



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, May 17, 2023 7:00 PM

RM 110 | Council Chamber

Language Access Statement

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

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In-Person Meeting Notification

View the Meeting

- View in the Council Chamber.
- Please do not bring signs.
- 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

AGENDA ITEM(S)

- 1.** FY 2023-24 Manager's Recommended Budget [\[23-0431\]](#)
Discussion. (no attachment)

PRESENTER: Chris Blue, Interim Town Manager
Matt Brinkley, Assistant Business Management Director

The purpose of this item is to provide an opportunity to discuss the FY 2023-24 Manager's Recommended budget.
- 2.** Update on the Legion Property Project [\[23-0432\]](#)

PRESENTERS: Ross Tompkins, Strategic Operations Manager
Bernie Garrett, P.E., Garrett & Moore
Craig Fortner, P.E., Garrett & Moore

The purpose of this item is for the Council to receive this update and provide guidance on the proposed next steps.
- 3.** Discuss the Report and Recommendations from the [\[23-0433\]](#)
Gaps Analysis and Engagement Study.

PRESENTER: Sarah Osmer Vinas, Director of Affordable Housing and Community Connections
Rebecca Buzzard, Community Connections Manager
Zequel Hall, Community Connections Coordinator
Katelyn Robalino, Community Connections Coordinator

The purpose of this item is to share the results of the Gaps Analysis and Engagement Study and receive Council input on prioritization of implementation steps.

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 #: 2., File #: [23-0432], Version: 1

Meeting Date: 5/17/2023

Update on the Legion Property Project

Staff:

Chris Blue, Interim Town Manager
Ross Tompkins, Strategic Operations Manager

Department:

Town Manager's Office

Overview: On [December 7, 2022 <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=5955319&GUID=CDB54C4E-7E26-4DE1-84B0-3331C8D2E661&Options=&Search=>](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=5955319&GUID=CDB54C4E-7E26-4DE1-84B0-3331C8D2E661&Options=&Search=>) the Town Council approved the Legion Property Committee (LPC) recommendations and authorized the Town Manager to proceed with next steps. In doing so, the Council designated 8-9 acres along Legion Road for affordable housing, with the remainder of the Legion property combined with Ephesus Park for a Town park. Based on the LPC recommendations, next steps include developing refined recommendations for the pond and starting work on the park and affordable housing uses.

This item provides Council with an update on the project and proposed next steps. The Town hired Garrett & Moore to produce a preliminary engineering report on the dam and the consultant will review this report with the Council.



Recommendation(s):

That the Council receive this update and provide guidance on the proposed next steps.

Decision Points:

- Proceed with the affordable housing development partner selection process
- Proceed with pond recommendations

Key Issues:

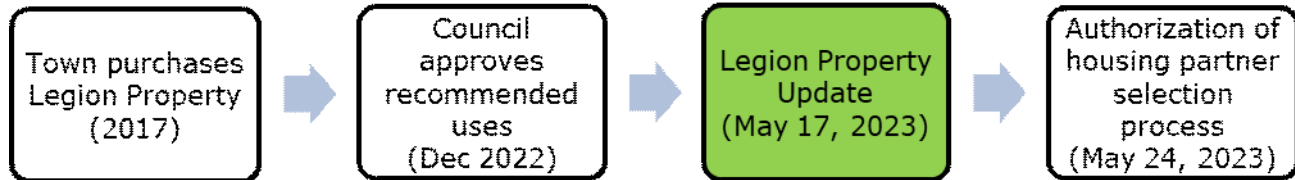
- There is some risk associated with leaving the dam as-is.
- The question of whether an underground water source feeds the pond cannot be answered until the pond is drained. The existence of an underground water source will impact whether a stream (and what type of stream) might form if the pond is removed.
- A reduced-size pond on the same location would need to go through a regulatory approval process and could require other steps to be taken elsewhere on the site.
- The housing affordability gap continues to widen for the most vulnerable community members.
- Affordable housing along Legion Road is likely to be very competitive for outside funding.
- Park planning may be two years away.

Pond Options and Recommendations:

To apply for a dam maintenance permit, the Town will need to decide whether to pursue a dam repair project or a dam removal project. Staff's recommendation is to continue evaluating options for the pond, begin the dam maintenance permit process, and move forward with a Request For Qualifications to select an engineering firm for the project. The goal of these steps is to select a project path that will address the dam while maintaining flexibility for future site uses until the Town can gather more information after the pond is drained.

Fiscal Impact/Resources: The Council allocated \$540,000 to address the dam as part of their FY22 Excess Fund Balance allocation. Additional funding will need to be identified to complete the dam maintenance project.

Where is this item in its process?



Attachments:

- Draft Staff Presentation
- Draft Consultant Presentation
- Consultant Report

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

PRESENTERS: Ross Tompkins, Strategic Operations Manager
 Bernie Garrett, P.E., Garrett & Moore
 Craig Fortner, P.E., Garrett & Moore

The purpose of this item is for the Council to receive this update and provide guidance on the proposed next steps.

Update on the Legion Property Project



Town Council Work Session
May 17, 2023

Agenda

1) Background

2) Update on Future Uses

3) Dam Engineering Report

**4) Recommendations &
Next Steps**

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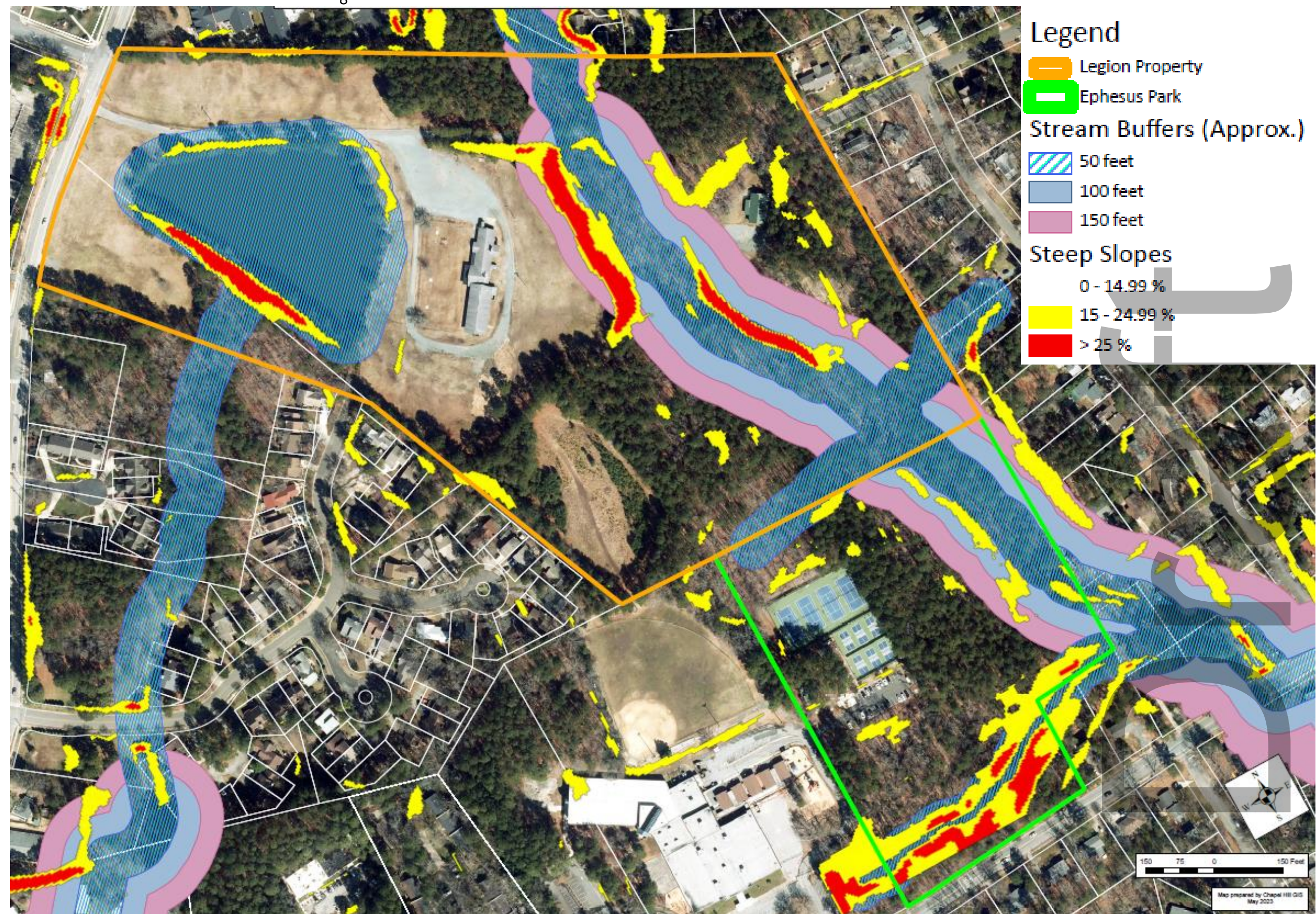
Background

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Legion Property

- 36.2 acres
- ~22.2 acres outside buffers
- Adjacent to Ephesus Park



2022 Council Action

- Retain full ownership
- 8-9 acres along Legion Rd for affordable housing
- Remaining acreage combined with Ephesus Park for a new Town park
- Evaluate pond





Update on Future Uses

Draft



Goals for Affordable Housing on Legion

Property

1. Affordable to a range of income levels
2. Maintain long term affordability
3. Leverage outside funding
4. Use sustainable development principles
5. Facilitate connections
6. Retain Town ownership
7. Complement park design
8. Complete Community/Comprehensive Plan alignment

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Affordable Housing Development

Partner Selection

1. Issue a request for proposals and qualifications (Summer 2023)
2. Select a potential partner (Fall 2023)
3. Update Council on partner selection (Fall 2023)
4. Begin engagement and concept planning (Winter-Spring 2024)

Draft



Parks Master Plan Update

- Would inform park plan for Legion/Ephesus Park
- Master plan process: ~2 years
- Parks capital funding in FY24 Recommended Budget

Draft



Dam Engineering Report

Draft



Items of Note

- Multiple options available to the Town
- Any option will involve draining the pond
- Timelines will differ based on which option the Town chooses
- Not all costs are captured in planning-level estimates

Draft



Dam Engineering Report



Draft



Recommendations & Next Steps

Draft



Key Issues

- Risk with leaving pond as-is
- Info about underground water source and impacts of reduced-size pond still unknown
- Housing affordability gap continues to grow
- Affordable housing on Legion Road will be competitive for outside funding
- Park planning may be two years away

Draft



Staff Recommendations

- Continue to evaluate options for pond
- Begin dam maintenance permit process
- Move forward with RFQ process to select engineering firm
- Gather more information after pond is drained

Draft



Next Steps

- a) Finalize Affordable Housing Goals
- b) Return to Council with request to authorize process for affordable housing development partner selection
- c) Move forward with pond recommendations

Draft



Town of Chapel Hill Legion Pond Dam

Preliminary Engineering Report

Presented by



Draft

Purpose:

Provide an update to a 2017 evaluation of the Legion Pond dam regarding the following issues:

- Existing Site Conditions
- NC Dam Safety Regulations
- Applicable Ordinances and Environmental Rules
- Construction Planning Cost Estimates

Draft

Existing Conditions of the Dam:

- Extensive tree growth on the dam
- Overly steep slopes
- Condition of the outlet structure

Draft



Photograph 1 – Impoundment Area and Upstream Dam Face from East Shore



Photograph 2 – Dam Crest Facing East from West Abutment



Photograph 3 – Downstream Face, Facing East from Western Groin



Photograph 4 – PVC Overflow Device Inlet



Photograph 5 – Overflow Outlet and Primary Outlet Valve from Dam Crest

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Photograph 6 – Overflow Device Outlet, Erosion Cavity Below Repaired Joint, Erosion Cavity at Outlet

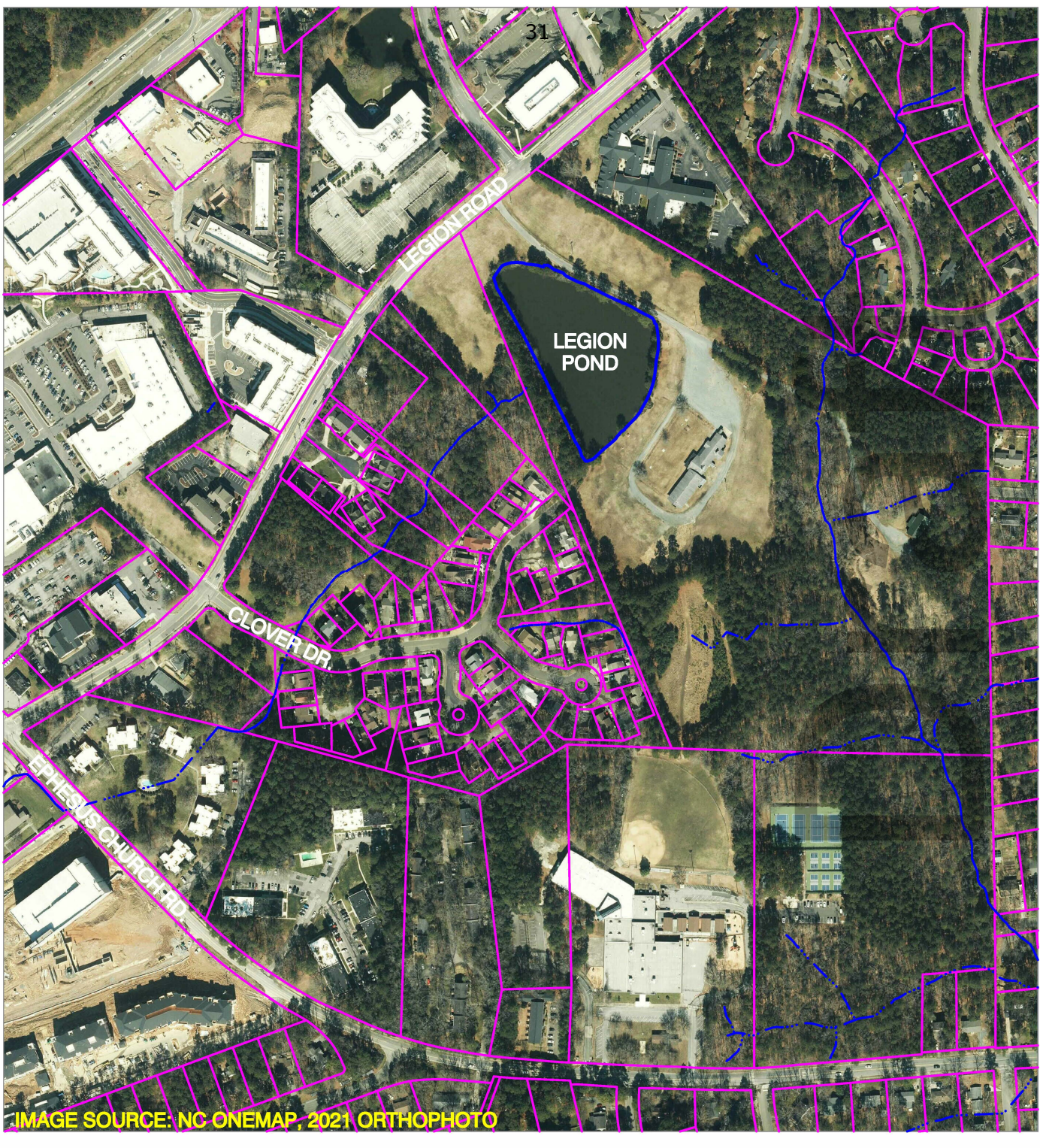


Photograph 7 – Butterfly Valve at Downstream End of Primary Outlet



Photograph 8 – Pipe Culvert Outlet at Clover Drive





LEGION POND

LEGION ROAD

CLOVER DR.

EPHRAIM CHURCH RD.

31

Dam Hazard Classification:

Hazard Classification	Description	Quantitative Guidelines
Low	Interruption of road service, low volume roads	Less than 25 vehicles per day
	Economic damage	Less than \$30,000
Intermediate	Damage to highways, Interruption of service	25 to less than 250 vehicles per day
	Economic damage	\$30,000 to less than \$200,000
High	Loss of human life*	Probable loss of 1 or more human lives
	Economic damage	More than \$200,000
	*Probable loss of human life due to breached roadway or bridge on or below the dam.	250 or more vehicles per day

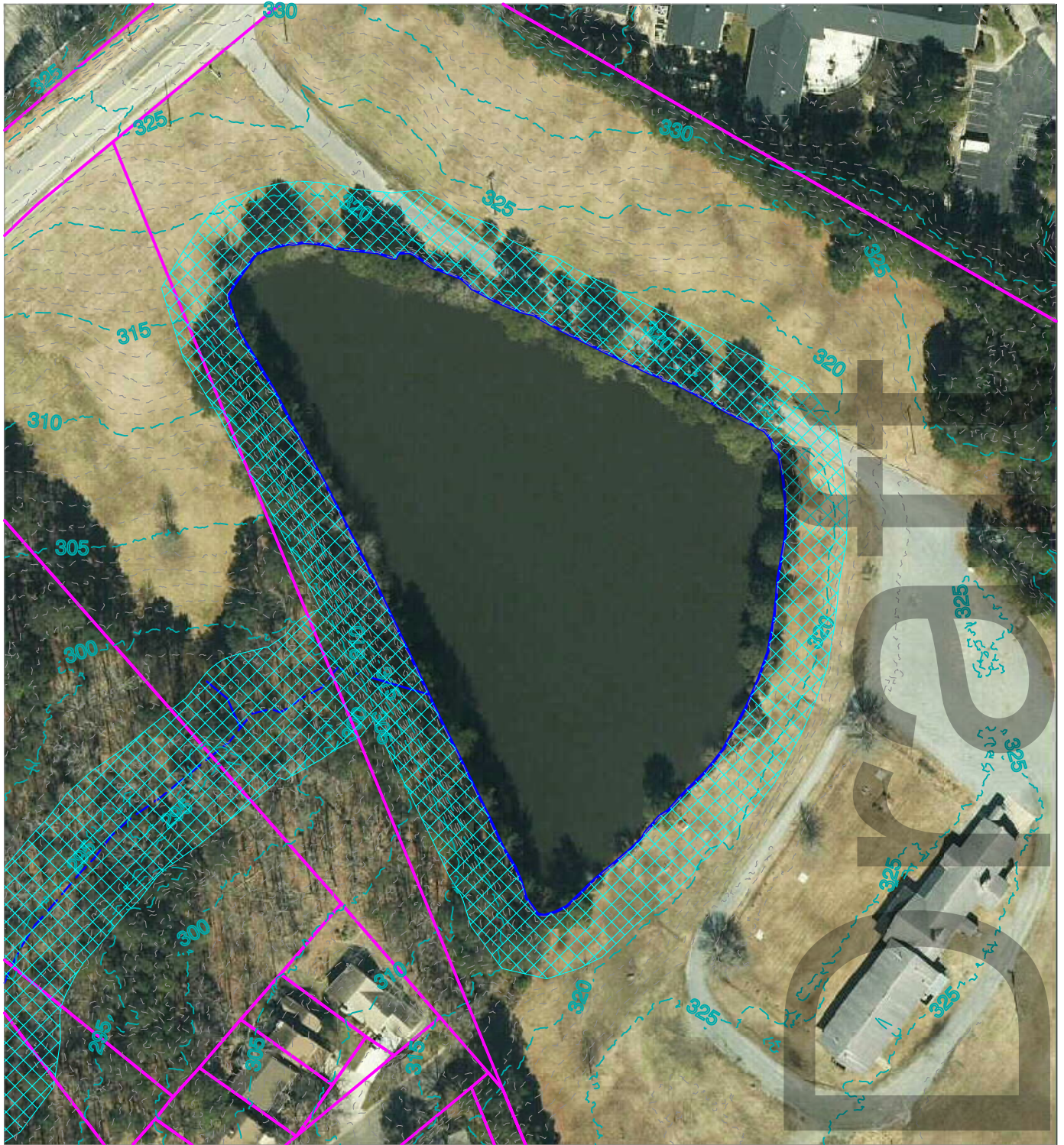
Based on the classification of the dam, Dam Safety permitting will be required to either 1) repair the dam, or 2) remove the dam.

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Environmental Rules

- Section 404 Permitting (US Army Corps of Engineers)
- Section 401 Water Quality Certification (NCDEQ DWR)
- Jordan Lake Riparian Buffer Rules, 15A NCAC 02B .0267.
- Resource Conservation District

Draft



EXISTING CONDITIONS



JORDAN LAKE RIPARIAN 50-FOOT BUFFER &
RESOURCE CONSERVATION DISTRICT 50-FOOT BUFFER

GRAPHIC SCALE 1" = 120'



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Environmental Rules

- Permitting requirements will depend on whether the repair option or remove option is chosen.
- Repair option:
 - Will likely require individual permits (approximately a 12-month review period)
 - May require mitigation for fill placement in Water of the US (mitigation cost of \$100,000 is included in the budget)
 - Will depend on the final design and COE interpretation of “minimal”

Draft

Environmental Rules

- Permitting requirements will depend on whether the repair option or remove option is chosen.
- Remove option:
 - Will likely qualify for nationwide permit (approximately a 4-month review period)
 - May require mitigation for impacts to a Water of the US (mitigation cost of \$25,000 is included in the budget)
 - Will depend on the final design and COE interpretation of “minimal”

Draft

Cost Estimates

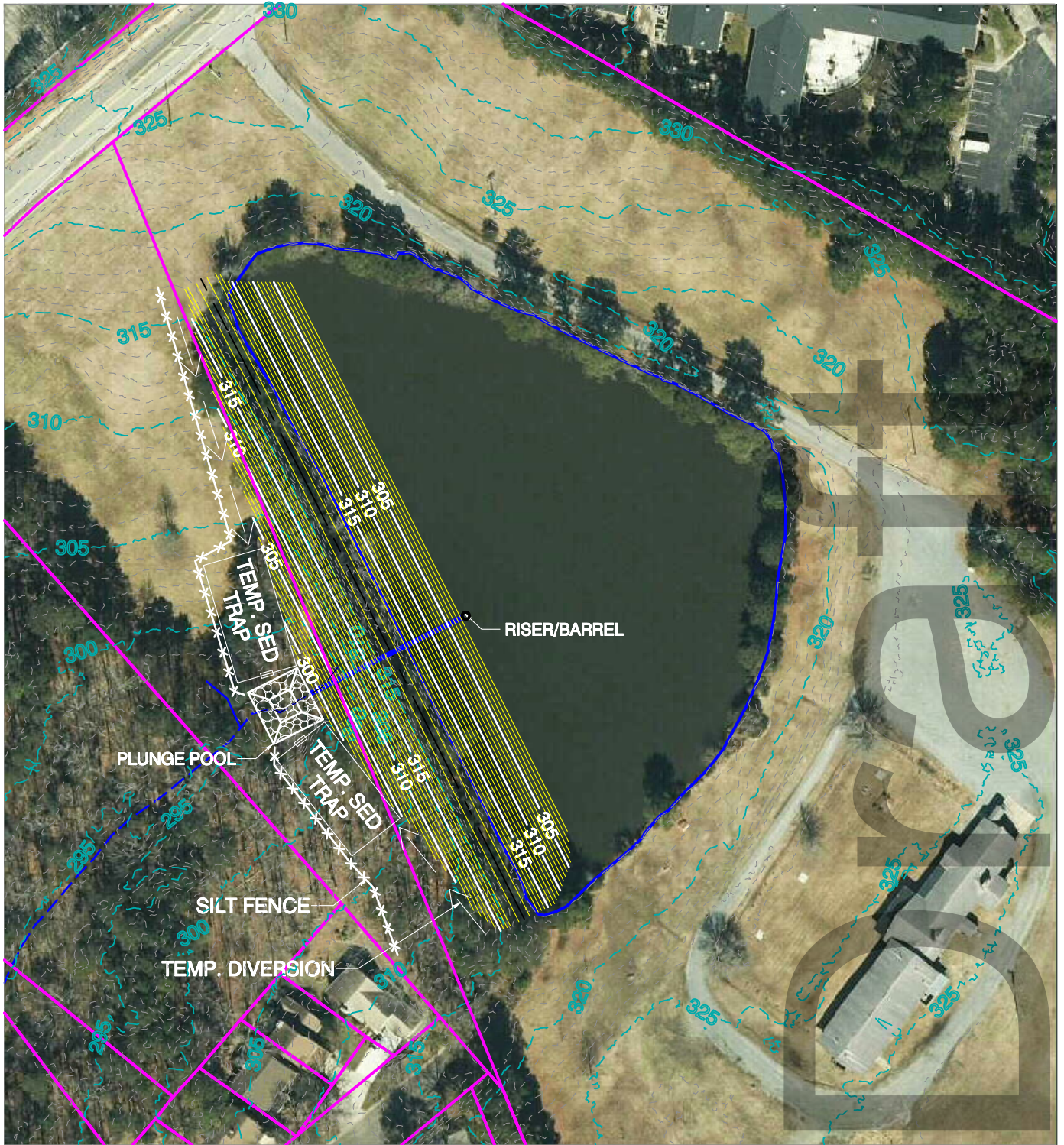
- The cost estimates are limited to the work specifically required to bring the dam into compliance with dam safety regulations.
- Cost estimates do not address any mitigation costs associated with future projects that would include impacts to the pond or stream beyond the immediate dam repair.
- In following the State's procedures for the work, both the Repair and the Removal options will require that the pond be drained, and the dam be breached

Draft

Cost Estimates

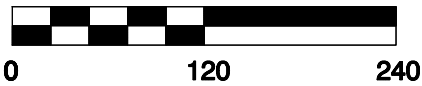
- Repair Option
 - Dewatering the pond
 - Tree removal
 - New riser and barrel structure
 - Filter diaphragm/drainage blanket (drainage through the dam)
 - Backfill at 3:1 slopes
 - Outlet energy dissipater

Draft



DAM REHABILITATION

GRAPHIC SCALE 1" = 120'



Cost Estimates

- Removal Option
 - Dewatering the pond
 - Tree removal
 - Existing outlet structure removal
 - Excavation of dam embankment

Draft

Table 2
 Engineer's Opinion of Probable Cost
 Town of Chapel Hill
 Legion Pond

Dam Repair Option

Item No.	Description	Quantity	Unit	Unit Price	Amount
1	Geotechnical Investigation/Drilling	1	LS	\$25,100	\$25,100
2	Surveying	1	LS	\$11,400	\$11,400
3	Dam Safety Permit	1	LS	\$20,700	\$20,700
4	Mitigation	1	LS	\$100,000	\$100,000
5	Erosion & Sediment Control Permit	1	LS	\$19,900	\$19,900
6	Bid/Construction Documents	1	LS	\$16,000	\$16,000
7	Bidding Services	1	LS	\$13,000	\$13,000
8	Mobilization/Demobilization	1	LS	\$26,000	\$26,000
9	Silt Fence	1500	LF	\$5.00 /LF	\$7,500
10	Temporary Diversion Ditch	400	LF	\$15.00 /LF	\$6,000
11	Sediment Trap	2	LS	\$30,000	\$60,000
12	Dewatering Pump	2.5	Mo	\$10,000 /Mo	\$25,000
13	Filter Bag	1	LS	\$2,000	\$2,000
14	Tree Removal	2	AC	\$10,000 /AC	\$20,000
15	Grubbing	2	AC	\$10,000 /AC	\$20,000
16	Unsuitable Excavation	2500	CY	\$15 /CY	\$37,500
17	Excavation & Haul Offsite	0	CY	\$20 /CY	\$0
18	Backfill w/ Offsite Soils	8500	CY	\$20 /CY	\$170,000
19	Filter Diaphragm	2000	CY	\$25 /CY	\$50,000
20	Riser Structure	1	LS	\$30,000	\$30,000
21	Barrel Pipe	140	LF	\$300 /LF	\$42,000
22	Rip Rap Plunge Pool	1	LS	\$15,000	\$15,000
23	Erosion Control Matting	0	SY	\$7 /SY	\$0
24	Seeding & Mulching	2	AC	\$5,000 /AC	\$10,000
25	Miscellaneous Work & Cleanup	1	LS	\$25,000	\$25,000
26	Construction Administration	1	LS	\$19,600	\$19,600
27	Construction Quality Assurance	1	LS	\$35,200	\$35,200
Total					\$806,900

Table 3
 Engineer's Opinion of Probable Cost
 Town of Chapel Hill
 Legion Pond

Dam Removal Option

Item No.	Description	Quantity	Unit	Unit Price	Amount
1	Geotechnical Investigation/Drilling	0	LS	\$25,100	\$0
2	Surveying	1	LS	\$11,400	\$11,400
3	Dam Safety Permit	1	LS	\$20,700	\$20,700
4	Mitigation	1	LS	\$25,000	\$25,000
5	Erosion & Sediment Control Permit	1	LS	\$19,900	\$19,900
6	Bid/Construction Documents	1	LS	\$16,000	\$16,000
7	Bidding Services	1	LS	\$13,000	\$13,000
8	Mobilization/Demobilization	1	LS	\$20,775	\$20,775
9	Silt Fence	1500	LF	\$5.00 /LF	\$7,500
10	Temporary Diversion Ditch	400	LF	\$15.00 /LF	\$6,000
11	Sediment Trap	2	LS	\$30,000	\$60,000
12	Dewatering Pump	2.5	Mo	\$10,000 /Mo	\$25,000
13	Filter Bag	1	LS	\$2,000 LS	\$2,000
14	Tree Removal	2	AC	\$10,000 /AC	\$20,000
15	Grubbing	2	AC	\$10,000 /AC	\$20,000
16	Unsuitable Excavation	0	CY	\$15 /CY	\$0
17	Excavation & Haul Offsite	12000	CY	\$20 /CY	\$240,000
18	Backfill w/ Offsite Soils	0	CY	\$20 /CY	\$0
19	Filter Diaphragm	0	CY	\$25 /CY	\$0
20	Riser Structure	0	LS	\$30,000	\$0
21	Barrel Pipe	0	LF	\$300 /LF	\$0
22	Rip Rap Plunge Pool	0	LS	\$15,000	\$0
23	Erosion Control Matting	0	SY	\$7 /SY	\$0
24	Seeding & Mulching	2	AC	\$5,000 /AC	\$10,000
25	Miscellaneous Work & Cleanup	1	LS	\$25,000	\$25,000
26	Construction Administration	0.7	LS	\$19,600	\$13,720
27	Construction Quality Assurance	0.7	LS	\$35,200	\$24,640
Total					\$580,635

Future Development Considerations

- Repair Option
 - Repair option may be preferred if pond would be beneficial regarding future use of the site.
- Removal Option
 - Removal option may be preferred if the pond would hinder future use of the site
 - The extent to which a stream or wetland would re-emerge would need to be evaluated after completion of the dam repair project.

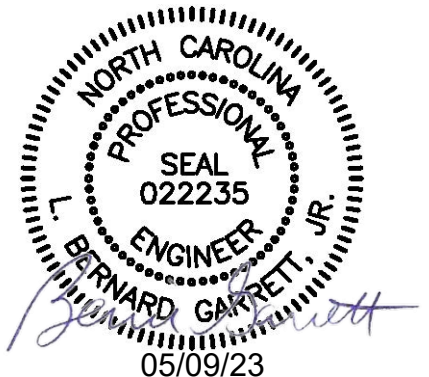
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Town of Chapel Hill Legion Pond Dam

Preliminary Engineering Report

May 2023

Prepared By:



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Attachment 2 – Photographs from March 7, 2023 2

Attachment 3 – Dam Safety Permitting Flow Charts 3

**Attachment 4 – Preliminary Jurisdictional Determination and Stream Determination
Area Map..... 4**

Background and Purpose

The Town of Chapel Hill (Town) engaged Garrett & Moore to provide a preliminary evaluation of the condition of the dam and pond on the American Legion property located on Legion Road prior to property acquisition in 2017. The preliminary evaluation found that the dam is under the jurisdiction of the Dam Safety Law of 1967.

The purpose of this report is to provide an update regarding the following issues addressed herein:

- Existing Site Conditions
- NC Dam Safety Regulations
- Applicable Ordinances and Environmental Rules
- Construction Planning Cost Estimates

1.0 Existing Site Conditions

The American Legion property is located at 1714 Legion Road in Chapel Hill, NC. The Town owns an adjacent parcel immediately downstream of the dam. Figure 1 presents the project site vicinity.

The project site occurs on two separate parcels owned by the Town of Chapel Hill totaling 36.23 acres (PIN #9799555951, 33.64-ac; PIN #9799467392, 2.59-ac). The pond is approximately 2.7 acres. Figure 2 presents the existing project site conditions. Attachment 1 includes tax maps of the site highlighting both parcels.

The site is within Chapel Hill's town limits, is located within the Lower Booker Creek drainage basin, is within Chapel Hill's Watershed Protection District, and is within an area subject to Jordan Lake Watershed Riparian Buffer Rules. The pond is not located within the 100-year floodplain. The pond outfall forms an intermittent stream, which is hydraulically connected to the pond and which flows generally southwest as a tributary to Booker Creek.

The pond dam does not appear in the March 16, 2023 update to the October 12, 2020 North Carolina Dams Inventory.

Based on field observations made on March 7, 2023, the condition of the dam is generally characterized as follows:

- **Upstream:** The visible portion of the upstream face of the dam is generally regular with a slope of approximately 3:1. The upstream face of the dam exhibits extensive mature tree growth with trees up to 17-inches in diameter

between the dam crest and the normal pool. Freeboard at the normal pool elevation is between 2.5-ft and 3-ft based on field observation. Heavy brush and undergrowth obscure approximately $\frac{1}{4}$ of the upstream face of the dam at the western end, preventing further visual assessment.

- **Crest:** The width of the dam crest fluctuates slightly between 8-ft and 10-ft and is approximately flat. The crest is covered with pine straw with intermittent, isolated stands of grass. No trees are present, however roots spanning the crest are visible at the ground surface.
- **Downstream:** The maximum height of the dam, measured between the dam crest and the stream channel at the toe, is approximately 20-feet high according to 2015 bare-earth LiDAR data obtained from the North Carolina Emergency Management Spatial Data Download. Slopes are generally between approximately 1.5:1 and 2:1. Slopes are generally regular, with an erosion cavity beneath an outlet structure pipe joint. Tree growth is extensive end-to-end and top-to-toe, with mature trees up to 21-inches in diameter.
- **Outlet Structures:** Observed outlet structures include the original ductile iron pipe outlet, an 8-inch PVC pipe overflow device, and an approximate 10'-wide emergency spillway on the eastern abutment of the dam. The inlet of the original outlet structure was submerged and could not be observed. The downstream end of the original outlet structure includes a ductile iron butterfly valve that was closed at the time of observation. None of the observed outlet structures included energy dissipating structures. All outlets discharge to a well-defined drainage channel.
- **Toe:** The toe of the dam contains trees of varying size, up to 21-inches in diameter. No significant signs of erosion or seepage were observed.
- **Groins:** Trees cover the groins of the dam. There are no signs of erosion or seepage.
- **Downstream Channel:** The dam outlets discharge to well-defined drainage channel. Private residences are adjacent to the drainage channel ranging between 50 ft and 200 ft (measured horizontally) from the channel. The drainage channel enters a single 102-ft long 48" reinforced concrete pipe culvert under Clover Drive approximately 900 ft to the southwest of the dam. Clover Drive is classified as a local road maintained by the Town and is the only means of ingress and egress for The Meadows subdivision, which contains 54 residences. The channel then daylights for approximately 300 feet before entering a 509-ft long culvert underneath Ephesus Church Road. Ephesus Church Road is classified as an arterial road maintained by NCDOT.

Photographs from the site visit are included in Attachment 2.

2.0 NC Dam Safety Rules

The following rules were reviewed for applicability to the site:

- Dam Safety Law of 1967 (NCGS 143-215.23 through 37)
- Senate Bill 1004
- NCAC Title 15A Subchapter 2K: Dam Safety

Per Dam Safety Regulation 15A NCAC 02K .0302, Dam Safety Orders can be issued directing the owner of a dam to make, at the owner(s) expense, any maintenance, alteration, repairs, reconstruction, or change in construction upon a finding that the dam:

1. Is not sufficiently strong,
2. Is not maintained in good repair or operating condition,
3. Is dangerous to life or property, or
4. Does not satisfy minimum stream-flow requirements.

Preliminary visual assessment of the dam and downstream area indicates that several of these criteria apply to the dam in its current condition based on the extensive tree growth on the dam, condition of the outlet structures, and downstream characteristics.

The most specific concern is the extensive pine tree vegetation on the downstream face of the dam. If any of the large pine trees were to blow over and expose the root ball, a dam failure could become possible.

2.1 Classification of Dam

Dams are divided into three classes as defined in 15A NCAC 02K .0105 Classification of Dams. Based on the downstream characteristics of site, the dam should be classified as Class C, or High Hazard, which includes dams located where failure will likely cause loss of life or serious damage to homes, industrial and commercial buildings, important public utilities, primary highways, or major railroads. Table 1 presents qualitative guidelines published by the North Carolina Division of Land Resources for assessing hazard classification.

