

**A RESOLUTION AWARDING THE RECREATION AND PARKS
COMPREHENSIVE MASTER PLAN CONTRACT**

Resolution No. 58/2004-05

WHEREAS, the Recreation and Parks Master Plan Management Group has requested that the Mayor and Board of Aldermen review the contract and award the professional planning services contract to update the Recreation and Parks Master Plan to HadenStanziale.

WHEREAS, the Mayor and Board of Aldermen reviewed and approved the scope of services and agreement.

NOW, THEREFORE, THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVE:

Section 1. The Board hereby adopts this resolution authorizing the Town to enter into a contract with HadenStanziale to render professional planning services for the Recreation and Parks Comprehensive Master Plan not to exceed \$25,000 - \$20,375 master plan document, reimbursable expenses - \$2,500 and contingency - \$2,125.

Section 2. This resolution shall become effective upon adoption.

UNOFFICIAL MINUTES
CARRBORO RECREATION AND PARKS COMMISSION
MINUTES
November 1, 2004

Present: Doris Murrell, Salli Benedict, Gordon Cook, Marianne Nicholson and Emilie Condon. Guests: Charlotte Williams, Daryn O'Shea, Laurie Siegel and Dave Nash. Staff: Anita Jones-McNair

Murrell called the meeting to order at 7:05 p.m.

Approval of Minutes

Murrell called for corrections or questions concerning the minutes of the last meeting. Murrell acknowledged no questions or concerns. Nicholson motioned for approval of the minutes and Benedict seconded. The vote was unanimous.

Communications and/or Speakers from the Floor

Murrell called for Speakers from the Floor. Williams requested the use of the Century Hall on September 3, 2005 for her son's birthday and Bar Mitzvah Party – Aaron Williams. Murrell called for questions and/or conflicts. There were none. Nicholson motioned for approval of the request and Cook seconded. The vote was unanimous.

O'Shea and Siegel requested use of the Century Hall and kitchen on July 16, 2005 for their pot luck dinner, contra dance and wedding ceremony. Murrell called for questions and/or conflicts. There were none. Benedict motioned for approval of the request and Nicholson seconded. The vote was unanimous.

Dave Nash was also present to provide an update to the Commission on the tennis backboard fundraising effort. Nash and Julia O'Daley talked with Laurie Weakley of the Carrboro Parks Project to assist with this effort. The item is scheduled for the CPP Board meeting for review and approval. Currently Weakley is out of the country. When she returns, Jones-McNair will meet with them to discuss the project.

New Business

Murrell called for new business. There was none at this meeting.

Old Business

Murrell called for old business. The Commission reviewed the response from Bob Hornik concerning their comments and questions about Section 14-20 Commercial Activity Restricted of the Town Code and discussed how they should move forward with concerns. The Commission agreed to draft a letter to the Board outlining their concerns, suggestions and recommendations at the next meeting.

Jones-McNair updated the Commission on the Recreation and Parks Master Plan Management Group's recommendation to award HadenStanziale the master plan contract. She also

mentioned that the item is scheduled to go before the Board on November 9, 2004. Nicholson motioned to support the Recreation and Parks Master Plan Management Group's contract recommendation. Benedict seconded and the vote was unanimous.

Report by Chair and Director

Next, Murrell called for reports. Murrell mentioned that Congress approved 94 million for Land and Water Conservation Funds. North Carolina was appropriated 2,131,163. She also mentioned that the grant is a \$250,000 match and the PARTF grant is a maximum of \$500,000.

Jones-McNair announced the Adams Tract Dedication is scheduled for Tuesday, November 16th at 10:00am. She also distributed the Century Center's Quarterly Report. Then she announced that the Baldwin Park Playground Meeting is scheduled for Thursday, November 18th at 7:00 pm. Finally she thanked the Commission members who volunteered at the Halloween Carnival.

Agenda considerations for next and future meetings

Draft Letter about Section 14-20 Commercial Activity Restricted of the Town Ordinance

Meeting Adjournment

Murrell adjourned the meeting at 8:30 p.m.

