denied. How do I find out why it was denied or appeal the decision?

Please check to ensure that no one else from your entity has applied, causing a duplicate submission. Please also review the list of all eligible entities on the [Coronavirus State and Local Fiscal Recovery Fund](#) website.

If you still have questions regarding your submission, please email SLFRP@treasury.gov.

59. When will entities get their money?

Before Treasury is able to execute a payment, a representative of an eligible government must submit the government's information for verification through the [Treasury Submission Portal](#). The verification process takes approximately four business days. If any errors are identified, the designated point of contact for the government will be contacted via email to correct the information before the payment can proceed. Once verification is complete, the designated point of contact of the eligible government will receive an email notifying them that their submission has been verified. Payments are generally scheduled for the next business day after this verification email, though funds may not be available immediately due to processing time of their financial institution.

60. How does a local government entity provide Treasury with a notice of transfer of funds to its State?

For more information on how to provide Treasury with notice of transfer to a state, please email SLRedirectFunds@treasury.gov.



Town of Carrboro

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

Agenda Item Abstract

File Number:21-194

Agenda Date: 6/1/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Parking Lease Agreement with 300 E. Main

PURPOSE: To approve a lease agreement with 300 E. Main and add at least 62 new parking spaces to the Downtown Parking count.

DEPARTMENT: Economic Development Department

CONTACT INFORMATION:

INFORMATION:

FISCAL & STAFF IMPACT:

RECOMMENDATION: