



TOWN OF CHAPEL HILL

Town Council Meeting Agenda

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Mayor Pam Hemminger
Mayor pro tem Karen Stegman
Council Member Jessica Anderson
Council Member Camille Berry
Council Member Tai Huynh

Council Member Paris Miller-Foushee
Council Member Michael Parker
Council Member Amy Ryan
Council Member Adam Searing

Wednesday, February 15, 2023 7:00 PM

RM 110 | Council Chamber

Language Access Statement

For interpretation or translation services, call 919-969-5105.

ဘာသာပြန်ဆိုခြင်းနှင့် စကားပြန်ခြင်းအတွက်၊ (၉၁၉) ၉၆၉-၅၁၀၅ ကိုဖုန်းခေါ်ပါ။

Para servicios de interpretación o traducción, llame al 919-969-5105.

如需口头或
书面翻译服
务，请拨打
919-969-5105.

လၢတၢ်ကတိၤကျိးထံ မ့တမၢ် လၢတၢ်ကွဲးကျိးထံ အတၢ်မၤစၢၤအေဂီၢ် ၢ် ကိးဘၣ် (၉၁၉)-၉၆၉-၅၁၀၅

In-Person Meeting Notification

View the Meeting

- View and participate in the Council Chamber.
- Live stream the meeting - <https://chapelhill.legistar.com/Calendar.aspx>
- View on cable television channel at Chapel Hill Gov-TV (townofchapelhill.org/GovTV)
- The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings.
- Participate in a voluntary demographic survey before viewing online or in person - <https://www.townofchapelhill.org/demosurvey>

Parking

- Parking is available at Town Hall lots and the lot at Stephens Street and Martin Luther King Jr. Boulevard.
- See <http://www.parkonthehill.com> for other public lots on Rosemary Street
- Town Hall is served by NS route and T route, and GoTriangle Routes of Chapel Hill Transit.

Entry and COVID-19 Protocols

- *Entrance on the ground floor.*
- *Visitors and employees will self-screen. Do not enter if you have these symptoms: Fever, chills, cough, sore throat, shortness of breath, loss of taste or smell, headache, muscle pain*

ROLL CALL

OPENING

ANNOUNCEMENTS BY COUNCIL MEMBERS

PUBLIC COMMENT FOR ITEMS NOT ON PRINTED AGENDA AND PETITIONS FROM THE PUBLIC AND COUNCIL MEMBERS

Petitions and other similar requests submitted by the public, whether written or oral, are heard at the beginning of each regular meeting. Except in the case of urgency and unanimous vote of the Council members present, petitions will not be acted upon at the time presented. After receiving a petition, the Council shall, by simple motion, dispose of it as follows: consideration at a future regular Council meeting; referral to another board or committee for study and report; referral to the Town Manager for investigation and report; receive for information. See the Status of Petitions to Council webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.

1. Cultural Arts Commission Request for Name, Membership and Charge Changes. [\[23-0117\]](#)

CONSENT

Items of a routine nature will be placed on the Consent Agenda to be voted on in a block. Any item may be removed from the Consent Agenda by request of the Mayor or any Council Member.

2. Approve all Consent Agenda Items. [\[23-0118\]](#)

By adopting the resolution, the Council can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.

3. Grant a Paved Walkway Easement and a Natural Gas Utility Easement on Town-owned Property at 130 E Rosemary St (Portion of Parking Lot 2) and Authorize the Town Manager to Execute the Easements. [\[23-0119\]](#)

By adopting the resolution, the Council grants a Utility Easement to Public Service Company of North Carolina, Incorporated, dba

Dominion Energy North Carolina and the Council grants a paved walkway easement to Franklin Office Chapel Hill, LLC for access to the entrance of the 136 E. Rosemary Street building and authorizes the Town manager to execute both easements at 130 E Rosemary (upper Lot 2).

- 4.** Approve Amending the 2021-2022 HOME Investment Partnership Program Annual Plan. [\[23-0120\]](#)

By adopting the resolution, the Council authorizes the HOME-ARP Allocation Plan be added as an amendment to the 2021-2022 HOME Investment Partnership Program Plan to be incorporated into the Annual Update to the 2020-2024 Consolidated Plan, for submission to the U.S. Department of Housing and Urban Development.

- 5.** Approve the Interim Town Manager's Employment Contract. [\[23-0121\]](#)

By adopting the resolution, the Council approves the contract of Interim Manager Christopher C. Blue.

- 6.** Authorize the Mayor to Execute a Contract for the Town Manager Recruitment and Selection Process. [\[23-0122\]](#)

By adopting the resolution, the Council authorizes the Mayor to execute a contract on behalf of the Town with POLIHIRE to search for a Town Manager.

INFORMATION

- 7.** Receive Upcoming Public Hearing Items and Petition Status List. [\[23-0123\]](#)

By accepting the report, the Council acknowledges receipt of the Scheduled Public Hearings and Status of Petitions to Council lists.

DISCUSSION

- 8.** Initial Budget Public Forum on the Annual Budget, Capital Program, Use of Grants and Related Items, and Potential Legislative Requests. [\[23-0124\]](#)

PRESENTER: Matt Brinkley, Assistant Director, Business Management

RECOMMENDATION: That the Council receive comments from the public on the forum; and that the Council refer comments and questions to the Town Manager for consideration in the budget process.

- 9.** Shaping Our Future - Stormwater Regulations Review [\[23-0125\]](#)

PRESENTER: Kevin Bigalke, SRF Consulting Group

RECOMMENDATION: That the Council receive the presentation and provide feedback.

- 10.** Shaping Our Future - Transit Oriented Development and Land Use Management Ordinance Update. [\[23-0126\]](#)

PRESENTER: Allison Mouch, Orion Planning & Design

RECOMMENDATION: That the Council receive the presentation and provide feedback.

- 11.** Update on Administering Concept Plan and Conditional Zoning Applications. [\[23-0127\]](#)

PRESENTER: Mary Jane Nirdlinger, Deputy Town Manager

RECOMMENDATION: That the Council receive the update and share any feedback with staff.

APPOINTMENTS

- 12.** Appointments to the Planning Commission. [\[23-0128\]](#)

REQUEST FOR CLOSED SESSION TO DISCUSS ECONOMIC DEVELOPMENT, PROPERTY ACQUISITION, PERSONNEL, AND/OR LITIGATION MATTERS



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 1., **File #:** [23-0117], **Version:** 1

Meeting Date: 2/15/2023

Cultural Arts Commission Request for Name, Membership and Charge Changes.

Staff:

Sabrina M. Oliver, Director and Town Clerk
Amy T. Harvey, Deputy Town Clerk

Department:

Communications and Public Affairs

Overview: Petitions and other similar requests submitted by the public, whether written or oral, are heard at the beginning of each regular meeting. Except in the case of urgency and unanimous vote of the Council members present, petitions will not be acted upon at the time presented. After receiving a petition, the Council shall, by simple motion, dispose of it as follows: consideration at a future regular Council meeting; referral to another board or committee for study and report; referral to the Town Manager for investigation and report; receive for information. See the [Status of Petitions to Council <https://www.townofchapelhill.org/government/mayor-and-council/how-to-submit-a-petition/petition-status>](https://www.townofchapelhill.org/government/mayor-and-council/how-to-submit-a-petition/petition-status) webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.



Recommendation(s):

That the Council consider the petition.



Attachments:

- **Cultural Arts Commission Request**

BACKGROUND

At their November meeting, the Chapel Hill Cultural Arts Commission voted unanimously to recommend to Council a change to their name, membership, and charge. Their interests in making this recommendation include:

- Clearly differentiating the group from Carrboro Arts Committee and Orange County Arts Commission and diminishing any confusion caused by similar names
- Aligning the group more closely with Community Arts & Culture, the Town division they are associated with
- “Right-sizing” the group and aligning them with most other Town Advisory Boards & Commissions
- Clearly framing the group’s charge as advisory to Council, and more clearly establishing them as part of the Town’s network of advisory boards & commissions
- Articulating specific duties of the group to better communicate/recruit potential members

On behalf of the Commission, I submit the following recommendations for Council review and approval:

RECOMMENDED NAME/MEMBERSHIP/CHARGE

NAME - Community Arts & Culture Advisory Board

MEMBERSHIP - Nine members

CHARGE - The Community Arts & Culture Advisory Board advocates for arts and culture in the public realm and advises Town Council on related matters. The Board encourages both the Town Council and the Community Arts & Culture Division to promote equity, engagement, and education in arts initiatives. The Board’s duties include making recommendations for the Town’s Percent for Art program, recommending distribution of funding to nonprofit arts and culture organizations, and serving on selection committees for arts projects and programs.

CURRENT NAME/MEMBERSHIP/CHARGE

NAME – Cultural Arts Commission

MEMBERSHIP – Eleven members

MISSION - The mission of the Chapel Hill Cultural Arts Commission is to enhance and enliven the community through public art. The CAC advises the Chapel Hill Town Council on art-related matters, works with Town staff to administer the Percent for Art program, increases public access to the arts through programming initiatives, and promotes public understanding and awareness of the arts.



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
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Chapel Hill, NC 27514

Item Overview

Item #: 2., **File #:** [23-0118], **Version:** 1

Meeting Date: 2/15/2023

Approve all Consent Agenda Items.

Staff:

Sabrina M. Oliver, Director/Town Clerk
Amy T. Harvey, Deputy Town Clerk
Brenton Hodge, Assistant Town Clerk

Department:

Communications and Public Affairs

Overview: Items of a routine nature to be voted on in a block. Any item may be removed from the Consent Agenda by the request of the Mayor or any Council Member.



Recommendation(s):

That the Council adopt the various resolutions and ordinances.

Fiscal Impact/Resources: Please refer to each agenda item for specific fiscal notes.



Attachments:

- Resolution

**A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ENACTING VARIOUS ORDINANCES
(2023-02-15/R-1)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts the following resolutions and ordinances as submitted by the Town Manager in regard to the following:

3. Grant a Paved Walkway Easement and a Natural Gas Utility Easement on Town-owned Property at 130 E Rosemary St (Portion of Parking Lot 2) and Authorize the Town Manager to Execute the Easements. (R-2) (R-3)
4. Approve Amending the 2021-2022 HOME Investment Partnership Program Annual Plan. (R-4)
5. Approve the Interim Town Manager's Employment Contract. (R-5)
6. Authorize the Mayor to Execute a Contract for the Town Manager Recruitment and Selection Process. (R-6)

This the 15th day of February, 2023.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting the resolution, the Council can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
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Chapel Hill, NC 27514

Item Overview

Item #: 3., File #: [23-0119], Version: 1

Meeting Date: 2/15/2023

Grant a Paved Walkway Easement and a Natural Gas Utility Easement on Town-owned Property at 130 E Rosemary St (Portion of Parking Lot 2) and Authorize the Town Manager to Execute the Easements.

Staff:

Chris Blue, Interim Town Manager
Mary Jane Nirdlinger, Deputy Town Manager
Dwight Bassett, Director

Department:

Manager's Office

Economic Development and Parking Services

Overview:

- The paved walkway easement will extend from the existing Rosemary Street sidewalk to the building entrance in the area.
- The utility easement would allow an existing natural gas line serving the building to be relocated along the western side of the 136 E. Rosemary Street building.
- Both easements would be along the building and within a recorded 30-foot no-build area.

Background:

On June 24, 2020, Council approved rezoning the 136/137 property for a redevelopment project.

No-Build Area/Restrictive Covenants Area

Both easements would be located adjacent and parallel to the 136 E. Rosemary Street building and within a 30-foot wide area (Restrictive Covenants Area) along the eastern end of Town-owned Parking Lot 2 (Lot 2), upon which the Town has recorded covenants restricting improvements in this area as a short-term solution to addressing fire access issues related to the 136/137 project. The restrictive covenants are revocable by the Town and enforceable only by the Town.

Construction Staging Area

Most of the Restrictive Covenants Area is within a wider area along the upper, eastern portion of Lot 2 (with the current address of 130 E. Rosemary Street) over which the Town has granted Grubb Management, LLC (Licensee) a license for a construction staging area serving the 136/137 renovation and other projects as contemplated by the October 14, 2020 Economic Development Agreement between the Town and Grubb Management, LLC (subsequently assigned to Franklin Office Chapel Hill, LLC).

When the construction staging area in the easternmost portion of the Town's Lot 2 is no longer needed, the Licensee will remove asphalt, seed the area with grass, and construct a sidewalk across the area between Rosemary and Franklin streets, including appropriate retaining walls. Further future use of this area has not yet been determined.

Proposed Easements

The proposed 10.5-foot-wide paved walkway easement is for access to the side entrance of 136 E. Rosemary Street adjacent to Lot 2, to serve as the primary access for a future tenant. The proposed 10-foot-wide utility easement will allow for relocating a natural gas line serving the building to along the west

side of the 136 E. Rosemary Street building

**Recommendation(s):**

- That the Council grant a paved walkway easement and a natural gas utility easement over the eastern portion of Lot 2 to benefit property at 136 E. Rosemary Street/137 E. Franklin Street.
- That the Council authorize the Town Manager to execute the two deeds of easement

Decision Points:

- With this action, the Council would grant and authorize the Manager to execute two deeds of easements over a Town-owned parking lot to benefit property at 136 E. Rosemary Street/137 E. Franklin Street (136/137) owned by Franklin Office Chapel Hill, LLC. The easements would support the development of 136 E. Rosemary Street/137 E. Franklin Street (136/137).

Key Issues:

- The 136/137 project is a key part of the Town's Downtown development strategy to attract workers and companies to downtown. Both proposed easements would serve the project.

Fiscal Impact/Resources:

- For the paved walkway easement, the Town will receive compensation from Franklin Office Chapel Hill, LLC in the amount of \$10. The easement also supports the Town's economic development interests in supporting an important attractant of local business Downtown.
- The Town will receive compensation from Dominion Energy in the amount of \$1 for the utility easement.

**Attachments:**

- Resolution granting a paved walkway easement and authorizing the Town Manager to execute the easement
- Resolution granting a natural gas easement and authorizing the Town Manager to execute the easement
- Declaration of Restrictive Covenants/30-foot no build area
- Proposed paved walkway easement and exhibit
- Proposed natural gas utility easement and exhibit

A RESOLUTION GRANTING A PAVED WALKWAY EASEMENT AT 100 E, ROSEMARY (LOT 2) AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THE DEED OF EASEMENT. (2023-02-15/R-2)

WHEREAS, the 136 E. Rosemary St./137 E. Franklin St. project (136/137) is a key part of the Town's Downtown development strategy, for which Council approved rezoning on June 24, 2020, which was negotiated under an Economic Development Agreement and Conditional Zoning Process in 2020; and

WHEREAS, Franklin Office Chapel Hill, LLC has requested a paved walkway easement to allow access from East Rosemary Street to the side entrance of the 136 E. Rosemary Street building to serve as the primary access for a future tenant; and

WHEREAS, this access would be co-located with existing utilities.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council grants a paved walkway easement to Franklin Office Chapel Hill, LLC on Town-owned property located at 130 E. Rosemary Street.

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to execute a deed of easement for a paved walkway easement on Town-owned property substantially similar to the easement attached and described in the February 15, 2023 meeting materials.

This the 15th day of February, 2023.

A RESOLUTION GRANTING A NATURAL GAS UTILITY EASEMENT AT 100 E, ROSEMARY (LOT 2) AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THE DEED OF EASEMENT. (2023-02-15/R-3)

WHEREAS, the 136 E. Rosemary St./137 E. Franklin St. project (136/137) is a key part of the Town's Downtown development strategy, for which Council approved rezoning on June 24, 2020, which was negotiated under an Economic Development Agreement and Conditional Zoning Process in 2020; and

WHEREAS, Public Service Company of North Carolina, Incorporated, dba Dominion Energy North Carolina, requested a natural gas easement on Town-owned property located at 130 E. Rosemary Street; and

WHEREAS, this easement would be co-located with existing utilities, and

WHEREAS, the 10-foot-wide utility easement will allow for relocating a natural gas line serving the building to along the western side of the 136 E. Rosemary Street building.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council grants a Utility Easement to Public Service Company of North Carolina, Incorporated, dba Dominion Energy North Carolina on Town-owned property located at 130 E. Rosemary Street.

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to execute a deed of easement for a utility easement on Town-owned property substantially similar to the easement attached and described in the February 15, 2023 meeting materials.

This the 15th day of February, 2023.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting the resolution, the Council grants a Utility Easement to Public Service Company of North Carolina, Incorporated, dba Dominion Energy North Carolina and the Council grants a paved walkway easement to Franklin Office Chapel Hill, LLC for access to the entrance of the 136 E. Rosemary Street building and authorizes the Town manager to execute both easements at 130 E Rosemary (upper Lot 2).

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Doc No: 30081020
Recorded: 11/07/2022 11:43:42 AM
Fee Amt: \$26.00 Page 1 of 7

Orange County North Carolina
Mark Chilton, Register of Deeds
BK **6800** PG **376 - 382 (7)**

Wallace P. Yelland

STATE OF NORTH CAROLINA

DECLARATION OF RESTRICTIVE COVENANTS

COUNTY OF ORANGE

PIN: 9788-37-5557 *W*

Prepared by: Eric W. Hinson, 1709 Legion Road, Chapel Hill, NC 27517
RETURN TO: Ann Anderson, Town Attorney, Town of Chapel Hill
405 Martin Luther King Jr. Blvd., Chapel Hill, NC 27514

THIS DECLARATION OF RESTRICTIVE COVENANTS (the "**Declaration**") is made on the date hereinafter set forth by **Town of Chapel Hill**, a North Carolina municipal corporation in Orange County, North Carolina, (the "**Declarant**");

WITNESSETH:

WHEREAS, Declarant is the owner of all that certain tract or parcel of real property known and located at 130 E. Rosemary Street, Chapel Hill, Orange County, North Carolina as more particularly described in those certain deeds recorded in Book 450, Page 73 [Tract 2 or B]; Book 1269, Page 431 [Tract 3]; and Book 1269, Page 442 [Tract 3], all of the Orange County Registry, (the "**Property**"); and

WHEREAS, Declarant has constructed, proposes to construct, or may desire to construct, maintain and/or make certain improvements to the Property (the "**Improvements**") and other improvements to other properties owned by Declarant and other owner(s) constructed, proposed to be constructed, or desired to be constructed pursuant to that certain Economic Development Agreement for Rosemary Street Redevelopment-Opportunity Zone Project by and between Declarant and Grubb Management LLC dated October 1, 2020 (the "**EDA**") and other relevant documents and instruments, including but not limited to, that certain License Agreement by and between Declarant and Grubb Management LLC dated January 6, 2021 (the "**License Agreement**"); and

WHEREAS, Declarant desires that the Property and the value and desirability thereof be enhanced and protected and that viability, value and desirability of the project(s) pursuant to the EDA be enhanced, and to that end, desires to subject a portion of the Property to the covenants, conditions, and restrictions, hereinafter set forth, each and all of which is and are for the benefit of said Property and other properties and the owners thereof; and

WHEREAS, Declarant acknowledges that certain benefits will flow to Declarant and others from said Improvements;

NOW, THEREFORE, Declarant declares that the Property and, is and shall be owned, held, transferred, sold, conveyed, mortgaged, used and occupied subject to the covenants, conditions and restrictions hereinafter set forth in this Declaration, which shall run with the real property and be binding on all parties owning any right, title or interest in said real property or any part thereof, their heirs, personal representatives, successors and assigns, and shall inure to the benefit of each owner thereof.

1. Area of Restriction. That portion of the Property subject to the covenants, conditions and restriction set forth hereinafter is more particularly described as follows:

BEING a strip of varying width located along the common property line of the property to the east now or formerly owned by Franklin Office Chapel Hill LLC as described in that certain deed recorded in Book 6603, Page 282, Orange County Registry and designated as Parcel Identification Number 9788-37-7517, said area being more generally shown on Attachment A for illustrative purposes, and described as BEGINNING at an iron inside the now existing curb line of East Rosemary Street; running thence South 25° 28' 00" East 132.65' to a point; running thence South 64° 32' 00" West 19.06' to a point; running thence North 25° 09' 01" West 1.53' to a point; running thence South 64° 50' 59" West 10.93' to a point; running thence North 25° 28' 00" West 134.12' to a point inside the now existing curb line of East Rosemary Street; running thence along the inside of the now existing curb line of East Rosemary Street North 64° 32' 00" East 30.00' to the point and place of beginning.

(the "30' No Build Area").

2. No Improvements within 30' No Build Area. After completion of the Improvements, no permanent or affixed structure, improvement, fixture or the like shall be constructed, installed or otherwise placed within the 30' No Build Area unless the same is in compliance with all applicable fire and/or building code requirements and approved by the appropriate governmental authority in writing.

3. Maintenance of 30' No Build Area; General Appearance. An owner shall keep the 30' No Build Area in an orderly condition and shall keep the improvements thereon in a suitable state of repair.

4. Enforcement. Declarant and/or its designated successors or assigns shall have the right to enforcement of a violation or attempt to violate any of the covenants, conditions or restrictions as set forth in this Declaration. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, condition or restriction, either to restrain violation or to recover damages, or both. The prevailing party in any enforcement proceeding shall be entitled to recover from the adverse party a reasonable sum for reimbursement for attorney's fees and court costs incurred in enforcing or defending matters related to this Declaration in an amount to be determined by the court. Invalidation of any one of these covenants, conditions or restrictions by judgment or court order shall in no way affect any other covenant, condition, restriction or provision of this Declaration, which shall remain in full force and effect.

5. Severability. If any provisions of this Declaration shall be invalid, illegal or unenforceable, the offending provision shall be modified so as to be valid, legal and enforceable but only so much as to most nearly retain the intent hereof.

6. Amendment or Termination. The covenants, conditions and restrictions of this Declaration shall run and bind the land, for a term of twenty (20) years from the date this Declaration is recorded, after which time they shall be automatically extended for successive periods of ten (10) years unless terminated or altered by the Declarant as set forth below. As long as Declarant or its successors and assigns are a record owner of the Property, this Declaration may be amended or terminated by the Declarant or its successors and assigns without the consent of any other party, person or entity. No amendment or termination shall be effective unless it has been recorded in the office of the Register of Deeds of Orange County.

7. Declarant's Rights. Declarant reserves all rights and shall have the right to designate its successors or assigns by written instrument recorded in the office of the Register of Deeds of Orange County.

[Signature Page Follows]

The individual(s) signing this instrument on behalf of Declarant warrant(s) and represent(s) that (s)he has the authority to act and bind said Declarant to the terms and conditions of this instrument.

IN WITNESS WHEREOF, Declarant has caused this instrument to be executed in its name by its duly authorized officer, as of the 3rd day of November, 2022.

Declarant

IN WITNESS WHEREOF, the Town has duly executed the foregoing as of the day and year above written.

TOWN OF CHAPEL HILL

By: *Mary Jane Nirdlinger* (Seal)
Name: MARY JANE NIRDLINGER
Title: (Deputy) Town Manager

DATE: 11/02/2022

ATTEST:

(Corporate Seal)

By: *Sabrina M. Oliver* (Seal)
Name: SABRINA M. OLIVER
Title: (Deputy/Acting) Town Clerk



DATE: 11-02-2022

APPROVED AS TO FORM AND AUTHORIZATION:

By: *Ann M. Anderson* (Seal)
Name: Ann M. Anderson
Title: Town Attorney

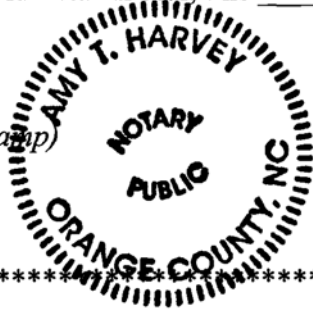
DATE: 11/3/2022

STATE OF NORTH CAROLINA, ORANGE COUNTY ss:

I, Amy T. Harvey, a Notary Public of the State of North Carolina, County of Orange, do hereby certify that SABRINA M. OLIVER, personally appeared before me this day and acknowledged that (s)he is (~~Deputy/Acting~~) Town Clerk of the Town of Chapel Hill, a North Carolina municipal corporation, and that by authority duly given and as the act of the municipal corporation, the foregoing and annexed instrument was signed in its name by Mary Jane Nirdlinger, its (Deputy) Town Manager, sealed with its corporate seal, and attested by (~~him~~)/(her) as its (~~Deputy/Acting~~) Town Clerk.

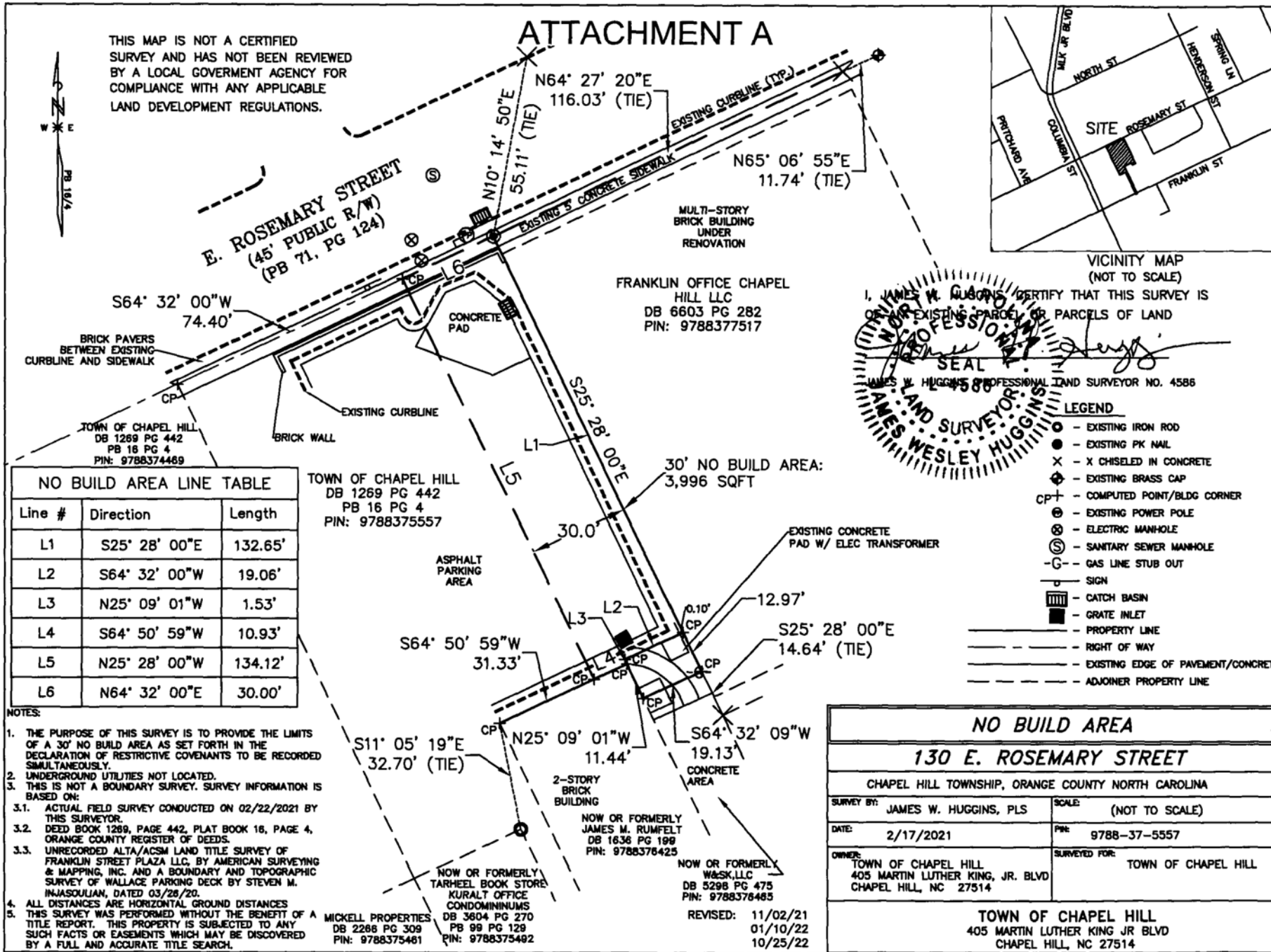
Witness my hand and notarial seal, this 2 day of November, 20 22.

(Official Seal or Stamp)



Amy T. Harvey
Notary Public
My Commission Expires: May 15, 2025

ATTACHMENT A
[for illustrative purposes]
[attached and follows]



STATE OF NORTH CAROLINA

**ACCESS AND TEMPORARY
CONSTRUCTION EASEMENT**

COUNTY OF ORANGE

Revenue Stamps: \$_____

**PINs: 9788-37-7517 (136 E. Rosemary)
9788-37-5557 (130 E. Rosemary)**

Prepared by: Amanda Bambrick, Morningstar Law Group, 421 Fayetteville Street, Suite 530, Raleigh, NC 27601
RETURN TO: Ann Anderson, Town Attorney, Town of Chapel Hill
405 Martin Luther King Jr. Blvd., Chapel Hill, NC 27514

THIS PUBLIC ACCESS AND TEMPORARY CONSTRUCTION EASEMENT (hereinafter referred to as the “**Easement**”) is made and entered into this the ____ day of _____, 2022 by and between **Franklin Office Chapel Hill, LLC**, a Delaware limited liability company authorized to do business in the State of North Carolina, whose mailing address is 4601 Park Road, Suite 450, Charlotte, NC 28209, (hereinafter referred to as “**Grantee**”), and **Town of Chapel Hill**, a North Carolina municipal corporation in Orange County, North Carolina whose mailing address is 405 Martin Luther King Jr. Blvd., Chapel Hill, NC 27514, (hereinafter referred to as “**Grantor**”). The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns and shall include singular, plural, masculine, feminine or neuter as required by context.

W I T N E S S E T H:

WHEREAS, Grantee is the owner of certain real property known as and located at 136 E. Rosemary Street, in Chapel Hill, Chapel Hill Township, Orange County, North Carolina, as more particularly described in that certain deed recorded in **Book 6603, Page 282**, Orange County Registry, (hereinafter referred to as “**Grantee’s Property**”);

WHEREAS, Grantor is the owner of certain adjacent real property known as and located at 130 E. Rosemary Street, in Chapel Hill, Chapel Hill Township, Orange County, North Carolina, as more particularly described in that certain deed recorded in **Book 1269, Page 442**, Orange County Registry, (hereinafter referred to as “**Grantor’s Property**”);

WHEREAS, Grantee plans to construct at its sole cost and expense a public paved Walkway, retaining wall, and related stormwater and appurtenant facilities upon Grantor's Property, as more specifically set forth and depicted herein (hereinafter collectively referred to as the "**Paved WalkwayWalkway**");

WHEREAS, in constructing the Paved Walkway, Grantee plans to access portions of Grantor's Property from time to time as may be required for purposes of the installation and construction of the Paved Walkway, including foundations and related infrastructure and appurtenances;

WHEREAS, Grantee has requested that Grantor grant a temporary construction easement upon Grantor's Property for the installation of the Paved Walkway, subject to the terms and conditions set forth in this Easement hereinbelow;

WHEREAS, Grantee has requested that upon its completion of the Paved Walkway, Grantor grant a permanent public access easement related to the Paved Walkway in all aspects, subject to the terms and conditions set forth in this Easement hereinbelow;

WHEREAS, Grantor acknowledges that that certain benefits will flow both to Grantor and the lands of the Grantor and to other owners and other lands from the construction of said Paved Walkway and has agreed to grant certain easements upon the Grantor's Property to Grantee, subject to the terms and conditions set forth in this Easement hereinbelow;

NOW THEREFORE, said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration in hand paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, including without limitation related to Grantee's expenditures with regard to the installation and ongoing maintenance in all aspects of the Paved Walkway, which will promote connectivity and economic development in the general vicinity thereof, has and by these presents does grant, bargain, sell and convey unto the Grantee the Easement, in perpetuity, upon the Grantor's Property, situated in the Town of Chapel Hill, Chapel Hill Township, Orange County, North Carolina, more particularly described as follows:

[INSERT EASEMENT DESCRIPTION]

The parties further agree as follows:

1. **Recitals.** The recitals above are incorporated into this Easement by reference.
2. **Grantee Access; Public Access.**

The Paved Walkway shall be installed in, on, or under Grantor's Property generally in the area shown on **Exhibit "A"** attached hereto and incorporated herein. Grantor hereby grants Grantee, its agents, employees and/or contractors, at Grantee's sole cost, expense and liability, the right to pedestrian and vehicular ingress, egress and regress on, over and across the Grantor Property as reasonably necessary for the installation and construction of the Paved Walkway in all aspects. Grantor expressly warrants and represents that certain Declaration of Restrictive Covenants made by Grantor recorded on November 7,

2022 at Book 6800, Page 376, Orange County Registry, does not prevent, prohibit, or restrict the installation, construction, and/or maintenance of the Paved Walkway hereunder.

Grantee, its agents, employees and/or contractors shall deliver to Grantor as-built drawings detailing the location, composition and dimensions of the Paved Walkway within ninety (90) days following completion of the construction of the Paved Walkway.

Grantee, its agents, employees and/or contractors shall (a) conduct its work in such a manner as to avoid unreasonable interruptions of or interference with the ownership, use, operation and enjoyment of Grantor's Property by Grantor, its tenants, employees, agents, contractors and guests; (b) use commercially reasonable efforts to minimize any inconvenience to Grantor, its tenants, employees, agents, contractors and guests during the construction of the Paved Walkway; and (c) repair any material physical damages to the Grantor Property arising from the work described herein as reasonably possible.

Upon completion of the Paved Walkway by Grantee, the Easement shall be a non-exclusive easement for the purposes of allowing ingress and egress to and from Grantee's property by persons with reasonable need for such access.. Notwithstanding any other provisions herein, this Easement shall be enforceable against Grantor only by Grantee, its successors and assigns, and is not enforceable against Grantor by any third party nor by any other person whether on that person's behalf or on behalf of a member of the public or the public generally. In addition, nothing in this Easement shall in any way limit Grantor from accessing the Easement for any purposes at any time as may suit its purposes.

Grantee, its successors and assigns, shall be solely responsible for maintenance of improvements on the Easement, which maintenance shall include but not be limited to removal of obstructions within the Paved Walkway, repair and replacement of the Paved Walkway as needed in Grantee's reasonable discretion, and maintenance of vegetation, if any, within the Easement.

3. **Standard of Care.** Grantee shall (a) perform all construction work in a safe and workmanlike manner, in accordance with applicable governmental laws, rules and regulations and customary prevailing standards; and (b) use commercially reasonable efforts to protect all improvements and utilities located on the Grantor's Property.

4. **Indemnity.** Grantee shall hold Grantor, its successors, heirs and assigns, harmless and indemnify the same from and against any and all claims, judgments, transgressions, losses, demands, damages, penalties, fines, costs and liabilities, (including sums paid in settlement of claims), or causes of action of any kind, character or nature, known or unknown, at law or in equity, in contract, tort or under statute or otherwise, for, or in connection with, any environmental matter, accident, loss of life, injury or damage whatsoever caused to any person or property, and from payment of monies or otherwise, arising out of Grantee's negligence or intentional misconduct related to the construction, installation, or maintenance of the Paved Walkway and from and against any and all costs, expenses and liability incurred with respect thereto, including reasonable attorney's fees, consultant fees and expert fees, in connection with such claim or proceeding. The indemnification provisions contained herein shall survive the extinguishment, lapse or abandonment of the Easement granted herein to Grantee, its successors, heirs and assigns.

5. **Insurance.** Until final completion of the Paved Walkway, Grantee will obtain and maintain in full force and effect or cause its agents and/or contractors to obtain and maintain in full force and effect the following insurance: (a) comprehensive general liability insurance of \$1,000,000.00 combined single limit per occurrence for loss of life, bodily injury and property damage with a minimum of \$3,000,000.00 aggregate which may be satisfied with a combination of primary and excess insurance; (b) automobile liability insurance covering any owned, non-owned, leased, rented or borrowed vehicles of Grantee on an occurrence basis with a minimum single limit of not less than \$1,000,000.00 for loss of life, bodily injury and property damage; (c) contractual liability insurance sufficient to cover Grantee's indemnification obligations hereunder; and (d) worker's compensation and other employers' liability insurance in such amounts which are reasonable necessary, but not less than any local, state or federal legal or statutorily requirements. Grantee shall provide evidence of such insurance prior to Grantee's commencement of work and at other times upon written request from the Grantor. Grantee's policies shall state that the insurance company cannot cancel or refuse to renew without at least thirty (30) days prior written notice to the Grantor before the expiration of each policy. The insurance shall be effected with insurers that are authorized to do business in North Carolina and in good standing and rating, under valid and enforceable policies naming Grantor as an additional insured as his interests may appear and naming Grantor's mortgagees, if any.

6. **Breach.** In the event that a party breaches any obligation under this Easement, the non-breaching party shall provide the breaching party with written notice of such breach with sufficient explanation and description and reasonable documentation of the nature of the breach. Within thirty (30) days after receiving the written notice, the breaching party shall have a duty to remedy the breach to the extent commercially reasonable and appropriate. In the event that the nature of the breach cannot be reasonably remedied within said thirty (30) days, the breaching party shall be allowed a reasonable period of time to remedy said breach provided that the breaching party shall promptly commence and diligently prosecute said remedy. Further, in no event under any breach shall either party be liable to the other party for special, consequential, expectancy, incidental and/or punitive damages. The sole remedy available for a breach under this Easement shall be an action for specific performance to enforce the obligations against the breaching party.

7. **Notices.** All necessary notices, demands and requests required or permitted to be given under the provisions of this Easement shall be deemed duly given, if made by hand delivery or mailed by certified mail, postage pre-paid, or by Federal Express or other similar overnight delivery carrier, addressed as follows:

Grantee: Franklin Office Chapel Hill, LLC
 Attn: _____
 4601 Park Road, Suite 450
 Charlotte, NC 28209

Grantor: Town of Chapel Hill
 Attn: Town Manager
 405 Martin Luther King Jr. Blvd.
 Chapel Hill, NC 27514

or such other address as a party may provide in writing to the other or as may be shown on the public tax rolls of Orange County, North Carolina.

Notice mailed by certified mail shall be deemed received by the addressee upon signed receipt. Notice personally delivered shall be deemed received when delivered. Notice mailed by overnight express courier shall be deemed received by the addressee upon mailing. Either party at any time may change the address for notice to such party by mailing, sending or delivering a Notice as aforesaid. Time shall run only on business days which, for purposes of this Easement shall be any day other than a Saturday, Sunday or legal public holiday.

8. **Assignment.** The Easement granted herein may be assigned by the Grantee upon the written consent of Grantor, which shall not be unreasonably withheld, conditioned, or delayed.

9. **Survival.** All of the terms, covenants, conditions, representations, warranties, and agreements of this Easement shall survive and continue in full force and effect and shall be enforceable after the termination hereof.

10. **Binding Effect and Jurisdiction.** This Easement shall be binding on and inure to the benefit of the parties hereto, their respective officers, owners, heirs, administrators, personal representatives, successors and permitted assigns and shall be interpreted insofar, as is possible, in accordance with the laws of the State of North Carolina. Each party hereby submits themselves to the jurisdictions of the courts of the State of North Carolina in any future action brought by either of them to enforce any provision of this Easement. The parties agree to personally submit themselves exclusively to the personal jurisdiction of the trial courts located in Orange County, North Carolina with regard to any dispute arising out of this Contract. The parties further agree that venue shall be proper only in the courts located in said Orange County, North Carolina.

11. **Costs.** Each party shall be responsible for their own costs incurred in connection with this Easement, including but not limited to, reasonable legal costs for their respective counsel in connection with the review, preparation, negotiation and enforcement of this Easement.

12. **Authority.** Any individual signing this instrument on behalf of a corporate entity warrants and represents that (s)he has the authority to act and bind said entity to the terms and conditions of this instrument.

13. **Modification and Waiver/Termination.** A modification of any of the provisions of this Easement shall be effective only if made in writing and executed with the same formality as this Easement and shall be recorded in the public records of the Orange County Registry. The failure of either party to insist upon strict performance of any of the provisions of this Easement shall not be construed as a waiver of any subsequent default of the same or similar nature. In the event the Easement should become unnecessary as a means of access to Grantee's Property; fall into material disuse as a means of access to Grantee's Property for a period of one (1) year or more; and/or the Paved Walkway improvements should suffer significant damage or disrepair for a period of six (6) months or more such that in the Grantor's sole judgement the Easement is not suitable as a means of ingress or egress to Grantee's Property, then this Easement shall terminate and have no further force and effect.

14. **Severability.** It is expressly understood and agreed that in the event of any one or more of the provisions of this Easement shall be unenforceable for any reason, the remaining portions of this Easement shall, nevertheless, remain in full force and effect, and the unenforceable provision or provisions shall be deemed deleted.

15. **Captions.** The captions or paragraph headings are for convenience and ease of reference only and shall not be construed to limit, modify or alter the terms of this Easement.

16. **Construction of Terms.** Where appropriate, any word denoting the singular shall be deemed to denote the plural, and vice versa. Where appropriate, any word denoting or referring to one gender shall be deemed to include the other gender.

17. **Entire Agreement.** This Easement contains the entire understanding of the parties hereto and there are no representations, warranties, covenants or undertakings other than those expressly set forth herein which shall be deemed to be binding upon the parties. No statements, matters or representations, oral or written, or extrinsic to this Easement are relied upon or shall have any force or effect.

18. **Conveyance.** The subject property does not contain the primary residence of the Grantor. Grantor shall retain fee ownership of the land subject to said easement.

TO HAVE AND TO HOLD the aforesaid rights and easements to the Grantee, his successors and/or assigns, in title for the time period set forth herein, it being agreed that the rights and easements hereby granted are appurtenant to and run with the lands now owned by the Grantee hereinabove referred.

And the Grantor covenants with the Grantee that it is seized of the above-described lands in fee simple in which the aforesaid rights and easements are granted and that he has the right to convey such rights and easements. Otherwise, Grantee acknowledges and accepts the subject easements in their "AS-IS, WHERE-IS" physical condition and "WITH ALL FAULTS", and this conveyance is made without any representations or warranties of any kind, express or implied, including without limitation, any representations or warranties of habitability or merchantability.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing PUBLIC ACCESS AND TEMPORARY CONSRUCTION EASEMENT as of the day and year first above written.

GRANTOR:

TOWN OF CHAPEL HILL
(a North Carolina municipal corporation)

By: _____ (Seal)
Name: _____
Title: _____ (Deputy) Town Manager

ATTEST BY TOWN CLERK: *(Corporate Seal)*

By: _____ (Seal)
Name: _____
Title: _____ (Deputy / acting) Town Clerk

Town Clerk attests date this the _____ day of _____, 20_____.

APPROVED AS TO FORM AND AUTHORIZATION:

By: _____ (Seal)
Ann Anderson, Town Attorney

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

By: _____ (Seal)
Name: _____
Title: _____ Finance Officer

DATE: _____

STATE OF _____, _____ COUNTY ss:

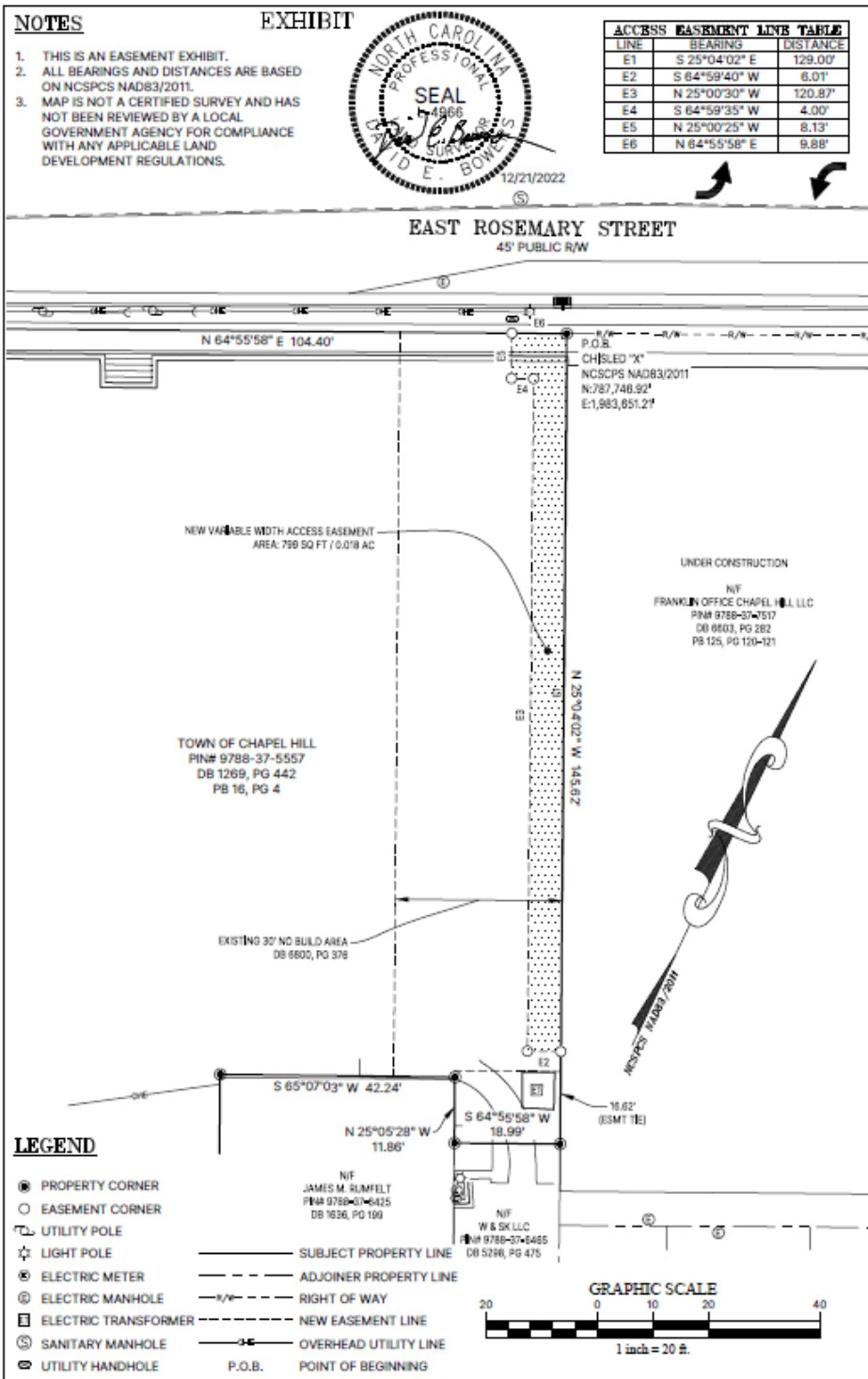
I, _____, a Notary Public of the State of North Carolina, County of _____, do hereby certify that _____, personally appeared before me this day and acknowledged that (s)he is (Deputy / acting) Town Clerk of the Town of Chapel Hill, a North Carolina municipal corporation, and that by authority duly given and as the act of the municipal corporation, the foregoing and annexed instrument was signed in its name by _____, its (Deputy) Town Manager, sealed with its corporate seal, and attested by her as its (Deputy / acting) Town Clerk.

Witness my hand and notarial seal, this ____ day of _____, 20____.

(Official Seal or Stamp)

Notary Public
My Commission Expires: _____

Exhibit "A" The Easement



LEGEND

- PROPERTY CORNER
- EASEMENT CORNER
- ⊕ UTILITY POLE
- ⊙ LIGHT POLE
- ⊗ ELECTRIC METER
- ⊕ ELECTRIC MANHOLE
- ⊗ ELECTRIC TRANSFORMER
- ⊙ SANITARY MANHOLE
- ⊕ UTILITY HANDHOLE
- SUBJECT PROPERTY LINE
- - - ADJOINER PROPERTY LINE
- · - · - RIGHT OF WAY
- · - · - NEW EASEMENT LINE
- OVERHEAD UTILITY LINE
- P.O.B. POINT OF BEGINNING

221 Providence Road
Chapel Hill, NC 27514

919.929.9401
ballentineassociates.com

NEW PUBLIC ACCESS EASEMENT EXHIBIT ACROSS:
TOWN OF CHAPEL HILL
130 EAST ROSEMARY ST, CHAPEL HILL
CHAPEL HILL TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA

JOB #: 119016.01
DATE: 21 DEC 22
SCALE: 1"=20'
DRAWN BY: EJS
CHECKED BY: DEB
REVISIONS:

UTILITY EASEMENT

PREPARED BY: Jane Foy Painter, Mullen Holland & Cooper P.A., Attorneys at Law
 RETURN TO: Dominion Energy North Carolina
 (Attn: Michael Davidson, Engineering Department)
 2020 Energy Drive
 Apex, North Carolina 27502

STATE OF NORTH CAROLINA

COUNTY OF ORANGE

Project No. 0073170

Know all men by these presents that for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration paid to **Town of Chapel Hill**, a North Carolina municipal corporation, (hereinafter designated "Grantor"), **the receipt and sufficiency of which is hereby acknowledged, including without limitation related to Grantee's expenditures with regard to the installation and ongoing maintenance in all aspects of the gas pipeline equipment (as more particularly defined herein), which will promote economic development in the general vicinity thereof, protecting critical business operations and minimizing impacts to access and surrounding businesses during maintenance and service of the utility easement**, the Grantor hereby bargains, sells, and conveys unto **Public Service Company of North Carolina, Incorporated**, a South Carolina corporation, dba Dominion Energy North Carolina (hereinafter designated "Grantee"), and its successors and assigns, a perpetual and exclusive, except as otherwise provided herein, ten (10) foot wide utility easement for the purpose of installing, laying, constructing, maintaining, operating, repairing, altering, replacing, and removing gas pipeline equipment for the transportation and control of natural gas under, upon, over, through and across lands of Grantor, or in which Grantor has interest situate in Orange County, North Carolina as described in that deed recorded in Book 1269 at Page 442 in the Orange County Registry, together with the rights of ingress and egress over and across the easement and the remaining lands of the Grantor for the purpose of obtaining access to and from the easement. The easement shall be generally located as shown on Exhibit "A" drawing attached hereto and incorporated herein by reference and located as close to the existing building as is reasonably possible in Grantee's sole discretion. The centerline of the pipeline as installed and/or constructed shall be the centerline of such right of way and easement hereby granted.

The Grantee shall have the right to assign this easement in whole or part at any time.

The Grantee shall have the right to remove all trees, undergrowth, and other obstructions which may be located within the easement that may injure, endanger, or interfere with the construction, operation, maintenance, and repair of said utility pipeline.

The Grantor, for itself, its successors and assigns, agrees to do nothing inconsistent with the rights of the Grantee hereunder, specifically including, but not limited to the following: 1) no structure nor obstruction of a temporary or permanent nature (including, but not limited to, fences and/or walls) shall be constructed or allowed to remain upon the easement herein granted; 2) nothing shall be done which would increase or decrease the depth of the pipeline below the surface of the ground; 3) roads, streets and/or public utility crossings may be built or erected by the Grantor or authorized agents over or upon the easement, subject to the above restrictions and so long as a minimum of a two (2) foot horizontal and a one (1) foot vertical separation is maintained from Grantee's facilities by such public or private facilities.

To have and to hold said utility easement unto the Grantee, its successors, and assigns, in title forever and the undersigned hereby binds itself, its successors, and assigns to warrant and forever defend all and singular said premises

unto the Grantee, its successors, and assigns, against the claims of all persons whomsoever.

It is understood and acknowledged by the undersigned that the person securing this grant is without authority to make any agreement with regard to the subject matter hereof which is not expressed herein, and that no such agreement will be binding on the Grantee.

IN WITNESS WHEREOF this instrument is signed and sealed this _____ day of _____ 2022.

GRANTOR:

Town of Chapel Hill, a North Carolina municipal corporation

By: _____
(Deputy) Town Manager

ATTEST:

Sabrina Oliver, Clerk

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public of _____ County, State of _____, do hereby certify that Sabina Oliver (the "Signatory"), personally appeared before me this day and acknowledged that she is the Clerk of the Town of Chapel Hill, a North Carolina municipal corporation and that by authority given and as the act of the Town of Fuquay-Varina, the foregoing document was signed in its name by Maurice Jones its Town Manager, sealed with its official seal, and attested by herself as its Clerk.

Witness my hand and official stamp or seal this _____ day of _____, 2022.

Notary Public

Print Name: _____

[Note: Notary Public must sign exactly as on notary seal]

My Commission Expires: _____

 [NOTARY SEAL] **(MUST BE FULLY LEGIBLE)**

(Official Seal)

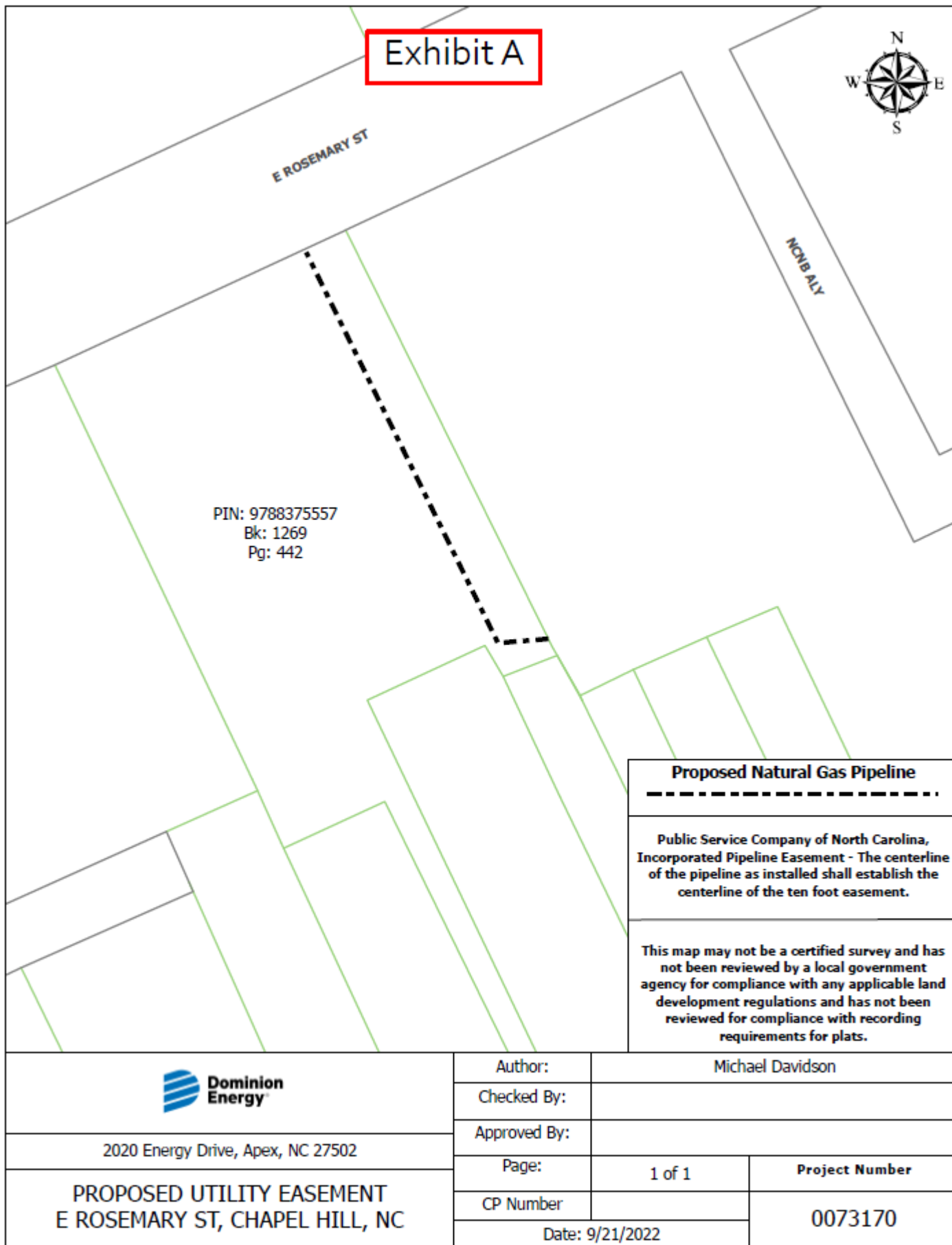


Exhibit A



E ROSEMARY ST


NCHB ALY

PIN: 9788375557
 Bk: 1269
 Pg: 442

Proposed Natural Gas Pipeline

Public Service Company of North Carolina,
 Incorporated Pipeline Easement - The centerline
 of the pipeline as installed shall establish the
 centerline of the ten foot easement.

This map may not be a certified survey and has
 not been reviewed by a local government
 agency for compliance with any applicable land
 development regulations and has not been
 reviewed for compliance with recording
 requirements for plats.

	Author:	Michael Davidson	
	Checked By:		
2020 Energy Drive, Apex, NC 27502	Approved By:		
	Page:	1 of 1	Project Number
PROPOSED UTILITY EASEMENT E ROSEMARY ST, CHAPEL HILL, NC	CP Number		0073170
	Date: 9/21/2022		



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 4., File #: [23-0120], Version: 1

Meeting Date: 2/15/2023

Approve Amending the 2021-2022 HOME Investment Partnership Program Annual Plan.

Staff:

Sarah Osmer Viñas, Director

Nate Broman-Fulks, Assistant Director

Megan Culp, Community Development Program Manager

Department:

Affordable Housing and Community
Connections

Overview: The purpose of this item is to consider a proposed amendment to the 2021-2022 HOME Investment Partnership Program Annual Plan approved by the Council on May 5, 2021. The Plan amendment would add the Allocation Plan for \$1,371,401 in HOME Investment Partnerships American Rescue Plan Program (HOME-ARP) funding.

The Orange County Local Government Affordable Housing Collaborative Overview

- The Town of Chapel Hill is a member of the Orange County HOME Program Consortium, with Orange County serving as the lead entity. The Consortium includes four participating jurisdictions (Chapel Hill, Carrboro, Hillsborough, and Orange County).
- To enhance collaboration around affordable housing among the jurisdictions in the County, [the scope of the existing Home consortium was expanded in 2017 and re-named the Orange County Local Government Affordable Housing Collaborative](http://chapelhill.granicus.com/MetaViewer.php?view_id=21&clip_id=3270&meta_id=174509) [<http://chapelhill.granicus.com/MetaViewer.php?view_id=21&clip_id=3270&meta_id=174509>](http://chapelhill.granicus.com/MetaViewer.php?view_id=21&clip_id=3270&meta_id=174509) (the Collaborative).
 - The Collaborative includes elected officials and staff from the each of the four participating jurisdictions and serves as the HOME Program Consortium application review team, charged with developing an annual HOME Program plan.
 - Mayor pro tem Karen Stegman represents the Chapel Hill Town Council on the Collaborative.

HOME-ARP

- The HOME-ARP provides HOME Program entitlement communities with a one-time award of funding to reduce homelessness and increase housing stability in response to the Covid-19 pandemic.
- The HOME-ARP Allocation Plan must be submitted to HUD as an amendment to the 2021-2022 HOME Annual Action Plan no later than March 31, 2023.
 - The Allocation Plan's purpose is to update HUD on the Collaborative's community engagement, needs analysis, prioritization for households served, and allocates the available funding to HUD-identified eligible use categories, with specific projects to be awarded funding later.
 - Eligible Categories include:
 - Development of Affordable Rental Housing
 - Tenant Based Rental Assistance (TBRA)
 - Homelessness Supportive Services
 - Creation of Non-Congregate Shelter
- All participating jurisdictions must approve and authorize submission of the plan or any amendments to the plan prior to submittal to the U.S. Department of Housing and Urban Development (HUD).

- The Collaborative recommends the Council review and approve an Amended 2021-2022 HOME Program Plan that includes the attached HOME-ARP Allocation plan. No other changes were made to the approved plan.

Summary of HOME-ARP Allocation Plan:

- Orange County conducted extensive community engagement and needs analysis in fall 2021 and winter 2022 to identify priorities for the HOME-ARP program.
- Based on the results from the planning process, the Local Government Affordable Housing Collaborative developed the recommended Allocation Plan for the use of \$1,371,401 in HOME-ARP that includes:
 - \$1,165,691 to be used for eligible Affordable Rental Housing Development projects.
 - \$205,710 in funding for Administration, which will support the development of a County-Wide Affordable Housing Plan.
 - A preference for projects that use Coordinated Entry (CE) to identify tenants for units developed using HOME-ARP funds.
 - CE is the process recommended by HUD and used by the Orange County Partnership to End Homelessness to bring providers and case managers together to assess, refer, and connect households experiencing housing crisis to housing and other assistance.
 - Since HOME-ARP must serve households experiencing homelessness or housing insecurity, CE is a good fit for identifying beneficiaries.
- Any changes to the Allocation Plan, including designating a portion of the funding for a different eligible category or changing the preferences for project or beneficiary selection, must be approved by the governing body of all four participating jurisdictions and HUD.
- Specific projects funded with HOME-ARP will be identified during an open application process planned for the Spring of 2023 after HUD approves the Allocation Plan, with the Collaborative developing a recommended funding plan for all 4 participating jurisdictions to review and approve prior to any work being completed.

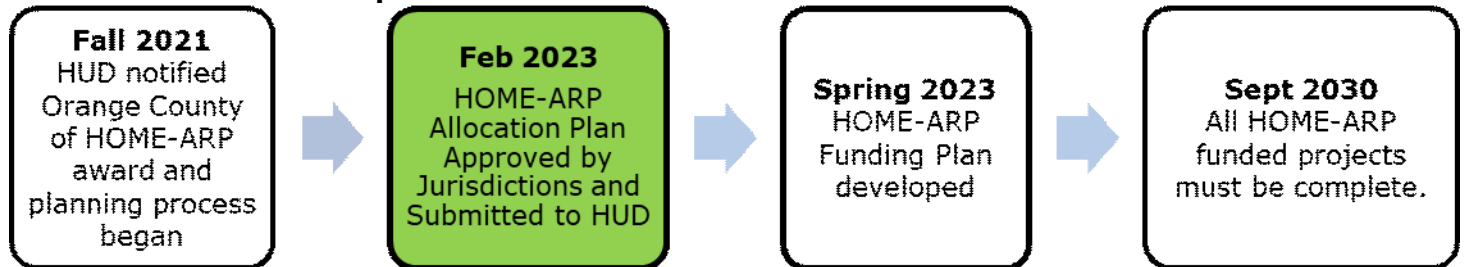


Recommendation(s):

That the Council:

1. Approve the Amended 2021-2022 Orange County HOME Investment Partnership Program Annual Plan to include the described HOME-ARP Allocation Plan for use of \$1,371,401.
2. Authorize including this plan in the annual update to the 2020-2024 Consolidated Plan submitted to the U.S. Department of Housing and Urban Development.

Fiscal Impact/Resources: The recommended Allocation Plan included as an amendment to the 2021-2022 HOME Annual Action Plan proposes to provide HOME-ARP funds as grants to non-profit organizations for affordable rental housing development. All the HOME-ARP funding included with the plan is provided by HUD to Orange County and no local match is required.

Where is this item in its process?**Attachments:**

- Resolution Approving the Amended 2021-2022 HOME Program Plan
- Draft HOME-ARP Allocation Plan

A RESOLUTION APPROVING AN AMENDMENT TO THE 2021-2022 HOME INVESTMENT PARTNERSHIP PROGRAM ANNUAL PLAN (2023-02-15/R-4)

WHEREAS, on May 5, 2021, the Chapel Hill Town Council approved a 2021-2022 HOME Investment Partnership Program Annual Plan to be carried out by the members of the Orange County HOME Consortium; and

WHEREAS, in September 2021 the U.S. Department of Housing and Urban Development (HUD) notified the Consortium of an additional one-time award of HOME Investment Partnership American Rescue Plan Program (HOME-ARP) funding in the amount of \$1,371,401 to reduce homelessness and increase housing stability; and

WHEREAS, HUD requires a HOME-ARP Allocation Plan be submitted for the funding as an amendment to the 2021-2022 HOME Investment Partnership Program Annual Plan; and

WHEREAS, Orange County conducted extensive county-wide community engagement and needs analysis to identify priority uses for the funds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approves the following HOME-ARP Allocation Plan submitted to HUD as an Amendment to the 2021-2022 HOME Investment Partnership Program Annual Plan to be carried out by the members of the Orange County HOME Consortium:

Eligible Use	Amount
Affordable Housing Rental Development	\$1,165,691
Administration (15% of HOME-ARP, per statute)	205,710
Total HOME-ARP Funds	\$1,371,401

BE IT FURTHER RESOLVED that the Council authorizes this amended plan to be incorporated into the Annual Update to the 2020-2024 Consolidated Plan, for submission to the U.S. Department of Housing and Urban Development.

This the 15th day of February, 2023.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting the resolution, the Council authorizes the HOME-ARP Allocation Plan be added as an amendment to the 2021-2022 HOME Investment Partnership Program Plan to be incorporated into the Annual Update to the 2020-2024 Consolidated Plan, for submission to the U.S. Department of Housing and Urban Development.

Orange County (NC) HOME-ARP Allocation Plan

Participating Jurisdiction: Orange County, NC HOME Consortium

Date: February 3, 2022

Background

The American Rescue Plan Act of 2021 appropriated \$5 billion to provide housing, services, and shelter to individuals experiencing homelessness and other vulnerable populations. These funds were allocated by formula to jurisdictions that qualified for funding through the HOME Investment Partnership Program (HOME Program) from the U.S. Department of Housing and Urban Development (HUD). This special round of funding is called the "HOME-ARP" program. In September 2021, HUD awarded the Orange County, NC HOME Consortium (which consists of Orange County and the Towns of Carrboro, Chapel Hill, and Hillsborough) \$1,371,401 in HOME-ARP funds.

Eligible activities that may be funded with HOME-ARP include: (1) development and support of affordable housing; (2) tenant-based rental assistance; (3) provision of supportive services (such as housing counseling, homelessness prevention, child care, job training, legal services, case management, moving costs, rental applications, and rent assistance); and (4) acquisition and development of non-congregate shelter units.

Funds must primarily benefit individuals and households in the following qualifying populations:

- *Experiencing homelessness (as defined in 24 CFR 91.5 "Homeless" (1), (2), or (3))*
- *At risk of homelessness (as defined in 24 CFR 91.5 "At risk of homelessness")*
- *Fleeing domestic violence, dating violence, sexual assault, stalking, or human trafficking, (as defined in 24 CFR 5.2003)*
- *Other populations with high risk of housing instability (including highly cost-burdened low-income households, households who have moved two or more times in the last 60 days, and households living in a hotel/motel)*

Consultation

Before developing its plan, the Orange County, NC HOME Consortium must consult with the local Continuum of Care (CoC), homeless and domestic violence service providers, veterans' groups, public housing agencies (PHAs), public agencies that address the needs of the qualifying populations, and public or private organizations that address fair housing, civil rights, and the needs of persons with disabilities.

Summary of the consultation process

An electronic survey was widely distributed to agencies and organizations that work with people experiencing homelessness, people fleeing domestic violence, justice-involved individuals, veterans, people with low incomes, and other qualifying populations. Staff from the Orange County Department of Housing and Community Development also attended standing meetings of several relevant groups to present on HOME-ARP and solicit input on priority needs.

Organizations consulted and summary of feedback

Agency/Organization	Organization Type	Consultation	Feedback
Orange County Housing Authority	Public Housing Authority	Survey	<p>Greatest unmet housing/service needs: Case management; Permanent supportive housing; Education on tenant-landlord relations; Rapid rehousing; Affordable housing in general</p> <p>Biggest gaps: Affordable units that accept rental assistance</p> <p>Highest funding priority: Services; Non-congregate shelter</p> <p>Other feedback:</p> <ul style="list-style-type: none"> ● Ranked affordable housing development last because it is something local governments could facilitate by expediting the permitting process and allowing more development ● Need more rental housing in general to drive rents down, and need policies that will allow developers to build reasonably-priced rental housing ● Fund project-based voucher units, acquisition of rapid rehousing units

<p>Orange County Partnership to End Homelessness Leadership Team</p>	<p>Homeless Service Provider</p>	<p>Meeting</p>	<p>Biggest gaps: 1 BR units priced within the guidelines for subsidies and where landlords are willing to take rental assistance; Rental assistance overall; Rental assistance for undocumented folks and folks who are ineligible for HCV due to conviction histories; More PeeWee Homes; Case management for people to obtain and maintain housing; Ensuring landlords continue to take vouchers; Policies to put more power in the hands of tenants</p> <p>Other feedback:</p> <ul style="list-style-type: none"> • With Alliance as new LME/MCO for the County, need to figure out what their funds can cover in terms of housing and they will intersect with other local funding
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<p>Orange County Partnership to End Homelessness</p>	<p>Homeless Service Provider</p>	<p>Survey</p>	<p>Greatest unmet housing/service needs: Single occupancy units; Help with housing search process, move-in, and maintaining tenancy; 24-hour bathroom and 7 day per week shower/laundry facilities in the south and north parts of the County</p> <p>Biggest gaps: More shelter; Low-barrier shelter for singles and families; More permanently affordable units</p> <p>Highest funding priority: Development of affordable housing</p> <p>Other feedback:</p> <ul style="list-style-type: none"> ● Need affordable senior housing with indoor hallway and elevators, near grocery stores and health care services ● Community lacks Permanent Supportive Housing Vouchers and TCLI ● Need services for folks who toe the line of not being able to care for themselves and are required (<i>Olmstead</i>) to be given the option to live in the community
<p>Orange County Affordable Housing Coalition</p>	<p>Housing Service Provider</p>	<p>Meeting</p>	<p>Other feedback:</p> <ul style="list-style-type: none"> ● Incorporate the OC Forward plan

<p>Orange County Affordable Housing Advisory Board</p>	<p>Housing Advisory Board</p>	<p>Meeting</p>	<p>Greatest unmet housing/service needs: Physical and mental health services; Affordable housing supply; Rental assistance; Supports for people with disabilities experiencing domestic violence</p> <p>Biggest gaps: Rent and utility assistance; Affordable housing with access to transportation</p> <p>Highest funding priority: Rental assistance; Development of affordable housing</p> <p>Other feedback:</p> <ul style="list-style-type: none"> ● Prioritize rental assistance as it provides immediate help ● Identify properties that could easily convert to non-congregate shelter (e.g., office building or floor) or work with hotels to temporarily house people ● Non-congregate shelter should make space for youth transitioning out of the foster care system, and should be explicitly LGBTQ-friendly ● Prioritize housing preservation as it saves community and is more cost effective than building ● Build multi-unit dwellings/tiny homes with access to outdoors ● Get regulations on the books to encourage and enforce affordable housing integration in future developments; planning regulations do not make integrated affordable housing a priority; more mixed-income housing ● Encourage landlords to accept vouchers and expand voucher programs (broaden eligibility criteria) ● Fully adopt Housing First model
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<p>Town of Chapel Hill Housing Advisory Board</p>	<p>Housing Advisory Board</p>	<p>Meeting</p>	<p>Greatest unmet housing/service needs: Permanent supportive housing units and service provision; Services and units for people with high barriers to finding and maintaining housing (such as criminal record, substance use, behavioral health); Project-based vouchers</p> <p>Other feedback:</p> <ul style="list-style-type: none"> ● Create point structure for awarding HOME-ARP funds that incentivizes developers to partner with service providers ● If considering funds for development gap financing, be aware that if the funds require deeper income targeting, they may not actually fill the funding gap (e.g., an extra \$200k HOME-ARP may be less in the long run than the higher rents that could be gotten if units did not have to be targeted toward 30% AMI households)
<p>Town of Carrboro Affordable Housing Advisory Committee</p>	<p>Housing Advisory Board</p>	<p>Meeting</p>	<p>Other feedback:</p> <ul style="list-style-type: none"> ● Concerned with access to these funds; residents (particularly Black residents) consistently struggle to access housing funds and encounter barriers with local administrators ● Focus on engaging landlords, as one driver of homelessness is landlords not accepting vouchers

Emergency Housing Assistance Partners	Homeless Service Provider Other Organization Addressing the Needs of Qualifying Populations	Meeting	Greatest unmet housing/service needs: Long-term funding for security deposits/utility deposits/first month's rent; Affordable units; Hotel assistance for temporary stabilization; Permanent housing units/subsidies for people below 30% AMI; Permanent supportive housing; Landlords willing to accept vouchers
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<p>Community Empowerment Fund</p>	<p>Homeless Service Provider Other Organization Addressing the Needs of Qualifying Populations</p>	<p>Survey</p>	<p>Greatest unmet housing/service needs: Increased bed space and opportunities for transitional housing for people experiencing homelessness</p> <p>Biggest gaps: Housing inventory for those at and below 30% AMI (from the data we see at least 13% of all new units need to be geared for 30% AMI and below to meet the current need – need will only rise as more families are destabilized by evictions)</p> <p>Highest funding priority: Development of affordable housing</p> <p>Other feedback:</p> <ul style="list-style-type: none"> ● Housing market is forcing out families that have been here for generations ● Need for 30% AMI housing cannot be overstated ● Rental assistance will keep families housed and, hopefully, prevent additional people from becoming homeless ● Money alone is not sufficient to support a transition from homelessness to housed – services are essential ● Funding CEF and similar organizations (IFC, EmPOWERment, etc.) ensures that needed services continue and that organizations can focus on work rather than on fundraising
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<p>Interfaith Council for Social Services</p>	<p>Homeless Service Provider</p>	<p>Survey</p>	<p>Greatest unmet housing/service needs: Affordable housing</p> <p>Biggest gaps: Landlords unwilling to rent to the unsheltered due to stigma</p> <p>Highest funding priority: Development of affordable housing</p>
<p>PeeWee Homes</p>	<p>Housing Service Provider</p>	<p>Survey</p>	<p>Greatest unmet housing/service needs: Web of support for aging in community</p> <p>Biggest gaps: Provision of Livable Design to support those aging and/or with disabilities</p> <p>Highest funding priority: Development of affordable housing</p> <p>Other feedback:</p> <ul style="list-style-type: none"> ● Need more affordable housing across the income spectrum, and supports and services ● Jackson Center is an asset - could HOME-ARP funds buy land bank houses? ● Could HOME-ARP funds support construction of PeeWee Homes Hill Street homes, or building PeeWee Homes in rural areas?

<p>The Arc of the Triangle</p>	<p>Organization Serving People with Disabilities</p>	<p>Survey</p>	<p>Greatest unmet housing/service needs: Extremely limited housing options (and long waitlists) for people with disabilities who cannot work; Lack of affordable housing options near transportation, stores, etc.</p> <p>Biggest gaps: Long-term supportive housing options; Affordability</p> <p>Highest funding priority: Non-congregate shelter; Development of affordable housing</p> <p>Other feedback:</p> <ul style="list-style-type: none"> ● Research shows Housing First model has most success in keeping people housed and is more cost effective ● Expand rental assistance to cover people who do not currently qualify based on income but still cannot afford a typical rent ● Landlords should not be allowed to deny potential renters because they receive rental assistance ● Develop supportive housing throughout community to promote integration and building of natural supports ● Service needs include supports finding/moving into housing, transportation, help with chores/home repairs ● Emergency housing is not a permanent fix ● Individual rooms (non-congregate shelter) provides privacy and dignity to people experiencing homelessness
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<p>Orange County Criminal Justice Resource Department</p>	<p>Other Organization Addressing the Needs of Qualifying Populations</p>	<p>Survey</p>	<p>Greatest unmet housing/service needs: Bridge housing; Affordable housing; Permanent supportive housing; Low-barrier shelter; DV shelter; Case management to locate housing, apply for housing, and set up utilities (obtaining and moving furniture as well)</p> <p>Biggest gaps: See OCPEH gaps analysis; Emergency shelter; Shelter options for people on the sex offender registry; Case managers to assist with housing searches and application process; Financial assistance with rental application fees</p> <p>Highest funding priority: Non-congregate shelter; Development of affordable housing</p> <p>Other feedback:</p> <ul style="list-style-type: none"> ● Hotel rooms with supportive services and case management ● Affordable housing very difficult to locate – takes a lot of time and effort and some people do not have the capacity (and therefore remain houseless) ● Prioritize construction of single-person units ● Non-congregate shelter would be helpful for people with significant medical or mental health needs who cannot function in a congregate setting
<p>Local Reentry Council</p>	<p>Other Organization Addressing the Needs of Qualifying Populations</p>	<p>Meeting</p>	<p>Greatest unmet housing/service needs: Short-term bridge housing with services</p>

<p>Triangle J Council of Governments</p>	<p>Other Organization Addressing the Needs of Qualifying Populations</p>	<p>Survey</p>	<p>Greatest unmet housing/service needs: Displacement of manufactured home owners (especially on rented land); Affordable housing for aging population (could address through senior LIHTC development or home repair funds)</p> <p>Biggest gaps: Legal services for eviction prevention and mediation (plus rental assistance)</p> <p>Highest funding priority: Development of affordable housing</p> <p>Other feedback:</p> <ul style="list-style-type: none"> ● Could create more affordable housing with a 4% tax credit project in partnership with one of the Towns; the County could assist with providing land or infrastructure funding ● Building affordable housing will only become more difficult as time progresses, due to lack of land and additional subsidy needed to serve extremely low-income households ● Prioritize creating senior-focused and/or supportive housing options as our population ages
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<p>Rogers-Eubanks Neighborhood Association</p>	<p>Other Organization Addressing the Needs of Qualifying Populations</p>	<p>Survey</p>	<p>Greatest unmet housing/service needs: Home repairs</p> <p>Biggest gaps: Lack of housing inventory</p> <p>Highest funding priority: Development of affordable housing</p> <p>Other feedback:</p> <ul style="list-style-type: none"> ● Workforce housing is a top priority, specifically homeownership assistance ● Need housing for Veterans ● Need county-wide mental health services
<p>Refugee Community Partnership</p>	<p>Other Organization Addressing the Needs of Qualifying Populations</p>	<p>Survey</p>	<p>Greatest unmet housing/service needs: DV housing: families with multiple kids cannot safely leave due to having children and no DV shelter in our county, and short-term solutions (e.g., hotel for 3 nights) are not enough – need longer-term housing solutions and childcare to be able to work</p> <p>Biggest gaps: No DV shelter; Lack of language access; Lack of affordable housing</p> <p>Highest funding priority: Development of affordable housing</p> <p>Other feedback:</p> <ul style="list-style-type: none"> ● More apartments with affordable rents (e.g., EmPOWERment's model) ● Rental assistance for DV survivors ● More units for larger families ● Improve language access

<p>Chapel of the Cross</p>	<p>Other Organization Addressing the Needs of Qualifying Populations</p>	<p>Survey</p>	<p>Greatest unmet housing/service needs: Access to affordable housing; Shelter beds</p> <p>Biggest gaps: Supportive services for people with behavioral health concerns to help stabilize housing; Need more focus on building affordable multifamily units and/or rental assistance</p> <p>Highest funding priority: Development of affordable housing; Rental assistance</p> <p>Other feedback:</p> <ul style="list-style-type: none"> ● Bring services to unhoused people where they are at ● Get more landlords to accept subsidies from tenants to help stabilize the rental market and make housing more affordable for low-wage workers ● Expanding rental assistance programs will help low-income working people obtain housing with access to public transportation ● Consider sliding scale rental subsidies with a minimum monthly amount for families with children under age 6 to help with child care or other costs ● Provide financial assistance for security deposits ● Fund financial counseling and services for immigrants/refugees ● Non-congregate shelter should focus on providing separate rooms for single mothers with small children who are in untenable situations ● Don't waste money building anything new; use funds to improve housing options we already have
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Public Participation

*The Orange County, NC HOME Consortium must provide for and encourage citizen participation in the development of the HOME-ARP allocation plan. Before submission of the plan, the Consortium must provide residents with reasonable notice and an opportunity to comment on the proposed HOME-ARP allocation plan of **no less than 15 calendar days**. The Consortium must follow its adopted requirements for “reasonable notice and an opportunity to comment” for plan amendments in its current citizen participation plan. In addition, the Consortium must hold **at least one public hearing** during the development of the HOME-ARP allocation plan and prior to submission.*

Public comment period: The draft Orange County HOME-ARP Allocation Plan was made available for public display and comment on the Orange County Housing and Community Development Department (OCHCD) website at <http://orangecountync.gov/2831/HOME-ARP> and available in hard copy upon request at the OCHCD office. The public comment period ran November 16 – December 1, 2021. Public notice of the public comment period was published in English in *The Herald Sun* on Friday, October 29, 2021 and in Spanish in *La Noticia* on Wednesday, November 3, 2021.

Public hearing: The Orange County HOME Consortium held two public hearings. The first Public Hearing on the draft HOME-ARP Allocation Plan was held on November 16, 2021. Public notice of the hearing was published in English in *The Herald Sun* on Friday, October 29, 2021 and in Spanish in *La Noticia* on Wednesday, November 3, 2021. The public comment period ran November 16 – December 1, 2021.

Additionally, The Orange County HOME Consortium held a second Public Hearing on the November 1, 2022, before finalizing the plan to submit to HUD. Public notice of the hearing was published in English in *The Herald Sun* on and in Spanish in *La Noticia* on Saturday, October 22, 2022 and Sunday October 23, 2022. The public comment period ran October 22 – November 7, 2022.

Description of efforts to broaden public participation

Information about Orange County’s HOME-ARP funding is being widely distributed, through traditional avenues such as public notices, as well as more tailored avenues including emails to stakeholders and residents, presentations at community meetings, and an online survey.

Summary of comments and recommendations received through public participation process

The Consortium must consider any comments or view of residents received in writing, or orally at a public hearing, when preparing the HOME-ARP allocation plan.

In addition to receiving survey feedback from stakeholder agencies and organizations, the Consortium also received feedback from individual residents of Orange County. This feedback is summarized below.

	Method of Consultation	Feedback
Residents	Survey	<p>Greatest unmet housing/service needs:</p> <ul style="list-style-type: none"> ● Affordable rental housing for households with just one adult; ● Families have trouble finding affordable housing in the area and often get denied because of an eviction or other background information. ● Communication with people applying for housing assistance <p>Biggest gaps: There is not enough affordable housing available in the area and sometimes the referral process is complicated.</p> <p>Highest funding priorities:</p> <ul style="list-style-type: none"> ● Non-congregate shelter ● Development of affordable housing ● Rental assistance <p>Other feedback:</p> <ul style="list-style-type: none"> ● Need more variety of affordable housing (apartments, townhomes, houses, condos, etc.) ● Chapel Hill has prioritized student housing development and many students can't even afford student housing (student housing has primarily focused on amenities, but should focus on quality units with adequate square footage, accessibility, etc.) ● Need case management for the people experiencing chronic homelessness ● Need for family non-congregate with dedicated transportation services ● Assistance especially with rental deposits ● Need more individual rooms for emergency shelter ● Improving referral processes and partnerships for service provision, funding nonprofit service providers ● Need lower-barrier shelters (e.g., family shelters not allowing men or men's shelters not allowing children) ● Can personally attest to need for financial assistance; rent for income-based housing is going up \$200 and I make minimum wage ● Need for food assistance as well as housing

Summary of comments or recommendations not accepted and reasons why

All comments or recommendations will be accepted and a response to each comment will be provided.

Needs Assessment and Gaps Analysis

The Orange County, NC HOME Consortium must evaluate the size and demographic composition of qualifying populations within its boundaries and assess the unmet needs of those populations. In addition, the Consortium must identify any gaps within its current shelter and housing inventory as well as the service delivery system. The Consortium should use current data, including Point-in-Time Count, Housing Inventory Count, or other data available through the Continuum of Care (CoC), and consultations with service providers to quantify the individuals and families in the qualifying populations and their need for additional housing, shelter, or services.

Homeless Needs Inventory and Gap Analysis Table

	Current Inventory			Homeless Population				Gaps Analysis	
	Family	Adults Only	Vets	Family Household (at least 1 child)	Adult Household (w/o child)	Vets	Victims of DV	Family	Adults Only
	# of Beds	# of Beds	# of Beds					# of Beds	# of Beds
Emergency Shelter	32	53	N/A						
Transitional Housing	0	65	0						
Permanent Supportive Housing	40	38	15						
Other Permanent Housing							5		
Sheltered Homeless				10	111	9	5		
Unsheltered Homeless				0	33	3			

Current Gaps									
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County Shelter Referral List; HMIS Program Data

Housing Needs Inventory and Gap Analysis Table

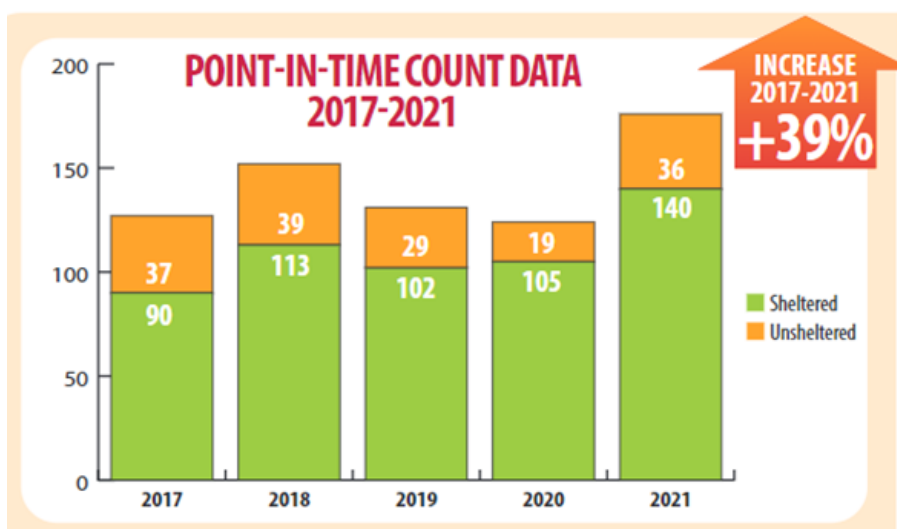
Non-Homeless			
	Current Inventory	Level of Need	Gap Analysis
	# of Units	# of Households	# of 0-30% AMI Units
Total Rental Units	19,990		
Rental Units Affordable to Households Earning 0-30% AMI (At-Risk of Homelessness)	1,870		
0-30% AMI Renter Households with At least One Severe Housing Problems (At-Risk of Homelessness)		3,560	
Current Gaps			1,690

Sources: Comprehensive Housing Affordability Strategy (CHAS) data, 2014-2018; Tables 18C, 14B, and 1

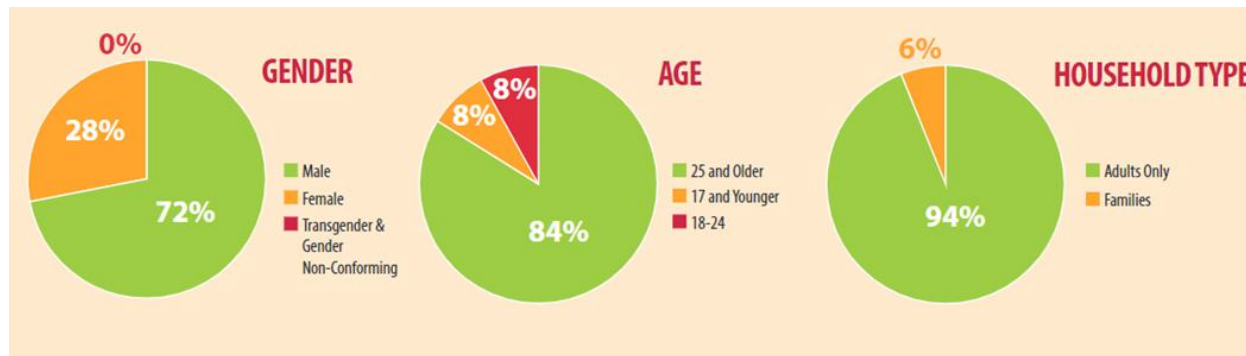
Size and demographic composition of qualifying populations in Orange County

The 2021 Point-in-Time (PIT) Count found 176 people (comprising 154 households) experiencing homelessness in Orange County on one night in January 2021 – 36 of these people were living unsheltered and 140 were sheltered. Looking at annual numbers, the street outreach team served about 110 people in 12 months per caseload logs and 278 people entered shelter or housing programs per FY20 HUD System Performance Measures. People experiencing homelessness are

disproportionately people of color; 67% of people experiencing homelessness in the 2021 Point-in-Time (PIT) Count were Black or African-American, whereas just 12% of people in Orange County overall are Black or African-American. The Latinx population is underrepresented, however – 9% of Orange County population overall identifies as Latinx compared with 5% of the homeless population.



PIT data also show that people experiencing homelessness are overwhelmingly in adult-only households (94%), and most are age 25 and older (84%) and male (72%).



Unmet housing and service needs of qualifying populations

Feedback from the online survey and community meetings revealed four major areas of unmet housing and service needs in Orange County: affordable housing supply, affordable housing access, supportive services, and shelter and bridge housing supply. Further detail on each of these four areas is below.

Affordable Housing Supply	Affordable Housing Access	Supportive Services	Shelter and Bridge Housing Supply
<ul style="list-style-type: none"> • Affordable housing in general • Permanent supportive housing • Single occupancy units • Units near transportation, stores, etc. • Housing for aging population • Housing for people with disabilities • Stability for manufactured home park residents 	<ul style="list-style-type: none"> • Rental assistance (particularly for people below 30% AMI) • Rapid rehousing • Project-based vouchers • Long-term funding for providing assistance with security deposits/utility deposits/first month's rent • Landlords willing to accept rental assistance 	<ul style="list-style-type: none"> • Case management • Housing navigation and tenancy support (including education on tenant-landlord relations) • Physical and mental health services • Supports for people with disabilities and domestic violence survivors • Support for aging in community • Home repairs • 24-hour bathroom and 7 day per week shower/laundry facilities in the south and north of County 	<ul style="list-style-type: none"> • Shelter beds in general • Low-barrier shelter • Domestic violence shelter • Hotel assistance for temporary stabilization • Bridge housing with services • Transitional housing

Current resources available to assist qualifying populations, including congregate and non-congregate shelter units, supportive services, tenant-based rental assistance, and affordable and permanent supportive rental housing

Orange County has several resources available to help people experiencing homelessness. The Housing Helpline is an in-person, phone, and email information and referral service for anyone in housing crisis that uses HUD coordinated entry practices to route people to the resources they need – including rent and utility assistance for people maintaining housing, homelessness diversion and eviction diversion for people at risk of homelessness, and emergency response (shelter and/or street outreach) and permanent housing referrals for people experiencing homelessness.

Orange County has two congregate emergency shelters that serve men, women, and families operated by the Inter-Faith Council for Social Service. Compass Center operates a non-congregate shelter program for people fleeing domestic violence. In January 2022, the County currently operates non-congregate shelter for overflow cold weather cots and a hotel program for people experiencing homelessness who are Covid positive.

The Orange County Street Outreach, Harm Reduction and Deflection (SOHRAD) program connects people living unsheltered with services and housing and helps to deflect law enforcement interactions. The Criminal Justice Resource Department (CJRD) administers the Local Reentry Council that provides case management and housing resources for people exiting jail and prison. CJRD also manages the Lantern Project, a deflection, diversion, and reentry program that connects people with histories of substance use who are justice involved with therapeutic supports as soon as possible, the Restoration Legal Counsel who provides *pro bono* legal assistance to individuals facing barriers due to a criminal record and/or driver's license suspension, and a Clinical Coordinator and Youth Behavioral Health Liaison who provide clinical services to people who are incarcerated. The Chapel Hill Police Crisis Unit assists people living unsheltered and others who have law enforcement contact. Orange County Outreach Court is a therapeutic court model that connects people with low-level charges with services – in exchange for engaging with service providers and housing plans, people have their court charges dismissed.

The UNC Center for Excellence in Community Mental Health HomeLink program serves people who are experiencing or at-risk of homelessness with mental health, occupational therapy, housing, and employment and training resources. The Community Empowerment Fund works one-on-one with people to achieve goals like savings plans and housing. Freedom House provides behavioral health services including detox and crisis treatment.

There are also many permanent housing programs in Orange County, including the Orange County Rapid Re-housing program, and Volunteers of America's Supportive Services for Veterans and their Families program. The Orange County Housing Authority partners with the Durham VA to provide HUD-VASH vouchers for veterans, and issues Housing Choice Vouchers (HCVs) and Emergency Housing Vouchers (EHVs) to people exiting homelessness. The Orange County Emergency Housing Assistance program (funded by the County and the Town of Chapel Hill, Town of Carrboro and Town of Hillsborough) provides security deposits and first month's rent for people exiting homelessness, in addition to ongoing rent and utility assistance payments for all people at or below 30% of Area Median Income . Compass

Center provides a housing program and rapid re-housing for people fleeing domestic violence. The Inter-Faith Council for Social Service operates a Permanent Supportive Housing program. The Orange County Homelessness Prevention and Housing Stability programs provides services and financial support for people at risk of homelessness. The Housing Access Coordinator works with landlords and property managers to make more units available for people exiting homelessness.

Affordable housing in Orange County is provided by organizations including Community Home Trust, CASA, EmPOWERment, the Center for Community Self-help, Habitat for Humanity, PeeWee Homes, and DHIC.

Gaps within the current shelter and housing inventory as well as the service delivery system

Feedback from the online survey and community meetings revealed four major areas of unmet housing and service needs in Orange County: affordable housing supply, affordable housing access, supportive services, and shelter and bridge housing supply. Further detail on each of these four areas is below.

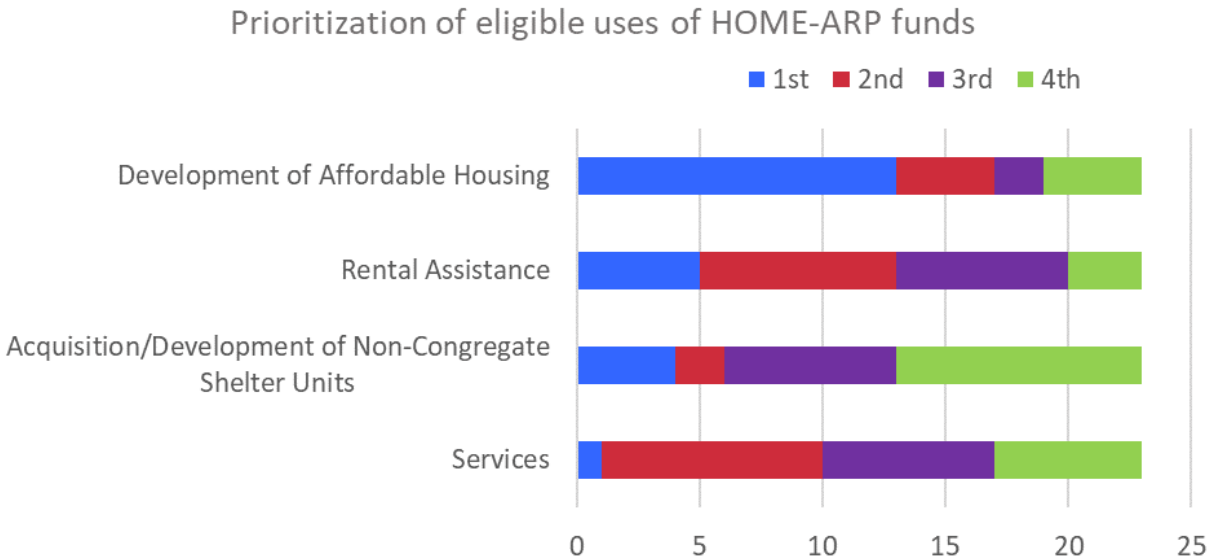
Affordable Housing Supply	Affordable Housing Access	Supportive Services	Shelter and Bridge Housing Supply
<ul style="list-style-type: none"> ● Affordable housing (particularly 30% AMI) ● Multifamily housing in general ● Permanent supportive housing ● Single occupancy units PeeWee Homes ● Units near transit, stores, etc. ● Housing with Livable Design to support aging population and/or people with disabilities 	<ul style="list-style-type: none"> ● Rental assistance (particularly for people who are undocumented or have conviction histories) ● Utility assistance ● Financial assistance with application fees ● Landlords willing to accept rental assistance ● Landlords willing to rent to people currently experiencing homelessness ● Policies to give tenants more power 	<ul style="list-style-type: none"> ● Housing navigation and tenancy support ● Language services ● Physical and mental health services ● Legal services for eviction prevention and mediation 	<ul style="list-style-type: none"> ● Shelter beds in general ● Low-barrier shelter ● Domestic violence shelter ● Shelter for people on sex offender registry

Characteristics of housing associated with instability and an increased risk of homelessness (if the Consortium will include such conditions in its definition of “other populations”)

Older housing units and manufactured housing are at great risk of redevelopment in Orange County. Residents in this housing and other naturally occurring affordable housing are at an increased risk of homelessness due to displacement.

Priority needs for qualifying populations

Feedback from the online survey and community meetings revealed a preference among respondents to prioritize development of affordable housing.



How the level of need and gaps in shelter and housing inventory and service delivery systems based on the data presented in the plan were determined

The Orange County Partnership to End Homelessness has created a homeless gaps analysis annually starting in 2017 (<https://www.ocpehnc.com/gaps-analysis>). Staff used this data in addition to the 2021 Point-in-Time and Housing Inventory County, as well as the current shelter referral list (people waiting to get into emergency shelter) and coordinated entry lists (people experiencing homelessness who are connected with service providers and in housing search) to determine data presented in this plan.

HOME-ARP Activities

Description of the method for soliciting applications for funding and/or selecting developers, service providers, subrecipients and/or contractors and whether the Consortium will administer eligible activities directly

The Consortium will accept applications for HOME-ARP funding from developers and other housing and service providers beginning in December 2022. The Local Government Affordable Housing Collaborative, made up of one elected official from each of the four jurisdictions that make up the Consortium (Orange County, the Towns of Carrboro, Chapel Hill, and Hillsborough), is the group locally tasked with allocating the Consortium's HOME funds. Similar to the annual award process for the Consortium's regular HOME funds, the Collaborative will develop a scorecard with which to review HOME-ARP applications and then make funding recommendations to be approved by the governing boards of each jurisdiction.

Use of HOME-ARP Funding

The Orange County, NC HOME Consortium must indicate the amount of HOME-ARP funding that is planned for each eligible HOME-ARP activity type and demonstrate that any planned funding for nonprofit organization operating assistance, nonprofit capacity building, and administrative costs is within HOME-ARP limits.

	Funding Amount	Percent of Grant	Statutory Limit
Supportive Services	TBD		
Acquisition and Development of Non-Congregate Shelters	TBD		
Tenant-Based Rental Assistance	TBD		
Development of Affordable Rental Housing	\$1,165,691		
Nonprofit Operating	TBD		5%
Nonprofit Capacity Building	TBD		5%
Administration and Planning	\$205,710	15%	15%
Total HOME-ARP Allocation	\$1,371,401		

How shelter and housing inventory characteristics, service delivery system, and the needs identified in the gaps analysis provided a rationale for the plan to fund eligible activities

Funding of eligible activities will be determined via the application process, currently scheduled for spring 2023.

HOME-ARP Production Housing Goals

Estimate of the number of affordable rental housing units for qualifying populations that the Consortium will produce or support with its HOME-ARP allocation

We estimate five or six affordable housing units can be built with allocated HOME-ARP funds. This number is based on current market prices and other recent local affordable housing projects.

Specific affordable housing rental production goal that the Consortium hopes to achieve and how it will address the Consortium's priority needs

Funding of eligible activities will be determined via the application process, currently scheduled for spring 2023.

Preferences

Identify whether the Consortium intends to give preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project

- ***Preferences cannot violate any applicable fair housing, civil rights, and nondiscrimination requirements, including but not limited to those requirements listed in 24 CFR 5.105(a)***
- ***The Consortium is not required to describe specific projects to which the preferences will apply***

Orange County plans to implement a qualifying population preference for those experiencing Homelessness. The Orange County Partnership to End Homelessness (OCPEH) collaborates with public and private agencies in Orange County to help people find a safe place to stay using Coordinated Entry (CE) – a single point of entry, homelessness diversion, and program referral system. Coordinated Entry helps service providers determine quickly, consistently, and effectively which resources will best help people in housing crisis. Coordinated Entry streamlines the processes for diversion, shelter referral, and housing program referrals. This process formalizes prioritization, prioritizing households with higher service needs over households with lower service needs. Coordinated Entry is guided, maintained, and updated by two Committees, the HOME Committee and CE Planning Committee, and one workgroup, the Data & Grants Workgroup, comprised of Coordinated Entry stakeholders and coordinated by the Orange County Partnership to End Homelessness (OCPEH).

(If a preference was identified) How the use of a preference or method of prioritization will address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or category of qualifying population, consistent with the Consortium’s needs assessment and gaps analysis

The use of this preference will allow more people experiencing homelessness to access affordable housing units. The Orange County Partnership to End Homelessness has created a homeless gaps analysis annually starting in 2017 (<https://www.ocpehnc.com/gaps-analysis>) and update this report annually with input from people experiencing homelessness, service providers, state and national level experts, and community feedback. Staff used this data in addition to the 2022 Point-in-Time and Housing Inventory Count, as well as the current shelter referral list (people waiting to get into emergency shelter) and coordinated entry lists (people experiencing homelessness who are connected with service providers and in housing search) to determine what unmet homeless service needs exist in Orange County. The community’s current prioritization reflects an emphasis on serving people with the

highest service need, as determined by the VI-SPDAT, then households fleeing DV, and then households with the longest time experiencing homelessness. There are currently about 170 households each month who are experiencing homelessness who are connected to a community service provider that is providing support to obtain housing. This preference will enable households with the highest barriers to obtaining housing with access to additional permanent housing options.

(If a preference was identified) How the Consortium will use HOME-ARP funds to address the unmet needs or gaps in benefits and services of the other qualifying populations that are not included in the preference

The Orange County Partnership to End Homelessness considers all qualifying populations in its process of coordinated entry.

HOME-ARP Refinancing Guidelines

If the Orange County, NC HOME Consortium intends to use HOME-ARP funds to refinance existing debt secured by multifamily rental housing that is being refinanced with HOME-ARP funds, the Consortium must state its HOME-ARP refinancing guidelines in accordance with 24 CFR 92.206(b). The guidelines must describe the conditions under which the Consortium will refinance existing debt for a HOME-ARP rental project.

Minimum level of rehabilitation per unit or required ratio between rehabilitation to refinancing to demonstrate that rehabilitation of HOME-ARP rental housing is the primary eligible activity

The Consortium does not intend to use HOME-ARP funds to refinance existing debt.

Required review of management practices to demonstrate that disinvestment in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving qualified population for the minimum compliance period can be demonstrated

The Consortium does not intend to use HOME-ARP funds to refinance existing debt.

State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both

The Consortium does not intend to use HOME-ARP funds to refinance existing debt.

Required compliance period (whether it is the minimum 15 years or longer)

The Consortium does not intend to use HOME-ARP funds to refinance existing debt.

State that HOME-ARP funds cannot be used to refinance multifamily loans made or insured by any federal programs, including CDBG

The Consortium does not intend to use HOME-ARP funds to refinance existing debt. HOME-ARP funds cannot be used to refinance multifamily loans made or insured by any federal programs, including CDBG.

Other requirements in the guidelines, if applicable

N/A



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 5., **File #:** [23-0121], **Version:** 1

Meeting Date: 2/15/2023

Approve the Interim Town Manager's Employment Contract.

Staff:

Ann Anderson, Town Attorney

Department:

Town Attorney's Office

Overview: The Town Council have selected Christopher C. Blue to serve as Interim Town Manager effective January 1, 2023 pursuant to certain terms and conditions. Such terms and conditions are set forth in the Contract brought forth for approval by Council as part of this Agenda Item.



Recommendation(s):

That the Council approve the Contract of Interim Town Manager Christopher C. Blue and authorize the Mayor to execute the same on the Council's behalf.



Attachments:

- Resolution
- Interim Town Manager Contract

A RESOLUTION APPROVING THE CONTRACT OF INTERIM TOWN MANAGER CHRISTOPHER C. BLUE (2023-02-15/R-5)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the Contract of Interim Town Manager Christopher C. Blue and authorizes the Mayor to execute the Contract, as described in the February 15, 2023 meeting materials, on behalf of the Council.

This the 15th day of February, 2023.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting the resolution, the Council approves the contract of Interim Manager Christopher C. Blue.

North Carolina
Orange County

**TOWN OF CHAPEL HILL
EMPLOYMENT CONTRACT FOR THE INTERIM TOWN MANAGER**

Introduction

This Contract, made and entered into this the 1st day of January, 2023, by and between the Town of Chapel Hill, a North Carolina municipal corporation (the “Town”) and Christopher C. Blue.

Section 1: Term.

This Contract shall remain in full force and effect until terminated by the Town or Christopher C. Blue as provided in Section 9, 10, or 11 of this Contract.

Section 2: Duties and Authority.

The Town agrees to employ Christopher C. Blue as the Interim Town Manager to perform the functions and duties specified in the policies, resolutions, and ordinances of the Town, as defined in the applicable laws of the State of North Carolina for a manager under the council-manager form of government, and to perform other legally permissible and proper duties and functions.

Christopher C. Blue (the “Interim Manager”) agrees to accept and perform the functions and duties of Town Manager in accordance with said policies, resolutions, and ordinances of the Town, as defined in the applicable laws of the State of North Carolina for a manager under the council-manager form of government, and to perform other legally permissible and proper duties and functions.

It is recognized that the Interim Manager may need to devote a great deal of time outside of the normal office hours on business for the Town, and to that end the Interim Manager shall be allowed to establish for himself an appropriate work schedule.

The employment provided for by this Contract shall be the Interim Manager’s principal employment. Recognizing that certain outside consulting or teaching opportunities provide indirect benefits to the Town and community, the Interim Manager may elect to accept limited teaching or consulting opportunities with the understanding that such arrangements shall not interfere with, significantly overlap in work hours with, nor create a conflict of interest with his responsibilities under this Contract.

Section 3: Salary.

The Town agrees to pay the Interim Manager an annual base salary of \$225,000.00, effective beginning January 1, 2023, payable in installments at the same time the other employees of the Town are paid. Nothing in this Contract shall be construed to prevent Council from adjusting this salary to a higher amount during the Initial Term or an Extended Term of this Contract through an amendment to this Contract should Council determine it is in the best interest of the Town to do so.

Section 4: Health, Disability and Life Insurance Benefits.

The Town agrees to provide and to contribute to the payment of the premiums for comprehensive medical insurance and other insurance for the Interim Manager and his dependents in accordance with the ordinances and policies of the Town for providing such insurance benefits to other full time employees.

Section 5: Vacation and Sick Leave.

- A. The Interim Manager shall accrue sick leave and vacation leave on an annual basis at the rate he was accruing such leave as a Town employee as of December 31, 2022.
- B. The Interim Manager is entitled to accrue all unused leave in accordance with the Town's policies, and in the event the Interim Manager's employment is terminated, either voluntarily or involuntarily, he shall be compensated for all accrued vacation time and paid holidays. Nothing in this Contract is intended to affect the Interim Manager's existing right to receive compensation from the Town for his leave and other benefits accrued prior to the effective date of this Contract.

Section 6: Use of Personal Vehicle.

The Interim Manager's duties require that he have at all times during his employment with the Town an automobile available for Town business. The Interim Manager shall be responsible for the purchase, operation, insurance, maintenance, repair and regular replacement of said automobile and shall use his personal vehicle for all Town business travel where travel by automobile is reasonable. The Town shall reimburse the Interim Manager at the IRS standard mileage rate for any business use of the vehicle beyond the greater Chapel Hill area. For purposes of this Section, use of the automobile within the greater Chapel Hill area is defined as travel to locations within a 25-mile radius of Chapel Hill. All travel outside this radius shall be reimbursed at a cents-per-mile rate equal to the IRS allowable rate then in effect.

Section 7: Retirement.

The Town agrees to execute all necessary agreements for the Interim Manager to participate in retirement plans and supplemental plans available to Town employees and to make contributions thereto on the same basis as for other full-time employees of the Town.

Nothing in this Contract is intended in any way to limit or curtail the Interim Manager's existing retirement benefits and rights as established prior to the effective date of this Contract.

Section 8: General Expenses.

The Town agrees to budget and pay for:

- Professional dues and subscriptions of the Interim Manager necessary for continuation in associations and organizations necessary and desirable for the Interim Manager's professional development and for the good of the Town;
- Travel and subsistence expenses of the Interim Manager for professional and official travel and meetings to pursue necessary official functions of the Town, including but not limited to the ICMA Annual Conference, the NC League of Municipalities, and other similar groups and committees of which the Interim Manager serves as member;

- Travel and subsistence expenses of the Interim Manager for short courses, institutes, and seminars necessary for professional development and the good of the Town;
- Non-personal but job-related reasonable expenses incurred by the Interim Manager on a reimbursement basis and in accordance with existing Town policies upon receipt of duly executed expense vouchers, receipts, statements, or personal affidavits;
- Reasonable fees for membership in local civic clubs and organizations relevant to his duties;
- A laptop computer and all necessary hardware and software for professional use (to remain property of the Town upon employment termination); and
- Mobile phone service reimbursement at a rate commensurate with the rate paid to the Town Attorney.

Section 9: Termination of Contract.

The Town and the Interim Manager acknowledge and agree that under the provisions of North Carolina Municipal Corporation Law, the Interim Manager is appointed by the Town Council and serves at the pleasure of the Council. The provisions in Sections 10 and 11 below shall apply to the termination of such service and this Contract.

For purposes of this Contract, termination by action of the Council shall occur when any of the following occurs on a date on or before the Initial Term (as defined below) of this Contract:

1. The majority of the Council votes to terminate the Interim Manager at a duly authorized public meeting.
2. If the Town or legislature acts to amend any provisions of the charter or law pertaining to the role, powers, duties, authority, responsibilities of the Interim Manager's position that substantially change the form of government, the Interim Manager shall have the right to declare that such amendments constitute termination.
3. If the Town reduces the base salary, compensation, or any other material financial benefit of the Interim Manager, unless it is applied in no greater percentage than the average reduction of all department heads, such action shall constitute a breach of this Contract and will be regarded as a termination.
4. If the Interim Manager resigns following an offer to accept resignation, whether formal or informal, by the Town as representative of the majority of Council, then the Interim Manager may declare a termination as of the date of the offer.
5. There is a material breach of this Contract by the Town, which breach is not cured within a 30-day cure period. Written notice of a breach of contract shall be provided in accordance with the provisions of this Contract.

Section 10: Contract Term and Severance

The initial term of this Contract is January 1, 2023 to July 31, 2023 ("Initial Term"). On August 1, 2023, the life of this Contract will extend automatically for up to five (5) successive 30-day periods, each constituting an "Extended Term", unless either party is notified by the other party at least 15 days before the start of the next Extended Term that that party desires not to further extend the Contract. (A decision by either party not to extend the Contract beyond the Initial Term or any Extended Term shall not constitute termination as defined in Section 9.)

Severance shall be paid to the Interim Manager when employment is terminated by action of the Council, as defined in Section 9, as follows: If the Interim Manager is terminated by action of the Council during the Initial Term of this Contract, the Town shall pay him a severance equal to the amount of salary he would have been paid for the remainder of the Initial Term, provided that the minimum severance payment shall be the equivalent of one month's salary.

Severance shall be paid on the same schedule as salary payments are made to other employees and shall be paid at the rate of pay of the Interim Manager at the time of termination. Severance shall also include continuation of health insurance, life insurance, and disability insurance on the same basis and for the same length of time as the severance pay is provided.

The Town is not obligated to pay Severance under this Section if the Interim Manager is terminated because of a conviction for a felony, or, upon determination of the Council based on substantial evidence, due to serious detrimental personal conduct which would constitute grounds for termination of other Town employees under the Town's personnel ordinances.

Section 11: Resignation.

In the event the Interim Manager voluntarily resigns his position with the Town during the Initial Term, the Interim Manager shall provide a minimum of 30 days' notice unless the parties agree otherwise.

In the event the Interim Manager commits a material breach of this Contract that is not cured within a 30-day period, the Town may consider such breach a resignation. Written notice of breach shall be provided in accordance with the provisions of this Contract.

If the Interim Manager voluntarily resigns his position with the Town (other than in response to an offer as described in Section 9, above), the Town is not obligated to pay Severance under Section 10.

Section 12: Residency.

The Interim Manager shall not be required to reside within the corporate boundaries of the Town.

Section 13: Indemnification.

The Town Council has adopted a policy for the protection of Town Officers and employees who have claims or suits filed against them arising out of service for the Town of Chapel Hill. The Town agrees that policy applies to the Interim Manager in the same manner it applies to other officers of the Town and that it will not materially alter the terms of that policy as they apply to the Interim Manager during the pendency of this Contract, except as required by law. The Town further certifies it will continue comprehensive liability insurance for officers and employees for their defense and that it will not materially alter the terms of that coverage as it applies to the Interim Manager during the pendency of this Contract, except as required by law.

In the event the Interim Manager believes that in any particular case there is a need for him to have independent legal representation in connection with a claim or lawsuit brought against the Interim Manager along with the Town or other officers or employees, he may request such counsel. The

decision to provide the Interim Manager independent representation at the Town's expense will be made by the Town Council after consultation with the Town Attorney and the Town's insurance carrier.

Section 14: Bonding.

The Town shall bear the full cost of any fidelity or other bonds required of the Interim Manager under law or ordinance.

Section 15: Other Terms and Conditions of Employment.

Except as have been modified by this Contract, the Employee Benefit provisions of Chapter 14, Article VII, and the provisions of the leaves, holiday, and leaves of absence provisions of Chapter 14, Article VIII of the Town Code of Ordinances, as currently written or as may be modified in the future, shall apply to the Interim Manager.

Section 16: Notices.

Notice pursuant to this Contract shall be in writing and given as follows:

TOWN: By depositing in the custody of the United State Postal Service, postage prepaid, addressed as follows: Mayor, Town Hall, 405 Martin Luther King Jr. Blvd., Chapel Hill, NC 27514; or by hand delivery from the Interim Manager to the Mayor or Town Attorney.

INTERIM MANAGER: By depositing in the custody of the United State Postal Service, postage prepaid, addressed as follows: Manager, Town Hall, 405 Martin Luther King Jr. Blvd., Chapel Hill, NC 27514, or by hand delivery from the Mayor or Town Attorney to the Interim Manager.

Notice shall be deemed given as of the date of hand delivery or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

Section 17: General Provisions

A. Integration.

This Contract sets forth the entire understanding between the Town and Interim Manager relating to employment by the Town. Any prior discussions or representations are merged into and otherwise rendered null by this Contract. The parties by mutual written agreement may amend any provision of this Contract during the life of the Contract, execute a further extension of this Contract, or enter into a revised Contract. Any amendments shall be incorporated and made part of this Contract.

B. Effective Date.

This Contract is in effect as of January 1, 2023.

C. Severability.

The invalidity or partial invalidity of any portion of this Contract will not affect the validity of any other provision. In the event any provision of this Contract is held to be invalid, the remaining provisions shall be deemed to be in full force and effect as if they had been executed by both parties subsequent to the expungement or judicial modification of the invalid provision.

IN WITNESS WHEREOF, the parties cause this instrument to be executed in their respective names as of the date first written above.

Name: Christopher C. Blue

Witness

TOWN OF CHAPEL HILL

By: Pam Hemminger, Mayor

Town Clerk

Approved as to form and authorization: _____
Town Attorney

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

Finance Officer

Date



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 6., File #: [23-0122], Version: 1

Meeting Date: 2/15/2023

Authorize the Mayor to Execute a Contract for the Town Manager Recruitment and Selection Process.

Staff:

Cliff Turner, Director

Tom Clark, Assistant Director

Department:

Human Resource Development

Overview: The Town Council appointed Chris Blue to serve as Interim Town Manager effective January 1, 2023. The Town is now prepared to begin the process of selecting the next Town Manager and seeks an outside agency with expertise in this area to design and manage the process for the Town. The Council reviewed proposals from multiple firms and selected POLIHIRE to lead this process.



Recommendation(s):

That the Council authorize the Mayor to execute a contract on behalf of the Town with POLIHIRE to search for a Town Manager.

Fiscal Impact/Resources: The maximum fee for proposed services is \$33,000, with a base fee of \$25,000 and optional services totaling \$8,000.



Attachments:

- Resolution
- POLIHIRE Proposal for Town Manager Recruitment and Selection Process

A RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT ON BEHALF OF THE TOWN FOR THE TOWN MANAGER RECRUITMENT AND SELECTION PROCESS (2023-02-15/R-6)

WHEREAS, the Town Council appointed Chris Blue to serve as Interim Town Manager effective January 1, 2023; and

WHEREAS, the Town is now prepared to begin the process of selecting the next Town Manager and seeks an outside agency with expertise in this area to design and manage the process for the Town; and

WHEREAS, the Council reviewed proposals from multiple firms and selected POLIHIRE to lead this process.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorize the Mayor to execute a contract on behalf of the Town with POLIHIRE to search for a Town Manager, consistent with the terms presented in the proposal attached to the February 15, 2023 meeting materials.

This the 15th day of February, 2023.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting the resolution, the Council authorizes the Mayor to execute a contract on behalf of the Town with POLIHIRE to search for a Town Manager.

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Town of Chapel Hill + POLIHIRE: A Proposal for Executive Search Services

We at POLIHIRE have a deep appreciation for the critical work of the Town of Chapel Hill and the landscape in which it operates. We are pleased to offer information on our search engagement process and demonstrate why POLIHIRE is the right firm to partner with Chapel Hill on executive search services for Town Manager.

Introduction

POLIHIRE is a retained executive search firm founded in 2005 and headquartered in Washington, DC. In our 17 years, we have partnered with dozens of organizations and identified hundreds of leaders for our clients. We are also a North Carolina Department of Administration HUB-certified organization with a regional office in Durham, NC.

POLIHIRE has an unparalleled record of success in supporting organizations with clear missions of sustaining, strengthening, and serving their local communities. From CBOs and philanthropic organizations to government agencies and private-public partnerships, we understand the complexities of the multi-stakeholder environments in which organizations in these categories seek to make an impact.

Relevant engagements

Our current and past engagements with similar jurisdictions include the City Manager for Rocky Mount, NC, the City Manager for Eau Claire, WI, the City Manager for Alexandria, VA, and Deputy City Manager for Durham, NC, to name a few. Other past municipal leadership positions we have recruited for include the City Manager for Cincinnati, OH, Deputy City Manager for Tallahassee, FL, the County Executive for Prince William County, VA, multiple Deputy Mayors for the District of Columbia and Deputy County Managers/General Managers for Prince George's County, MD and Durham County, NC.

Our Commitment to Equity

Leadership in public-serving organizations requires more than technical or functional expertise. It requires an understanding of equity in the areas of both service and access. Not only will we identify leaders who bring the technical skills that this leadership role requires, we will conduct the search through a lens of inclusion and equity – ensuring that the next Town Manager of Chapel Hill has a deep understanding of these critical issues and a demonstrated competence in and commitment to leading an organization with this as a priority.

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Just as it is important to conduct searches through a lens of diversity, equity, and inclusion, it is equally important to conduct the pre-search activities and the post-search negotiations through this lens as well. We have observed the ways in which well-intentioned organizations unknowingly replicate disparities – whether through historically-biased processes for evaluation or biased metrics for compensation. Our clients have the benefit of working with a partner who knows that supporting them in identifying internal stumbling blocks is essential to helping them live up to their stated values and deliver the most successful search.

Finally, we believe that the diversity of our firm – unparalleled in our field – helps make POLIHIRE a most valuable asset in your search for leadership. Our consultants and advisors possess deep experience across a range of industries and functions.

Scope and Sequence

Our end-to-end process begins by developing an understanding of the organization and its needs and continues through a successful negotiation, hiring, and onboarding of the selected candidate. Our extensive process includes:

1. Initial Conversations with Town Council

The engagement starts with aligning on who/which entities will be entrusted with certain decision-making authority along which stages of the process. This includes whether a search subcommittee will be established and at what point the entire Council may be invited to weigh in and how. A clear and agreed upon understanding from the beginning makes for a smooth process.

We then engage various stakeholder groups as we build our own understanding of the organization and what it faces. This information informs our subsequent activities, right up through candidate interviews. Among the stakeholders we may propose to engage are the Council and staff, as well as other Chapel Hill stakeholder groups (i.e., neighborhood organizations, Town commissions, etc.). We are experienced in deploying a variety of engagement modes – one-on-one conversations, focus groups, and surveys – in ways that are most appropriate, accessible, and efficient given the particular stakeholder group targeted.

2. Preparation of the Recruitment Profile and Sourcing for a Diverse Pool of Applicants

After engaging stakeholders to gain a full understanding of the position, organizational culture, reporting structure, compensation package, and profile of the desired candidate, we finalize the position profile. We will post the profile on our website and make use of key social media platforms to amplify it.

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Importantly, two decades of experience have shown us that the very best candidates are not actively seeking employment. Our goal as executive search experts is to identify strong talent and make them aware of and excited about this opportunity through proactive, unsolicited outreach.

As a minority-owned and operated business, we have a particular sensitivity to the challenges of recruiting a diverse slate of candidates. One of these challenges is the high degree to which traditional, long-standing professional associations and the networks they generate tend to replicate an ecosystem that is not inclusive. Our one-of-a-kind network of professionals – along with our memberships in several diverse professional associations and organizations – and our use of competitive intelligence will unearth candidates that other firms are sure to miss.

3. Processing Applications

All applicants receive written acknowledgement of their applications. Applications that come via the designated POLIHIRE e-mail account form a confidential database. While the goal is, of course, to make a select group of applicants known to the client, many applicants (including internal applicants) may not wish to have their desires made known until it has been determined that they are indeed a viable candidate and may be added to the slate of candidates presented to the client. At the end of the process, all non-selected applicants will be informed of their status. Our goal is always to follow a process that respects applicants, values their time, and maintains goodwill all around.

4. Screening of Candidates

All applications are first screened against the most basic criteria laid out in the position profile. Next, we conduct an initial conversation (via telephone/video conference or, when possible, in-person) with all candidates who meet the minimum position criteria. Our recruiters are trained and highly experienced in screening candidates by phone and ensuring that only the most qualified and suitable candidates are advanced.

5. Candidate Interviewing, Assessment, and Background Investigation

During this step, the POLIHIRE team will:

- **Conduct full interviews with the top candidates.** Our understanding of the stated values of Chapel Hill will shape interview questions that ensure not only will the top candidates have the necessary technical skills and professional experience but also possess a track record of organizational leadership necessary to be successful in the role.
- **Prepare candidate profiles for presentation.** We will prepare written candidate profiles – summarizing their experience, motivation for their application, and their approach to the work.

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- **Review profiles and narrow the list of candidates in collaboration with clients.**

OPTIONAL: Prior to the final interviews, our Director of Search Assessment administers an Emotional Intelligence Assessment (EQi 2.0). Those results will be shared with leadership to assist in the design of questions to be used during the interview.

6. Additional Recruitment Support – Community Engagement

We implement our tried-and-true recruitment process for each engagement. However, with highly visible and sensitive searches, at the request of our clients, we can add additional steps to ensure transparency and to ensure community residents and other stakeholder groups have the opportunity to engage in the process. Having led many highly sensitive searches over the years in various jurisdictions, we know the importance of transparency and community engagement. The following activities can help ensure an inclusive and transparent process:

- 1) **Survey.** We will develop a survey of approximately eight (8) questions. While these surveys are anonymous, we will ask (not require) demographic information from the participants. This information will include zip code, and any information of their identification (race or ethnicity, gender and age range). We will NOT ask citizenship-status questions. The survey may be attached to the Town's webpage and a link will be provided where citizens may respond. The survey should be open for approximately 30 days.
- 2) **Stakeholder meetings.** We will meet with leaders/select representatives of various civic organizations (faith-based leaders, special-interest, education, business, etc.) We will offer suggestions but will rely on Town leadership to identify which to engage. These intimate meetings build alliances and trust and also provide an opportunity for effective dialogue. We have found this to be highly effective.
- 3) **Public forums.** These are probably among the more transparent and participatory activities. Public forums can be extremely illuminating, and they also come with significant trade-offs. We would defer to our client to determine whether this approach makes sense for their particular community. (During the COVID-19 pandemic, these would be held via Zoom or another platform).

Project Team

This project would be staffed by the following POLIHIRE team members:

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Kenyatta Uzzell, CEO & President – Kenyatta is the Founder and CEO of POLIHIRE. Prior to founding POLIHIRE, Kenyatta served as the Executive Recruitment Manager for the Government of the District of Columbia. During his tenure with the Anthony A. Williams Administration, Kenyatta was responsible for the successful recruitment of multiple executives and senior managers, including the City Administrator, Deputy Mayors, Inspector General, and numerous agency Directors and Deputy Directors. Kenyatta received a Bachelor of Arts degree from the University of North Carolina at Chapel Hill, and he holds an MBA from Howard University’s School of Business. Kenyatta is an active member of several civic and professional organizations, to include the National Forum for Black Public Administrators where he served on the National Corporate Advisory Council. He is a member of the International City/County Management Association, and served on the Board of Directors for the African American Nonprofit Network. Kenyatta resides in Loudoun County, VA with his spouse and two children.



Melanie Bell, COO & Senior Client Partner – Melanie has more than 20 years of experience in public sector organizations, including public health, education, housing, public works and law. Prior to joining the senior leadership team at POLIHIRE, Melanie served as an executive with the Government of the District of Columbia where she led in the areas of Health and Human Services, Education and Public Safety. Melanie holds a Bachelor of Arts in Political Science and Business Administration from Howard University. Melanie resides in Dallas, TX.



De’Shawn Wright, Senior Client Partner – De’Shawn has served in senior leadership roles in the public and private sector for the past two decades. His past roles include leading public policy and communications in the northeast region for Uber, serving as Deputy Mayor for Education in Washington, DC for Mayor Vincent Gray, Chief Policy Advisor to former Mayor Cory A. Booker of Newark, New Jersey, and as a Policy Analyst for former New York Mayor Michael R. Bloomberg. De’Shawn holds a bachelor’s degree from James Madison University and a Master of Public Administration degree from New York University’s Robert F. Wagner School of Public Policy. De’Shawn resides in Newark, NJ.

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Dr. Kamala Uzzell Jones, Director of Search Assessment – Dr. Kamala is a Director of Search Assessment for POLIHIRE. She is a national board-certified counselor and licensed professional counselor supervisor with more than 20 years of clinical and higher education experience. She has conducted several professional leadership development and diversity workshops and is certified in administering the EQ-i 2.0 / EQ 360. Dr. Kamala often appears as a mental health subject matter expert on WRAL and WTVD. Dr. Kamala attended the University of North Carolina at Chapel Hill where she earned a Bachelor of Arts degree in Communication Studies. She earned a Master of Arts degree in Agency Counseling from Campbell University and a Doctorate of

Philosophy degree in Counselor Education from North Carolina State University. Dr. Kamala and her spouse, Coach Adrian Jones, reside in Durham, NC.



Angie Viar, Senior Consultant – Angie has been a key contributor to POLIHIRE since 2011. Before joining POLIHIRE, Angie served in several recruiting roles, including HR Manager and Senior Recruiter. She is a leader with valuable organizational and analytical skills and possesses a strong ability to authoritatively identify the strongest candidates based on experience, skill sets, qualifications, and interests. Angie is a graduate of Radford University. Angie and her spouse reside in Fairfax County, VA. She

has two daughters- one is a current undergraduate and Penn State and the other is a high school sophomore.

The work of this core project team will be supported (e.g., administration, research, assessment) by other members of the POLIHIRE staff as required.

Cost

Consistent with the standards of the executive search profession, our retainer fee is non-contingent and non-refundable. The professional retained fee for POLIHIRE to conduct a national search for the Town of Chapel Hill's next City Manager will be \$25,000. In the event candidate travel is required, such expenses will be billed separately.

If the Town would like to include the optional community outreach services along with our recruitment services, this will come at a flat rate fee of \$8,000, for a total fee of \$33,000.

The fee will be billed in four installments. The first installment (\$7,200) will be billed at the initiation of the search. The second installment (\$7,200) will be billed 30 days into the engagement. The third installment (\$7,200) will be billed 60 days into the engagement. The final installment (remaining balance

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minus the previously paid \$21,600) will be billed at the conclusion of the search. All other reasonable expenses are included in the quoted fee. Invoices are due and payable at 30 days.

Should you hire candidates presented by POLIHIRE from this search process for other positions within the organization within one year of the close of this search, a fee of \$20,000 for each candidate hired is due to POLIHIRE.

Guarantee

If within one year of appointment, the selected candidate is either terminated for cause or chooses to terminate his or her own employment – outside of a negotiated resignation in which dismissal is the alternative to resignation – POLIHIRE will, if requested, conduct another search at no cost other than direct preapproved expenses (i.e., no additional professional services fee but expenses such as advertising will be passed through). POLIHIRE must be notified in writing within 30 days of termination or resignation, and all invoices must have been paid within the agreed upon terms to fulfill this guarantee. Candidates appointed from within your organization do not qualify for this guarantee.

POLIHIRE Contact

Kenyatta Uzzell
Founder & CEO
POLIHIRE
655 15th St NW
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202-821-2073

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Attachment – Similar Searches

The following is a list of similar searches we have successfully completed that are relevant to the Town Manager position.

Table 1: Relevant Filled Positions

City of Alexandria, VA	
Fire Chief	City Manager
Chief Purchasing Agent	Independent Police Review Auditor
City of Cincinnati, OH	
City Manager	
City of Creedmoor, NC	
City Manager	
City of Durham, NC	
Deputy City Manager	Director, General Services
Director, Building & Inspections	Director, Human Resources
Assistant Director, General Services	Director, Public Works
Assistant Director, Public Works	Director, Transportation
Assistant Director, Water Management	Street Superintendent
Director, Economic Development	Chief Financial Officer
Budget Director	Deputy Chief Financial Officer
City of Eau Claire, WI	
City Manager	
City of Rocky Mount, NC	
City Manager	
City of Tallahassee, FL	
Deputy City Manager	Human Resources Administrator
Durham County Government, NC	
Chief, Emergency Management	Deputy County Manager/General Manager
Chief, Emergency Medical Services	Director, Public Health
County Manager	Safety & Risk Manager
Fire Chief	Police Chief

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Government of the District of Columbia	
Chief Financial Officer	Director, General Services
Assistant Director, Classification & Compensation	Director, Health
Assistant Superintendent, Early Childhood Education	Director, Human Resources
Attorney General	Director, Human Rights
Chief Administrative Law Judge	Director, Human Services
Chief Engineer	Director, Juvenile Justice
Chief Medical Examiner	Director, Latino Affairs
Chief Procurement Officer	Director, Medicaid
Chief Technology Officer	Director, Public Works
City Administrator	Director, Small & Local Business Development
Deputy Fire Chief/Medical Director	Director, Transportation
Deputy Mayor – Children, Youth & Families	Human Capital Administrator
Deputy Mayor – Public Safety and Justice	Inspector General
Director, Child & Family Services	Superintendent of Schools
Director, DC Health Exchange	
Prince George's County Government	
Chief Operating Officer, Department of Health	Director, Housing
Deputy Chief Administrative Officer, Economic Development	Director, Human Resources
Deputy Chief Administrative Officer, Health, Human Services & Education	Director, Permits, Inspections and Enforcements
Director, Central Services	Police Chief
Director, Corrections	Deputy Fire Chief (2)
Chair – Maryland – National Capital Parks and Planning Commission	
Prince William County	
County Executive	

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Attachment – References

- 1) City of Alexandria, VA
Mayor Justin Wilson
Justin.Wilson@alexandriava.gov
703-746-4500 (office)
703-338-2843 (private mobile)
- 2) City of Rocky Mount, NC
Mayor Sandy Roberson
Sandy@SandyRoberson.com
(252) 972-1130
- 3) City of Durham, NC
Wanda Page, City Manager
Wanda.Page@Durhamnc.gov
919-560-4222
- 4) City of Charlottesville, VA
Michael Rogers, Interim City Manager
Rogersmc@charlottesville.gov
434-970-3101
202-821-8528 (private mobile)
- 5) City of Charlottesville, VA
Lloyd Snook, Mayor
Lsnook@charlottesville.gov
434-293-8185 (office)
434-760-7959 (mobile)
- 6) District of Columbia Government
Nicole Cook
Chief Administrative Officer
Dept of Human Resources
Nicole.Cook@dc.gov
202-316-8543
- 7) Fairfax County
County Executive Bryan Hill
Bryan.Hill@FairfaxCounty.gov
703-324-4001 (office)
703-397-6040 (mobile)



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 7., File #: [23-0123], Version: 1

Meeting Date: 2/15/2023

Receive Upcoming Public Hearing Items and Petition Status List.

Staff:

Sabrina Oliver, Director and Town Clerk
Amy Harvey, Deputy Town Clerk

Department:

Communications and Public Affairs



Recommendation(s):

That the Council accept the reports as presented.

Background:

Two pages on our website have been created to track:

- public hearings scheduled for upcoming Council meetings; and
- petitions received, including their status and who you can call for information.

The goal is to provide, in easily available spaces, information that allows people to know when Council will be seeking their comments on a particular topic of development and to know the status of a petition submitted at Council meetings.

In addition to being on the website, these pages will be included in each agenda for Council information,

Fiscal Impact/Resources: Staff time was allocated to create the semi-automated web pages, and additional staff time will be needed for maintenance.



Attachments:

- Scheduled Public Hearings <<https://www.townofchapelhill.org/government/mayor-and-council/council-minutes-and-videos/scheduled-public-hearings>>
- Status of Petitions to Council <<https://www.townofchapelhill.org/government/mayor-and-council/how-to-submit-a-petition/petition-status>>

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By accepting the report, the Council acknowledges receipt of the Scheduled Public Hearings and Status of Petitions to Council lists.

SCHEDULED PUBLIC HEARINGS

This webpage lists public hearings that are scheduled for a *specific Council meeting date*, although periodically, some may be continued to a future date. Public hearings may relate to the Land Use Management Ordinance (LUMO), Residential or Commercial Development, Budget, Transportation, or Housing issues. Meeting materials are posted at [Council Meeting Agendas](#), [Minutes](#) and [Videos](#).

Interested in a development project not yet scheduled for Council review? See the [Development Activity Report](#) for the project's current status.

February 15, 2023

- Initial Budget Public Forum on the Annual Budget, Capital Program, Use of Grants and Related Items, and Potential Legislative Requests

February 22, 2023

- Continue a Legislative Hearing for a Land Use Management Ordinance Text Amendment to Articles 1,3,4,5,6 and 7 and Appendix A Related to [Housing Regulations and Housing Choices for a Complete Community](#)
- Close a Legislative Hearing for a Conditional Zoning Application at 2217 Homestead Road ([Project 22-019](#)).
- Open an Evidentiary Hearing for an Application for a Special Use Permit Modification for [Dunkin' at 1509 E. Franklin Street](#)

March 8

- Reconvene a Legislative Hearing for LINK APARTMENTS, 101 E ROSEMARY STREET: CONDITIONAL ZONING APPLICATION ([PROJECT #21-030](#))
- Close a Legislative Hearing and Consider the Aspen Chapel Hill at 701 Martin Luther King Jr Blvd Conditional Zoning Application ([Project 21-060](#))

April 19

- Open a Legislative Hearing to Update the Town's Comprehensive Plan to Include the Complete Community Framework

STATUS OF PETITIONS TO COUNCIL

Petitions submitted during the Town Council meetings are added to the list below, typically within five business days of the meeting date.

To contact the department responsible, click on the department name. Meeting materials are posted on the [Council Meetings calendar](#).

Public Initiated	Council Initiated	LUMO	Closed		
Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
01/25/2023	Wendi Ramsden	Request for 2200 Homestead Limited Scope Review	Planning & Development Services		01/26/2023
01/25/2023	Will Raymond	Request for Ethics Guidelines	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707		01/26/2023
01/25/2023	Wendi Ramsden	Request for Limited Scope Review for 1100 S. Columbia St.	Planning & Development Services		01/26/2023
01/25/2023	Environmental Stewardship Advisory Board (Tom Henkel)	Requests Follow-Up Regarding 828 Martin Luther King Jr. Blvd. Site	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707 Planning & Development Services		01/26/2023
01/11/2023	Joe Patterson	Request to Make Existing No Parking Sections of Cobb Terrace Tow Away Zones.	Public Works Lance Norris , Public Works Director Phone: 919-969-5100	Staff is preparing information to respond to this request.	01/20/2023
01/11/2023	Inter-Faith Council for Social Service (Crystal Ferguson)	Requests Crosswalk at MLK and Taylor Road and Reflective Vests and Equipment for People Experiencing Homelessness	Public Works Lance Norris , Public Works Director Phone: 919-969-5100	Staff is working with DOT on a crosswalk just north of Critz Drive and staff will engage with nearby residents who will be impacted while DOT works on funding. Reflective vests: Town will purchase these vests for IFC.	01/20/2023
01/11/2023	Habitat For Humanity of Orange County (George Retschle)	Request that the Town Council of Chapel Hill Modify the Weavers Grove Conditional Zoning Permit	Planning & Development Services	Staff is working to respond to this request. This request will require Council action.	01/20/2023
12/07/2022	Carol Conway	Request Regarding Affordable Housing Needs for IDD Members.	Housing & Community		12/08/2022

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
12/07/2022	Environmental Stewardship Advisory Board (Anthony Henage)	Request to Acquire Eastowne Natural Heritage Site and Designate Natural Conservation Area.	Planning & Development Services	This request is preserved as public input and will be incorporated into discussions once an application is received. The Town forwarded the question to UNC Health for consideration.	01/20/2023
11/16/2022	Virginia Gray	Request for the Entire Legion Site be Saved as a Community Park.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707 Parks & Recreation Phillip Fleischmann , Parks and Recreation Director Phone: 919-968-2785	At their 12/07/22 meeting, the Council voted to designate the Legion property for both affordable housing and park/recreation uses.	01/20/2023
11/16/2022	Evette Matthews	Request Affordable Housing on Legion Road Property.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	At their 12/07/22 meeting, the Council voted to designate the Legion property for both affordable housing and park/recreation uses.	01/20/2023
11/16/2022	Alice Jacoby	Request Using Legion Road Site for Public Housing.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707 Parks & Recreation Phillip Fleischmann , Parks and Recreation Director Phone: 919-968-2785	At their 12/07/22 meeting, the Council voted to designate the Legion property for both affordable housing and park/recreation uses.	01/20/2023
10/19/2022	Deon Temne	Request for Sidewalks at Northside Elementary School.	Planning & Development Services	Staff is preparing information to respond to this request.	10/24/2022
10/19/2022	Kelvin Hargraves	Request for Name Change to Hargraves Center Gym.	Mayor Pam Hemminger , Mayor Phone: 919-968-2714	The Council received and referred this request to the Mayor and Town Manager for consideration.	10/24/2022
10/12/2022	Elizabeth Onan (CHOCE)	Request for Council Review the Sign Ordinance and the Chapel Hill Transit Authority Policy and Standards to Ascertain They Fully Comply with Federal First Amendment Rights.	Transit Brian Litchfield , Transit Director Phone: 919-969-4908	The Council received and referred this request to the Mayor and Town Manager for follow-up.	10/17/2022

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
10/12/2022	Lisa Ostrom	Request to Add an Informational Sign to the Dixie Ln and Rd Signs.	Public Works Lance Norris , Public Works Director Phone: 919-969-5100	Staff is preparing information to respond to this request.	10/24/2022
09/28/2022	Rachel Eberhard/CASA	Request for SUP Modification Limited Scope Review.	Planning & Development Services	The Council will consider this request at an upcoming meeting.	10/11/2022
09/14/2022	Barbara Driscoll and Lynda Haake	Request Regarding Lights Out Chapel Hill	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	The Council received and referred this request to the Mayor and Town Manager for follow-up.	10/17/2022
05/18/2022	Sandy Douglass	Request To Use ARPA Money Towards Pickleball.	Parks & Recreation Phillip Fleischmann , Parks and Recreation Director Phone: 919-968-2785	Final Decisions about ARPA funds will be made in January 2023.	11/21/2022
05/18/2022	Josh Romero	Recommendation for CPAC Charge Name Change	Police Chris Blue , Police Chief Phone: 919-968-2766	Staff will coordinate with the Council Committee on Boards and Commissions to respond to this request.	08/22/2022
05/04/2022	Cherec Morrison	Request to Add a Crosswalk at Holy Trinity Anglican Church.	Public Works Lance Norris , Public Works Director Phone: 919-969-5100 Planning & Development Services	Staff is preparing information to respond to this request.	08/22/2022
04/27/2022	Moriah Ridge, LLC	Request to Amend Consent Judgement to Permit the City of Durham to Annex a Property off of Mt. Moriah Road.	Business Management Amy Oland , Business Management Director Phone: 919-969-5017	Durham and Chapel Hill staff will coordinate on a response to this request.	08/22/2022
01/12/2022	Environmental Stewardship Advisory Board	Request to Adopt New Electrification Policies for Chapel Hill.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	Staff will share information related to this request at an upcoming Council meeting..	08/22/2022
11/17/2021	Will Raymond	Request Regarding Ethical Rules Guiding Council, Staff and Advisory Board Conduct.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	The Council Committee on Boards & Commissions discussed this at their 06/27/22 meeting and will share their recommendations for Council consideration at an upcoming meeting.	08/22/2022

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
			Mayor Pam Hemminger , Mayor Phone: 919-968-2714		
10/13/2021	Tara Kachgal	Request Regarding 110 Jay Street.	Housing & Community	Staff continues to work with legal experts to adhere to all relevant statutes. The Council opened a legislative hearing for a conditional zoning application on 03/23/22 and approved the application on 04/27/22.	01/20/2023
10/13/2021	Savannah Bowers	Request Regarding Operational Transparency for Town Government	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707 Council Committee on Boards and Commissions	The Council Committee on Boards & Commissions discussed this at their 06/27/22 meeting and will share their recommendations for Council consideration at an upcoming meeting.	08/29/2022
09/22/2021	Kate Sayre	Request To Build A Splash Pad in Chapel Hill	Parks & Recreation Phillip Fleischmann , Parks and Recreation Director Phone: 919-968-2785	The Council discussed this at their 10/20/2021 work session. Staff will continue to evaluate locations, specifications, and costs for further Council consideration. UPDATE 1/20/23 discussions continue on this idea. Petitioner is engaged in the process.	01/20/2023
09/22/2021	Barry Nakell	Request to Rename Dixie Lane	Public Works Lance Norris , Public Works Director Phone: 919-969-5100	The Council Naming Committee will review this request and make a recommendation to the Council for consideration.	08/22/2022
09/22/2021	Joan Rehm and Karin Nelson	Request Regarding Downtown Exhaust Noise.	Police Chris Blue , Police Chief Phone: 919-968-2766	Staff has been actively engaged with residents on this issue and will continue to do so.	01/20/2023
09/01/2021	Joe Patterson	Request for Modifications to the Town of Chapel Hill Noise Control Code.	Police Chris Blue , Police Chief Phone: 919-968-2766	Staff is preparing information to respond to this request.	08/22/2022
06/16/2021	Robert Beasley	Request Regarding Proposed Jay Street Apartments and Affordable Housing Development on Public Land Planning Process.	Housing & Community	Staff continues to work with legal experts to adhere to all relevant statutes. The Council opened a legislative hearing for a conditional zoning application on 03/23/22 and approved the application on 04/27/22.	11/18/2022
06/09/2021	Robert Beasley	Request Regarding Jay Street Land Tract Development Project Funding.	Housing & Community	110 Jay Street was one of five parcels purchased in 2005 with open space bond	08/22/2022

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
				funding. Town Attorneys and outside counsel have advised there is no legal conflict with repurposing the site for affordable housing after this purchase.	
06/09/2021	Deborah Fulghieri	Request that Town Staff Bring Forward Historical and Environmental Information for the Town-Owned Property at Mt. Carmel Church Road and Bennett Road.	Housing & Community	The Town used open space bond funds to pay closing costs for the land donation. There is no legal conflict with considering alternate uses of a site the Town acquired in this way. Council prioritized the parcel for affordable housing in September 2019.	08/22/2022
05/19/2021	Phil Post	Request to Refer the April 21 Petition Related to 160D to the Planning Commission.	Planning & Development Services Planning Commission	Staff is reviewing this request.	08/22/2022
05/19/2021	Chapel Hill Public Library Advisory Board	Request for a Working Group on Equitable Library Funding.	Mayor Pam Hemminger , Mayor Phone: 919-968-2714 Library Susan Brown , Library Director Phone: 919-969-2034 Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	Orange County established a Library Services Task Force with staff and elected officials from both agencies participating. The task force first met in January 2022 and is continuing to meet regularly.	01/20/2023
11/04/2020	Residents in the area of Mason Farm Rd., Whitehead Circle, and Purefoy Rd	Request Improvements to Neighborhood Infrastructure to Promote Safe Walking and Biking and Improved Connectivity to Adjacent Neighborhoods and Campus.	Planning & Development Services Public Works Lance Norris , Public Works Director Phone: 919-969-5100	Staff is preparing information to respond to this request.	08/22/2022
06/10/2020	Community Design Commission	Request to Create a Downtown Design District.	Planning & Development Services	The Town's partnership with UNC on the Downtown Together initiative will help inform the future of downtown development and the role that design standards may have in achieving Downtown Together objectives.	08/22/2022
02/19/2020	Steve Moore	Request Regarding Cemetery Needs.	Parks & Recreation Phillip Fleischmann , Parks and Recreation	Staff is in contact with the petitioner and is working to respond to the items raised in the petition. The driveways in Old Chapel Hill Cemetery were resurfaced in July 2021.	08/22/2022

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
			Director Phone: 919-968-2785 Communications & Public Affairs Sabrina Oliver , Communications & Public Affairs Director Phone: 919-968-2757		
01/08/2020	Renuka Soll	Request for an Improved Petition Process.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	The petition page has been redesigned to provide additional information and context for petitions. Petitioners can contact the Manager's office or the supporting department if they have additional questions.	01/20/2023
06/26/2019	Community Design Commission	Request for Modifications to the Concept Plan Review Process.	Planning & Development Services	The Council most recently discussed this at their 09/16/2020 work session. Staff is piloting new ways to present Concept Plans to boards, using Town projects as subjects.	08/22/2022
06/26/2019	Julie McClintock	Request Regarding the Blue Hill Form Based Code.	Planning & Development Services	The Council and staff continue to evaluate and update the Blue Hill Form Based Code.	08/22/2022
04/24/2019	Board of Adjustment	Request Regarding Neighborhood Conservation District Ordinances.	Planning & Development Services	The Town is currently in the process of updating its Land Use Management Ordinance. This idea is under consideration as a part of this process.	08/22/2022
04/17/2019	Amy Ryan for Planning Commission	Commission Regarding Site Plan Review Process.	Planning & Development Services	Staff will coordinate with the Council Committee on Boards and Commissions to consider this request.	08/22/2022
02/13/2019	Citizens	Request Regarding Coal Use and Coal Ash.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	Remediation work is almost complete along the Bolin Creek Trail near the Police Department. UNC is expected to release their Climate Action Plan in 2021, which is expected to address UNC coal use in the future.	08/22/2022
06/13/2018	Mayor Pam Hemminger	Regarding Reviewing Policies, Procedures, and Practices for Development.	Planning & Development Services	A Town web page with TIA exemption requests is available. Staff continues to look for ways to apply the LUMO clearly and consistently for all stakeholders in the development process.	08/22/2022

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STATUS OF PETITIONS TO COUNCIL

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Public Initiated	Council Initiated	LUMO	Closed		
Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
09/28/2022	Council Member Anderson	Request for Project Review by Complete Communities Team	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707 Planning & Development Services	The Council received and referred this request to the Mayor and Town Manager for follow-up.	10/11/2022
05/18/2022	Council Members Stegman, Huynh, Berry, Miller-Foushee, and Parker	Request American Legion Property Update	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	The Mayor formed a Legion Property Committee which includes two of the petitioners to recommend next steps to the Council.	11/14/2022
10/27/2021	Mayor Hemminger and the Chapel Hill Downtown Partnership	Request that the Town Explore Taking Over the Downtown Portion of Franklin Street.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707 Public Works Lance Norris , Public Works Director Phone: 919-969-5100	The Council discussed this at their 01/05/22 work session.	08/22/2022
09/22/2021	Council Members	Regarding Long Range Planning for Future Growth	Planning & Development Services	The Town hired Jennifer Keesmaat & Alex Mather with The Keesmaat Group, Jennifer Hurley with Hurley~Franks & Associates, and Rod Stevens with Business Street to conduct a future visioning based on "meeting the need" for housing in Chapel Hill.	08/29/2022
09/22/2021	Council Members Stegman, Huynh, Buansi, and Parker	Regarding Affordable and Missing Housing	Housing & Community Planning & Development Services	Staff prepared a draft Work Plan to address the the petition's interests and is piloting an expedited application review for projects proposing 100% affordable units. Council will receive	08/22/2022

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
				an update on expedited review at an upcoming meeting.	
06/28/2021	Council Member Ryan on Behalf of Mayor Hemminger, Council Member Stegman, and Council Member Gu	Request Regarding Stormwater Storage Basin Projects.	Public Works Lance Norris , Public Works Director Phone: 919-969-5100	The Town has paused proposed stormwater projects pending a broader community discussion. The Town hosted a community information meeting about the flood storage projects identified in the Lower Booker Creek Subwatershed Study on 09/13/2021.	08/22/2022
06/09/2021	Council Members Parker, Ryan, Huynh, Stegman, and Gu	Request Regarding Comprehensive Review of Stormwater Regulations.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707 Public Works Lance Norris , Public Works Director Phone: 919-969-5100	The Council discussed this at their 10/20/21 work session. Staff will explore options for partnering with the LUMO rewrite consultant to perform this review.	08/22/2022
05/19/2021	Council Members Stegman and Parker	Request Regarding Tax Equity Fund.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	In Fall 2021, Orange County launched a new Longtime Homebuyer Assistance program to provide property tax assistance to help people stay in their home. Staff recommends that funding for this program remains at the County level.	08/22/2022
05/05/2021	Mayor pro tem Parker, Council Member Buansi, and Council Member Stegman	Request Regarding Chapel Hill Increasing its Minority and Women Business Enterprise/Disadvantaged Business Enterprise (MWBE/DBE) Contracting Targets.	Business Management Amy Oland , Business Management Director Phone: 919-969-5017 Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	Based on Council direction, staff will build increased targets into the upcoming work on the East Rosemary Parking Deck project. Staff will continue working to respond to the broader request.	08/22/2022
03/24/2021	Council Member Anderson	Request Regarding Manufactured Home Parks	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707 Housing & Community	At their 04/27/22 meeting, the Council endorsed the County-Wide Manufactured Homes Action Plan.	08/22/2022
03/14/2018	Council Members Anderson, Gu, and	Request Regarding Addressing Blue Hill District Community Interests.	Planning & Development Services	Council enacted ordinance amendments pertaining to stormwater	11/28/2022

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
	Schaevitz			management, affordable housing, and non-residential development, as well as building size, massing, and permeability. Council considered amendments for townhomes and deferred action.	
11/07/2016	Mayor Hemminger	Regarding Parking and Transit Needs in Downtown Area.	Planning & Development Services Police Chris Blue , Police Chief Phone: 919-968-2766 Public Works Lance Norris , Public Works Director Phone: 919-969-5100	Recent actions include replacing parking pay stations, implementing Downtown Ambassadors program, and including additional parking with required Wallace Parking Deck repairs. Next steps include parking payments-in-lieu and public/private partnerships.	11/28/2022

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STATUS OF PETITIONS TO COUNCIL

Petitions submitted during the Town Council meetings are added to the list below, typically within five business days of the meeting date.

To contact the department responsible, click on the department name. Meeting materials are posted on the [Council Meetings calendar](#).

Public Initiated	Council Initiated	LUMO	Closed		
Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
06/23/2021	Molly McConnell	Request Regarding Amending the LUMO to Allow 30 Feet Buffer from Roadway.	Planning & Development Services	Request was forwarded to the LUMO project team for considering as LUMO is updated	08/22/2022
05/20/2020	Elaine McVey	Request to Amend the Land Use Management Ordinance Related to Deer Fencing.	Planning & Development Services	Staff will work to bring forward a LUMO Text Amendment for Council consideration at a future date.	10/07/2022
09/11/2019	East Franklin Neighborhood Steering Committee & Neighbors	Request Regarding Neighborhood Preservation.	Police Chris Blue , Police Chief Phone: 919-968-2766 Planning & Development Services	Staff will continue to work with residents, the University, and other community members on concerns related to student rental housing. This topic will be considered as part of the LUMO rewrite.	08/22/2022
09/19/2018	Julie McClintock of CHALT	Regarding Land Use Intensification.	Planning & Development Services Public Works Lance Norris , Public Works Director Phone: 919-969-5100	On 6/12/2019, Council received a presentation on the Town's Stormwater program. On 12/9/2020 Council adopted the use of FEMA Flood Resiliency Maps. In 2/2021, Council received more info on Stormwater programs LUMO update will consider other ideas.	08/22/2022
06/27/2018	Susanne Kjemtrup / Brian Hageman	Transportation and Connectivity Advisory Board Request for an Electric Vehicle Provision in the Land Use Management Ordinance.	Planning & Development Services	The Town is currently in the process of updating its Land Use Management Ordinance. These ideas are under consideration as a part of this process.	08/22/2022
06/13/2018	Ondrea Austin	CHALT's Request to Revise the Tree Ordinance.	Planning & Development Services	The Town is currently in the process of updating its Land Use Management Ordinance. This idea is under consideration as a part of this process.	08/22/2022

Last modified on 2/8/2023 3:15:04 AM



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 8., **File #:** [23-0124], **Version:** 1

Meeting Date: 2/15/2023

Initial Budget Public Forum on the Annual Budget, Capital Program, Use of Grants and Related Items, and Potential Legislative Requests.

Staff:

Amy Oland, Director
Matt Brinkley, Assistant Director

Department:

Business Management

Overview: This initial public forum is an opportunity for the Council to receive public comment related to the development of the FY 2023-24 Town Budget.



Recommendation(s):

That the Council receive comments from the public on the forum topics listed below; and that the Council refer comments and questions to the Town Manager to consider in the budget process.

Key Issues:

OVERVIEW OF THE BUDGET PROCESS

Through the Town's annual budget process, the Council makes decisions on the level and types of services provided to the public with local, state and federal funds. The budget process reflects direction from the Council. Adopting a budget determines the level of resources available for Town services over the coming fiscal year.

Process for Participation by the Public

Additional public forums and hearings on the budget and related items will be held at 7:00 pm on:

- | | |
|----------|--|
| April 19 | A public forum to: <ul style="list-style-type: none"> • Receive comments on the preliminary plan for uses of 23-24 Community Development Block Grant (CDBG) program funds |
| May 24 | Public Hearing on: <ul style="list-style-type: none"> • The recommended budget for the service year beginning on July 1, 2023; use of public transportation grants; recommended 15-year capital program; Downtown Service District program. |

The public may also share comments with the Mayor and Council by email at mayorandcouncil@townofchapelhill.org or by letter at Town Hall, 405 Martin Luther King Jr Blvd, Chapel Hill, NC 27514 at any time in the budget process.

Staff has provided notice of tonight's forum on the Town's website.

TOPICS FOR THE FEBRUARY 15 PUBLIC FORUM AND HEARING

- a. Annual Budget for 2023-24: preparing the budget for the service year beginning on July 1, 2023.
- b. 2024-38 Capital Program: capital improvement needs for 2024-38.
- c. Community Development Block Grant (CDBG) for 2023-24: use of the 2023-24 Federal Community Development Block Grant funds for eligible public service, affordable housing, and community development benefiting low-to-moderate income households in Chapel Hill (Initial Public Forum held November 16, 2022).
- d. Federal HOME Investment Partnership Program funding for 2023-24: use of the 2023-24 Federal HOME Investment Partnership Program funds for a broad range of eligible housing-related activities benefitting low-to-moderate income households in Orange County (The Orange County Board of Commissioners will hold the public hearings for the Orange County Home Consortium in April).
- e. Housing Capital Funds Program for 2023-24 use of the 2023-24 Federal Housing Capital Funds Grant for public housing improvements, renovations, and services to public housing residents.
- f. Public Transportation Grant Program for 2023-24: use of 2023-24 Federal and State grants for transit capital projects, operating costs, and transportation planning.
- g. Downtown Service District: receive comments and suggestions from downtown businesspeople, property owners and other interested residents regarding the needs of the service district.
- h. Potential Legislative Proposals: receive suggestions for legislation that might be sought in the 2023 session of the General Assembly.

A. Annual Budget for 2023-24

This forum is an opportunity for the public to comment on any aspect of the Town's budget and budget documents, including services that should be added, eliminated, or changed. The Town's 2023-24 budget and service year will begin on July 1, 2023 in accordance with State law.

Purpose

The annual budget includes funding for operating costs for police and fire protection, street maintenance, refuse collection, other public works services, parks and recreation, public transit, the public library, planning, building inspections, engineering, legal and administrative services, affordable housing, human services, and public housing.

The annual budget includes one year's funding for cash-financed (pay-as-you-go) small capital projects such as sidewalks, greenways, street paving, and debt service payments on other capital projects.

In addition to setting Town service levels and property tax rates, the Council makes decisions on whether to adjust or adopt service fees for refuse collection, recreation programs, development review, inspections, and other services as part of the budget.

Next Steps

On May 10, the Council will receive the Manager's Recommended Budget. The Council will receive public comment at its May 24 public hearing. The Council will consider adopting a budget on June 14.

B. 2024-38 Capital Program

The purpose of this forum is to receive comments from the public regarding capital projects proposed for the next 15 years.

2024-38 Capital Program

A summary of the current capital program and long-range projections as adopted by the Council with the FY 2023 budget for 2023-37 is attached as background information. The 15-year CIP is a comprehensive list of capital projects, based on needs identified by Town departments for planning purposes only. Capital projects are brought to Town Council for consideration when funding sources have been identified.

Purpose

A capital improvements program is a plan for major projects and purchases including:

- Buying land for parks, open space, or other Town services;
- Sidewalks;
- Streetscape;
- Bikeways;
- Greenways;
- Park improvements;
- Construction, renovation, expansion, and capital maintenance of Town buildings; and
- Road, bridge, and related improvements.

The Town's capital programs have typically included a list of capital projects with cost estimates, a potential schedule, and priorities for 15 years, and existing or potential future funding methods for each project.

Identified funding sources may include current general revenues, money previously reserved for capital projects, grants, gifts, and bond issues.

Many projects in the first year of the capital program normally are funded as part of the annual budget. Projects in the second through fifteenth years are normally not funded in the budget for the next year, although some may be financed through bond issues, installment purchase contracts and other sources. Funding for most projects in the second through fifteenth years will be considered in future annual processes.

Planning Process

Each year, the Town Council, residents, boards and commissions, and staff consider the Town's capital project needs and possible funding sources for needed projects. This process results in decisions by the Town Council regarding capital improvements that the Town may undertake as funding becomes available and is appropriated.

2023-24 Funding

We have not yet estimated how much funding may be allocated in the upcoming proposed annual budget for capital projects. In the current 2022-23 budget year, \$634,500 was allocated to fund pay-go capital projects.

Next Steps

We will submit a preliminary recommendation for the capital program to the Council as a part of the budget process. The capital program will be presented as part of the Manager's Recommended Budget on May 10 and a public hearing on the recommended budget will be held on May 24.

C. Community Development Block Grant Program for 2023-24

The initial public forum for the Community Development Block Grant Program was held November 16, 2022.

Next Steps:

- The deadline for submitting applications was January 13, 2023.
- The CDBG Application Review Committee will review applications and draft funding recommendations in February 2023.
- On April 19, 2023, the Town Council will hold a second public forum to receive comments on the preliminary plan for uses of 2023-24 CDBG program funds.
- On May 10, 2023, the Council will receive the recommended 2023-24 CDBG Program Plan.
- The 2023-24 Annual Action Plan will be submitted to Housing and Urban Development (HUD) on or before May 17, 2023.

D. Federal HOME Investment Partnership Program for 2023-24

Federal HOME Program funding is allocated to the Orange County HOME Consortium (Chapel Hill, Carrboro, Hillsborough, and Orange County). Orange County serves as the lead entity for administering the HOME Program. The Orange County Board of Commissioners will hold the public hearings for the Orange County Home Consortium in April 2023.

Next Steps:

- HOME funding is awarded through a joint application process. The deadline for completing applications is February 21, 2023.
- The HOME Program Review Committee, consisting of one elected official from each partner organization, will review applications in March 2023 and the Orange County Board of County Commissioners will receive public comment on the preliminary plan in April 2023. Council Member Stegman serves as the Council's representative to this Committee.
- In May 2023, the Orange County Board of Commissioners will consider a recommended 2023-2024 HOME Program Plan.
- On May 10, 2023, the Council will consider a recommended 2023-2024 HOME Program Plan.
- The 2023-24 Annual Action Plan will be submitted to U.S. Department of Housing and Urban Development on or before May 17, 2023.

E. Housing Capital Fund Grant Program for 2023-24

The purpose of this forum is to receive public comments on the use of the federal 2023-24 Housing Capital Fund grant.

Purpose

The Town may use the annual Housing Capital Fund grant for comprehensive renovation and improvements to public housing neighborhoods.

Federal rules give priority to work needed to meet statutory requirements such as:

- Testing for and removing or otherwise controlling lead-based paint;
- Testing for and removing or otherwise controlling asbestos; and
- Renovations to meet the needs of disabled residents.

Estimated Grant for 2023-24

The 2022-23 grant amount was \$1,167,218. HUD has not yet notified the Town of the 2023-24 Grant award. The proposed plan is based on the amount received last year. If the amount awarded is different from the anticipated amount, we will adjust the Public Housing renovations program accordingly.

PRELIMINARY 2023-24 CAPITAL FUND PROGRAM

Proposed Sources of Funds

Capital Fund Program	<u>\$ 1,167,218</u>
TOTAL	\$1,167,218

Proposed Uses of Funds

Appliance Replacement Schedule	\$ 500,000
Professional Services	50,000
Building Improvement	372,000
Administrative Costs	116,721
Vehicle Replacement	80,000
<u>Training & Development</u>	<u>48,497</u>
TOTAL	\$ 1,167,218

1. Appliance Upgrade / Replacement (\$500,000)

Consistent with the Public Housing Master Plan, we have assessed the age and condition of all major appliances in the 296 units we maintain. Our goal is to replace as many refrigerators, ranges, furnaces, and water heaters that we can with each grant allocation until all units have energy star efficient appliances.

2. Building Improvements (\$372,000)

Section 504 of the Rehabilitation Act prohibits federal agencies, programs and activities receiving federal financial assistance, from discriminating against individuals with disabilities. We have seen a marked increase in requests for reasonable accommodations to include ramps, taller commode seats, and no step-in showers.

3. Administrative Costs (\$116,721)

Administrative costs are those indirect costs associated with the performance of a sponsored activity (such as a grant or a contract or other similar agreement with an external funding source). This activity includes the administrative cost for coordinating, tracking, and implementing the Capital Fund activities.

4. Vehicle Replacement (\$80,000)

We have had to surplus two vehicle this past year due to age and repairs exceeding the value of the vehicle.

5. Professional Services (\$50,000)

Continued professional contracts to assist our efforts to review and select architects and engineers to address the flooding issues of South Estes, the bridge at the administrative offices, the impending contract for the Trinity Court Redevelopment, training and professional development, and better use of the space in the administrative offices and the bay space at the maintenance space in the Town Operations Center.

6. Training and Development (\$48,497)

50% of our staff have been employed at Chapel Hill Public Housing for less than a year. Training provided by our professional associations, HUD, and community partners is essential to our continued growth and success as a department. We would like to continue to support the Summer Career Academy by hiring one Maintenance intern each summer.

Next Steps

Comments received will be taken into consideration in preparing a recommended plan for the 2023-24 Capital Fund grant.

F. Public Transportation Grant Program for 2023-24

The forum tonight is an opportunity for the public to comment on transit services and projects in 2023-24 including the use of Federal and State grants for transit operations, capital projects and transportation planning.

Purpose

Transportation services, projects and planning activities are intended to provide alternatives to the use of single-occupant vehicles, reduce traffic congestion, reduce air pollution, and assist people with disabilities affecting their mobility.

Estimated Funding

For 2023-2024, Federal funding for transit service operations through the 5307 Urbanized Area Funds is estimated to be \$2.8 million while State funding is estimated to be around \$3 million. Because of the changes at the Federal level, it is difficult to predict when this funding will be received.

In addition, we will receive around \$5.3 million in Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) funds, that will be included in a future grant to be adopted by Council. The federal supplemental funding is provided at 100-percent federal share, with no local match required and is available to support capital, operating, and other expenses generally eligible under those programs to prevent, prepare for, and respond to COVID-19. The Transit Partners and staff will work with the Manager and Council to further identify appropriate uses for these funds through the Town's budget process. Some identified needs include, but are not limited to, buses, radio system replacement, generator replacement, transit facility roof replacement, fire system replacement, real-time bus system replacement, bus stop improvements, and bus yard and facility repairs and security upgrades.

Chapel Hill Transit also secured a \$595,000 federal grant to study transit-oriented development around proposed bus rapid transit stations. This work is being undertaken in coordination with the Town's land use planning efforts. In addition, Transit has secured \$360,732 for downtown bus stop improvements and \$2 million (CMAQ) and \$668,000 (VW Settlement) funds for the replacement of five diesel buses with electric alternatives. Unless additional funding is secured, transit will need to provide around \$2.7 million in match for the buses.

Sharing of Local Costs

The University and the Towns of Carrboro and Chapel Hill have agreed to share the local operating and capital cost for transit services. The cost-sharing formulas are set forth in separate contracts with the University and Carrboro. The partners have also adopted a capital plan that requires annual investments to maintain the transit fleet. While Transit has made considerable progress in replacing buses (49 since 2017), using grant funds and partner contributions, we need to replace 19 buses and 12 demand response vehicles in FY2023-24 in order to help maintain a reliable and efficient transit fleet.

2023-24 Services

Chapel Hill Transit provides:

- Fixed route and express bus service throughout Chapel Hill, Carrboro and the University of North Carolina at Chapel Hill;
- E-Z Rider service for customers with mobility challenges.

Next Steps

Staff will present the budget to the Public Transit Committee no later than April 2023. The public will have an opportunity to comment on the transit budget and grants again at the Public Hearing on May 24, 2023.

G. Downtown Service District

The purpose of this forum is to receive comments and suggestions from downtown businesses, property owners, and other interested residents regarding:

- the needs of the service district;
- the use of Downtown Service District taxes in 2023-24; and
- the scope of projects and programs in the service plan for the Downtown District.

Purpose

In 1989, the Council established a Downtown Service District in response to requests from

several downtown businesses and property owners. State law allows the Council to establish this service district and to apply a supplemental property tax to promote the economic vitality of downtown, enhance Town services in the downtown district and other related activities. Most of the property in the downtown is in the zoning districts Town Center 1, 2 or Town Center 3.

Estimated Funding in 2023-24

The Downtown Service District is funded by a dedicated property tax of 6.4 cents on the properties within the District. Using the rate of property tax growth from the last several years (1.5%), we have estimated that the Downtown Service District collections in 2023-24 will be about \$408,000, an increase of \$11,000 over 2022-23.

Downtown District Services

Currently, downtown district funds are allocated to the Chapel Hill Downtown Partnership, a grounds maintenance employee for the downtown, maintenance costs for public areas of 140 West, and other Downtown economic development projects.

Legislation was enacted that imposed new requirements for municipal service districts to procure contractual services. To comply with these requirements, in 2021 the Town held a competitive process for selection of a vendor to provide services in the Downtown. The Downtown Partnership was selected and the Town entered into a 1-year contract with the ability to renew 4 additional times for the Partnership to provide services. Fiscal Year 2024 will be year three of this agreement.

The Council normally adopts the downtown district tax rate in June with the overall budget.

H. Potential Legislative Proposals

Tonight's forum is also an opportunity to identify potential local legislative requests for the 2023 session of the North Carolina General Assembly, which began on January 25, 2023. In this year's "long session" there is an opportunity to consider legislative requests for Local Bills. Any proposal offered by the public this evening can be considered by Council at a later meeting as Council develops further requests for local legislation. The 2023 deadlines for Local Bills to be submitted to bill drafting is March 1 for the House and February 23 for the Senate.

The Town Council met with the Town's Legislative Delegation on January 24, 2023, to discuss legislative issues of interest to the Town.



Attachments:

- Staff Presentation
- FY 2023-37 Capital Project Listing

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Matt Brinkley, Assistant Director, Business Management

RECOMMENDATION: That the Council receive comments from the public on the forum; and that the Council refer comments and questions to the Town Manager for consideration in the budget process.



Budget Initial Public Forum FY2023-24



Draft

Agenda



Forum Topics



Budget Process



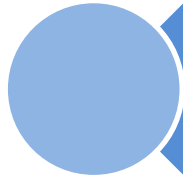
Budget Status

Draft

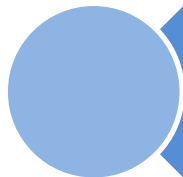
Purpose¹¹⁰ of the Public Forum



Forum
Topics



Budget
Process



Budget
Status

- *present background information on budget topics*
- *opportunity for Council to hear comments from the public*

Draft



Topics for the Public Forum

- A. Annual Budget
- B. Capital Program
- C. Community Development Grant
- D. HOME Program Funding
- E. Housing Capital Funds Program
- F. Public Transportation Grants
- G. Downtown Service District
- H. Potential Legislative Proposals



Draft

A

Annual Operating Budget

- Police & Fire Protection
- Streets, Solid Waste, Engineering & other Public Works Functions
- Parks & Recreation and Library Services
- Planning and Building Inspections
- Administrative and Legal Services
- Affordable Housing
- Pay-as-you-go Capital



Draft

B

Capital Program

**15 Year Plan for investment in capital projects:
*Acquiring, building, improving, and maintaining
infrastructure, facilities, land & major equipment.***



Draft

B

Capital Program Components

15 Year Capital Program

- Pay-go Funded (Annual Budget)
- Debt & Grant Funded (multi-year project budgets)
- Financing Plan
- Debt Fund



Draft



CDBG Grant

Initial Public Forum for CDBG held November 16, 2022

- Committee currently reviewing applications
- FY 2023 award = \$421,755

Next Steps:

- *April 19 - Second Public Forum*
- *May 10- Recommended CDBG & Home Plans*

Draft

D

HOME Program

Orange County HOME Consortium deadline for completing applications was Feb 21, 2023

- ***Next Steps:***

- *April 2023 – HOME Program Review Committee recommendations*
- *Annual Action Plan submitted to HUD May 17, 2023*

Draft

E

Public Housing Capital Grant Funds Program

Amount of Public Housing Capital Grant Funds for FY24 is unknown at this time

- *A preliminary program based on the expected reduced funding level is presented in memo*
- *A final recommended plan will be presented in April*



Draft

F

Public Transportation Grants

- **Estimated funding levels:**

- *Federal \$2.8 million*
- *State \$3 million*
- *Other Federal planning funds*



- **Next Steps:**

- *Transit Budget will be presented to the Public Transit Committee by April 2023*

Draft

G

Downtown Service District

Downtown Service District

- *6.4 cent tax – improvements to Downtown*
- *Estimated funding for FY24 \$408,000*



Draft

Potential Legislative Proposals

- **Legislative requests for 2023 legislative session**
 - Town Council met with the Legislative Delegation on January 24th to discuss legislative issues of interest to the Town
 - General Assembly convened this year's long session on January 25
 - Proposals can be considered at an upcoming Council meeting

Draft

Budget Calendar



- **Feb 15** **Initial Public Forum**
- March 15 Work Session
- April 10 Work Session
- April 19 Public Forum
- May 10 Manager's Recommended Budget
- May 17 Work Session
- May 24 Public Hearing on Recommended Budget
- May 31 Budget Work Session (if needed)
- June 7 Budget Work Session (if needed)
- June 14 Proposed Date of Adoption of FY2023-24 Budget

Draft

Public Input

In addition to the April 19th and May 24th Public Forums, the public can also make comments to the Mayor and Council by mail or e-mail:

Town Hall
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514

mayorandcouncil@townofchapelhill.org

Draft

Public Information

Additional budget information available on the Town's website:

www.townofchapelhill.org/budget

2023-24 Budget Development Page



Draft

Next Steps

Council may now open the public forum to receive public comment and refer comments to the Manager for development of the Recommended Budget



Draft

TABLE 1: Capital Improvements

Reference #	Project	2021-22 Budget Revised	2022-23 Adopted Budget	2023-24
Municipal Operations Facilities				
1	Extraordinary Maintenance	\$ 265,188	\$ 100,000	\$ 100,000
2	Facilities Maintenance	26,225	-	-
3	Facility Condition Assessment	-	58,000	-
4	Town Hall - Safety & Security Improvements	-	-	171,720
5	Town Hall Parking Deck Maintenance	200,000	-	-
6	Town Hall Elevators	-	-	-
7	Town Hall Roof	352,720	-	-
8	Fire Station #3 Roof	-	-	80,000
9	Fire Station #3 Generator	-	-	-
10	Station 1 Bay Door Replacement	-	-	-
11	Fire Station #1 Generator	-	-	-
12	Fire Station #4 Generator	-	-	98,000
13	Fire Station #4 Roof	-	-	100,000
14	Post Office Roof Replacement	550,000	-	260,000
15	Council Chambers Broadcast Center Replacement	-	-	150,200
16	Small Capital Improvements	-	-	100,000
17	Hargraves HVAC	-	54,000	-
18	Community Center Roof	-	52,000	-
19	Community Center HVAC	-	35,000	-
Public Safety				
20	Fire Radios	-	-	250,000
21	Fire Truck	750,000	-	-
Town Facilities Leased by Others				
22	Housing Maintenance	165,832	36,241	36,241
Infrastructure				
23	Parking Lots/Paths/Trails	25,000	25,000	50,000
24	Wood Cir/Velma Rd Closed System Improvements	-	-	-
25	Booker Creek Rd/Lakeshore Ln Closed System Improvements	-	-	-
26	Chelsey Ln Closed System Improvements	-	-	-
27	Old Oxford Rd. Closed System Improvements	-	-	-
28	Downtown Lighting LED Upgrade	-	-	150,000
29	Barclay Rd Crossing	-	-	-
30	Bennett Rd Sidewalk	-	-	205,000
31	Curb Cut Improvements (ADA)	36,000	36,000	50,000
32	Bike/Ped Safety	250,000	75,000	-
33	Vision Zero	-	50,000	-
Communications				
34	GovTV Equipment	46,098	-	-
35	General Technology	41,916	-	-
Parks and Other Public Use Facilities				
36	Parks Needs Assessment	-	-	-
37	Small Parks Improvements	50,000	50,000	150,000
38	Old Chapel Hill Cemetery Paths Renovation	-	-	-
39	Umstead Park Renovations	-	-	-
40	Greenways	50,000	50,000	75,000
41	Cemetery Beautification	20,000	20,000	20,000
42	Community Center Pool Shell Re-Plastering	-	-	-
43	Homestead Aquatics Center Pool Shell Re-Plastering	-	-	-
44	Homestead Park Dog Park Renovations	-	-	75,000
45	Replacement of HVAC Equipment at Public Works	-	-	-
46	Replacement of HVAC Equipment at Transit	-	-	-
47	Cedar Falls Picnic Shelter	-	-	-
48	Inclusive Playground	-	-	-
49	North Forest Hills Park Renovations	-	-	-
50	Property Line Marking	-	-	75,000
51	Homestead Park Path Renovation	-	-	-
52	Playgrounds	50,000	50,000	100,000
53	Parks Maintenance	-	50,000	-
	Total	\$ 2,878,979	\$ 741,241	\$ 2,296,161

*Future years after FY2022-23 are for planning purposes only.

2024-25	2025-26	2026-27	2027-37	Reference #
\$ 100,000	\$ 100,000	\$ 100,000	\$ 1,000,000	1
-	-	-	-	2
-	60,000	-	-	3
-	-	-	-	4
-	-	-	-	5
-	-	-	300,000	6
-	-	-	-	7
-	-	-	-	8
-	-	-	180,115	9
114,000	-	-	-	10
161,000	-	-	-	11
-	-	-	-	12
-	-	-	-	13
-	-	-	-	14
-	-	-	-	15
100,000	100,000	100,000	1,000,000	16
-	-	-	-	17
-	-	-	-	18
-	-	-	-	19
-	-	-	-	20
-	-	-	-	21
36,241	36,241	36,241	36,241	22
50,000	50,000	50,000	500,000	23
-	-	-	165,500	24
-	-	-	262,600	25
-	-	-	146,400	26
64,000	232,000	-	-	27
-	-	-	-	28
-	100,000	-	-	29
-	-	-	-	30
50,000	50,000	50,000	500,000	31
-	-	-	-	32
-	-	-	-	33
-	-	-	-	34
-	-	-	-	35
-	80,000	-	-	36
150,000	150,000	150,000	1,500,000	37
-	35,000	-	-	38
135,000	-	-	-	39
75,000	75,000	75,000	750,000	40
20,000	20,000	20,000	200,000	41
-	-	-	84,000	42
-	-	-	165,000	43
-	60,000	-	-	44
32,500	390,000	-	-	45
21,500	215,000	-	180,000	46
-	210,000	-	-	47
-	-	-	211,000	48
-	205,000	-	-	49
75,000	75,000	75,000	450,000	50
-	200,000	-	-	51
100,000	100,000	100,000	1,000,000	52
-	-	-	-	53
\$ 1,284,241	\$ 2,543,241	\$ 756,241	\$ 8,630,856	

TABLE 2: Other Sources - Current Year Budget and Future Budget Requests

Reference #	Project	Revised Budget 2021-22	Adopted 2022-23	2023-24
	Municipal Operations Facilities			
54	Comprehensive Public Housing Renovations	\$ -	\$ 935,260	\$ 935,260
55	Comprehensive Public Housing Renovations	935,260		
56	Comprehensive Public Housing Renovations	886,188	-	-
57	Comprehensive Public Housing Renovations	745,540	-	-
58	Comprehensive Public Housing Renovations	427,188	-	-
59	Comprehensive Public Housing Renovations	280,855	-	-
60	Wallace Parking Facility	379,238	-	-
61	Multi-Agency Complex Project	261,702	-	-
62	Police Station Environmental Remediation	-	-	-
63	Fire Station 1 Replacement	-	-	-
64	Fire Station 3 Replacement	-	-	-
65	Fire Station 4 Replacement	-	-	-
66	Fire Station 6	-	-	-
67	Live Fire Training Building Replacement	-	-	1,000,000
68	Building Addition to Public Works	-	-	-
69	Library Roof Replacement	-	-	-
70	Transit HVAC Replacement	-	-	-
71	Transit Building Facilities Maintenance	-	-	-
72	Transit Park and Ride Facilities Maintenance	-	-	-
73	Public Works Roof Replacement	-	-	-
74	Historic Town Hall Renovation	-	-	-
75	Public Safety Headquarters (MSC)	-	-	-
76	Parks & Recreation Facility	-	-	-
77	Solid Waste Transfer Station	-	-	-
78	Library HVAC Replacement	-	-	-
79	Town Facilities - Security & Safety Upgrades	-	-	-
80	Town Hall 2nd Floor Renovation	-	-	-
81	Public Works HVAC Replacement	-	-	-
82	Town Hall Roof Replacement	-	-	-
	Public Safety			
83	Engine 35	-	-	-
84	Engine 34	-	-	-
85	Engine 32	-	-	-
86	Engine 31	-	-	-
87	Squad 61	-	-	-
88	Ladder 72	-	-	-
89	Ladder 74	-	-	-
90	Police Radios	-	-	1,536,585
	Infrastructure			
91	Stormwater Projects	170,690	80,400	80,400
92	Small/Medium Drainage Maintenance and Improvements	-	-	-
93	Teen Center/Archives Renovation	-	-	-
94	Infrastructure Capital Improvement Program	-	-	-
95	Water Quality Capital Improvement Program	-	-	-
96	Lake Ellen Flood Storage Project	-	-	-
97	Dobbins Culvert Improvements	-	-	-
98	Subwatershed Modeling	428,999	352,000	-
99	Library Parking Lot Expansion	-	-	-
100	Cedar Falls Parking Lot Renovation	-	-	-

2024-25	2025-26	2026-27	2027-37	Fund Source	Reference #
\$ 935,260	\$ 935,260	\$ 935,260	\$ 9,352,600	HUD Grant	54
					55
-	-	-	-	HUD Grant	56
-	-	-	-	HUD Grant	57
-	-	-	-	HUD Grant	58
-	-	-	-	HUD Grant	59
-	-	-	-	Limited Obligation Bonds	60
-	-	-	-	Multi-year Capital Project Ord.	61
-	-	-	10,000,000	Future Financing	62
-	3,376,527	-	-	Future Financing	63
600,000	1,029,000	1,971,000	-	Future Financing	64
-	550,000	926,000	1,324,000	Future Financing	65
-	-	-	2,050,000	Future Financing	66
-	-	-	-	Future Financing	67
-	-	-	2,253,000	Future Financing	68
-	-	-	725,000	Future Financing	69
418,000	-	-	-	Transit Funds	70
300,000	-	-	290,800	Transit Funds	71
-	300,000	-	-	Transit Funds	72
-	-	-	1,005,500	Future Financing	73
-	328,000	262,000	3,950,000	Future Financing	74
1,020,876	1,722,377	21,651,971	191,375	Future Financing	75
142,982	257,368	3,235,350	28,596	Future Financing	76
-	75,000	425,000	4,700,000	Future Financing	77
-	-	-	1,017,000	Future Financing	78
-	-	518,663	-	Future Financing	79
420,000	-	-	-	Future Financing	80
-	-	-	445,318	Future Financing	81
-	-	-	263,452	Future Financing	82
-	-	-	577,500	Future Financing	83
566,500	-	-	-	Future Financing	84
-	-	640,000	-	Future Financing	85
-	-	-	605,000	Future Financing	86
-	-	825,000	-	Future Financing	87
-	-	1,700,000	-	Future Financing	88
-	900,000	-	-	Future Financing	89
-	-	-	-	Future Financing	90
80,400	80,400	80,400	804,000	Stormwater Management Funds	91
-	-	-	1,000,000	Stormwater Management Funds	92
-	-	175,000	1,850,000	Future Financing	93
-	-	-	5,500,000	Stormwater Management Funds	94
-	-	-	5,500,000	Stormwater Management Funds	95
-	-	165,000	-	Stormwater Management Funds	96
-	-	199,800	-	Stormwater Management Funds	97
-	-	-	-	Stormwater Management Funds	98
-	-	191,100	-	Future Financing	99
-	750,000	-	-	Future Financing	100

TABLE 2 (cont'd): Other Sources - Current Year Budget and Future Budget Requests

Reference #	Project	Revised Budget 2021-22	Adopted 2022-23	2023-24
101	Road Diet Traffic Studies	-	-	-
102	Fordham Sidepath*	708,427	-	-
103	Estes Drive Bike & Ped Improvements*	4,946,674	-	-
104	Rogers Road Design and Engineering	626,689	-	-
105	Traffic Signal Improvement	226,069	-	-
106	Streetscape Improvements	-	-	-
107	Bolinwood Drive Bridge Replacement	-	-	-
108	Downtown Streetscape Improvements	-	-	-
109	Street Resurfacing	-	-	-
110	Fordham Blvd Multiuse Paths	-	-	-
111	Martin Luther King Jr Blvd Flood Storage	-	-	-
112	Honeysuckle Rd	-	-	-
113	Piney Mountain Rd Flood Storage	-	-	-
114	New Parkside Flood Storage	-	-	-
115	Willow Dr Flood Storage	-	-	-
116	Ephesus Church Rd Closed System Improvements	-	-	-
117	Markham Dr/Old Oxford Rd Closed System Improvements	-	-	-
118	Booker Creek Rd Subwatershed Study	-	-	-
119	Red Bud Flood Storage	-	-	-
120	Foxcroft Dr Culvert Improvement	-	-	-
121	Daley Rd Flood Storage	-	-	-
122	Raleigh Rd Improvements	-	-	-
123	Meadowmont Dam Replacement	-	-	-
124	Franklin St Underpass	-	-	-
125	Mid-Block Pedestrian Signal Heads	-	-	-
126	N. Elliott Rd Complete Street	-	-	-
127	Cameron Ave Buffered Bike Lanes	-	-	-
	Parks and Other Public Use Facilities			
128	Meadowmont Bridge	-	-	-
129	Burlington Park Renovations	-	-	-
130	Homestead Park Skate Park Ramp Replacemen	-	-	-
131	Homestead Park Trail Extension	-	-	-
132	Millhouse Rd. Park	-	-	-
133	Athletic Fields Conversion to LED lights	-	-	-
134	Boundary Marking	-	-	-
135	Cedar Falls Ballfields Renovations	-	-	-
136	Ephesus Park Toilet Building	-	-	-
137	Oakwood Park Toilet Building	-	-	-
138	Meadowmont Park Toilet Building	-	-	-
139	Cedar Falls Park Tennis Court Replacement	-	-	268,000
140	Morgan Creek Trail, Phase 3	-	-	-
141	Homestead Park Synthetic Turf Replacement	-	-	-
142	Barclay Trail	-	-	-
143	P&R Community Center - Roof Replacement	-	-	-
144	Cedar Falls Synthetic Turf Replacement	-	-	-
145	Battle Park Trail Upgrade	-	-	-
146	Hargraves - HVAC Equipment Replacement	-	-	-
147	P&R Community Center - HVAC Replacement	-	-	-
148	P&R Homestead Aquatic Center - HVAC Replacement	-	-	-
149	Bolin Creek Trail, Phase 4	-	-	-
150	Timberlyne Trail	-	-	-
	TOTAL	\$ 10,088,259	\$ 432,400	\$ 2,884,985

Note: Future years after FY2022-23 are for planning purposes only.

*In addition to the funding shown on this table, these projects are also funded by Streets & Sidewalks Bonds.

2024-25	2025-26	2026-27	2027-37	Fund Source	Reference #
470,000	-	-	-	Future Financing	101
-	-	-	-	NCDOT Direct Allocation Grant	102
-	-	-	-	Multiple Sources	103
-	-	-	-	Multi-year Capital Project Ord.	104
-	-	-	-	NCDOT Direct Allocation Grant	105
825,000	-	-	-	Future Financing	106
1,115,000	-	-	-	Future Financing	107
-	400,000	-	-	Future Financing	108
-	800,000	-	-	Future Financing	109
-	300,000	-	1,948,000	Future Financing	110
-	-	-	3,788,651	Stormwater Funds	111
-	335,900	-	-	Future Financing	112
-	-	622,900	1,283,000	Stormwater Funds	113
-	-	437,525	2,248,275	Stormwater Funds	114
45,000	378,000	398,000	3,190,000	Stormwater Funds	115
-	-	151,000	895,000	Future Financing	116
-	-	96,000	355,000	Future Financing	117
-	-	-	1,285,100	Stormwater Funds	118
-	-	-	914,200	Stormwater Funds	119
-	-	112,000	552,000	Stormwater Funds	120
-	-	434,000	2,709,000	Stormwater Funds	121
-	-	-	900,000	Future Financing	122
705,000	-	-	-	Future Financing	123
-	-	-	1,000,000	Future Financing	124
-	-	-	420,000	Future Financing	125
-	-	-	375,000	Future Financing	126
-	-	-	600,000	Future Financing	127
-	-	620,000	-	Future Financing	128
-	-	260,000	-	Future Financing	129
-	-	3,000,000	-	Future Financing	130
-	330,000	-	-	Future Financing	131
-	-	-	3,400,000	Future Financing	132
-	1,400,000	-	-	Future Financing	133
750,000	-	-	-	Future Financing	134
-	450,000	-	-	Future Financing	135
428,000	-	-	-	Future Financing	136
-	-	387,000	-	Future Financing	137
-	-	387,000	-	Future Financing	138
-	-	-	-	Future Financing	139
-	-	609,000	2,962,000	Future Financing	140
-	-	-	940,000	Future Financing	141
-	-	20,000	430,000	Future Financing	142
-	-	-	536,205	Future Financing	143
-	-	-	895,000	Future Financing	144
-	-	-	3,000,000	Future Financing	145
414,000	-	-	-	Future Financing	146
271,000	-	-	-	Future Financing	147
-	-	1,186,704	-	Future Financing	148
-	-	-	3,120,000	Future Financing	149
-	-	-	3,100,000	Future Financing	150
\$ 8,571,758	\$ 13,762,572	\$ 41,687,413	\$ 84,926,972		



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 9., File #: [23-0125], Version: 1

Meeting Date: 2/15/2023

Shaping Our Future - Stormwater Regulations Review

Staff:

Chris Roberts, Manager of Engineering & Infrastructure
Diedra McEntyre, Principal Planner

Department:

Public Works
Planning

Overview: Chapel Hill's stormwater management regulations were last rewritten in 2003. In June 2021 five council members submitted a petition for a thorough review of the regulations. In October 2021 staff presented sections of the regulations that should be considered for revisions and in November 2022 staff contracted with Skidmore, Owings, & Merrill with sub consultants - Orion Planning & Design and SRF Consulting - to do a review of the regulations and provide recommendations for the rewrite. Tonight, Kevin Bigalke, SRF Consulting Group Sr. Project Manager, will present the findings, recommendations and next steps for the stormwater management regulatory review component of the overall Land Use Management Ordinance (LUMO) update.



Recommendation(s):

That the Council receive the presentation and provide feedback.



Attachments:

- Draft Presentation

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Kevin Bigalke, SRF Consulting Group

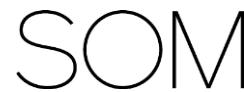
RECOMMENDATION: That the Council receive the presentation and provide feedback.



Draft

CHAPEL HILL STORMWATER REGULATIONS RECOMMENDATIONS

February 15, 2023
Town Council Work Session



- Background
 - Petition of 5 councilmembers
- Project Stakeholder Engagement
- Recommendations

Draft

How will Climate Change Impact Stormwater?

- Projected temperature increases
- Rainfall and Drought
- Climate changes could impact



Probability of Outcome for Likelihood Terms

Very likely = 90-100%

Likely = 66-100%



Petition – Comprehensive Review of SW Regulations

- Chapel Hill's stormwater management regulations were last comprehensively reviewed/rewritten in 2003. Since that time, environmental changes are accelerating.
- The Town undertook a comprehensive review of its stormwater management regulations to ensure that:
 - Goals for the 2003 regulations remain valid (and if not, are updated)
 - Regulations are directed toward meeting these goals.
- Topics for review listed but not limited to.



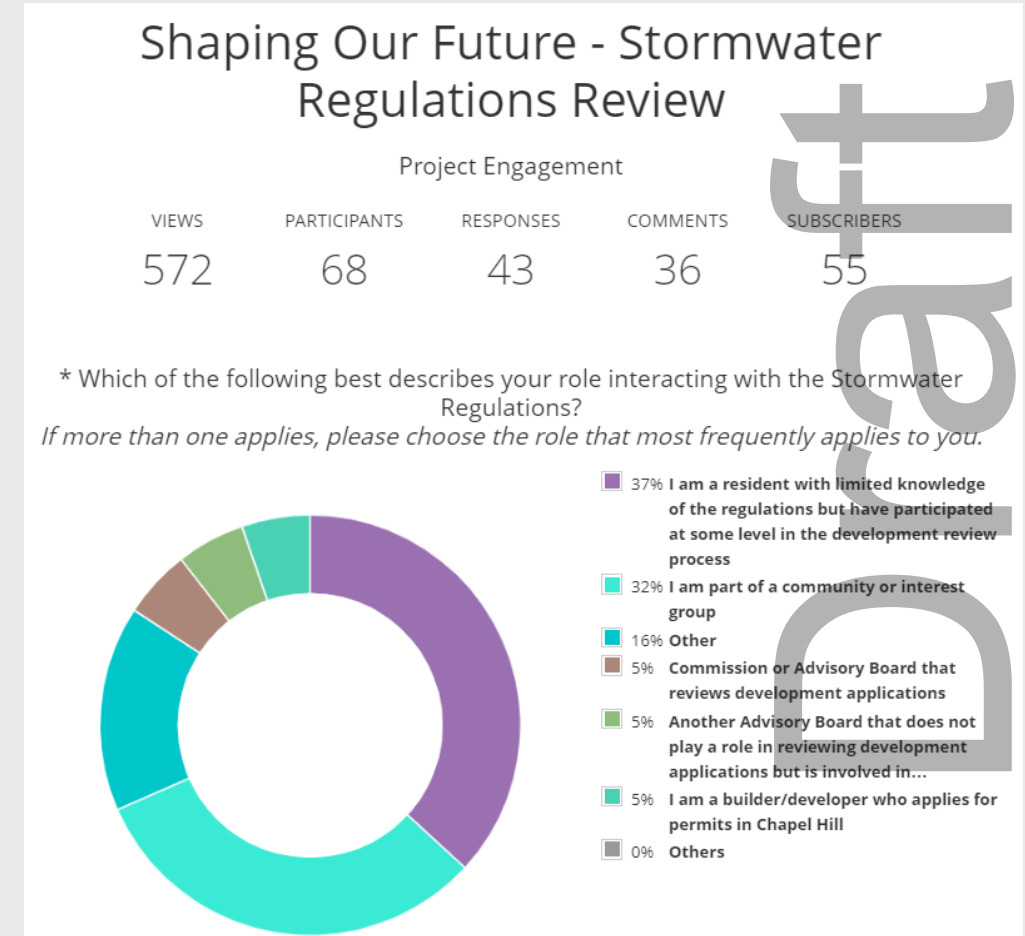
136 What Has Happened Since the Petition Was Submitted

- On October 20th, 2021 at a work session, Town Stormwater Staff presented:
 - An array of possible areas of change to Stormwater related Ordinances
 - What would be included in a technical study
 - And next steps
- The Town has since contracted with SOM – the consultant for the overall Land Use Management Ordinance (LUMO) review and rewrite. SOM has partnered with SRF to provide technical support.

Draft

Stakeholder Engagement

- Current Stormwater Regulations
 - What's working?
 - What are the challenges?
 - Opportunities & Goals



Recommendations

- Rate Control
 - Current: 1-yr, 2-yr, and 25-yr, 24-hour storm
 - Recommendation: 1-year, 10-year, and 100-yr, 24-hour storm
 - ★ Adopt Atlas-14
- Water Quality
 - Standard is sufficient and consistent with State
 - Rewording and clarification
 - 85% TSS removal from the first one inch of rainfall

Draft

How will Climate Change Impact Stormwater?

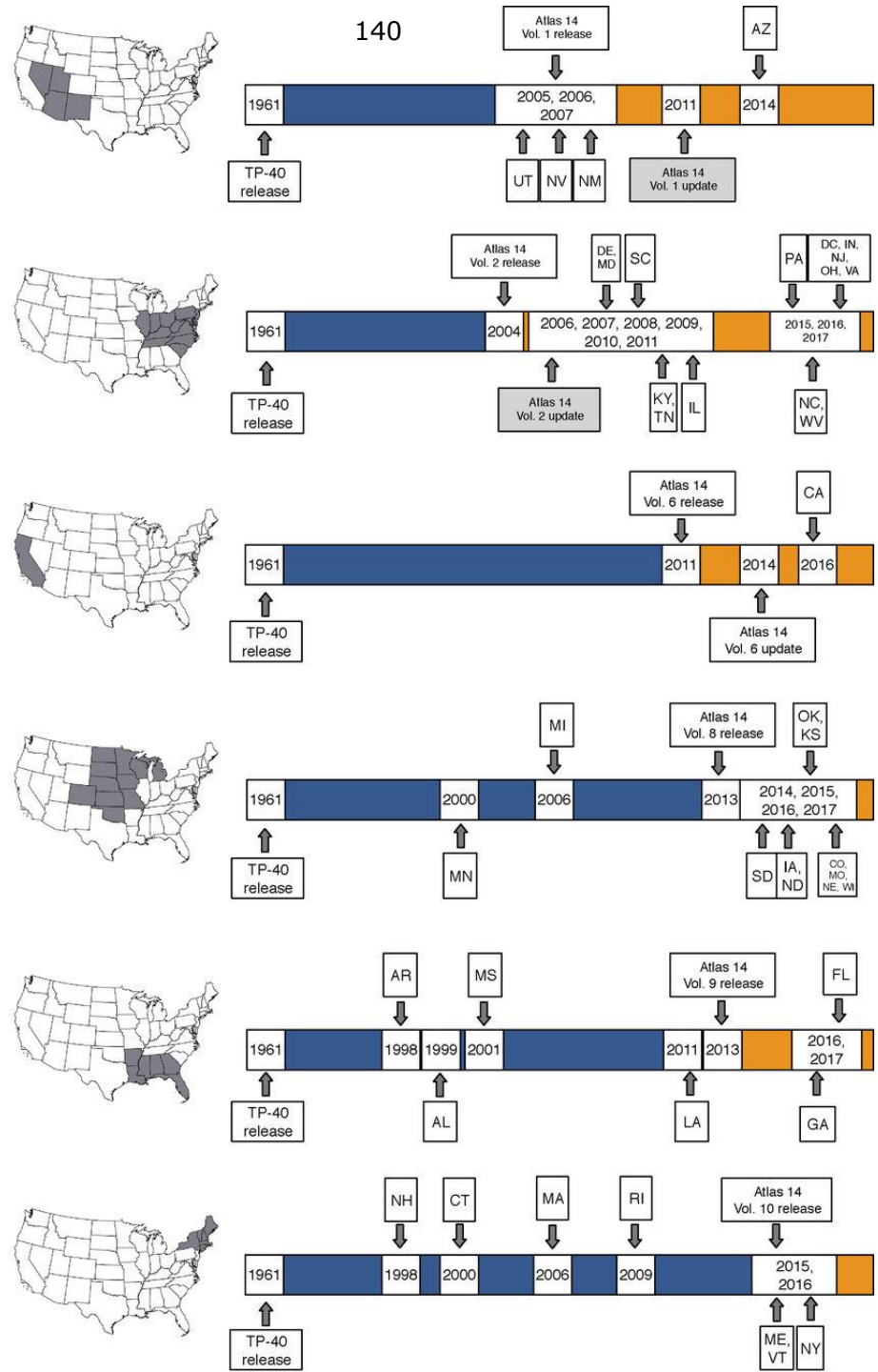
- Projected temperature increases
- Rainfall and Drought
- Climate changes could impact



Probability of Outcome for Likelihood Terms

Very likely = 90-100%

Likely = 66-100%

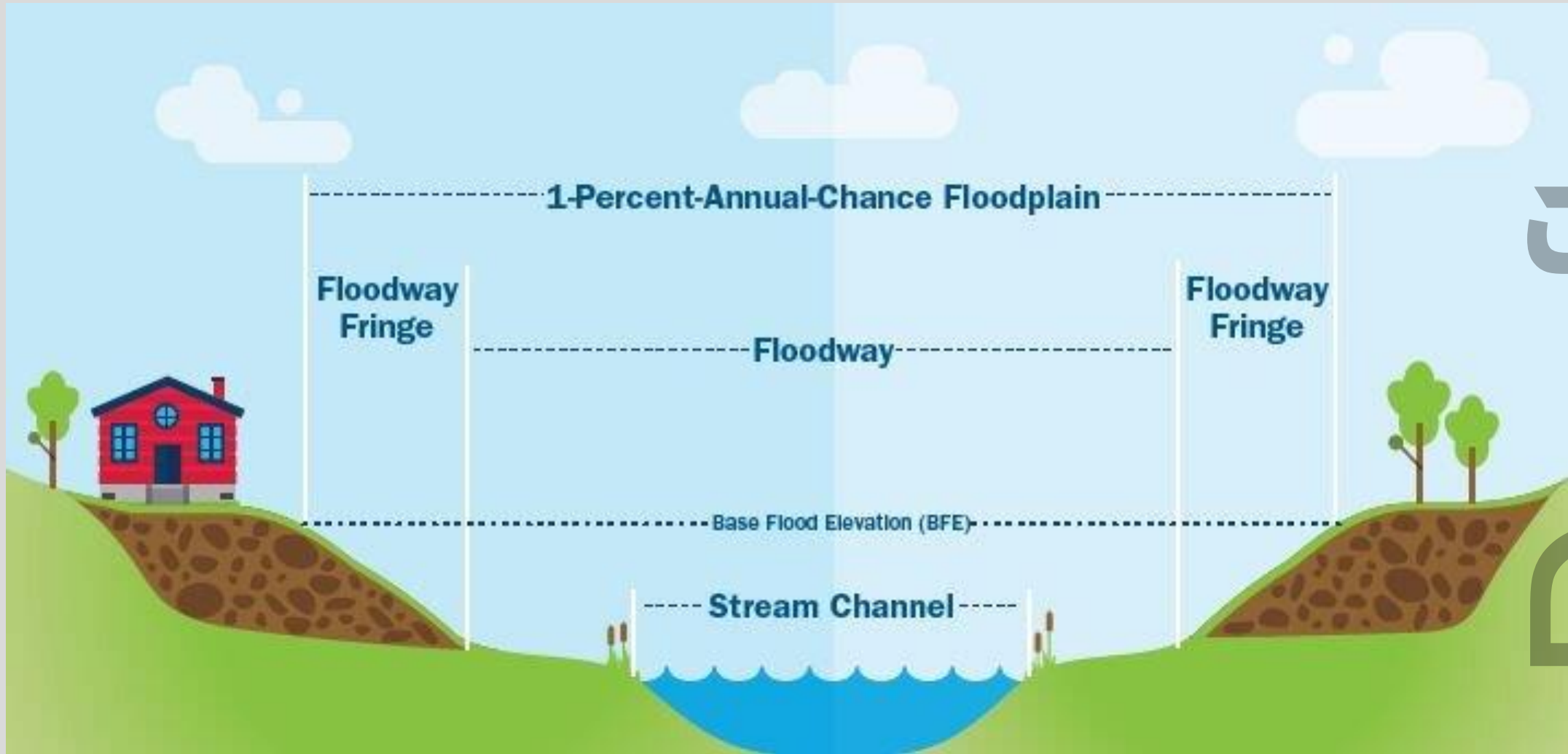


Draft

Recommendations

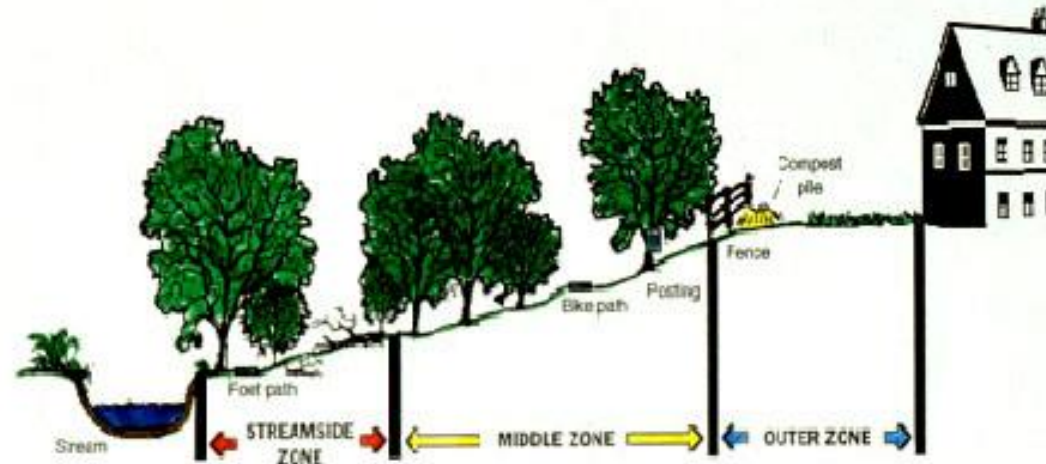
- Resource Conservation District/Floodplain Management
 - Review the provide clarity and consistency to prohibit encroachment & fill in the 100-year floodplain
- Wetland Protection/Buffers
 - Establish a wetland protection/buffer ordinance

Draft

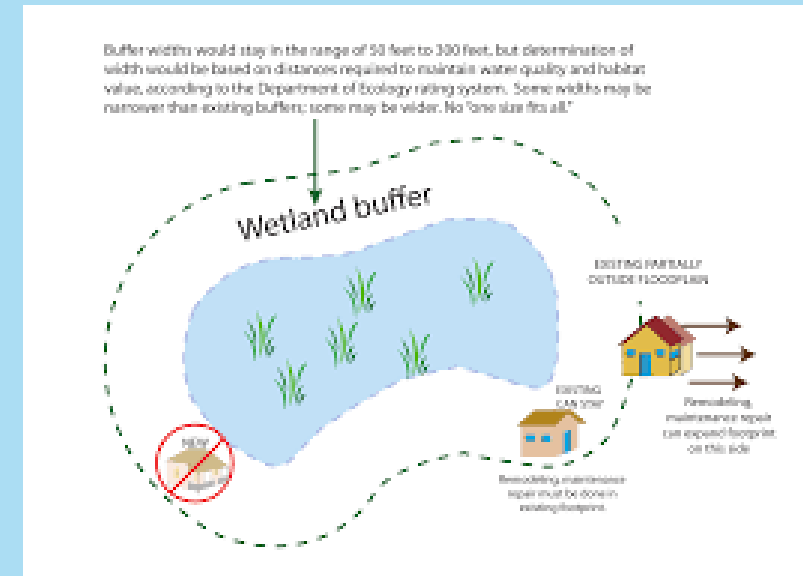


Draft

The three-zone urban stream buffer system



CHARACTERISTICS	STREAMSIDE ZONE	MIDDLE ZONE	OUTER ZONE
FUNCTION	Protect the physical integrity of the stream ecosystem	Provide distance between upland development and streamside zone	Prevent encroachment and filter backyard runoff
WIDTH	Min. 25 feet, plus wetlands and critical habitats	50 to 100 feet, depending on stream order, slope, and 100 year floodplain	25 foot minimum setback to structures
VEGETATIVE TARGET	Undisturbed mature forest. Reforest if grass	Managed forest, some clearing allowable	Forest encouraged, but usually turfgrass
ALLOWABLE USES	Very Restricted e.g., flood control, utility right-of-ways, footpaths, etc.	Restricted e.g., some recreational uses, some stormwater BMPs, bike paths, tree removal by permit	Unrestricted e.g., residential uses including lawn, garden, compost, yard wastes, most stormwater BMPs



Draft

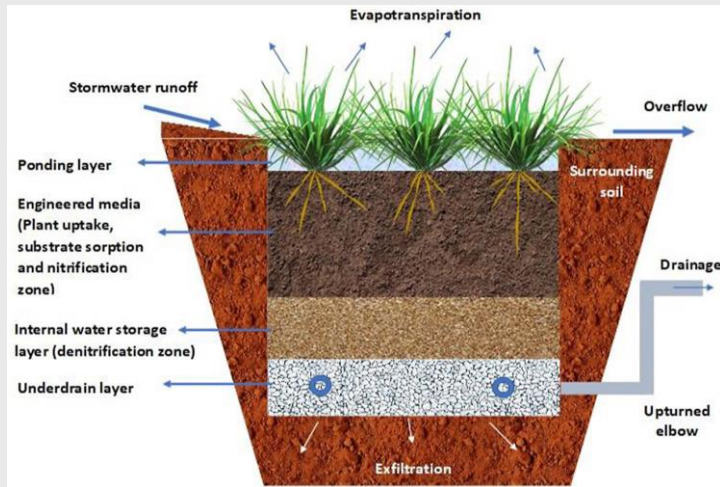
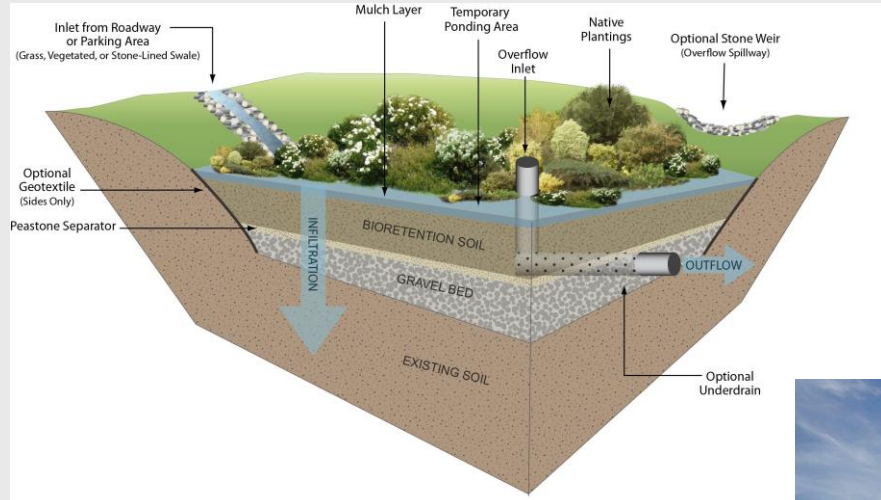
Recommendations

- Stormwater Runoff Volume
 - Retain runoff onsite
 - Provide tiered and flexible treatment approaches
- Retain 2-year, 24-hour storm
- If not achievable, then retain first one (1) inch of rainfall
- If not achievable – alternative practices, design, credits

Draft



Stormwater Retention



Additional Recommendations

- Stormwater regulations on development alone will not address impacts of climate change and change is precipitation patterns.
- Rewrite & update the stormwater management requirements in LUMO 5.4 to add clarity and improve understandability.
- Utilize greenways and TOD corridors as identified in the Complete Communities Strategy and TOD Plan.
- Regional Stormwater Control Measures on Town/public land

Draft



Greenways and TOD Corridors



Draft

Additional Recommendations

- Incorporate regional stormwater control measures into CIPs
- Pursue grants and other funding sources and partnerships to promote voluntary stormwater management
- Promote or incentivize individual residential stormwater management practices.

Draft



Regional Stormwater Control Measures & Treatment Train Approach





Residential Stormwater Management



Questions



Kevin Bigalke

kbigalke@srfconsulting.com

651.333.4143

Draft



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 10., File #: [23-0126], Version: 1

Meeting Date: 2/15/2023

Shaping Our Future - Transit Oriented Development and Land Use Management Ordinance Update.

Staff:

Britany Waddell, Planning Director
Diedra McEntyre, Principal Planner

Department:

Planning

Overview: Since February 2022, staff and consultants have conducted a comprehensive review and diagnosis of the Land Use Management Ordinance (LUMO) as a part of the Transit Oriented Development (Shaping Our Future) initiative. This review included content, decision making procedures, and changes to the LUMO that will be required to achieve land use and development objectives set by the Future Land Use Map (FLUM). Staff and the consultant team will provide Council a status update on this planning effort.

Objectives for tonight's discussion:

- LUMO audit and key findings
- Highlight specific areas for the LUMO update and preliminary strategy
- Discuss next steps for the LUMO update



Recommendation(s):

That the Council receive the presentation and provide feedback.



Attachments:

- Draft Staff Presentation

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Allison Mouch, Orion Planning & Design

RECOMMENDATION: That the Council receive the presentation and provide feedback.



LUMO

AUDIT & REWRITE

Town Council Meeting

February 15th, 2023

Allison Mouch, AICP

Draft

SOM

OPD
ORION PLANNING+DESIGN

SBFRIEDMAN

CHAPEL HILL

Objectives for Tonight

- LUMO Audit - key findings
- Highlight specific areas for the LUMO update and preliminary strategy
- Next steps

Draft

WHAT IS INCLUDED IN A LUMO COMPREHENSIVE UPDATE

Draft

COMPREHENSIVE PLAN

The Chapel Hill 2020 comprehensive plan reflects the values, aspirations, and ideas of the community.



POLICIES

Policies provide a point of reference, or a framework, for making future decisions, particularly where the need for a decision type will be repeated repeatedly, regularly, or multiple times.



LUMO

Codes, regulations, standards, and requirements contributing to a desirable, predictable built environment.

Draft

Policy Directives for LUMO Rewrite

- Chapel Hill 2020
 - Create a Place for Everyone
 - Community Prosperity and Engagement
 - Getting Around
 - Good Places, New Spaces
 - Nurturing Our Community
 - Town and Gown Collaboration
- Complete Community Framework
 - Where to Grow
 - Chapel Hill will direct growth to:
 - Greenways
 - Transit Corridors
 - Large infill sites with existing infrastructure
 - Smaller infill sites
 - Plan for the Future Strategically
 - Expand and Deliver new Greenways
 - Be Green
 - Plan for Excellence in the Public Realm

Draft

Policy Directives for LUMO Rewrite

Future Land Use
Map

Open Space
Master Plan

Affordable
Housing
Strategy

Historic District
Design
Standards

Climate Action
and Resilience
Plan

One Orange
Racial Equity
Scorecard

Mobility and
Connectivity
Plan,
Greenways Plan

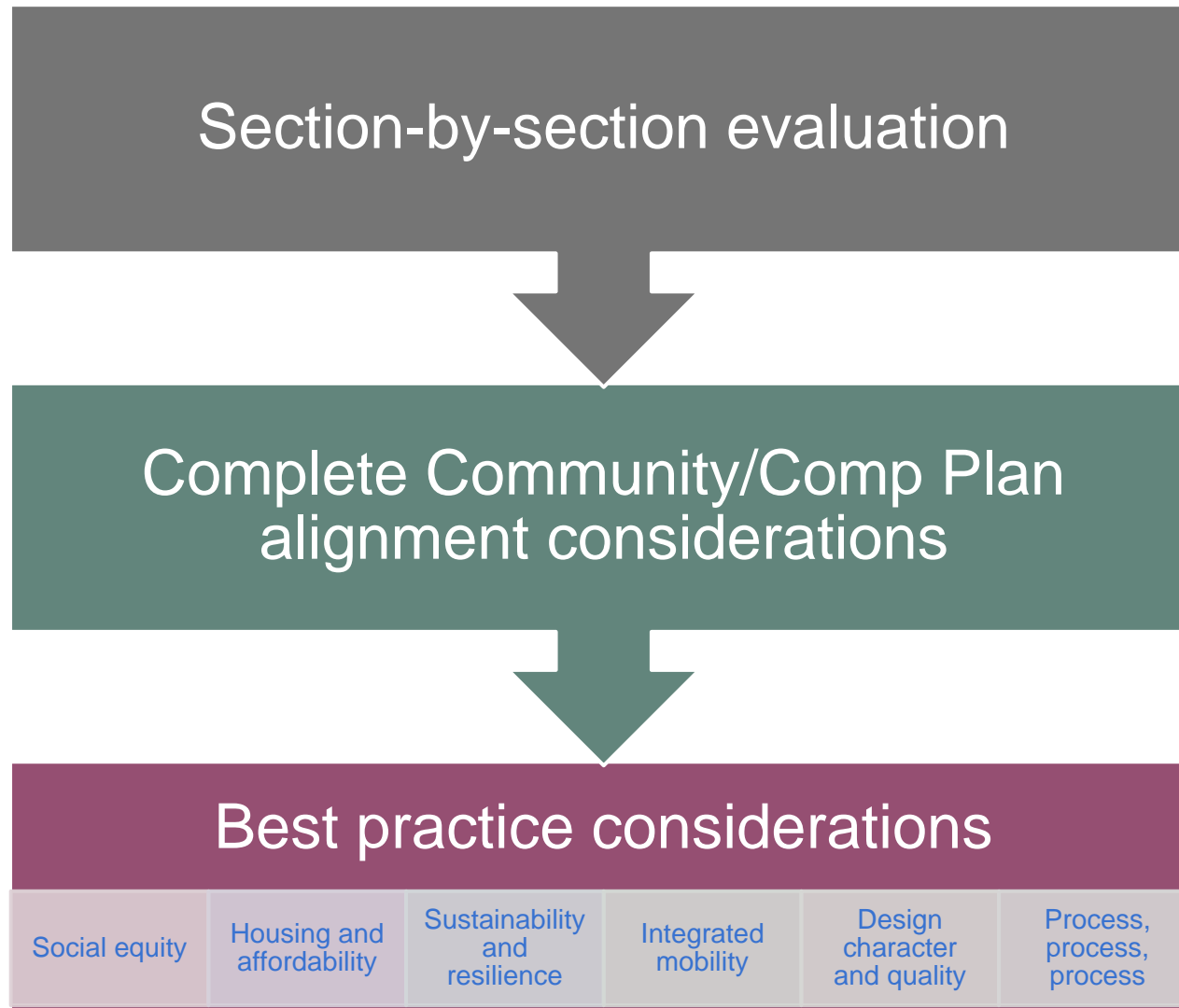
Downtown
Together

Draft

- February 2021 – August 2021
Orion Planning & Design
completed a thorough audit of
existing Land Use Management
Ordinance.
- Benchmarking Surveys
- Stakeholder Roundtables
- Advisory Board Sessions

Audit Methodology

Draft



Assessment
and Best
Practice

Draft

Core Recommendations for LUMO Improvement

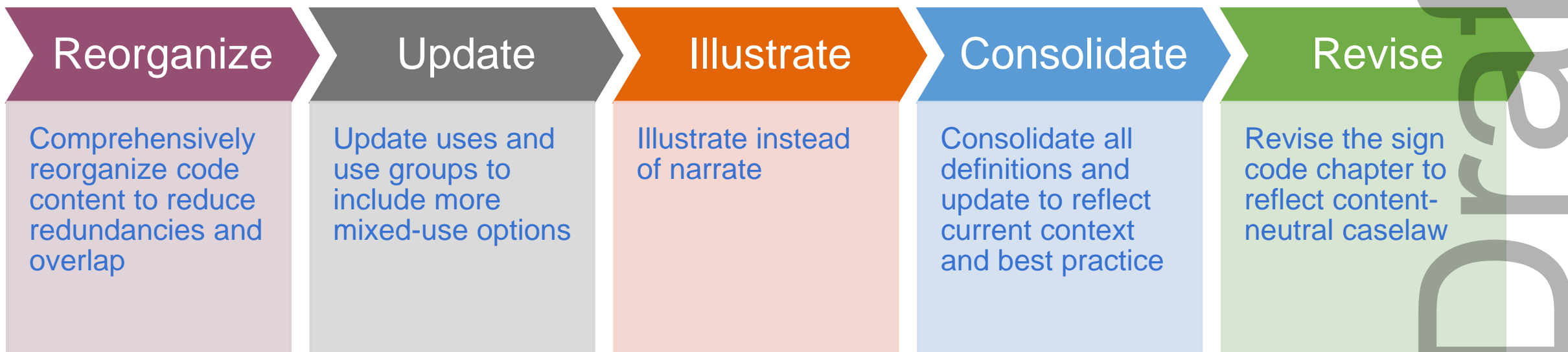
Zoning District	R-3	R-4	R-5	R-6	CC	N.C.	OI-1	OI-2
Lot Size (square feet min)	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Density (units per acre max)	7	10	15	15	15	10	10	15
Frontage (min feet)	40	40	40	40	40	40	40	40
Lot Width (min feet)	50	50	50	50	50	40	50	40
Building Height, Setback (max feet)	29	34	39	39	34	34	29	34
Building Height, Core (max feet)	60	60	60	60	60	60	60	60
Street Setback (min feet)	24	22	20	20	22	24	24	22
Interior Setback (min feet)	8	8	6	6	8	8	8	8
Solar Setback (min feet)	11	9	8	8	9	11	11	9
Impervious Surface Ratio (max)*	.5/.7	.5/.7	.5/.7	.5/.7	.5/.7	.5/.7	.5/.7	.5/.7
Floor Area Ratio (Max)	0.162	0.23	0.303	0.303	0.429	0.264	0.264	0.264
Street Setback (max feet)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Districts

- Align zoning districts with FLUM and TOD land use designations

draft

Core Recommendations for LUMO Improvement



Chapel Hill Complete Community Framework



Draft

Code Improvements To Reinforce Social Equity - Housing



ZONING DISTRICTS



PROCESS AND
PROCEDURES

Draft

Code Improvements To Reinforce Social Equity - Transit



Integrate context-sensitive streetscape, access, and circulation standards into design requirements



Establish minimum densities



Adopt design standards for bicycle parking, transit stop requirements, EV charging



Offer density bonus in select districts within set distance from a transit stop

Draft

Code Improvements To Reinforce Social Equity - Wellness

Food Security and Public Health

- Increase access to existing resources by allowing neighborhood scale mixed uses to include groceries, medical offices, social services, etc.
- Create development incentives tied to healthy food options



Code Improvements To Reinforce Social Equity - Wellness

Food Security and Public Health

- Permit community gardens
- Permit micro-livestock
- Require applicants to incorporate new food system assets
- Promote walkability in future development and redevelopment



Code Improvements To Protect Community Assets - Environment



Incorporate low impact development design standards in conjunction with stormwater requirements in Article 5.4, incentivizing impervious surfaces through density credit or bonuses



Integrate stormwater and landscape buffer requirements



Implement strong tree protection standards and codify native species landscaping requirements



Revise parkland dedication requirements

Draft

Code Improvements To Support Good Design



Expand the opportunity for mixed-use development at appropriate scales



Adopt building typologies to further design character



Incorporate and illustrate site design requirements



Reduce setbacks and incorporate build-to envelopes/lines

Draft

Code Improvements to Increase Access to Programs and Amenities



Incorporate neighborhood-scale mixed use in most or all residential districts



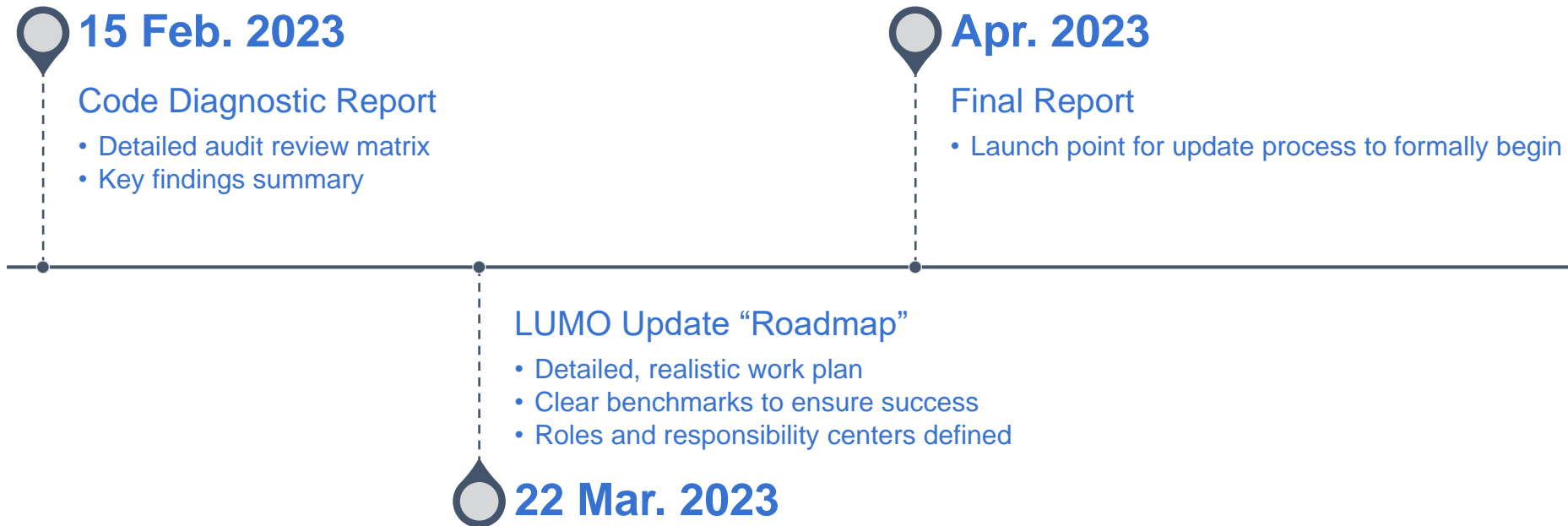
Expand uses and use groups to address incubator and co-working spaces



Allow parks, open space, and recreation amenities by-right in every district

Draft

LUMO Audit Final Report Components



Draft

LUMO Update Process

CONCEPTUAL SCOPE & SCHEDULE

April – June 2023



PHASE 1:
INITIATION OF
DRAFTING

July 2023 –
February 2024



PHASE 2:
PREPARATION OF
PRELIMINARY
DRAFT OF THE
RE-ENVISIONED
LUMO

February –
June 2024



PHASE 3:
PRELIMINARY
DRAFT REVISIONS
AND OUTREACH

June –
September 2024



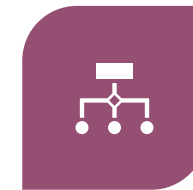
PHASE 4:
ADVISORY BOARD
CONSIDERATION

September –
November 2024



PHASE 5:
FORMAL ADOPTION
PROCESS

December 2024 –
April 2025



PHASE 6:
USER'S GUIDE AND
STAFF AND
STAKEHOLDER
TRAINING

Draft



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 11., **File #:** [23-0127], **Version:** 1

Meeting Date: 2/15/2023

Update on Administering Concept Plan and Conditional Zoning Applications.

Staff:

Mary Jane Nirdlinger, Deputy Town Manager
Britany Waddell, Director
Judy Johnson, Assistant Director
Corey Liles, Planning Manager

Department:

Manager's Office
Planning

Overview: Tonight, we are providing the Council with an update on how staff will administer the development review process for Concept Plan and Conditional Zoning applications. Based on Council conversations about the planning system, staff plans to align review practices with the adopted Land Use Management Ordinance (LUMO) process and adjust our procedures to reflect the Council's interest in adopting the Complete Community framework into the Town's Comprehensive Plan.

This update does not require Council action to change the Town's ordinances. Changes can be administered by Town staff, under the guidance of the Town Manager, through procedural updates.



Recommendation:

That the Council receive the update on administering the Concept Plan and Conditional Zoning application review processes and share any feedback with staff.

Advisory Boards

Current practice, based on previous Town Council requests, includes Advisory Board review for Concept Plan and Conditional Zoning applications, as detailed in the chart on the following page. Recently, the Council expressed an interest in refocusing Advisory Boards on providing high-level policy guidance related to specific issues. While the Council undertakes that effort around defining policy topics, the staff has the opportunity to shift practices back to the established LUMO process. LUMO requires Community Design Commission (CDC) review for Concept Plans and Planning Commission review for Conditional Zoning applications. In addition, LUMO required CDC review of building elevations and lighting at the Final Plans stage

Staff Review

Staff will review Conditional Zoning applications for consistency with the Comprehensive Plan and compliance with LUMO requirements. We will incorporate Council's expressed interest in a clear articulation of community interests, benefits, and regulatory requirements in the staff review and recommendation to Council for their legislative hearing on Conditional Zoning applications.

The following chart shows the difference between current practice and the procedures staff will now use to administer the Concept Plan Conditional Zoning development review process according to LUMO. No changes are proposed to the Final Plan review process which occurs after Council approval of a Conditional Zoning ordinance.

Current Practice		Revised Practice as of Feb. 2023 (aligns with current LUMO)	
1. Concept Plan			
Concept Plan	Community Design Commission	Concept Plan	Community Design Commission
	Housing Advisory Board		
	Stormwater Management Utility Advisory Board		Town Council
	Town Council		
2. Conditional Zoning Application			
Staff Technical Review		Staff Technical Review	
Public Information Meeting		Public Information Meeting*	
Advisory Board Review	Community Design Commission	Advisory Board Review	Planning Commission
	Housing Advisory Board		
	Environmental Stewardship Advisory Board		
	Transportation and Connectivity Board		
	Planning Commission		
Public Hearing	Legal Notification	Public Hearing	Legal Notification
Council Action Meeting	Town Manager Recommendation	Council Action Meeting	Town Manager Recommendation
3. Final Plan Review			
Staff Technical Review		Staff Technical Review	
Building Elevation and Lighting review	Community Design Commission	Building Elevation and Lighting review	Community Design Commission

* not required by LUMO process, but staff proposes to retain



Attachments:

- Draft Staff Presentation

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Mary Jane Nirdlinger, Deputy Town Manager

RECOMMENDATION: That the Council receive the update and share any feedback with staff.



COUNCIL MEETING

February 15, 2023

Planning Update on Concept Plan and Conditional Zoning Applications

Draft



Concept Plan Review Process

Current Practice		Revised Process as of Feb 2023	
Concept Plan	CDC	Concept Plan	CDC
	HAB		
	SMUAB		
	Council		Council

Revised process is aligned with current LUMO



Conditional Zoning Review Process

Current Practice		Revised Process as of Feb 2023	
Staff Technical Review		Staff Technical Review	
Public Information Meeting (PIM)		Public Information Meeting (PIM)	
Advisory Board Review	CDC	Advisory Board Review	Planning Comm.
	HAB		
	ESAB		
	TCAB		
	Planning Comm.		
Public Hearing	Legal Notice	Public Hearing	Legal Notice
Council Action Meeting	Town Manager Recommendation	Council Action Meeting	Town Manager Recommendation

Revised process retains the PIM, is otherwise aligned with current LUMO



Final Plan Review Process

Current Practice		Process as of Feb 2023	
Staff Technical Review		Staff Technical Review	
Building Elevation and Lighting review	CDC	Building Elevation and Lighting review	CDC

*No change to process
Continue following current LUMO*



TOWN OF CHAPEL HILL

Town Hall
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Chapel Hill, NC 27514

Item Overview

Item #: 12., **File #:** [23-0128], **Version:** 1

Meeting Date: 2/15/2023

Appointments to the Planning Commission.

Staff:

Sabrina Oliver, Director/Town Clerk
Amy Harvey, Deputy Town Clerk
Brenton Hodge, Assistant Town Clerk

Department:

Communications and Public Affairs



Recommendation(s):

That the Council make appointments to the Planning Commission for three seats.



Attachments:

- Council interview Recommendation
- Recommendation
- Ballot
- Applications

MEMORANDUM

TO: Mayor and Town Council

FROM: Council Committee: Planning Commission Interviews
(Council Members Anderson, Berry & Stegman)

SUBJECT: Recommendation for the Planning Commission vacancy(s)

DATE: February 7, 2023

RECOMMENDATION: A quorum of the Council Committee: Planning Commission Interviews met on Tuesday, February 7, 2023 at 12 PM. Mayor pro tem Stegman was absent. By a unanimous vote the Committee made the following recommendation(s) to the Town Council for consideration:

- Erik Valera, Appointment, Town Resident
- Theodore Nollert, Appointment, Town Resident

SPECIAL REQUEST(s): The Committee suggests leaving the ETJ seat open until a later date.

BACKGROUND: The Council Committee interviewed Geoffrey Green, Judith Miller, Theodore Nollert, and Erik Valera. Gabriel Scott and Aaron Shah confirmed their interest in the Commission but were unable to attend the interview committee meeting.

Erik Valera helps the Town to facilitate engagement with the Latino community and those supported by "El Centro" and the Committee appreciates those Town and community connections. He also wants to ensure that groups that haven't been represented or have felt like they haven't been represented are heard.

Theodore Nollert brings a young perspective to the board, which is an age group that the Council seeks.

Note: Communications and Public Affairs notes that the Council Committee: Planning Commission Interviews reviewed the following applications: Kent Earnhardt, Geoffrey Green, Judith Miller, Theodore Nollert, Gabriel Scott, Aaron Shah, and Erik Valera. No additional applications were received between February 7 and 8.

MEMORANDUM

TO: Mayor and Town Council
TO: Mayor and Town Council
FROM: Jon Michell, Chair
SUBJECT: Recommendation for the vacancy(s)
DATE: December 6, 2022

RECOMMENDATION: The Planning Commission met on Tuesday, December 6th, 2022 and by a unanimous vote made the following recommendation(s) to the Town Council for consideration:

- Erik Valera, Appointment, at large seat
- Aaron Shah, Appointment, at large seat

The Planning Commission met on Tuesday, December 6th, 2022 and by a 5-1 vote made the following recommendation(s) to the Town Council for consideration:

- Theodore Nollert, Appointment, at large seat

SPECIAL REQUEST(s): No Comment

BACKGROUND: No Comment

Note: Communications and Public Affairs notes that the Planning Commission reviewed the following applications: Kent Earnhardt, James Faron, Judith Miller, Theodore Nollert, Gabriel Scott, Aaron Shah, and Erik Valera. No additional applications were received between December 6, 2022 and January 20, 2023 for the Planning Commission.

BALLOT

PLANNING COMMISSION

JANUARY 15, 2023

- Total Membership: 10 (The Planning Commission is composed of ten (10) members. Eight (8) members, appointed by the Council, shall reside within the corporate limits of Chapel Hill. One (1) member, appointed by the Orange County Board of Commissioners, shall reside within the Town's extraterritorial planning jurisdiction (ETJ). One (1) member, appointed by the Orange County Board of Commissioners, shall reside within the Town's ETJ or Joint Planning Transition Area (JPA)).
- Current Membership: 7 (1 Females, 6 Males; 2 African American and 5 Caucasian; [5] 35-54, [2] over 55)
- Current Vacancies: 3 (2 Town Resident, 1 ETJ Resident)
- Number of Applicants: 7

Planning Commission
Please vote for up to Two (2) Town Residents.**

- | | |
|------------------------|-------------------|
| _____ Kent Earnhardt | _____ Aaron Shah |
| _____ Geoffrey Green | _____ Erik Valera |
| _____ Judith Miller | |
| _____ Theodore Nollert | |

Planning Commission
Please vote for up to One (1) ETJ Resident.**

- _____ Gabriel Scott

*** Orange County did not fill their seats by June 3, 2022, so the Council may appoint a Town Resident*

Profile

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

I Agree

earnhardtkent@aol.com

Email Address

Kent

First Name

Middle Initial

Earnhardt

Last Name

500 Formosa Lane

Street Address

5317

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Home: (919) 231-8530

Primary Phone

Mobile: (919) 607-2500

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

1-3 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Housing Advisory Board

Select a Seat Category for the Housing Advisory Board *

Affordable Housing Advocate

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

Chapel Hill Resident

Which Board is your First Choice? *

Planning Commission

How did you find out about this opportunity? (select all that apply)

- Email
 Internet

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

Non-Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

Long relevant life experience in lower-income and affordable housing, due to disability and poverty. Lifelong interest in anti-poverty programs and work -- including: 1964 North Carolina Fund Volunteers "First 100 College Students" for volunteer antipoverty program; working in US "War on Poverty" in 1965-68 as Summer Intern in Research, Policy, Programming, and Evaluation, and in Community Action Program; volunteer outreach work in black voter registration prior to 1964 US election.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

A long life of diverse and relevant experience -- including: birth and growing up in/returning to North Carolina (41 years), living in DC (1 year), (US territory of) Puerto Rico (14 years), California (2 years), upstate New York (1 year), and Georgia (21 years). Due to my diverse experience of living in Puerto Rico, I experienced and enjoyed substantial acculturation (often as a minority of one); and evaluate, consider and self-classify myself as bicultural/biethnic North American/Hispanic Latino. Speak Spanish.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

BA in Sociology (Duke), M. of Planning Degree (U-Puerto Rico), PhD in City and Regional Planning (UC-Berkeley)," JD Degree (Georgia State). Specialized education in socio-economic demography and social programs and policies planning --which I have taught in Cornell University and U. of Puerto Rico schools of planning, and in which I worked for Puerto Rico Planning Board. Drafted US agency report on "Social Conditions and Human Services Programs in Puerto Rico" for US Economic Study of PR.

[2022-](#)

[Summary Resume for Chapel Hill Boards and Commissions.docx](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

Other

Gender *

Male

If other, please describe:

Biethnic North American/Hispanic

Please select your age from the following list. *

over 55

Advocate: Disability, Senior,
Affordable Housing,
Hispanic/Latino

Occupation

Are you a caregiver for or identify with a disability?

Yes No

Have you participated in the Peoples Academy?

Yes No

Are you a Town of Chapel Hill employee?

Yes No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to General Statute 160D-109(d), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member shall recuse himself/herself from voting on the matter. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

I Agree *

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.

Kent Earnhardt, JD,
PhD

Summary Resume for Chapel Hill Boards and Commissions

Education: Duke University; Durham, NC: BA in Sociology --- Univ. of Puerto Rico; San Juan, PR: Master of Planning (Urban, Regional, Social, Economic) --- UC-Berkeley; Berkeley, California; PhD in City and Regional Planning --- Georgia State University College of Law; Atlanta, Georgia: Juris Doctorate (JD).

Work Experience: My work experience extends over fifty-seven years, since I graduated from Duke University in 1965 -- when I first went to work in DC in the think tank of the "War on Poverty". I learned from and still consider relevant all my work experience. Due to a lifelong disability of mental illness of depression, first diagnosed at Duke University in 1962; my extended education; and going on Social Security Disability Insurance in 1992 - most of my work experience has transitioned over time from past paid employment work to diverse and ongoing volunteer work over a period of thirty years. I also consider all of my Lived Life Experience quite relevant. Detailed resumes of my employment and volunteer work are available.

Publications/Presentations: My publications relate to my past fifteen-year academic and professional residence and work in Puerto Rico -where I learned Spanish, and experienced acculturation, such that I now consider myself bicultural/biethnic. Those publications include Politics and Population in the Caribbean, and Development Planning and Population Policy in Puerto Rico (my PhD dissertation for UC-Berkeley). My presentations include a long list about Social Security Disability Work Incentives presented at many Disability Advocacy Conferences (detailed list available).

Honors: My honors are primarily volunteer service on multiple boards, etc. including: Wake County Human Services Board to represent persons with mental illness -- until services divested under Mental Health Medicaid Waiver to Alliance. Then served maximum of two terms on Wake County Consumer and Family Advisory Committee (CFAC). (Pending member of Orange County CFAC.) Member of NAMI-NC Board of Directors (several years).

Have served on three NC Protection and Advocacy (P&A) Boards, and also on their Protection and Advocacy for Persons with Mental Illness (PAIMI) Advisory Councils: (1) Governor's Advocacy Council for Persons with Disabilities (GACPD), (2) Carolina Legal Services (CLA). and (3) Disability Rights North Carolina (DRNC). Current Member of Monarch NC Board of Directors (several years).

Profile

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

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I Agree

geoff@stuebegreen.com

Email Address

Geoffrey

First Name

Green

Last Name

Middle Initial

111 Simerville Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Mobile: (617) 308-1576

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Board of Adjustment

Select a Seat Category for Board of Adjustment *

Chapel Hill Town Resident

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

Transportation and Connectivity Advisory Board Champion

Which Board is your First Choice? *

Planning Commission

How did you find out about this opportunity? (select all that apply)

Email

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I have a masters' degree in City and Regional Planning from UNC Chapel Hill and have worked as a professional planner since 2013. In my current job, which is located in Chapel Hill I have held since July 2019, I work with local governments throughout the country to help them plan their communities and make comprehensive revisions to their development codes. That has proven very helpful during my service on the Board of Adjustment, and I think will be a very helpful perspective on the Planning Commission, especially as the town undertakes its own development code rewrite. In addition, my primary means of transportation is my electric bike and I perform most of my regular errands such as grocery shopping via bike. Relying on my bike for transportation gives me a good perspective into how and where Chapel Hill succeeds in making it easy to live, work, and play without relying on a car, as well as where the Town falls short. In light of the growing threat of climate change and our desire to increase the Town's commercial tax base, relieving residents of some of the Town's relatively high property tax burden, I think my perspective using very low-carbon means of transportation would be useful as the town considers its future development patterns.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

As discussed above, I am a professional planner. I have a law degree (I am not admitted to practice in the North Carolina), which helps me understand the legal limitations around the types of zoning regulations that the Town can implement and enforce, as well as the role of the Board of Adjustment in adjudicating appeals from decisions of the Planning Commission and the Historic District Commission, among others, and the Planning Commission's role as a decision-making body and as an advisory body. In addition, I have served as chair of the Board of Adjustment where adherence to procedure is critical, due to the quasi-judicial nature of our proceedings, and have become comfortable with running a meeting and using Robert's Rules of Order.

Question applies to Board of Adjustment

Do you have special interest, experience, or education/training in city planning or related fields? If yes, please explain.

Yes. As discussed above, I have a master's degree in City and Regional Planning from UNC and have worked as a professional planner for nearly ten years, and an important part of my current job is drafting zoning ordinances, including procedures for boards of adjustment and drafting the standards that apply to the boards' decisionmaking. I have served as chair of the Board of Adjustment since last summer and am familiar with the rules of adjudicating meetings, both in my role as chair and from my professional work.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

Yes. As discussed above, I have a master's degree in City and Regional Planning from UNC and have worked as a professional planner for nearly ten years. For five years I worked at GoTriangle on various regional transit-related transportation planning projects, and since that time I have worked for a local private consulting forms on planning projects throughout the southeast and the nation, primarily involving updates to zoning and subdivision ordinances.

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

Demographics

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Ethnicity *

Caucasian/Non-Hispanic

Gender *

Male

If other, please describe:

Please select your age from the following list. *

35-54

Planner _____

Occupation

Are you a caregiver for or identify with a disability?

Yes No

Have you participated in the Peoples Academy?

Yes No

Are you a Town of Chapel Hill employee?

Yes No

Ethics Statement

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I Agree *

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Profile

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Public Records Statement

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I Agree

thejudester@gmail.com

Email Address

Judith

First Name

S

Middle Initial

Miller

Last Name

201 S. Elliott Road #550

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

4-9 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Board of Adjustment

Select a Seat Category for Board of Adjustment *

Chapel Hill Town Resident

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

Chapel Hill Resident

Which Board is your First Choice? *

None Selected

How did you find out about this opportunity? (select all that apply)

Advisory Board or Council member

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

Non-Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I've served on numerous boards, committees and task forces, both public and private. I'm an attorney and have been a real estate developer, understanding governmental processes from top to bottom. My experience and comprehension include years of dealing with many inclusive and relevant factors including, but not limited to economic, environmental and humanistic realities.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

My work has included motion picture and theater production, global development of business opportunities working with foreign governments and entities on behalf of corporate interests in emerging economies, being a University Instructor of Business Law, an author, writer, business consultant. My avocation has always been politics and good government, justice and opportunity for all.

Question applies to Board of Adjustment

Do you have special interest, experience, or education/training in city planning or related fields? If yes, please explain.

One unique experience was my acquisition of a 2,000-acre "defunct" platted and zoned (since 1972) real estate development near Houston, Texas in 2007 where I then spent 8 years renovating, excavating and saving the investment. This required environmentally conscious excavation of lakes, miles of riverfront, campgrounds, roads, etc., implementing a sales and marketing department, working with County & School Taxing, Assessing & First Responder departments, rewriting the outdated CCRs completely, creating Architectural Guidelines for property owners, hiring and training a staff of 75 locals, rehabbing & operating the Water & Sewer systems that serviced the property, and every element of an independent community not governed by any City or County development rules. I built a construction company for lot improvements in the subdivision. It was a long 8 years! From there I moved here to the Triangle 5 years ago.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

My previous answer would apply here as well.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

Caucasian/Non-Hispanic

Gender *

Female

If other, please describe:

Please select your age from the following list. *

over 55

Investments & Law

Occupation

Are you a caregiver for or identify with a disability?

Yes No

Have you participated in the Peoples Academy?

Yes No

Are you a Town of Chapel Hill employee?

Yes No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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I Agree *

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Profile

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

I Agree

trnollert@gmail.com

Email Address

Theodore

First Name

Nollert

Middle Initial
Last Name

801 Coker Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

0-12 months

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Housing Advisory Board

Select a Seat Category for the Housing Advisory Board *

Homeowner or Tenant

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

Chapel Hill Resident

Which Board is your First Choice? *

Planning Commission

How did you find out about this opportunity? (select all that apply)

Other (provide additional information below)

If you chose "Other" from the advertising opportunity listed above, please specify:

Community Member

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

Little or No Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am a graduate student at UNC Chapel Hill and the President of the Graduate and Professional Student Government. I am eager to get students more connected to the town and its future. I have also lived in the area longer than the application implies; I moved to Carrboro in 2019, and only just moved within the Chapel Hill city limits this summer.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I am an experienced writer and researcher, but also have extensive experience with constituent outreach and with administrative policy and negotiation thanks to my role in graduate student government. I meet regularly with the Chancellor, Provost, Vice Chancellors, Deans and other officials at UNC, as well as conducting regularly scheduled constituents meet-and-greets designed to ensure that I hear from normal students and not just those who are motivated to join student government.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

My experience is primarily natural lived experience: I have been a tenant in a large rental complex and am now a tenant in a house. I relied regularly on public transit during the first three years of my time in Chapel Hill, but am now living in an area that is not served by Chapel Hill transit. I am eager to learn about city planning and design, and I do have some familiarity with budgets thanks to my work at Chapel Hill.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

Caucasian/Non-Hispanic

Gender *

Male

If other, please describe:

Please select your age from the following list. *

25-34

Graduate Student

Occupation

Are you a caregiver for or identify with a disability?

Yes No

Have you participated in the Peoples Academy?

Yes No

Are you a Town of Chapel Hill employee?

Yes No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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I Agree *

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Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

Orange County-Extra Territorial Jurisdiction Resident (ETJ)

Which Board is your First Choice? *

Planning Commission

How did you find out about this opportunity? (select all that apply)

Internet

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

Little or No Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I'm interested in serving on the Planning Commission because I love living in Chapel Hill and hope to offer my perspectives in a manner that results in positive and useful contributions to the Commission and the Town. In particular, I'm interested in working to find solutions that balance the growth of this region while preserving the qualities that make this place special. As a husband and father of two biracial children - both of whom were born at UNC Medical Center - I'm interested in working collaboratively with others to make Chapel Hill a place that welcomes people of all races, ethnicities, religions, orientations, and backgrounds — and that opportunities remain available to all. I believe diversity/equity/inclusion should be a foundational aspect of any decision-making body, including the Planning Commission, and would seek to promote that view if offered an opportunity to serve on the Commission. Finally, I care deeply about the environment and believe efforts should be made to protect it. Our family loves to spend time together outside - we regularly enjoy activities such as walking through Hunt Arboretum, fishing along Morgan Creek, and taking our kids to the playground at Umstead Park. I strongly believe that Chapel Hill's natural spaces not only increase quality of life, but provide financial value to the Town and its residents, and as such, projects that drastically impact or reduce natural spaces should be considered carefully.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

As a regulatory lawyer, I tend to approach issues with an eye toward understanding the key issues, the applicable rules and regulations, and the goals of the interested parties. I frequently assist clients with complex legal issues, and am well-versed in statutory interpretation. One common aspect of my work is to ask questions to find clarity and understanding. I believe that my legal background could be a useful resource for the Planning Commission. Likewise, working with clients often requires patience and humility, and I would bring those qualities to my work on the Planning Commission. Lastly, as a former federal employee, I believe public service is important, and that such service can offer meaningful opportunities to shape the communities we live in.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

Yes - I am very interested in working with stakeholders to promote environmental sustainability, identify potential solutions related to housing availability and food insecurity, and encourage growth that aligns with the natural beauty of this area.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

Caucasian/Non-Hispanic

Gender *

Male

If other, please describe:

Please select your age from the following list. *

35-54

Attorney

Occupation

Are you a caregiver for or identify with a disability?

Yes No

Have you participated in the Peoples Academy?

Yes No

Are you a Town of Chapel Hill employee?

Yes No

Ethics Statement

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I Agree *

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Profile

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

I Agree

aaron.shah@gmail.com

Email Address

Aaron

First Name

D

Middle Initial

Shah

Last Name

605 Nunn Street

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Home: (919) 338-9734

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

Community Design Commission Champion

Which Board is your First Choice? *

Planning Commission

How did you find out about this opportunity? (select all that apply)

Other (provide additional information below)

If you chose "Other" from the advertising opportunity listed above, please specify:

I have serviced in the past with the sustainability committee.

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I bring experience and earnest to serve my town. I'm the first black elder of upcch.org. Thus adding a unique perspective to our committee

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I've served on the Sustainability committee in the past.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

When I came to Chapel Hill it was through public housing. I was able to fight my way through and become habit home ownership.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

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Ethnicity *

African American

Gender *

Male

If other, please describe:

Please select your age from the following list. *

over 55

IT computers

Occupation

Are you a caregiver for or identify with a disability?

Yes No

Have you participated in the Peoples Academy?

Yes No

Are you a Town of Chapel Hill employee?

Yes No

Ethics Statement

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I Agree

erikvalera@outlook.com

Email Address

Erik

First Name

Valera

Middle Initial

Last Name

3 Winding Creek Lane

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Primary Phone

Alternate Phone

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What district do you live in? *

Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

Chapel Hill Resident

Which Board is your First Choice? *

Planning Commission

How did you find out about this opportunity? (select all that apply)

Advisory Board or Council member

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

Non-Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am an engaged resident of Chapel Hill. Furthermore, I'm the Chief Operating Officer at El Centro Hispano. I oversee five departments including; economic development, education, community and civic participation, community health, and community support. I approach this work from the perspective of the social determinate of health, that is the conditions in the environment by which people are born, live, play, learn, and work.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I bring experience in community engagement, community assessments, strategic planning, and operations. Furthermore, I am a parent of East Chapel Hill High Graduate and a local artist.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

In addition to the experienced described above and on my CV I have an acute interest art and cultural representation.

[Erik_Valera_CV_October_2022.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

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Ethnicity *

Hispanic

Gender *

Male

If other, please describe:

Please select your age from the following list. *

35-54

Nonprofit Executive _____

Occupation

Are you a caregiver for or identify with a disability?

Yes No

Have you participated in the Peoples Academy?

Yes No

Are you a Town of Chapel Hill employee?

Yes No

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ERIK VALERA

3 Winding Creek Lane, Chapel Hill, NC 27516

919-728-0616

erikvalera@outlook.com

Qualifications

Experience, skills, and knowledge include:

- Nonprofit Management
- Nonprofit Governance
- Grant Making and Philanthropy
- Social Marketing
- Program Evaluation
- Public Speaking
- Program Development
- Strategic Planning
- Public Policy
- Event Planning
- Fundraising
- Community Mobilization
- Fluent in Spanish

Education

CALIFORNIA STATE UNIVERSITY, LOS ANGELES – Los Angeles, CA, Baccalaureate of Arts (BA) in Communication Studies, 2006

Work Experience

EL CENTRO HISPANO, Durham, NC

Chief Operating Officer – October 2021 – Present

Description: El Centro Hispano works to strengthen the community, build bridges, and advocate for equity and inclusion. In this role I plan, coordinate, and direct programs at the highest level with department managers.

Duties include but are not limited to:

- Direct the organization's budget activities to fund operations.
- Plan and direct programmatic goals, objectives, and activities.
- Supervise department managers and information technology.

COMMUNITYWORX, Carrboro, NC

Chief Operating Officer – August 2019 – October 2021

Description: CommunityWorx mission is enriching lives by building collaborative partnerships and transforming charitable donation into educational and community investments. Serving the Chapel Hill-Carrboro community with two thrift shops and a co-working space dedicated to youth-serving, nonprofit organizations. Catalyzing partners working to close racial and economic opportunity gaps by convening stakeholders, capacity-building assistance, and community grants.

Duties include but are not limited to:

- Developing and evaluating programs.
- Leading the 2019 brand change from PTA Thrift Shop to CommunityWorx.
- Managing internal communications and external affairs.

YOUTH FORWARD, Carrboro, NC

Executive Director - August 2018 – August 2019

Description: As lead administrator responsible for a philanthropic fund that provides grants to youth serving non-profit organizations in Carrboro and Chapel Hill, NC. Additionally, we served to build the capacity of our nonprofit partners and build connection with community.

Duties include but are not limited to:

- Overseeing all organizational programs.
- Garnering financial support from donors and funders.
- Managing all administrative aspects of the organization.

LATINO COMMISSION ON AIDS, New York, NY (based in Chapel Hill, NC)

Program Director - April 2012 – August 2018

Description: A leadership positions within the organization's capacity building division, primarily serving; not for profit organizations, government agencies, and grassroots community coalitions.

Duties include but not limited to:

- Provided training and technical assistance with a focus on health equity, organizational development, and management.
- Developed training curricula utilizing evidence-based models.
- Facilitates strategic planning for organizations.
- Developed social marketing campaigns for social impact.
- Strengthen organizations by providing professional coaching and leadership development.
- Represent the program and its position on both mainstream and Spanish language media.

UNIVERSITY OF NORTH CAROLINA, School of Medicine- Chapel Hill, NC

Research Project Manager – July 2007 – April 2012

Description: Managed several research protocols focusing on community health.

Duties include but not limited to:

- Managed qualitative and quantitative research projects.
- Provide trainings and technical assistance for collaborating organizations.
- Led community engagement strategy.
- Supervised program staff.
- Developed clinical program to support Latinx and African American youth.

LOS ANGELES COUNTY, Public Health –Los Angeles, CA

Research Counselor January-1994 – July 2007

- Recruited, interviewed, and collected data for various epidemiological research projects.
- Managed research databases.
- Liaison to community-based organizations.
- Liaison to Public Health Laboratories.

Public Service and Community Engagement

GOVERNOR'S ADVISORY COUNCIL ON HISPANIC/LATINO AFFAIRS – Raleigh, NC

Advisory Council Member appointed by Governor Roy Cooper, 2022 – Present

The council advises the Governor on issues relating to the Hispanic/Latino community in North Carolina, supports state efforts toward the improvement of race and ethnic relations and provides a forum for discussion of issues concerning the Hispanic/Latino community.

CARRBORO BUSINESS ALLIANCE LEADERSHIP COUNCIL

2022- Present

The Carrboro Business Alliance (CBA), founded in 2014 on the shared belief that "LOCAL MATTERS," is now more than 100 LOCAL BUSINESSES COLLABORATING TO HELP CARRBORO THRIVE. The CBA is governed by an active LEADERSHIP COUNCIL and two committees, and all members are Carrboro-serving enterprises.

DUKE CANCER INSTITUTE COMMUNITY OUTREACH, ENGAGEMENT, AND EQUITY STEERING COMMITTEE

2022 – Present

Reducing the burden of cancer and promoting health equity by harnessing the strengths of our communities, innovative science and transformative partnerships.

EL CENTRO HISPANO – Durham, NC

Board Member Emeritus, Served 2011-2019

Mission: A 501 (c)3 grassroots community-based organization dedicated to strengthening the Hispanic/Latino community and improving the quality of life of Hispanic/Latino residents in Durham, Carrboro, Chapel Hill and surrounding areas.

- Served as Board Chair from 2012-2015.
- Serves on Finance and Executive committees.
- Maintaining a positive relationship with community and represent the organization at community forums.
- Provided support with fundraising and grant writing.

NUESTRO SOUTH PODCAST – North Carolina

Producer – January 2019 – Present

In collaboration with LatinxED and partners at the University of Oregon [we developed a podcast](#) intended to engage Latinx young adults living in the south. The program is an opportunity for our audience to see themselves in southern historical figures. Further, we promote for our communities to shape their own narratives using facts, critical discussion, and humor.

GSK – Research Triangle Park, NC

Community Impact Awards, Review Committee, 2016 and 2017

Reviewed proposals for GSK initiative to recognize innovative and transformational, Triangle based, nonprofit organizations for their impact on community health.

COLLABORATORY OF AIDS RESEARCHERS FOR ERADICATION (CARE)

Community Advisory Board Member – 2015 – Present

CARE aims to do what no single laboratory or company can do: PURSUE A COMPREHENSIVE COLLABORATIVE SEARCH FOR APPROACHES TO ERADICATE HIV.

Publications

Lechuga, J., Galletly, Broaddus, M.R., Dickson-Gomez, J.B., Glasman, L.R., McAuliffe, L.R., Vega, M.Y., LeGrand, S. Mena, C.A., Barlow, M.L., Valera, E., Montenegro, J.I. (2017). [The Development and Psychometric Properties of the Immigration Law Concerns Scale \(ILCS\) for HIV Testing](#). *Journal of Immigrant and Minority Health* (19), 1-9.

Vega, M.Y., Klukas, E., Valera, E., and Montenegro, J. (2015). [The State of Latinos in the Deep South: Being Visible by Piercing the Stigma Veil](#). New York, NY: Latino Commission on AIDS

Mann, L., Valera, E., Hightow-Weidman, L. B., & Barrington, C. (2014). [Migration and HIV risk: life histories of Mexican-born men living with HIV in North Carolina](#). *Culture, health & sexuality*, 16(7), 820-834.

Dennis, A. M., Wheeler, J. B., Valera, E., Hightow-Weidman, L., Napravnik, S., Swygard, H., & Eron, J. J. (2013). [HIV risk behaviors and sociodemographic features of HIV-infected Latinos residing in a new Latino settlement area in the Southeastern United States](#). *AIDS care*, 25(10), 1298-1307.

Hightow-Weidman, L. B., Smith, J. C., Valera, E., Matthews, D. D., & Lyons, P. (2011). [Keeping them in "STYLE": finding, linking, and retaining young HIV-positive black and Latino men who have sex with men in care](#). *AIDS patient care and STDs*, 25(1), 37-45.