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT, entered into this _____ day of November, 2004,
in Charlotte, North Carolina by and between:

HADENSTANZIALE, P.A.

421 Penman Street, Suite 300
Charlotte, North Carolina 28203

a corporation duly formed under the Laws of the State of North
Carolina and hereinafter referred to as "HSPA," and

TOWN OF CARRBORO

301 West Main Street
Carrboro, North Carolina 27510

a municipality duly chartered under the Laws of the State of
North Carolina and hereinafter called "CLIENT," and in
consideration of a sum not to exceed \$22,875.00 and other good
and valuable consideration in hand paid, it is agreed as follows:

A. PROJECT

That the CLIENT does hereby employ HSPA to render
professional planning services for the Recreation and Parks
Comprehensive Master Plan Update for the Town of Carrboro

B. SCOPE OF SERVICES

PROJECT APPROACH/SCHEDULE OVERVIEW

The following approach outlines the steps we will take in the
preparation of a Recreation and Parks Master Plan for Carrboro.
The items in bold underline are tasks that the consultant has
asked the Town to provide assistance.

Step 1: Parks and Recreation Inventory and Analysis

Task 1.1: Other Planning Efforts - Includes identification,
review and coordination with other plans and studies having an
influence on parks and recreation facilities and services, within
Carrboro. This includes the 1994 Recreation and Parks
Comprehensive Plan, Carrboro Vision 2020 and other regional and
local plans and reports as summarized in the request for
qualification package and any regulatory and development
ordinances in place or being studied. We will also examine
existing transportation and land use plans. The intent of this
review is to help ensure that any planning done for the
Recreation and Parks Master Plan is consistent with other
community goals and objectives. **The Town Staff would compile all
of the plans noted in the RFQ attachment, plus any other plans
relevant to this endeavor.**

Task 1.2: Physical Setting – An identification and evaluation of the physical factors, including context in the region, general topography, water resources, climate and/or other factors having a bearing on parks and recreation services. These factors would include, but are not limited to:

- land use
- significant natural resources (topography, water resources, etc.)
- historically significant areas/sites
- existing parks and recreation facilities
- unique flora or fauna
- key connectivity opportunities including greenway/bikeway systems
- highways and roads
- physical barriers

The Town Staff will compile GIS layers or shape files on a CD(s) based on a list to be provided by HSPA.

Task 1.3: Urban Growth Dynamics – An assessment of historical and projected development patterns (ten (10) year horizon) based upon key determinants of growth, such as transportation, annexation, residential development trends, existing and future employment centers, natural attractions, open space preservation and related ordinance and regulatory mandates, and other factors determined by the town to have an affect on future parks and recreation in Carrboro. **The Town Staff will provide historical and projected development pattern data for HSPA to review.**

Task 1.4: Population Growth and Characteristics – An assessment of the past, present, and projected population of Carrboro will be undertaken, using population and economic data, and other available statistics as inventoried and provided by staff. Overall population growth, school age enrollment patterns and projections, age group dynamics, demographic changes, sociological information and projections, and other characteristics of the county population will be documented with regard to the implications for parks and recreation services. Information may also be broken down by geographic components of the study area when data availability allows. **The Town Staff will provide population and economic data for HSPA to review.**

Task 1.5: Facilities and Programs Inventory and Assessment– With assistance and inventory from the Recreation and Parks Department, the project team will create a summary of existing public facilities. The inventory will include facilities owned or operated by the town, and schools and other public agencies, as well as significant privately owned or joint use facilities such as churches, golf courses, health clubs and spas, open space, cultural facilities etc. The information will also be identified in map form as to its geographic distribution in the

study area. As part of the inventory and assessment, a general area reconnaissance and site visits to all of the town's recreational facilities shall be conducted for familiarization with the physical conditions of each facility.

Specific elements to be included in this inventory should include:

- facilities and programs
- type of facility
- size (e.g. land area or built square feet)
- specific features and amenities
- ages and skill levels served
- location (e.g. proximity to users)
- availability to the public (operating hours, reserved use)
- general conditions and adequacy for purpose and use
- potential for expansion
- fees associated with participation in program or facility

The Town Staff will complete an inventory and assessment of the Town's recreational facilities, using a checklist to be provided by HSPA.

