CITY OF BURLINGTON
ONE-YEAR ACTION PLAN
Program Year 2016-2017

City of Burlington
North Carolina

City of Burlington
Planning and Community Development Department
P. O. Box 1358
425 S. Lexington Avenue
Burlington, NC 27216-1358

OMB Control No: 2506-0117 (exp. 07/31/2015)

Executive Summary

AP-05 Executive Summary - 91.200(c), 91.220(b)

1. Introduction

The City of Burlington is a federal entitlement community under the U.S. Department of Housing and Urban Development's Community Development Block Grant (CDBG) Program. The City also receives HOME funds through its participation in the Greensboro HOME Consortium. As a HUD entitlement community, the City is required to to submit the FY 16-17 Annual Action Plan as the first action plan of the 2015-2019 Consolidated Plan.

The One-Year Action Plan outlines the City's planned projects and activities to address idenfified priority needs and specific objectives during progam year 2016. These activities and project will also addresss the City's overall priorities identified in the 2015-2019 Consolidated Plan. All priorities, objectives, and activities are planned for a one year period ending on June 30, 2017 unless otherwise indicated in the plan.

The City will direct Community Development Block Grant (CDBG) funds to projects within its corporate limits. Proposed allocations of CDBG funds are to citywide housing rehabilitation projects, neighborhood revitlization or development projects in the City's low and moderate income areas, job training, and development projects citwide for elgible populations.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

Burlington is committed to allocating funds that serve the needs of low to moderate income (LMI) residents. Households with incomes less than 50% of the area median income (AMI), particularly those with extremely low ÂÂÂÂ incomes (less than 30% of AMI), are particular priorities. The City has also identified special needs individuals as among those who face the greatest challenges and who should receive high priority in the expenditure of federal funds, including low ÂÂÂÂ income families, the homeless, persons threatened with homelessness, the elderly, and persons with disabilities.

In order to achieve the greatest impact possible from the limited federal funds available, the City intends to allocate its nonhousing community development resources primarily to projects that will have a focused neighborhood impact, as opposed to infrastructure projects of more dispersed expected benefit.

The priorities identified in the AP were developed by:

- Weighting the severity of the need among all groups
- Analyzing current, social, housing, and economic conditions
- Analzying the relative needs to low and moderate income families
- Assessing the resources likely to be available
- Evaluating input from request for proposals, public hearings, and participation in various community meetings

Burlington will invest its CDBG and HOME funds in areas primarily impacted by LMI persons. Several of the City's LMI census areas are located in the downtown area and include a significant rental housing stock. While resources other than CDBG and HOME funds may be used in these areas to maintain and preserve housing, infrastructure, and public services, the City's CDBG and HOME funds will be focused in
areas that are home to families, the elderly, the disabled, and the homeless. The City's provision of funding for new construction and acquisition of affordable housing will continue to be governed by its evaluation rubrics.

For Program Year 2016 the City plans to address needs/objectives identified under the priority needs idenfited in the 2015-2019 Consolidated Plan. The needs are idenfited as:

Need 1:

Improvement and access to local public facilities and services that contribution to neighborhood development.

Need 2:

Improvement of public infrastructure to revitalize neighborhoods

Need 3:

Decent, safe affordable housing, inclduing housing that directly reduces homelessness and increase the availablity of supportive housing.

Need 4:

Planning and Administration

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City has maintained a high performance rate for past projects completed through the FY 2015-16 Action Plan. The goals of the 2015-2019 Consolidated Plan have been instrumental in

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meeting the goals of the CDBG and HOME programs set out by the City through community input.

The City has rehabbed eight homes since July 1, 2015. There are currently two rehabilitation projects under contract. The City has assisted six families with relocation assistance. Since July 1, 2015 one recreation project, one public facility projects, and three public service projects have been completed. There is currently one infrastructure project underway. The City has also completed three homes at the City's Apple Tree subdivision and currently has two home under construction.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

The City is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105. Key elements of this Consolidated Plan are its emphasis on citizen participation and the collaborative nature of the process. Burlington uses the input from citizens and its community development partners to determine its housing and community development needs, to develop strategies for addressing those needs, and to undertake specific actions consistent with those strategies.

Between February 2016 and May 2016, two public hearings were held to obtain public input to the planning process and development of the Action Plan. The public hearings provided citizens a chance to comment on issues of affordable housing, special needs housing with supportive services, homelessness, neighborhood and community revitalization, and special needs and priorities that would be incorporate into the proposed Consolidated Plan.

During the development of the Action Plan there was consultation and coordination completed with several service agencies in the City of Burlington. These conversations were held with several levels of service providers who understood the problems faced by the elderly, needs of affordable housing, homeless, and health services. These meetings and conversations were able to provide the City with a keen insight into some of the problems and needs that many of the low to moderate-income citizens were facing.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

A summary of the comments received is provided as an attachment to template AD-25 Administration of the Action Plan.

6. Summary of comments or views not accepted and the reasons for not accepting them

A summary of responses to the comments received is provided as an attachment to template AP-12 Consultation of the Action Plan.

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7. Summary

The City's funds will conicide with specific set asides to structure the spending of CDBG funds and ensure the limited amount of funds available will have the greatest possible impact in addressing the needs of the action plan and community.

A maximum of 15% of CDBG funds will be dedicated to public service activities

At least 10% in CDBG funds will be dedicated to public infrastructure needs in low/moderate ÂÂ income neighborhoods

At least 25% in CDBG funds will be dedicated to housing rehabilitation, in addition to HOME funds

At least 15% in CDBG funds will be dedicated to economic development initiatives, including the Construction Training Partnership Program

Any remaining CDBG funding is available to any eligible category, including public facilities. The City will focus its grant efforts on fewer projects that make a greater impact addressing City priority needs.

The City’s primary focus of Burlington’s limited community development resources has been affordable housing. More specifically, the City’s highest the action plan are:

- Expanding homeowner housing opportunities
- Preserving homeowner housing units
- Housing and related services for the homeless and those at risk of homelessness
- Public facility improvements
- Public Service activities
- Infrastructure maintenance and improvement

The specific projects for the Program Year 2016 will be discussed later in the plan.

PR-05 Lead & Responsible Agencies - 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	BURLINGTON	
CDBG Administrator		

Table 1 – Responsible Agencies

Narrative

Consolidated Plan Public Contact Information

Shawna Tillery

Community Development Administrator

City of Burlington

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Burlington, NC 27216

336-222-5094

stillery@ci.burlington.nc.us

AP-10 Consultation - 91.100, 91.200(b), 91.215(l)

1. Introduction

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

The City of Burlington Planning Department and Community Development Department developed an outreach effort to maximize input from a large crosssection of stakeholders. This outreach effortÂ included public meetings, published meeting notices, stakeholder meetings, attendance and networking at various meeting, telephone interviews, and request for proposals. Futhermore, the Department implements a range of affordable housing and community development activities, including administration of the CDBG & HOME programs; preparation of the Consolidated Plan, the Consolidated Annual Performance Evaluation Report (CAPER), and the Annual Plan; technical assisatnce for and collaboration with non-profits and for-proftis housing developers and social services agencies; and rehabilitation and other affordable housing projets.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

Allied Churches of Alamance County (ACAC) and Alamance County Interagency Council for HomelessÂ Assistance (ACICHA) both have interagency agreements with the City of Burlington to manage CDBG activities. Close cooperation exists between the City, ACAC, ACICHA, local non-ÂÂ profit agencies, homelessÂ providers, and regional organizations to enhance coordination. The City will continue to support ACACand ACICHA strategy to meet the needs of homeless persons and those at risk of becoming homeless.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The City does not receive ESG funds. Rather, ESG funds are allocated to the community through Alamance County Interagency Council for Homeless Assistance (ACICHA) participation in the NC Balance of State Continuum of Care application process. ACICHA utilizes the Balance of State application process to apply for ESG funds, develop performance standards, and evaluate outcomes. The City of Burlington is currently working closely with ACICHA to restructure the delivery and allocation process. A detailedÂ description of how this process is being

restructured in Burlington can be found in MA30 of this the City's 2015-19 Consolidated Plan. The plan is also available at:http://www.ci.burlington.nc.us/DocumentCenter/View/7532

2. Agencies, groups, organizations and others who participated in the process and consultations

Table 2 – Agencies, groups, organizations who participated

1	**Agency/Group/Organization**	BURLINGTON
	Agency/Group/Organization Type	Other government - Local Planning organization Grantee Department
	What section of the Plan was addressed by Consultation?	Economic Development Anti-poverty Strategy Recreation and Infrastructure Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Planning Department and Community Development Department actively consulted with a variety of nonprofits, social service providers, community residents, and governmental agencies to determine the needs of the City and better allocate entitlement resources. City actively participates in the United Way's Community Council, COC meetings, and other events in the community to gauge needs. In addition, several advertised public hearings are scheduled to take place.
2	**Agency/Group/Organization**	ALLIED CHURCHES OF ALAMANCE COUNTY
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-homeless Services-Employment Publicly Funded Institution/System of Care Neighborhood Organization

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	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Planning Department and Community Development Department actively consulted with a variety of nonprofits, social service providers, community residents, and governmental agencies to determine the needs of the City and better allocate entitlement resources. City actively participates in the United Way's Community Council, COC meetings, and other events in the community to gauge needs. In addition, several advertised public hearings are scheduled to take place.
3	**Agency/Group/Organization**	Burlington Development Coroporation
	Agency/Group/Organization Type	Housing Services - Housing Publicly Funded Institution/System of Care
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Planning Department and Community Development Department actively consulted with a variety of nonprofits, social service providers, community residents, and governmental agencies to determine the needs of the City and better allocate entitlement resources. City actively participates in the United Way's Community Council, COC meetings, and other events in the community to gauge needs. In addition, several advertised public hearings are scheduled to take place.

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4	**Agency/Group/Organization**	ALAMANCE COUNTY COMMUNITY SERVICES AGENCY
	Agency/Group/Organization Type	Housing Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Planning Department and Community Development Department actively consulted with a variety of nonprofits, social service providers, community residents, and governmental agencies to determine the needs of the City and better allocate entitlement resources. City actively participates in the United Way's Community Council, COC meetings, and other events in the community to gauge needs. In addition, several advertised public hearings are scheduled to take place.
5	**Agency/Group/Organization**	Burlington Housing Authority
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Strategy Non-Homeless Special Needs Economic Development Anti-poverty Strategy

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Planning Department and Community Development Department actively consulted with a variety of nonprofits, social service providers, community residents, and governmental agencies to determine the needs of the City and better allocate entitlement resources. City actively participates in the United Way's Community Council, COC meetings, and other events in the community to gauge needs. In addition, several advertised public hearings are scheduled to take place.
6	**Agency/Group/Organization**	HABITAT FOR HUMANITY OF ALAMANCE COUNTY, NC
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Planning Department and Community Development Department actively consulted with a variety of nonprofits, social service providers, community residents, and governmental agencies to determine the needs of the City and better allocate entitlement resources. City actively participates in the United Way's Community Council, COC meetings, and other events in the community to gauge needs. In addition, several advertised public hearings are scheduled to take place.
7	**Agency/Group/Organization**	ALAMANCE COUNTY
	Agency/Group/Organization Type	Other government - County
	What section of the Plan was addressed by Consultation?	Lead-based Paint Strategy

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Planning Department and Community Development Department actively consulted with a variety of nonprofits, social service providers, community residents, and governmental agencies to determine the needs of the City and better allocate entitlement resources. City actively participates in the United Way's Community Council, COC meetings, and other events in the community to gauge needs. In addition, several advertised public hearings are scheduled to take place.

Identify any Agency Types not consulted and provide rationale for not consulting

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	ACICHA	The goals of this organization overlaps with the goals in the strategic plan and visioning of this plan, including creating attractive and affordable housing and supportive services for all
Regional Assessment of Fair Housing	Piedmont Triad Regional Council	Strategic Plan goals and objectives will intentionally,affirmatively further fair housing. Addresses barriers toaffordable housing as well.

Table 3 - Other local / regional / federal planning efforts

Narrative

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AP-12 Participation - 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal-setting

In accordance with 24 CFR 91.100(4), the City of Burlington will notify adjacent units of local government of the non-housing community development needs included in its Action Plan.

The City continues to interact with the various public and non-profit institutions that provide housing and supportive services to low income residents. Although the agencies are independent of one another, they work together to ensure that their programs and services are
coordinated and that residents are served.

The City's goal for citizen participation is to ensure broad participation of City residents; housing, economic development, and other service providers; City departments; nonprofit organizations; neighborhood groups; and other stakeholders in the planning and implementation of
community development and housing programs. As such, the City has laid out a Citizen Participation Plan (CPP) to broaden citizen participation.

The purpose of the CPP is to establish the process by which citizens, public agencies, and other interested parties can actively participate in the development of the Consolidated Plan, Annual Action Plan, Substantial Amendments, and the Consolidated Annual Performance and Evaluation
Report (CAPER) and to set forth the City's policies and procedures for citizen participation.

The Citizen Participation Plan provides for and encourages public participation and consultation, emphasizing involvement by citizens and the organizations and agencies that serve low/moderate-income persons through the use of HUD programs.

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Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
				Dorene Cole, RSLS asked for support of the renovation of the day facility at 1212 Turrentine. Ron Osbourne, Residential Treatment Services asked for support for the painting of the interior of the Hall Ave facility. He said CDBG funds were a godsend to the non-profit world. MJ Wilkerson, Alamance County Libraries, asked for continued funding of $10,000 at North Park. The revitalization and continued programming has helped with over		

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Newspaper Ad	Minorities Persons with disabilities Non-targeted/broad community	None	None	N/A	
3	Public Hearing	Minorities Non-targeted/broad community Residents of Public and Assisted Housing	None	None	N/A	
4	Internet Outreach	Non-targeted/broad community	None	None	N/A	https://uwalamance.org/nsm_updates/public-hearing-cdbg-home-programs/

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
				Kep Paylor, NCHBA asked the Council for the continued partnership with the Construction Training Program. Lynn Rousseau,Family Abuse Services asked for the support to finish the bathroom renovatoins. She said they had raised $115,000 for the kitchen renovations and this would complete the house for the woman and children seeking help. Robin Wintringham, Habitat, aksed for the Council's support for the Richmond Hill development in North		

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
6	Newspaper Ad	Minorities Persons with disabilities Non-targeted/broad community	None	None	N/A	

Table 4 – Citizen Participation Outreach

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Expected Resources

AP-15 Expected Resources – 91.420(b), 91.220(c) (1, 2)

Introduction

The following section shows the funding for program year 2016 Burlington will receive as part of its entitlement allocations over the next five years. Anticipated allocations are based on an assumed 5% reduction in the previous years' allocation:

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Reminder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	402,011	100,000	0	502,011	1,773,383	

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Non-profit housing and service providers rely on many sources of revenue for their operations. In Burlington, this includes Allied Churches, Habitat for Humanity, and ACCSA,Family Abuse Services, Residential Treatment Services, and Ralph Scott Lifeservices all highlighted in previous sections, pursue multiple sources of funding for housing and social service programs. To supplement, match, or leverage the grants from competitive Federal and State programs and foundations, the agencies use local funds and private

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resources. Private resources include contributions, corporate sponsorships, United Way, foundation grants, fees, and fund-raisers. Local organizations have reported success using private funds such as these to match other grants.

Low-Income Housing Tax Credits (LIHTC) have proven to be a highly effective method of increasing the supply of affordable housing. There is currently a lack of developers with the capacity or interest in LIHTC projects within the City of Burlington. The City's strategy for coordinating LIHTC development into its affordable housing supply for low and moderate-income families is to provide technical assistance on an as-needed basis through the Planning Department and Community Development Department.

To match the HOME City funds, The City participates in a Construction Training Programs with the North Carolina Housing Finance Agency and the North Carolina Homebuilders Association. The City will use the North Carolina Housing Finance Agency funds of $65,000 to pay for the hard constrcution costs for housing in conjunction with the Contruction Training Program activities.

To match HOME County Program expenditures for rehabilitations, the City of Burlington allocates a portion of its closed-out Rental Rehabilitation Program loan payments.

The City of Burlington will also provide general funds for the Thataways bathroom remodel and necessary funds to repair other areas of the builidng. Allied Churches will match remaining funds for allocation with funds from general operating funds. At the moment the amount is unknown but expected to double the City's investment.

When appropirate the City will work to leverage with other program such as Weatherization. In some instances homeowners may contribute their own personal funds to upgrade certain elements based on their personal preference.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Burlington is not involved with land banking and has a limited amount of resources available to acquire, assemble, and dispose of sites for the purpose of expanding affordable housing and employment opportunities.

Discussion

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Provide Decent & Affordable Housing	2015	2019	Affordable Housing	Citywide / Non-Site-Specific Eligible LMI Block Groups	Decent, affordable housing	CDBG: $102,000	Homeowner Housing Rehabilitated: 10 Household Housing Unit
2	Provide improved public facilities	2015	2019	Non-Housing Community Development	Citywide / Non-Site-Specific Eligible LMI Block Groups	Improvement and access to local public facilities	CDBG: $89,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 555 Persons Assisted
3	Provide Economic Development Opportunities	2015	2019	Non-Housing Community Development	Eligible LMI Block Groups	Decent, affordable housing	CDBG: $65,000	Homeowner Housing Rehabilitated: 6 Household Housing Unit Jobs created/retained: 16 Jobs
4	Improve the Quality of Public Infrastructure	2015	2019	Non-Housing Community Development	Eligible LMI Block Groups	Improvement of public infrastructure	CDBG: $83,555	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 850 Persons Assisted
5	Homeless Shelter, Services, and Facilitiy Assist	2015	2019	Homeless	Eligible LMI Block Groups	Improvement and access to local public facilities Decent, affordable housing	CDBG: $105,344	Homelessness Prevention: 500 Persons Assisted

Table 6 - Goals Summary

Goal Descriptions

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1	**Goal Name**	Provide Decent & Affordable Housing
	Goal Description	Provide housing rehabilitation services and relocation services needed.
2	**Goal Name**	Provide improved public facilities
	Goal Description	
3	**Goal Name**	Provide Economic Development Opportunities
	Goal Description	
4	**Goal Name**	Improve the Quality of Public Infrastructure
	Goal Description	
5	**Goal Name**	Homeless Shelter, Services, and Facilitiy Assist
	Goal Description	

Table 7 – Goal Descriptions

AP-35 Projects - 91.420, 91.220(d)

Introduction

The following projects in FY 2016 are expected to address the primary community development and housing issues that can be addressed with limited CDBG funding.

#	Project Name
1	Housing Rehabilitation
2	Construction Training Program
3	Administration
4	North Park Library
5	Ralph Scott Lifeservices Upgrades
6	Family Abuse Services Upgrades
7	Residential Treatment Services Upgrades
8	Allied Churches Funds
9	Relocation
10	Burlington Development Corporation
11	Thataways Upgrades
12	Richmond Hill

Table 8 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

AP-38 Project Summary

Project Summary Information

1	**Project Name**	Housing Rehabilitation
	Target Area	Citywide / Non-Site-Specific
	Goals Supported	Provide Decent & Affordable Housing
	Needs Addressed	Decent, affordable housing
	Funding	:
	Description	Description Receipts from the revolving loan fund will be used for loans for low and moderate-income households to rehabilitate their homes to provide safe, decent dwellings that meet the City's Minimum Housing Code. The City will undertake any required lead-based paint hazard reduction procedure and when necessary, temporarily relocate program participants.
	Target Date	6/30/2016
	Estimate the number and type of families that will benefit from the proposed activities	At least ten families willl benefit through housing rehabiliation that would have not otherwise occured
	Location Description	Citywide
	Planned Activities	Rehab: Single-unit residential Matrix code: 14 A
2	**Project Name**	Construction Training Program
	Target Area	Citywide / Non-Site-Specific
	Goals Supported	Provide Decent & Affordable Housing Provide Economic Development Opportunities
	Needs Addressed	Decent, affordable housing

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	Funding	:
	Description	The City will invest $65,000 of CDBG funds in the North Carolina Construction Training Partnership Program to provide job training in the construction industry and housing assistance for low-income area residents. The program is the continuation of a cooperative venture between the City, the North Carolina Housing Finance Agency (NCHFA) and the North Carolina Home Builders Association (NCHBA). North Carolina Home Builders Association will recruit the trainees and conduct the job training and development activities. Class instruction includes hands-on rehabilitation training, RRP certification, green building skills, and building maintenance instruction. The training consists of a spring and fall class with approximately 16-20 participants. The class participates in hands-on rehabilitation activities through the City housing rehabilitation program. The projects the class works on are reviewed for environmental standards through the scattered site housing rehabilitation process. North Carolina Housing Finance Agency will provide funds of $65,000 for hard construction costs for eligible affordable housing rehabilitation projects identified and undertaken by the City.
	Target Date	5/31/2017
	Estimate the number and type of families that will benefit from the proposed activities	16 individuals through the program.
	Location Description	Training will occur at the City-owned Broad Street Gym. 215 N Broad St, Burlington, NC 27217
	Planned Activities	Public services: housing rehab, single unit residential Matrix code: 14 A
3	**Project Name**	Administration
	Target Area	Citywide / Non-Site-Specific
	Goals Supported	Provide Decent & Affordable Housing Provide improved public facilities Provide Economic Development Opportunities Improve the Quality of Public Infrastructure Homeless Shelter, Services, and Facilitiy Assist

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	Needs Addressed	Planning and Administration
	Funding	:
	Description	Administration
	Target Date	6/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Administration of CDBG funding and projects Matrix Code: 21A
4	**Project Name**	North Park Library
	Target Area	Eligible LMI Block Groups
	Goals Supported	Provide improved public facilities
	Needs Addressed	Improvement and access to local public facilities
	Funding	:
	Description	Description: Each year, the City sets aside funds to purchase books, materials and supplies for the branch library in the Mayco Bigelow Community Center at North Park. Continuation of this financial assistance permits the library to operate and maintain its level of service to the community. This year the increased amount will greatly benefit the library when materials budgets are being drastically cut.
	Target Date	4/10/2017
	Estimate the number and type of families that will benefit from the proposed activities	Approximatley 850 person live in the service area of the library.

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	Location Description	North Park Library, 849 Sharpe Rd. Burlington, NC 27217
	Planned Activities	Public Services: other public services Matrix Code: 05
5	**Project Name**	Ralph Scott Lifeservices Upgrades
	Target Area	Citywide / Non-Site-Specific
	Goals Supported	Provide improved public facilities
	Needs Addressed	Improvement and access to local public facilities
	Funding	:
	Description	Description: The City plans to provide $50,000 to assist Ralph Scott Lifeservices to renovate the interior of its Day Services Facility (StarPoint). This project will allow for sustained use of the facility. The facility serves as a needed day program for individuals with developmental and other intellectual disability. The program current serves 87 individuals. Approximately 76 of those individuals also are served in the residential programs operated by RSL and another 11 come from the community, where they reside with their families. No other program of this type is available to these citizens within the Alamance/Burlington area.
	Target Date	3/31/2017
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 87 individuals are served daily by the day center activities for the disabled.
	Location Description	Raplp Scott Lifeservices, Star Point, 1212 Turrentie St. Burlington, NC 27215
	Planned Activities	Public Facility: Handicapped Centers 03B
6	**Project Name**	Family Abuse Services Upgrades
	Target Area	Citywide / Non-Site-Specific
	Goals Supported	Provide improved public facilities Homeless Shelter, Services, and Facilitiy Assist

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	Needs Addressed	Improvement and access to local public facilities
	Funding	:
	Description	Description: The City plans to provide $31,935 to assist Family Abuse Services to renovate the interior of two bathrooms to make the bathrooms commercial grade and handicap accessible. This project will allow for sustained use of the facility. The facility serves victims of domestic violence and is the County's only shelter for DV clients. The existing kitchen is being upgraded with private funds to make accessible and sustainable for the future.
	Target Date	3/31/2017
	Estimate the number and type of families that will benefit from the proposed activities	Approxmatiley 100 women and children will be served by the facility.
	Location Description	Location is confidential
	Planned Activities	Public Facilities: Homeless Facilities (not operating) 03C
7	**Project Name**	Residential Treatment Services Upgrades
	Target Area	Citywide / Non-Site-Specific
	Goals Supported	Provide improved public facilities Homeless Shelter, Services, and Facilitiy Assist
	Needs Addressed	Improvement and access to local public facilities
	Funding	:
	Description	Description: The City plans to provide $18,200 to assist Residential Treatment Services to paint the interior of the Hall Ave. facility. This project will allow for sustained use of the facility. The facility serves an 8-bed treatment unit which serves both men and women and a Supervised Living Program for 17 male residents.
	Target Date	6/30/2017

OMB Control No: 2506-0117 (exp. 07/31/2015)

	Estimate the number and type of families that will benefit from the proposed activities	100 individuals will be served by the crisis center opearted at the Hall Ave. facility.
	Location Description	Residential Treatment Services, Hall Ave. Facility, 136 Hall Ave. Burlington, NC 27217
	Planned Activities	Public Facility: Improvement of public facility Matrix Code: 03
8	**Project Name**	Allied Churches Funds
	Target Area	Citywide / Non-Site-Specific
	Goals Supported	Homeless Shelter, Services, and Facilitiy Assist
	Needs Addressed	Decent, affordable housing
	Funding	:
	Description	Description: The NC Balance of State Coordinated Assessment, a US Department of Housing and Urban Development mandated program, sets out to end homelessness by increasing exit to housing, decreasing length of time for homeless, and reducing the rate of return to homelessness. To accomplish this, a local access to homeless services will have to standardize via an agency network. Allied Churches has been selected to handle all initial intake and referrals using a centralized model for Alamance County. A dedicated staff will be necessary to handle the additional workload. This funding will cover a portion of the Coordinated Assessment staff person with additional funding from United Way of Alamance County. Also, due to the increase in the rapid re=housing program funds are needed to support the operation portion of the program. A portion of this allocation will be used for this and the remaining will come from Allied Churches
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	Approximaltey 250 people will assisted with homeless prevention services.

OMB Control No: 2506-0117 (exp. 07/31/2015)

	Location Description	Allied Churches of Alamance County, 206 N. Fisher St. Burlington, NC 27217
	Planned Activities	Public Service: Operating costs of homeless/AIDS patient program Matrix code: 03T
9	**Project Name**	Relocation
	Target Area	Citywide / Non-Site-Specific
	Goals Supported	Provide Decent & Affordable Housing
	Needs Addressed	Decent, affordable housing
	Funding	:
	Description	Description Depending on the extent of the rehabilitation a homeowner may be required to relocate during the rehabilitation of their home. The City will provide temporary relocation assistance to persons who are qualified participants under the homeowner rehabilitation program. In all cases the City will try to reduce relocation expenses for homeowners by making arrangements for persons to stay with family members and friends during the rehabilitation of their home. The City will use CDBG funds to cover eligible relocation expense during the rehabilitation process.
	Target Date	3/31/2017
	Estimate the number and type of families that will benefit from the proposed activities	Between two and six families that benefit through housing rehabiliation program will also benefit from the relocation program.
	Location Description	N/A
	Planned Activities	Relocation Matrix Code: 08
10	**Project Name**	Burlington Development Corporation
	Target Area	Citywide / Non-Site-Specific

OMB Control No: 2506-0117 (exp. 07/31/2015)

	Goals Supported	Provide Decent & Affordable Housing
	Needs Addressed	Decent, affordable housing
	Funding	:
	Description	Description:Burlington Development Corporation, a non-profit component of the Burlington Housing Authority operates two supportive housing programs for chronically homeless and homeless families. The HOPE program is a permanent housing program for chronically homeless individuals and STEPS is a repaid rehousing program for disabled homes families.
	Target Date	6/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	Unites for six chronimcally homeless individuals and families.
	Location Description	133 N. Ireland St. Burlington, NC 27217.
	Planned Activities	Public Services: Operating costs of homeless/AIDS patient program Matrix Code: 03T
11	**Project Name**	Thataways Upgrades
	Target Area	Eligible LMI Block Groups
	Goals Supported	Provide improved public facilities
	Needs Addressed	Improvement and access to local public facilities
	Funding	:
	Description	Description: The City plans to fund the renovation the bathroom at the City-owned Thataways. The bathroom located at this facility currently does not accommodate handicap accessibility needs. Thisproject will address the issue to meet ADA code compliance along with removal of asbestos flooring located in the facility. The City will fund remaining portion of abatement and new flooring the remaining part of the facility.
	Target Date	3/31/2017

OMB Control No: 2506-0117 (exp. 07/31/2015)

	Estimate the number and type of families that will benefit from the proposed activities	Approximatley 455 people live in the service area.
	Location Description	1333 Overbrook Dr. Burlington, NC 27215
	Planned Activities	Public Facilities Matrix Code: 3
12	**Project Name**	Richmond Hill
	Target Area	Eligible LMI Block Groups
	Goals Supported	Provide Decent & Affordable Housing Improve the Quality of Public Infrastructure
	Needs Addressed	Improvement of public infrastructure Decent, affordable housing
	Funding	:
	Description	Description: The project will be to provide flood drainage improvements to the Richmond Hill development project. The project will include the clearing and stabilizing on approximately 7 acres along with necessary storm water management fees. The project includes a multi-year mixed use development which will contain a childcare facility, affordable senior housing, affordable single-family housing and a medical facility. This is the first year of phase development. During the program year construction will begin on the senior housing and medical facility after drainage improvements have been completed. The project will leverage over $12 million dollars of investment for affordable housing, access to healthcare, and access to affordable childcare after completion. This project is located in a low to moderate income area which is also classified as a near RCAP area per HUD standards in Burlington.
	Target Date	3/31/2017

	Estimate the number and type of families that will benefit from the proposed activities	Approximately 850 people live in the area of the development and will have access to the services provided by the development.
	Location Description	800 Block of Ross St and Sharpe Rd. Burlington, NC 27217
	Planned Activities	Flood Drainage Improvements Matris Code: 03I

AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

In light of the limited amount of CDBG funds available to the Burlington, not all the City's housing and community development needs can be addressed over the next five years. Therefore, priorities must be established to ensure that scarce resources are directed to the most pressing housing and community development needs.

In order to achieve the greatest impact possible from the limited federal funds available, the Consortium intends to allocate its community development resources primarily to projects that will have a focused neighborhood impact on increasing access to opportunity. The Consortium's basis for increasing opportunity is governed by the opportunity mapping results of the 2014 Regional Assessment of Fair Housing. This is an econometric modeling technique designed to comprehensively quantify and analyze the geographic distribution of opportunity. Geographic priority investment areas have been determined based on their ability to connect opportunity to low and moderate-income residents within the Triad. These include the north-central, eastern, and southern areas of Burlington.

Multiple revitalization activities, such as housing rehabilitation and public facility development, will be geographically coordinated in order to maximize their impact. The neighborhood-level focus for non-housing community development needs within income-eligible areas reflects the City's desire to create appreciable and lasting living environment improvements given limited funds, and the specific geographic targeting of new family rental housing reflects the need to affirmatively further fair housing by directing this type of development to a broader range of neighborhoods, combating existing segregated settlement patterns.

Geographic Distribution

Target Area	Percentage of Funds
Citywide / Non-Site-Specific	70
Eligible LMI Block Groups	30

Table 9 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

In order to achieve the greatest impact possible from the limited federal funds available, the City intends to allocate its non-housing community development resources primarily to projects that will have a focused neighborhood impact, as opposed to infrastructure projects of more dispersed expected benefit.

Burlington will invest its CDBG and HOME funds in areas primarily impacted by LMI persons. Several of the City's LMI census areas are located in the downtown area and include a significant rental housing stock. While resources other than CDBG and HOME funds may be

OMB Control No: 2506-0117 (exp. 07/31/2015)

used in these areas to maintain and preserve housing, infrastructure, and public services, the City's CDBG and HOME funds will be focused in areas that are home to families, the elderly, the disabled, and the homeless. The City's provision of funding for new construction and acquisition of affordable housing will continue to be governed by its evaluation rubrics.

Discussion

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AP-85 Other Actions - 91.420, 91.220(k)

Introduction

In FY 2016, Burlington plans the following actions to help address the housing and community development needs of City residents, especially low- and moderate-income residents.

Actions planned to address obstacles to meeting underserved needs

The chief obstacle to meeting underserved needs is a lack of, or inadequate, resources---both financial and human (staffing). The City of Burlington will continue to collaborate with human and social service agencies and the Continuum of Care to identify potential resources for meeting the service needs of City residents. The restructuring effort of Allied Churches will help address this obstacle, as it will increase the efficiency of the institutional delivery system and help optimize the use of scarce human and financial resources. The funding for the Coordinated Assessment and operation at Allied Churches are essentail to continuing to meet the underserved needs. The matching funds for Burlington Development Corporation to operate two housing programs in the community is another pledge to Burlington's committment to meeting needs. The improvements to the facilities at Ralph Scott Lifeservices, Family Abuse Services, and Residential Treatment Services will also directly improve access to the programs operated by these organizations and teh underserved needs fo the low income populations they serve. Improving access to public facilities and infrastructure amongst underserved populations is also addressed in this plan. The improvements to the North Park Library, Richmond Hill, and Thataways Community Center will benefit predominantly low moderate income residents of Burlington.

Actions planned to foster and maintain affordable housing

Burlington will continue to administer its housing rehabilitation program, which helps increase the supply of decent, affordable housing for low-income households in the City who would otherwise not be able to afford necessary rehab. The City will continue it's CHDO partnership with Habitat for Humanity of Alamance County to finish the remaining lots at the Apple Tree Village. The relocation fund from CDBG will serve to encourage families to participate in the rehab program.

Actions planned to reduce lead-based paint hazards

The City actively reduces lead-based paint hazards by including abating all lead hazards as a part of its housing rehabilitation program. Additionally, in the discussion of activities to stimulate employment opportunities, the City delineates its planned efforts to encourage local contractors to be trained in safe work practices and to become state certified lead-based paint abatement supervisors.

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The City of Burlington will continue to uphold its obligation to abate all LBP hazards on properties it acquires. The City will also continue to work with the Alamance County Public Health Department to implement all aspects of the lead-based paint regulations. In its efforts to evaluate and reduce lead-based paint hazards in all of its CDBG and HOME funded rehabilitation projects, the Public Health Department provides information and outreach on the dangers of lead-based paint, as well as guidance in the identification and reduction of lead-based paint hazards to all program participants. Blood level tests may be paid through the Housing Rehabilitation program for targeted populations such as children under 5 when needed.

The City will continue to participate in NC Lead, a surveillance system that all pediatricians are required to enter data into. When a child is found with elevated levels of lead in the blood, the Health Department offers to complete an investigation. When the lead levels reach poisonous concentrations, the Health Department is required to do so.

In order to affirmatively market LBP safety and abatement initiatives, the Public Health Department issues literature on housing-related and non-housing related sources of lead. Materials are also available in Spanish.

Actions planned to reduce the number of poverty-level families

Burlington will continue participating in the North Carolina Construction Training Partnership Program. This workforce development initiative is designed to address the lack of middle-skill employees through training low-income Burlington residents in construction. The goal is to provide job training in the construction industry while improving the quality of affordable housing stock for low-income residents in Burlington. NC Housing Finance Agency will also provide funds to the City to rehabilitate eligible affordable housing for low-income households. The goal for the Construction Training Partnership Program is to train five low-income Burlington residents a year.

Actions planned to develop institutional structure

As part of the Allied Churches Coordinated Assessment project, the City of Burlington will work with ACAC and ACICHA within the context of the Balance of State CoC to address gaps in the institutional delivery system. The greatest gap in meeting the needs of all homeless populations is the reduced capacity of many agencies, given funding limitations in recent years. The institutional delivery system has been effective and providing substitutes for this need, but struggle to provide enough services given their limited capacity. In order to develop and improve this institutional structure, the coordinated assessment will result in an additional staff person to handle standardized systems for accessing homeless facilities and services. The City of Burlington supports funding for this program to continue to operate in the community. Since the CA started in June 2015 each month there was been a increase in the number of calls answered and served. In early May 2016 ACAC was awaded funing from HUD to supplment it's

existing Rapid Re-housing Program. The City will support ACAC's efforts for this continued program.

Actions planned to enhance coordination between public and private housing and social service agencies

The City of Burlington facilitates coordination among its partner agencies that results in a broadly shared understanding of community needs, collaborative and complementary approaches to addressing needs, and responsiveness to changes in conditions. Additionally, City general funds will continue to be available for economic development, indicating a commitment to leveraging all possible resources to meet needs. By establishing set-asides to govern CDBG and HOME spending, the City is ensuring that high-priority public and private housing and social service agencies and their programs will continue to receive the resources required to achieve an appreciable impact.

The greatest gap in meeting the housing, community development, and economic development needs in the City is the reduced capacity of many agencies, given funding limitations in recent years, to carry out their work to the extent that is needed in the community. Reductions in work force resulting from the dwindling of resources pose a serious challenge to meeting escalating demand for affordable housing and related services. In order to overcome this gap, the City has planned to focus its capacity and delivery on priority needs.

Strategic planning and evaluation will continue to be performed periodically to ensure the streamlining of operations. The city will continue to work with Burlington Development Corporation, Burlington Housing Authority, ACAC, and ACICHA to enhance coordination. Enhancing coordination is an important component of the Coordinated Assessment project as well as a part of the HOPE and STEPS programs administered by Burlington Development Corporation through CDBG funding.

Discussion

The City is committed to addressing institutioanl strucutre development, coordiation of services, poverty reduction and affordable housing iniatives as necessary in our community over the upcoming year.

Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(l)(1,2,4)

Introduction

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	100,000
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**100,000**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income.Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	88.81%

Discussion

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Attachments

OMB Control No: 2506-0117 (exp. 07/31/2015)

Citizen Participation Comments

MINUTES OF THE CITY OF BURLINGTON
CITY COUNCIL MEETING
FEBRUARY 16, 2016

The City Council of the City of Burlington held a regularly scheduled meeting in the Council Chamber, Municipal Building, 425 South Lexington Avenue, Burlington, N. C., 27216-1358, on February 16, 2016, at 7:00 p.m.

Mayor Ian Baltutis presided

Councilmembers Present: Mayor Ian Baltutis, Mayor Pro Tem Celo Faucette
Councilmembers Robert Ward, James Butler and Kathy Hykes

Councilmembers Absent: None

City Manager: Hardin Watkins, Present

City Attorney: David Huffman, Present

City Clerk: Renee M. Ward, Present

CALL TO ORDER: Mayor Ian Baltutis

INVOCATION: Councilmember Jim Butler

CODE OF ETHICS–DISCLOSING CONFLICTS OF INTEREST: City Clerk Renee Ward

There were no conflicts of interest reported.

APPROVAL OF MINUTES: February 2, 2016 – City Council Meeting

Upon motion by Mayor Pro Tem Faucette, seconded by Councilmember Ward, it was resolved unanimously to approve the above listed minutes.

ADOPTION OF AGENDA

Upon motion by Councilmember Hykes, seconded by Councilmember Butler, it was resolved unanimously to adopt the agenda.

CONSENT AGENDA:

A. To adopt an ordinance approving the following Traffic Commission Recommendations:

- To approve a 25 mph speed limit on Fifth Street from Church Street to Davis Street.
- To approve the conversion of (4) 2-hour parking spots to all day parking on the east side of Morehead Street from a point 290 feet northwest from the intersection of Morehead Street and Lexington Avenue to a point 405 feet northwest from the same.
- To approve a 25 mph speed limit on Martin Street from Graham-Hopedale Road to Bland Boulevard.
- To convert (21) rental spaces and (3) 2-hour parking spaces in Municipal Lot #5 to Employee Only spaces.
- To approve a stop sign on Elgin Court at Granger Trail.

Ordinance #16-6

AMENDMENT TO THE CITY OF BURLINGTON TRAFFIC ORDINANCE

BE IT ORDAINED by the City Council of the City of Burlington:

- To approve a 25 mph speed limit on Fifth Street from Church Street to Davis Street.
- To approve the conversion of (4) 2-hour parking spots to all day parking on the east side of Morehead Street from a point 290 feet northwest from the intersection of Morehead Street and Lexington Avenue to a point 405 feet northwest from the same.
- To approve a 25 mph speed limit on Martin Street from Graham-Hopedale Road to Bland Boulevard.
- To convert (21) rental spaces and (3) 2-hour parking spaces in Municipal Lot #5 to Employee Only spaces.
- To approve a stop sign on Elgin Court at Granger Trail.

A) That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

B) That this ordinance shall take effect upon passage.

B. To appoint Randy Kerns to the Relief Fund Board at the Burlington Fire Department for a two-year term.

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C. To award a contract in the amount of $576,660.00 to Terry's Plumbing & Utilities, Inc., for the Whitsett lift station renovations and to approve Budget Amendment 2016-24 to cover the amount exceeding the $500,000 allocated in the current budget.

BA2016-24

Increase Revenues:		
030-39398-0000	Appropriated Fund Balance	$ 77,000
Increase Expenditures:		
030-89809-7400	Equipment	$ 77,000

D. To approve a Memorandum of Agreement between the City of Burlington and Guilford County to utilize the WebEOC, a web accessed database for the Emergency Operations Center to be used during critical incidents.

E. Budget Amendment 2016-23 – Conference Carolinas Spring Sports Festival

BA2016-23

Increase Revenues:		
010-35204-6230	Sports Festival Fees	$41,760
Increase Expenditures:		
010-62623-6027	Conf Carolinas Sprg Sprts Fest	$41,760

Upon motion by Councilmember Hykes, seconded by Councilmember Ward, it was resolved unanimously to approve the foregoing consent agenda.

PUBLIC HEARINGS:

ITEM 1: REZONING – 109 TRAIL ONE

Mayor Baltutis announced that the City Council would consider an application to amend a conditional rezoning approved by the Burlington City Council on March 18, 2008. The request is to allow the use of Auto Repair along with all uses allowed within the B-2 General Business District with the exception of uses listed in the application. The property is located at 109 Trail One, referenced as Alamance County tax identification number 121438.

Planning and Economic Development Director Amy Nelson stated that this item had the recommendation of staff and a unanimous recommendation by the Planning & Zoning Commission. She stated that the Commission found that the requested change would not adversely affect the adjoining property and would be in keeping with the Comprehensive Land Use Plan. She stated that the applicant was requesting to alter the original use to allow for auto

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repair and intends to erect an opaque fence. Ms. Nelson added that if the property had not been rezoned in 2008, auto repair would have been allowed as a matter of right today.

Mr. Paul Copplestone, property owner, stated that when the attorney researched the property there were no restrictions found on the deed. He stated that the property had always been a garage and was built in the 1940's or 1950's. He stated that his intention was use the property for an auto repair garage.

The public hearing was opened and there were no comments.

Upon motion by Councilmember Butler, seconded by Councilmember Ward, it was resolved unanimously to close the public hearing.

Councilmember Butler moved for the adoption of the following ordinance:

Ordinance #16-7

ORDINANCE TO AMEND OFFICIAL ZONING MAP (Rezone Property located at 109 Trail One.)

BE IT ORDAINED by the City Council of the City of Burlington, North Carolina:

Section 1. That the official zoning map, an element of the Burlington Zoning Ordinance, and the Comprehensive Land Use Plan are hereby amended by amending the Conditional Business District approved by the Burlington City Council on March 18, 2008 for the use of auto repair, subject to the conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance the area described as follows:

Property located at 109 Trail One; referenced as Alamance County tax identification numbers 121438.

Section 2. That the rezoning to amend the Conditional Business for the use of Auto Repair is hereby authorized subject to the following Use and Development Conditions:

Use Conditions

1. Automotive Repair, excluding body and Fender Repair

2. All uses allowed within the B2 General Business district with the exception of the following uses: Adult Establishments, Boarding Houses or Rooming Houses, Broadcasting Studios, radio and television, Churches, Colleges or Universities, Funeral Homes, Heavy Machinery Sales, Itinerant Merchant, Manufacturing, Night Clubs, Storage of Flammable Liquids of any amount, Telecommunication Towers, Travel Trailer Parks.

3. Outdoor Storage of vehicles awaiting repair to be located inside of Privacy Fence

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Development Conditions

1. Landscaping, Parking and Setback Requirements will be as existing.

2. 8 Foot Wood Privacy Fence will be placed at rear of Property placed along the property lines as indicated on the site plan.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed including site plans and other submissions, unless subsequently changed or amended as provided for in the City of Burlington Zoning Ordinance.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in the City of Burlington Code of Ordinances and Zoning Ordinance.

Section 5. That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

Section 6. That this ordinance shall take effect upon passage.

The foregoing ordinance was seconded by Councilmember Ward, and after full discussion, the same was voted upon and declared duly adopted, no amendments having been offered and consent having been given to place the same upon its immediate passage. Councilmembers voting in favor of the motion to adopt the foregoing ordinance were Baltutis, Faucette, Ward, Butler and Hykes.

Upon motion by Mayor Pro Tem Faucette, seconded by Councilmember Hykes, it was resolved unanimously to approve the following statement of consistency:

STATEMENT OF CONSISTENCY:

The City Council finds that the above amendment is consistent with the City of Burlington Comprehensive Land Use Plan and that this action is reasonable and in the public interest in that the amendment is compatible with existing land uses in the vicinity and reflects the changing land use patterns in the area.

ITEM 2: CITIZEN COMMENTS – AREA HOUSING AND NEIGHBORHOOD IMPROVEMENT NEEDS – COMMUNITY DEVELOPMENT PROGRAM

Mayor Baltutis announced that a public hearing had been scheduled for citizens to comment on Area Housing and Neighborhood Improvement needs and proposed activities for the Fiscal Year 2016-17 Community Development Program.

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Community Development Administrator Shawna Tillery stated that at the February 2, 2016, City Council meeting, Council set a date of public hearing to receive citizen comments on area housing and community development for the CDBG and HOME programs and to address the 2016-2017 Action Plan. She stated that staff planned to use the citizen comments received at this public hearing to develop the FY 2016-17 Action Plan. She stated that the FY 2016-17 Action Plan described the proposed sources and activities for CDBG and HOME funds.

Ms. Tillery stated that in October 2015, staff sent out an RFP request to local non-profits. She stated that staff had received the following funding requests:

- Ralph Scott Life Services (RSL) requested $50,000.00 of funding for renovations to the Day Services Facility at 1212 Turrentine Street. Serves 87 people. RSL obtained the building from Alamance County. RSL has replaced the roof to stop continual damage to the interior. The ceiling tiles are extremely damaged and need to be replaced. The work will involve some other interior repairs as well. The building is approximately 17,900 sq. ft.

- Family Abuse Services requested funding to renovate the two existing bathrooms at the emergency shelter. The specific quote is currently being reviewed but is estimated around $31,000.00.

- Residential Treatment Services requested funding for painting the interior of the Hall Avenue facility. The quoted price for the work will be approximately $18,200.00.

- Allied Churches ($30,000) to fund the Coordinated Assessment and basic needs operations. $10,000.00 for repair of water damaged ceilings.

- Burlington Development Corporation ($25,209.00) matching funds for the HOPE & STEPS housing programs.

- Alamance County Library-requested continued funding of the North Park Library ($10,000.00).

Ms. Tillery stated that Veronica Revels, Burlington Housing Authority was unable to attend tonight's public hearing and asked that the following comment be read to Council. "I cannot attend tonight, but would like the City to consider allocation of its CDBG funding to an affordable housing and/or neighborhood revitalization initiative. Burlington Housing Authority is hoping to develop more affordable housing and we would also like to develop the property on the corner of Church St. This cannot happen without addressing the blight of duplexes across the street. To that end, a partnership with the City and a Developer could move us toward a plan to revitalize that area all the way to at least to Fisher Street and CDBG funds could help with gap funding."

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Nicki Ratliff, Program Services Director, Burlington Development Corporation, was also unable to be present tonight and asked for the following comment to be shared with Council; "I would like to express the agencies need for continued support for the Cash Match Assistance Program for the support of housing and the Rapid Rehousing Program for the homeless. To date the City's assistance has housed 11 chronically homeless individuals and 15 homeless families for a total of 66 people.

Ms. Tillery shared that the City's allocation was $402,011.00. She stated that this was $17,939.00 less than FY 2015-16. She stated that this could be attributed to the change in American Community Survey data which is used in the formula calculation. She stated that the City's share of HOME funds was not currently known since this funding comes from the membership in the Consortium with Greensboro. Ms. Tillery stated that in FY 2015-16 the City received $185,055.00 and managed the County's allocation of $94,132.00.

Ms. Dorene Cole, 2222 Lee Drive, Burlington, Director of Operations, Ralph Scott Life Services, requested funds to refurbish a building that was acquired from the County.

Mr. Ron Osborne, 412 Devonshire Lane, Burlington, Director of Residential Treatment Services of Alamance, requested funds to paint the Hall Avenue facility.

Ms. M. J. Wilkerson, Director of Alamance County Public Libraries, requested $10,000.00 to be spent towards keeping resources and programs at the North Park Library.

Mr. Kep Paylor, North Carolina Construction Partnership, asked for continued support to impact affordable housing and train the unemployed.

Ms. Kim Crawford, Executive Director of Allied Churches, asked Council for its continued support to fund the Coordinated Assessment and basic needs operations.

Ms. Tammy Smith, Shelter Director, Our Sisters House, Family Abuse Services, stated that the Sisters House had been undergoing renovation projects to the kitchen and family area. She stated that the next priority would be to the two bathrooms. The current upstairs bathroom is shared by three families, it has no shower, tile needs replacing, the paint is peeling and it has an old antiquated sink. She stated that the downstairs bathroom has the only shower and is shared between 16-22 people. She asked for Council's support.

Ms. Lynn Rousseau, Executive Director, Family Abuse Services, thanked Council for its past support and stated that this funding would mean so much to get the bathrooms in good working order.

Upon motion by Councilmember Ward, seconded by Councilmember Hykes, it was resolved unanimously to close the public hearing.

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NEW BUSINESS:

ITEM 3: TEMPORARY STREET CLOSING – ANNUAL ANTIQUE CAR CLUB – MAY 21, 2016

Mayor Baltutis announced that the City council would consider a request to temporarily close the following streets during the Alamance Region's 45th Annual Antique Car Club show on Saturday, May 21, 2016, from 7:00 a.m. until 5:00 p.m., conditional upon meeting requirements of the City of Burlington's Special Event Permit application.

- Front Street from Worth Street to Spring Street
- Spring Street from Webb Avenue to Front Street
- City Parking Lot #2 adjacent to the Depot

Mr. Rick Holmes, thanked Council for hosting the antique car show for the past 11 years and that the show had been in Alamance County for 51 years and hoped to continue having the show in downtown Burlington.

Upon motion by Councilmember Hykes, seconded by Councilmember Butler, it was resolved unanimously to approve the temporary street closing for the Alamance Region's 45th Annual Antique Car Club show downtown Burlington.

PUBLIC COMMENT PERIOD

There were no public comments.

CITY COUNCIL COMMENTS

Councilmember Butler thanked all the Staff who participated in providing all the needed information for the Council Retreat.

Mayor Pro Tem Faucette thanked the Street Department for getting the streets cleaned during the past ice and snow.

Mayor Baltutis reminded citizens of the City's free bulk waste collection beginning February 29, 2016 through April 29, 2016.

Mayor Baltutis and Council recognized and thanked Mr. Frank Hope who served as interim City Manager. Mr. Hope will be retiring at the end of the month.

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REQUEST FOR CLOSED SESSION:

Upon motion by Mayor Pro Tem Faucette, seconded by Councilmember Hykes, it was resolved unanimously to go into closed session pursuant to General Statute 143-318.11(a)(3) for the purpose of consulting with the City Attorney regarding claim of potential litigation involving the City.

RETURN TO OPEN SESSION:

Upon motion by Councilmember Ward, seconded by Councilmember Butler, it was resolved unanimously to return to open session.

ADJOURN:

Upon motion by Councilmember Hykes, seconded by Councilmember Butler, it was resolved unanimously to adjourn. (7:54 p.m.)

Renee M. Ward
Renee M. Ward
City Clerk

February 16, 2016
City Council Meeting

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MINUTES OF THE CITY OF BURLINGTON
CITY COUNCIL MEETING
APRIL 19, 2016

The City Council of the City of Burlington held a regularly scheduled meeting in the Council Chamber, Municipal Building, 425 South Lexington Avenue, Burlington, N. C., 27216-1358, on April 19, 2016, at 7:00 p.m.

Mayor Ian Baltutis presided

Councilmembers Present: Mayor Ian Baltutis, Mayor Pro Tem Celo Faucette
Councilmembers Robert Ward, James Butler and Kathy Hykes

Councilmembers Absent: None

City Manager: Hardin Watkins, Present

City Attorney: David Huffman, Present

City Clerk: Renee M. Ward, Present

CALL TO ORDER: Mayor Ian Baltutis

INVOCATION: Councilmember Jim Butler

PROCLAMATIONS:

- Mayor Baltutis presented a proclamation to Mr. Bennett Harris in recognition of "Maker Day" in Burlington – April 23, 2016

- Mayor Baltutis presented a proclamation to Mr. David Stephens in recognition of "Food Allergy Week" May 8-14, 2016

CODE OF ETHICS–DISCLOSING CONFLICTS OF INTEREST: City Clerk Renee Ward

There were no conflicts of interest reported.

APPROVAL OF MINUTES: April 5, 2016 – City Council Meeting

Upon motion by Councilmember Ward, seconded by Councilmember Butler, it was resolved unanimously to approve the above listed minutes.

ADOPTION OF AGENDA

Upon motion by Mayor Pro Tem Faucette, seconded by Councilmember Hykes, it was resolved unanimously to adopt the agenda.

CONSENT AGENDA:

A. To set a date for advertising 2015 unpaid taxes for May 6, 2016.

B. To reschedule the June work session from June 6, 2016, to June 1, 2016 at 5:00 p.m. and reschedule the June 7, 2016, City Council meeting to June 2, 2016, at 7:00 p.m.

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C. To approve an agreement allowing Healthy Alamance, Inc., permission to hold a farmers' market in a portion of North Park on a weekly basis beginning April 1, 2016, through November 15, 2016, contingent upon meeting insurance requirements.

D. To set a date of public hearing for May 17, 2016, to receive input related to entering into a contract for Municipal Service District services.

Upon motion by Councilmember Butler, seconded by Councilmember Ward, it was resolved unanimously to approve the foregoing consent agenda.

PUBLIC HEARINGS:

ITEM 1: CITIZEN COMMENTS – 2016-17 COMMUNITY DEVELOPMENT PROGRAM ANNUAL ACTION PLAN

Mayor Baltutis announced that a public hearing had been set to receive citizens' comments on the 2016-17 Community Development Program Annual Action Plan and Action Plan Amendment.

Community Development Administrator Shawna Tillery stated that at the April 5, 2016, City Council meeting a date of public hearing was set to receive citizen comments on the draft 2016-17 Action Plan for CDBG and the HOME Action Plan. She stated that on March 31, 2016, a 30-day comment period was publicized. She stated that to date staff had not received any written or oral comments on the plan. The comment period will end on April 30, 2016.

Ms. Tillery stated that Council had received a summary of the following proposed activities for the Action Plan:

$17,939 reduction - CDBG

$15,592 increase - HOME- City
$12,092 HOME - County

Project Name: Richmond Hill
Proposed Expenditure: $83,555
Project Description: The project will be to provide flood drainage improvements to the Richmond Hill development project. The project will include the clearing and stabilizing on 12.44 acres along with necessary storm water management fees. The project includes a multiyear mixed use development which will contain a childcare facility, affordable senior housing, affordable single-family housing and a medical facility. This is the first year of phase development. During the program year construction will begin on the senior housing and medical facility after drainage improvements have been completed. The project will leverage over $12 million dollars of investment for affordable

housing, access to healthcare, and access to affordable childcare after completion. This project is located in a low-to moderate-income area which is also classified as a near RCAP area per HUD standards in Burlington.

Project Name: **Housing Rehabilitation Program**
Proposed Expenditure: **$100,000 (Revolving Loan Funds)**
Project Description: Receipts from the revolving loan fund will be used for loans for low- and moderate-income households to rehabilitate their homes to provide safe, decent dwellings that meet the City's Minimum Housing Code. The City will undertake any required lead-based paint hazard reduction procedure and when necessary, temporarily relocate program participants.

Project Name: **Ralph Scott Lifeservices**
Proposed Expenditure: **$52,000**
Project Description: The City plans to provide funds to assist Ralph Scott Lifeservices to renovate the interior of its Day Services Facility, StarPoint. This project will allow for sustained use of the facility. The facility serves as a needed day program for individuals with developmental and other intellectual disabilities. The program currently serves 87 individuals. Approximately 76 of those individuals also are served in the residential programs operated by Ralph Scott Lifeservices and another 11 come from the community, where they reside with their families. No other program of this type is available to these citizens within the Alamance/Burlington area.

Project Name: **Construction Training Program**
Proposed Expenditure: **$65,000**
Project Description: The City will invest $65,000 of CDBG funds in the North Carolina Construction Training Partnership Program to provide job training in the construction industry and housing assistance for low-income area residents. The program is the continuation of a cooperative venture between the City, the North Carolina Housing Finance Agency (NCHFA) and the North Carolina Home Builders Association (NCHBA). North Carolina Home Builders Association will recruit the trainees and conduct the job training and development activities. Class instruction includes hands-on rehabilitation training, RRP certification, green building skills, and building maintenance instruction. The training consists of a spring and fall class with approximately 16-20 participants. The class participates in hands-on rehabilitation activities through the City's housing rehabilitation program. The projects the class works on are reviewed for environmental standards through the scattered site housing rehabilitation process. North Carolina Housing Finance Agency will provide funds of $65,000 for hard construction costs for eligible affordable housing rehabilitation projects identified and undertaken by the City.

Project Name: **Thataways Upgrades**
Proposed Expenditure: **$37,000**
Project Description: The City plans to fund the renovation of the bathroom at the City-owned Thataways. The bathroom located at the facility currently does not accommodate handicap accessibility needs. This project will address the issue to meet ADA code compliance along with removal of asbestos flooring located in the facility. The City will fund the remaining portion of abatement and new flooring in the remaining part of the facility.

Project Name: **Family Abuse Services**
Proposed Expenditure: **$31,935**
Project Description: The City plans to provide funds to assist Family Abuse Services to renovate the interior of two bathrooms to make the bathrooms commercial grade and handicap accessible. This project will allow for sustained use of the facility. The facility serves victims of domestic violence and is the County's only shelter for domestic violence clients. The existing kitchen is being upgraded with private funds to make accessible and sustainable for the future.

Project Name: **Residential Treatment Services Upgrades**
Proposed Expenditure: **$18,200**
Project Description: The City plans to provide funds to assist Residential Treatment Services to paint the interior of the Hall Avenue facility. This project will allow for sustained use of the facility. The facility serves an 8-bed treatment unit which serves both men and women and a Supervised Living Program for 17 male residents.

Project Name: **Allied Churches**
Proposed Expenditure: **$30,000**
Project Description: The NC Balance of State Coordinated Assessment, a US Department of Housing and Urban Development mandated program, sets out to end homelessness by increasing exit to housing, decreasing length of time for homelessness, and reducing the rate of return to homelessness. To accomplish this, a local access to homeless services will have to standardize via an agency network. Allied Churches has been selected to handle all initial intake and referrals using a centralized model for Alamance County. A dedicated staff will be necessary to handle the additional workload. This funding will cover a portion of the Coordinated Assessment staff person with additional funding from United Way of Alamance County. Also, due to the increase in demand in the rapid re-housing program, funds are needed to support the operation portion of the program. A portion of this allocation will be used for this and the remaining will come from Allied Churches.

Project Name: **Burlington Development Corporation**
Proposed Expenditure: **$25,209**
Project Description: Burlington Development Corporation, a non-profit component of the Burlington Housing Authority, operates two supportive housing programs for chronically homeless and homeless families. The HOPE program is a permanent housing program for chronically homeless individuals and STEPS is a repaid rehousing program for disabled homes families. As part of the Continuum of Care funds from HUD these programs require a 20% match to continue to operate for the community. The City plans to provide the cash match for the Burlington Development Corporation to continue to operate these programs for the upcoming fiscal year. A MOU will be signed prior to releasing funds to BDC.

Project Name: **North Park Library**
Proposed Expenditure: **$10,000**
Project Description: Each year, the City sets aside funds to purchase books, materials and supplies for the branch library in the Mayco Bigelow Community Center at North Park. Continuation of this financial assistance permits the library to operate and maintain its level of service to the

community. This year the increased amount will greatly benefit the library when materials budgets are being drastically cut.

Project Name: **Relocation**
Proposed Expenditure: **$2,000**
Project Description: Depending on the extent of the rehabilitation, a homeowner may be required to relocate during the rehabilitation of his or her home. The City will provide temporary relocation assistance to persons who are qualified participants under the homeowner rehabilitation program. In all cases the City will try to reduce relocation expenses for homeowners by making arrangements for persons to stay with family members and friends during the rehabilitation of their home. The City will use CDBG funds to cover eligible relocation expense during the rehabilitation process.

Other Proposed CDBG Expenditures: **Administration $47,112**

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City of Burlington HOME Program

Project Name:	**Owner-Occupied Housing Rehabilitation**	
Proposed Expenditures:	**HOME Program Funds**	**$200,647**
	Program Income	**25,000**
	Construction Training Program Funds	**65,000**
	Total	**$290,647**

Project Description: Project funds will provide deferred loans for the rehabilitation of owner-occupied housing units. As part of the housing rehabilitation process, the City will undertake any required lead-based paint hazard reduction procedures. When necessary, the City will also temporarily relocate families participating in the housing rehabilitation program.

Project Name: **CHDO Project Assistance**
Proposed Expenditure: **HOME Program Funds** **$31,189**
Project Description: Pursuant to federal regulations, the City will reserve 15% of the HOME Program allocation for an approved Community Housing Development Organization (CHDO). Habitat for Humanity of Alamance County and Alamance County Community Services Agency will continue to develop affordable houses for low- and moderate-income families on the City-owned Apple Street property.

Other Proposed City HOME Program Expenditure: Administration **$13,515**

Alamance County HOME Program

Project Name:	**Homeowner Housing Rehabilitation**	
Proposed Expenditures:	**HOME Program Funds**	**$82,558**
	Program Income	**15,000**
	Local Match Funds	**20,639**
	Total	**$141,863**

Project Description: Project funds will be used for deferred loans to rehabilitate owner-occupied housing units located outside of the Burlington municipal limits. The housing rehabilitation process will include performing any required lead-based paint hazard reduction procedures on the units. When necessary, the program participants will be temporarily relocated.

Project Name:	**CHDO Set-Aside**	
Proposed Expenditure:	**HOME Program Funds**	**$16,512**

Project Description: From Alamance County's HOME Program allocation, funds for the approved CHDO, Alamance County Community Services Agency, will be set aside to assist with the development of affordable housing in the Apple Street subdivision.

Other Proposed County HOME Program Expenditure: Administration **$7,155**

Note: HOME Program regulations require a 25% local match of all expenditures of HOME Program funds other than administrative funds. The required match for the CHDO project is included in the local funds designated for housing rehabilitation activities.

The public comment section was opened for comments.

Mr. Kep Paylor, Construction Training Partnership, asked that Council continue funding for the NC Housing Financing Agency, which is a program that helps people with affordable housing and training in construction.

Ms. Lynn Russo, Executive Director, Family Abuse Services, asked for support to complete renovations in the bathrooms at the shelter.

Ms. Robin Winteringham, Executive Director, Habitat for Humanity, asked for continued support for the Richmond Hill development.

Mr. Ron Osborne, Director, Residential Treatment Services of Alamance, asked for continued support for the Hall Avenue facility.

Ms. MJ Wilkerson, Director, Alamance County Public Libraries, thanked Council for the support of North Park Library through CDBG funds and asked to continue receiving those funds.

Ms. Wendy Covington, Executive Director, Alamance County Community Services Agency, asked for continued support for the development at the Apple Tree Village.

Ms. Jennifer Helton, Ralph Scott Life Services, asked for continued support for renovations and repairs in a recently-purchased building called Star Point.

Ms. Kim Crawford, Director Allied Churches, asked for funding for services within the basic center and for coordinated assessment which will assist the homeless in finding safe, quality and affordable housing, access to food, health care, jobs and transportation. She thanked Council for its support.

Upon motion by Councilmember Hykes, seconded by Mayor Pro Tem Faucette, it was resolved unanimously to close the public hearing.

No action was needed.

ITEM 2: REZONING – SAINT MARKS CHURCH ROAD AND GARDEN ROAD - APARTMENTS

A public hearing has been set to consider an application to rezone from R-15 Residential District to CR Conditional Residential District for the use of a 72 unit apartment complex. The property is located at the northwest corner of Saint Marks Church Road and Garden Road, referenced as Alamance County tax identification numbers 107000, 107001 and 107002.

Planning and Economic Development Director Amy Nelson stated that this request had been determined to be a good land use and followed the Comprehensive Plans for a mix of housing options. She stated that from a zoning perspective, it was a good transition between commercial and residential.

Ms. Nelson stated that the rezoning request had the recommendation of staff and the approval of the City's Technical Review Committee. She stated that the Planning and Zoning Commission voted unanimously to recommend the request to Council. She stated that the Commission found that the rezoning would not adversely affect the adjoining property, was in keeping with land uses already in the area, and that it was consistent with the Comprehensive Land Use Plan. She stated that Mr. Lawson Brown was here to speak to this request.

Mr. Lawson Brown, The Vernon Law Firm, representing Gardner Capital Development, LLC, stated that this project met the Council's theme regarding affordable housing in the west.

He stated that the Planning Commission had voted unanimously to recommend this project to Council. He stated that there were no discussions for request of dedication of the 40 feet that had now been reserved in the plan for the future widening of St. Mark's Church Road. He stated that the City and NCDOT had asked for the dedication and that the applicant had granted it. He stated that because of the loss of approximately 17,000 square feet, the proposed 72 units would now go to 66 units. He stated that his client understood the importance of the future widening.

Mr. Brown stated that he had the privilege of working with many different municipalities and commended Burlington City staff for being the best staff to work with.

Mr. Brown stated that this request was consistent with Burlington's long range adopted plans. He stated that concerning the site plan, it would allow for a maximum of 72 units and asked that pictures be made part of the record of other projects that Gardner had developed.

Garden Retreat Village

Burlington, North Carolina

Gardner Capital Development, LLC

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OMB Control No: 2506-0117 (exp. 07/31/2015)

Mr. Brown stated that Gardner had developed 2,000 units in six states and Halcan had 600 units in two states and that there would be a professional management group who specialized only in tax credit projects. He stated that for the record this was not Section 8 housing and that it was simply tax credits that allowed for residents to have income of 60% of the medium income which was affordable housing.

Mayor Pro Tem Faucette asked what the square footage per unit was.

Mr. Brown stated approximately 1,000 square feet per unit depending on the number of bedrooms per unit. He said that there would be two-story and three-story buildings. He stated that the facility would have a club house, retention area, recreational areas and would be accessible to all.

Councilmember Hykes asked if the entrance was just an entrance onto St. Mark's but no exit.

Mr. Brown stated that it was an entrance only at St. Marks and that it was vetted by NCDOT and City staff.

Councilmember Butler asked if there were any community meetings held about the project.

Mr. Brown stated that there were community meetings on the project early on and the feedback received was that some of the neighbors were concerned about the folks walking from the property westerly on Garden Road and cutting across a well-established trail over to Davidson Park.

Mr. Butler stated that there was some discussion earlier about the notification of adjacent property owners and was this done properly.

Mr. Brown stated that it was his understanding that it was done properly and personally went to the church this morning and asked for the facility manger and if there were any concerns from them and never heard back.

The public hearing was opened and there were no comments.

Councilmember Ward asked for an explanation between reservation and dedication.

Mr. Brown stated that if NCDOT decided to move forward with the St. Mark's widening that anytime in the future they would have to pay for the land at that time based on normal condemnation rules. He stated that the client could not build on the property so it would be reserved and if it's never built, there would be a 65-foot buffer from the existing right-of-way to

the first building. He further stated that if it was built then the road would extend another 40-foot westerly, and would be a 25-foot setback to the property. He stated that NCDOT would have to pay for it at that point and time. He stated that the property owner could ask for early condemnation but that generally was not favored.

Councilmember Butler stated that the discussion about the right-of-way was an extremely valid point and that he was confident that the project would move forward. He stated that he had not recalled in the past ten years where Council had received requests for rezonings where the property was deeded up front. He stated that this was a different path for Council and that he had just became aware of this discussion today. He stated that he liked the project from the standpoint of the City's comprehensive plan, just adopted, that talked specifically about affordable housing. He stated that he had some concerns about making this a condition, because of the delay. He stated that the entire process had been conducted well but that we may be in a transitional period about what we expect moving forward and did not want this project to get caught in the gap this late in the game. He asked Council what they thought about the project. He added that though Council had never asked a project developer to do so, all of the boxes had been checked off.

Councilmember Hykes stated that Council should look at dedication vs. reserving at a later time.

Council agreed.

Upon motion by Councilmember Butler, seconded by Councilmember Ward, it was resolved unanimously to close the public hearing.

Councilmember Butler moved for the adoption of the following ordinance:

Ordinance #16-12

ORDINANCE TO AMEND OFFICIAL ZONING MAP (Rezone property located at the northwest corner of Saint Marks Church Road and Garden Road.)

BE IT ORDAINED by the City Council of the City of Burlington, North Carolina:

Section 1. That the official zoning map, an element of the Burlington Zoning Ordinance, and the Comprehensive Land Use Plan are hereby rezoned from R-15 Residential District to CR Conditional Residential District for the use of a 72 unit apartment complex, subject to the conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance the area described as follows:

Property located at the northwest corner of Saint Marks Church Road and Garden Road; referenced as Alamance County tax identification numbers 107000, 107001 and 107002.

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Section 2. That the rezoning from R-15 Residential District to CR Conditional Residential District for the use of a 72 unit apartment complex is hereby authorized subject to the following Use and Development Conditions:

Use Conditions

1. 72 unit apartment complex with amenities as per site plan.

Development Conditions

1. Forty feet for potential future righ-of-way reserved along St. Mark's Church Road for future acquisition by NCDOT as required for road widening.

2. Building setbacks along St. Mark's Church Road are established as 25' from future 40' right-of-way line which makes a current total setback as 65'.

3. Entrance sign shall be installed on west side of Garden Road entrance as shown on site plan (see attached sign redesign)

4. All infrastructure shall be installed in accordance with City of Burlington standards.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed including site plans and other submissions, unless subsequently changed or amended as provided for in the City of Burlington Zoning Ordinance.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in the City of Burlington Code of Ordinances and Zoning Ordinance.

Section 5. That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

Section 6. That this ordinance shall take effect upon passage.

The foregoing ordinance was seconded by Councilmember Ward, and after full discussion, the same was voted upon and declared duly adopted, no amendments having been offered and consent having been given to place the same upon its immediate passage. Councilmembers voting in favor of the motion to adopt the foregoing ordinance were Baltutis, Faucette, Ward, Butler and Hykes.

Upon motion by Councilmember Butler, seconded by Councilmember Ward, it was resolved unanimously to approve the following statement of consistency:

STATEMENT OF CONSISTENCY:

The City Council finds that the above amendment is consistent with the City of Burlington Comprehensive Land Use Plan and that this action is reasonable and in the public interest in that the amendment is compatible with existing land uses in the vicinity and reflects the changing land use patterns in the area.

ITEM 3: REZONING – SOUTH CHURCH STREET AND SHADOWBROOK DRIVE – EXPANSION OF HARRIS TEETER – GAS PUMPS

Mayor Baltutis announced that a public hearing had been set to consider an application to amend a previously approved Special Use Permit approved by The Burlington City Council on January 28, 1985, by rezoning from B-2 General Business District to CB-Conditional Business District to allow for the continued use of a Unified Business Development with the addition of outdoor gas pumps and a 2,355 square feet addition to the rear of the building. The property is located at the northwest intersection of South Church Street and Shadowbrook Drive, referenced as Alamance County tax identification number 113829.

Mr. Steve Blakley, Kimley-Horn & Associates, representing the petitioner, asked Council for the public hearing to be continued to May 17, 2016, in order to continue getting input and refining the plan.

Upon motion by Councilmember Ward, seconded by Councilmember Butler, it was resolved unanimously to continue the public hearing to May 17, 2016.

NEW BUSINESS:

ITEM 4: 2016 FEES AND CHARGES – BURLINGTON SPLASH PAD

Mayor Baltutis announced that the City Council would consider approving the 2016 Fees and Charges Schedule for the Burlington Splash Pad to be effective upon passage.

Parks and Recreation Director Tony Laws stated that the City was excited about its first splash pad facility and thanked the City employees involved in the project for all their hard work. He stated that the Splash Pad Park would open Memorial Day weekend and would host a dedication ceremony on May 24, 2016. He stated that the splash park was free for families, children and individuals during normal operating hours. He stated that there would be a charge for groups and private parties outside the normal operating hours as stated below.

Burlington Splash Park Fees

- **Free** admission for individuals and families (non-organized groups) during normal operational hours.

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- **Group Reservation Fees for Daily Entry**
    - $2 per person (regardless of participation)
        - Timeslots are 60 minutes long, starting at the top of every hour
        - All groups must be registered in advanced to be allowed entry
- **Private Rentals**

  Monday-Friday
    - 6:00 p.m. - 7:30 p.m.
    - 8 Tables plus up to 60 people
    - $125.00

  Saturday Private Rentals during Non-Operational Hours
    - 9:30 a.m. – 11:00 a.m. or 6:00 p.m. - 7:30 p.m.
    - 8 Tables plus up to 60 people
    - $125

  Sunday Private Rentals during Non-Operational Hours
    - 6:00 p.m. 7:30 p.m.
    - 8 Tables plus up to 60 people
    - $125

City Manager Hardin Watkins shared that the City had partnered with the catalyst for this project, Impact Alamance, donating $500,000.00.

Upon motion by Mayor Pro Tem Faucette, seconded by Councilmember Hykes, it was resolved unanimously to approve the fees and charges schedule for the Burlington Splash Pad.

PUBLIC COMMENT PERIOD

- Barrett Brown, 1562 Morgantown Road, Burlington, asked Council to consider an HB2 resolution.
- Phil Hardy, Pastor, Life's Journey United Church of Christ, 2121 Edgewood Avenue, Burlington, spoke in reference to repealing HB2.
- Maria Redding, 1253 Hanford Hills, Graham, spoke in support of HB2.
- Steve Carter, 3312 Doral Court, Burlington, spoke in support of HB2.
- Erwin Timm, 708 Summit Street, Walnut Cove, asked Council for a resolution in support of HB2.
- Thomas Weaver, 3849-D Burch Bridge Road, Burlington, spoke in support of HB2.
- Larry Redding, pastor of Glen Hope Baptist Church, 1253 Hanford Hills Road, Graham, spoke in support of HB2.
- Chris Hardin, 7354 Buckland Drive, Brown Summit, running for Congress, spoke in favor of HB2.
- Tricia Chrisman, 4728 Millpoint Road, Greensboro, spoke in support of HB2 and submitted a petition with over 300 signatures in support of HB2.

- Cindy Lassiter, 3102 Windfield Ridge Drive, Burlington, spoke in support of HB2.

CITY COUNCIL COMMENTS

Mayor Baltutis announced the next City Council meeting would be held on May 3, 2017.

Councilmember Butler thanked all those who came out tonight and gave Council input and feedback on the expectations of the community.

Mayor Pro Tem Faucette stated that it was good to hear from those tonight and that the Council could walk away with a sense of what our community is looking for from this Council.

Mayor Baltutis shared the following:

- The new transit buses have arrived and June 6, 2016, would begin operation of the transit system.
- Bulk Waste collection remains free until April 29, 2016.
- Check out the Burlington Tennis Center, April 21 – 24, 2016, the City of Burlington will be hosting the Colonial Athletic Conference.
- Saturday, April 23, 2016, 10:00 a.m. to 5:00 p.m., at Holly Hill Mall, the Alamance Mini Maker Fair.

ADJOURN:

Upon motion by Councilmember Butler, seconded by Mayor Pro Tem Faucette, it was resolved unanimously to adjourn.

Renee M. Ward

Renee M. Ward
City Clerk

Grantee SF-424's and Certification(s)

OMB Number: 4040-0004
Expiration Date: 3/31/2016

Application for Federal Assistance SF-424

* 1. Type of Submission: ☐ Preapplication ☒ Application ☐ Changed/Corrected Application	* 2. Type of Application: ☐ New ☒ Continuation ☐ Revision	* If Revision, select appropriate letter(s): * Other (Specify):

* 3. Date Received: 05/04/2016	4. Applicant Identifier:
5a. Federal Entity Identifier:	5b. Federal Award Identifier: B-16-MC-37-0002

State Use Only:

6. Date Received by State:	7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: City of Burlington	
* b. Employer/Taxpayer Identification Number (EIN/TIN): 56-6001189	* c. Organizational DUNS: 071565700000

d. Address:

* Street1:	425 S. Lexington Ave.
Street2:	
* City:	Burlington
County/Parish:	
* State:	NC: North Carolina
Province:	
* Country:	USA: UNITED STATES
* Zip / Postal Code:	27215-5402

e. Organizational Unit:

Department Name:	Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:	* First Name: Amy
Middle Name:	
* Last Name: Nelson	
Suffix:	

Title: Planning & Economic Development Director

Organizational Affiliation:

* Telephone Number: 336-229-5[illegible]	Fax Number: 336-513-5[illegible]

* Email: anelson@ci.burlington.nc.us

OMB Control No: 2506-0117 (exp. 07/31/2015)

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

US Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*** 12. Funding Opportunity Number:**

B-16-MC-27-0022

* Title:

Community Development Block Grant

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment | Delete Attachment | View Attachment

*** 15. Descriptive Title of Applicant's Project:**

FY 16-17 Action Plan

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

OMB Control No: 2506-0117 (exp. 07/31/2015)

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant: Sixth
* b. Program/Project: Sixth

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 07/01/2015
* b. End Date: 06/30/2016

18. Estimated Funding ($):

* a. Federal	402,011.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	100,000.00
* g. TOTAL	502,011.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- [ ] a. This application was made available to the State under the Executive Order 12372 Process for review on
- [ ] b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- [x] c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

- [ ] Yes
- [x] No

If "Yes", provide explanation and attach

Add Attachment | Delete Attachment | View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

- [x] ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:	
* First Name:	Ian
Middle Name:	
* Last Name:	Baltutis
Suffix:	
* Title:	Mayor
* Telephone Number:	336-222-5002
Fax Number:	336-513-5452
* Email:	ibaltutis@ci.burlington.nc.us
* Signature of Authorized Representative:	
* Date Signed:	5/3/16

OMB Control No: 2506-0117 (exp. 07/31/2015)

PART 3 – SUPPORTING DOCUMENTS

Certifications

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within its jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace – It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

2. Establishing an ongoing drug-free awareness program to inform employees about -
   (a) The dangers of drug abuse in the workplace;
   (b) The grantee's policy of maintaining a drug-free workplace;
   (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
   (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;

4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -

   (a) Abide by the terms of the statement; and
   (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant

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officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -

   (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

   (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

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Section 3 – It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Signature/Authorized Official

May 4, 2016
Date

Mayor, City of Burlington
Title

CITY OF BURLINGTON, N.C.
SEAL

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Specific CDBG Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);

2. Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2004, 2005 & 2006 (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;

3. Special Assessments. It will not attempt to recover any capital costs of public Improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, Including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint --Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with the requirements of 24 CFR §570.608;

Compliance with Laws -- It will comply with applicable laws.

Signature/Authorized Official

May 4, 2016
Date

Mayor, City of Burlington
Title

CITY OF BURLINGTON, N.C. SEAL

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APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

City of Burlington Planning and Community Development Department,
425 South Lexington Avenue, Burlington, Alamance County, North Carolina 27216

Check ___ if there are workplaces on file that are not identified here.

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The certification with regard to the drug-free workplace is required by 24 CFR Part 24, subpart F.

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free

Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).