Task 1.6: Community Needs Assessment – This task will include two carefully planned and organized public forums/open houses, hosted by Carrboro and conducted by HSPA. These meetings will be designed to maximize meaningful public input during the early stages of the planning process. Issues and ideas generated at these public forums will be compiled into a summary document for further review and consideration as the Master Plan evolves. The Town Staff would assist in the workshops, establish workshop locations, and assist in flyer and meeting advertisement distribution.

In addition, another workshop would be held with members of the Recreation and Parks Commission and staff, town officials, and elected officers.

We would prepare a recreation participation and preference survey for distribution by Carrboro. We will work with the town to determine the most effective methods of distributing the survey to yield a valid sampling of the community's population in a timely and efficient manner. The Town Staff will provide a collection point for the surveys and forward to HSPA.

This survey will be available at the forums and workshops and can be posted on the town's website to increase the number of responses.

The recreation participation and preference survey will address the following:

- current recreation program participation by demographic component (e.g. household, individual, etc.)

- facility utilization: frequency, by location, by time and reasons for not using existing facilities
- interest in sports teams and programs/facilities; organized recreation
- interest in social centers and programs/facilities
- distance willing to travel
- top facility and program desired for town investment
- attitude toward user fees
- awareness of existing facilities
- other issues as determined by the project management group
- interest in natural areas, and greenway and trail systems

Task 1.7: Assessment of Recreation Potentials - Using an inventory as provided by staff, an assessment of identifiable resources for the future recreation development which would include noteworthy natural features, such as water resources, land uses, and topography, or other opportunities deserving of consideration for future acquisition, preservation, etc. Sites in areas determined to be high use or that have an immediate need will be targeted. The team would assess remaining open space, public and private as well as any potential easements for public access and greenway use.

Step 2: Recreation Policy Plan

Task 2.1: Goals and Objectives - Based upon the findings and analysis of Step 1, current Recreation and Parks Department goals and objectives shall be evaluated by the Recreation and Parks Commission and updated or expanded as needed. This will continue to help guide the future development of recreation programs. These goals and objectives will be reviewed and approved by the management group before proceeding with the balance of the planning process. These statements will then serve as the basis for setting standards for improvements and serve as checks and balances for future decision making.

Task 2.2: Park and Recreation Standards - A summary will be produced of recommended standards for park facilities of various sizes, with consideration given to the particular physical, economic, and social environment of the county. Included will be standards for park facilities based upon size, service population, facilities, user surveys and/or other relevant factors. Comparisons to communities of similar demographics with adequate facilities may be presented to help determine appropriate standards for future needs unique to Carrboro. These standards will be compared to those of the National Recreation and Parks Association (NRPA) and other communities for which **HSPA** has been involved in recreation master planning. Also included will be standards for the adequate maintenance of facilities once placed in service.

Step 3: Recreation Action Plan

Task 3.1: Overview of Recommended Plan - A summary will be produced to highlight major improvements recommended to meet the goals, objectives, and standards of Step 2. This section includes a clear recommendation for prioritization of improvements, park land and open space acquisition, greenway development and indoor and outdoor facility development, as well as preliminary budget estimates provided later in the Action Plan. In addition to the summary, action items shall be illustrated in map format and presented in digital format that can be utilized by the Recreation and Parks Department. Specific areas which will be investigated and recommended upon shall include:

- renovation and expansion of existing facilities
- park land and open space land acquisition and development
- management operations and maintenance required for current and future facilities
- facilities and programming needs for both active and passive recreation
- pedestrian, bikeway, trail and greenway opportunities and standards
- school system, cooperative ventures and other partnership opportunities
- management and preservation of the town's natural areas
- trail standards based on the anticipated range of uses and appropriateness
- major maintenance concerns (\$50,000+) for current and proposed facilities/operational costs
- athletic program needs
- maximum functional use of each recreation area and facility
- comprehensive programming
- administration and staffing requirements

Task 3.2: Park Capital Improvement Phasing - Using existing budget and capital improvements information, as well as any current funding sources, HSPA will provide documentation of needed improvements to existing parks and acquisition and development of new park and recreation facilities proposed over a twenty (20) year period in five (5) year increments. Rationale will be given for the recommended sequence of particular improvements and expansions and address immediate, near term, and long term needs.

Task 3.3: Budget Estimates and Funding Sources - Preliminary budget estimates for the various improvements recommended under the Capital Improvement Plan shall be listed and programmed according to their priority over the twenty (20) year period. This will provide a quick overview of proposed expenditures by five (5) year fiscal increments for consideration by the decision makers and others in positions to help implement the plan.

Recommendations will also be provided for additional financing and funding sources for land acquisition, planning, and implementation of parks and recreation facilities and programs.

Task 3.4: Preliminary Master Plan Report/Major Public Meeting

All major findings, conclusions, and recommendations for the Recreation and Parks Master Plan shall be brought together in a preliminary plan format. This preliminary document will then be subject to review and comment at a major public meeting. The use of charts, graphs, and illustrative drawings, where appropriate, will be an integral part of the Plan presentation with the goal of building a public consensus and support for the entire Master Plan.

Step 4: Final Master Recreation Plan Report

Immediately following the major public meeting (Task 3.4), **HSPA** will meet with the management group to review citizen comments and receive direction on any necessary or desirable changes to the Plan. **HSPA** will then prepare appropriate revisions to the Master Plan Report before presentation to the Recreation and Parks Commission and the Board of Aldermen. All elements of the Plan, as well as a brief overview (executive summary) of the recreation planning process, will be included in the final report.

Step 5: Final Plan Presentation

Following final revisions, the Master Plan will be presented to the Recreation and Parks Commission and the Board of Aldermen for approval. In doing so, **HSPA** will suggest the most appropriate method for conveying the Plan's principal recommendations to maximize public understanding and support through the creation of a public educational brochure.

WORK PRODUCTS

HSPA will provide the following work products during the course of this project planning process.

1. Plan graphics summarizing findings of each task, where applicable, as task is completed. Paper and electronic format.
2. Five (5) draft copies of the Master Plan for review and comment
3. Five (5) final draft copies of the Master Plan Report for review and comment (draft copies will be reviewed in black and white for project cost savings).
4. Ten (10) completed Master Plan Report copies will be furnished at the presentation of this document to Carrboro. A digital copy of the report in a pdf format will be provided to the Client.
5. Electronic mapping information will be compatible with Arc View and report information produced in Windows Word format.

C. PAYMENT

1. Compensation for those services outlined above shall be a lump sum fee of **\$20,375.00**.

2. In addition to the professional fees delineated in Paragraph C.1., the CLIENT shall pay all reimbursable expenses which are defined as actual expenditures made by HSPA, its employees, or professional consultants in the interest of the Project and include the expense of transportation and living when traveling in connection with the Project; long distance calls and faxes; expense of reproductions, postage and handling of drawings and specifications, excluding those for office use and presentation to the CLIENT. Additional reimbursable expenses, when authorized by the CLIENT, may include special renderings, models, photographs and special consultants. All reimbursable expenses will be billed to the CLIENT at cost plus 10%. Expenses described above are estimated at **\$2,500.00**, and that amount will not be exceeded without prior authorization in writing by the CLIENT.

3. All fees and reimbursable expenses will be invoiced monthly and are payable upon receipt. In the event payment is not received within thirty (30) days of invoice date, the balance outstanding shall be subject to interest at the rate of one and one-half percent (1.5%) per month. In the event payment is not made within sixty (60) days, HSPA will stop work on the project until payment is received. Stoppage of work by HSPA will not be deemed as a default under the terms of this Agreement. In some cases, an additional fee will be required to stop and restart work due to nonpayment.

4. Invoices will be based on the percentage of the overall workscope that was accomplished within the previous thirty day period. The step/fee relationship is as follows:

Step 1: Parks and Recreation Inventory and Analysis
\$7,455.00
Step 2: Recreation Policy Plan
\$2,805.00
Step 3: Recreation Action Plan
\$6,055.00
Step 4: Final Master Plan Report
\$3,300.00
Step 5: Final Plan Presentation
\$ 760.00

5. Revisions to previously approved drawings or documents for changes not initiated by this office, or services made necessary by default of others, will be charged as extras, if required, on the basis of the actual time expended in accordance with the attached Rate Schedule.

D. GENERAL TERMS AND CONDITIONS

1. The CLIENT shall provide HSPA with program information regarding the CLIENT's requirements and objectives for the Project.
2. The CLIENT shall designate a representative authorized to act in its behalf with respect to the Project. The CLIENT or the CLIENT's Representatives shall examine documents submitted by HSPA and shall render decisions pertaining thereto promptly to avoid unreasonable delay in the progress of HSPA work.
3. HSPA shall be entitled to rely upon the accuracy of services, information, and a base data supplied by the CLIENT or by others.
4. The CLIENT agrees that this Agreement shall be interpreted according to the laws of the State of North Carolina.
5. The CLIENT shall furnish information required as expeditiously as necessary for the orderly progress of the work.

E. OTHER PARTIES

1. It is mutually agreed that this Agreement is not transferable by either signatory to the third party without the consent of the other principal party.
2. Plans and specifications are instruments of services and, as such, remain the property of HSPA.

F. OTHER PROVISIONS

1. Indemnification. The Company agrees to hold and save the Town, its employees, agents and representatives harmless from any damage or injury to third party persons or property, or from claims for inverse condemnation as a result of the process and agrees to indemnify the Town against any loss resulting from claims of such damage injury or taking, including, but not limited to the court costs, attorney's fees, and environmental cleanup or damage.

2. Termination of Agreement. This contract is subject to the availability of funds to purchase the specified services and may be terminated at any time during the term upon thirty (30) days notice if such funds become unavailable.

This contract may be terminated, for cause, by the non-breaching party notifying the breaching party of a substantial failure to perform in accordance with the provisions of this contract and if the failure is not corrected within ten (10) days of the receipt of the notification. Upon such termination, the parties shall be entitled to such additional rights and remedies as may be allowed by relevant law.

Termination of this agreement, either with or without cause, shall not form the basis of any claim for loss of anticipated profits by either party.

APPROVED:

Haden Stanziale, PA
Date

Town of Carrboro
Date

Witness Date

Witness Date

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

Signature of Finance Officer

Attachment: Rate Schedule

ATTACHMENT C-10

RATE SCHEDULE

Principals	\$120-135.00 per hour
Expert Witness and Zoning	\$175.00
per hour	
Senior Associates	\$100.00
per hour	
Associates	\$75-90.00 per hour
Project Managers	\$90.00 per hour
Civil Designer	\$60.00 per hour
Design Staff	\$55-60.00 per
hour	
Clerical	\$40.00 per hour

ATTACHMENT D**AN ORDINANCE AMENDING THE FY2004-05 BUDGET ORDINANCE**

WHEREAS, the Town Board of the Town of Carrboro on June 15, 2004 adopted the annual budget for the fiscal year beginning July 1, 2004 and ending June 30, 2005; and

WHEREAS, it is appropriate to amend the expense accounts in the funds listed to provide for increased expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following expense and revenue accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

FUND	ACCOUNT TITLE	INCREASE (DECREASE)	AMOUNT	FROM	TO
Capital Reserve Fund					
Revenues	Fund Balance Appropriated	INCREASE	\$20,000	\$171,778	\$191,778
Expenditures	Transfer to General Fund	INCREASE	\$20,000	\$171,778	\$191,778
General Fund					
Revenues	Other Financing Source	INCREASE	\$20,000	\$1,041,160	\$1,061,160
Expenditures	Non- departmental	DECREASE	\$5,000	\$594,719	\$589,719
	Recreation and Parks	INCREASE	\$25,000	\$1,280,875	\$1,305,875

REASON: Transfer funds from the Capital Reserve Fund to the General Fund and transfer of contingency funds to Recreation and Parks for the Recreation and Parks Comprehensive Master Plan. With the transfer of \$5,000 for this project, \$7,000 will remain in contingency for undesignated purposes.