Table 1. Dam Hazards Classification.

Hazard Classification	Description	Quantitative Guidelines
Low	Interruption of road service, low volume roads	Less than 25 vehicles per day
	Economic damage	Less than \$30,000
Intermediate	Damage to highways, Interruption of service	25 to less than 250 vehicles per day
	Economic damage	\$30,000 to less than \$200,000
High	Loss of human life*	Probable loss of 1 or more human lives
	Economic damage	More than \$200,000
	*Probable loss of human life due to breached roadway or bridge on or below the dam.	250 or more vehicles per day

2.2 Permitting Procedures

Dam maintenance is required to bring the dam into compliance with the Dam Safety Rules. Based on the classification of the dam, Dam Safety permitting will be required to either 1) repair the dam, or 2) remove the dam. For the purpose of this report, the maintenance options are generally defined as follows:

Dam Repair: Dam repair will include dewatering the pond, riser barrel structure replacement, and a filter diaphragm, an outlet energy dissipater, and a drainage blanket will be added.

Dam Removal: Dam removal will consist of dewatering the pond, existing outlet structure removal, and excavation of dam embankment soils such that water will no longer be impounded.

Two flow charts that outline permitting procedures for the two options under consideration are included as Attachment 3 at the end of this report.

Based on our understanding of the Dam Safety Program, it is unlikely that the State would require that the Town take mitigating action to bring the dam into compliance with the law any time soon. However, the Town should consider the potential for damage downstream, and the liability associated with owning a high hazard dam.

3.0 Applicable Ordinances and Environmental Rules

The Town completed a wetland and stream jurisdictional determination addressing the pond and the stream located on the project site in 2019. The most relevant figures from the jurisdictional determination are included in Attachment 4. Our interpretation of how

the project may proceed based on a jurisdictional determination and applicable environmental regulations is described in the following sections.

Based on the preliminary design depicted on Figure 3 for the repair option, we estimate the following impacts will be necessary:

- Approximately 0.75 acres of fill in a Water of the US.
- Approximately 100 linear feet of intermittent stream.
- Approximately 1.5 acres of riparian buffer.
- Approximately 1.5 acres of resource conservation district.

For the removal option we estimate the following impacts will be necessary:

- Approximately 1.0 acres of riparian buffer.
- Approximately 1.0 acres of resource conservation district.

3.1 Section 404 Permitting

Repair Option

Dam maintenance is authorized under Section 404 of the Clean Water Act by Nationwide Permit 3 – Maintenance. However, total impacts to waters and streams for the repair option exceed the thresholds for applicability. Therefore, an individual 404 Permit will be required.

Regarding mitigation, please consider the following excerpt from NWP 3:

“The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.”

A subjective determination regarding mitigation will be made by the district engineer based on the final design of the repair option project.

Removal Option

Dam maintenance is authorized under Section 404 of the Clean Water Act by Nationwide Permit 3 – Maintenance. The dam removal project should be designed and executed to comply with the requirements of Nationwide Permit 3 – Maintenance.

Mitigation is not anticipated to be required for the removal option project; however, this should be confirmed during final design.

3.2 Section 401 Water Quality Certification

Repair Option

Water Quality General Certification No. 4239 is intended to cover activities that are eligible for Nationwide Permit 3. However, total impacts to waters and streams for the repair option exceed the thresholds for applicability. Therefore, an individual 401 Water Quality Certification will be required in accordance with 15A-NCAC-02H-.0500 – Water Quality Certification.

Removal Option

Water Quality General Certification No. 4239 is intended to cover activities that are eligible for Nationwide Permit 3. Since the total impact to waters and streams is less than the thresholds for applicability, the dam removal project should be completed in accordance with Water Quality General Certification No. 4239.

3.3 Riparian Buffers

Jordan Lake Riparian Buffer Rules, 15A NCAC 02B .0267.

Repair Option

Dam maintenance activities that **do cause additional buffer disturbance** beyond the footprint of the existing dam or those not covered under the U.S. Army Corps of Engineers Nationwide Permit No.3 are **allowable** under 15A NCAC 02B .0267.

The dam repair project should be completed in accordance with the requirements of an allowable activity under 15A NCAC 02B .0267.

Removal Option

Dam maintenance activities that **do not cause additional buffer disturbance** beyond the footprint of the existing dam or those covered under the U.S. Army Corps of Engineers Nationwide Permit No. 3 **are exempt** under 15A NCAC 02B .0267.

The dam repair project should be completed in accordance with the requirements of an exempt activity under 15A NCAC 02B .0267.

3.4 Resource Conservation District

The Town of Chapel Hill Resource Conservation District (RCD) is intended to be applied to areas within and along waterways within the Town's planning district. The RCD will apply to both the pond as a perennial waterbody as well as the intermittent stream downstream of the dam.

Repair Option

Repairing the dam is allowable under the RCD as described in table 3.6.3-2: Perennial use 34s within Resource Conservation District.

Removal Option

Removal of the pond is not an allowable activity in the RCD table of use, however, a modification to the RCD regulation can be granted after the NCDEQ and USCOE have approved the 401/404 permitting.

4.0 Planning Level Cost Estimates

Preliminary planning budget cost estimates for the construction and maintenance work anticipated for both pond options are presented in Tables 2 and 3. The cost estimates are limited to the work specifically required to bring the dam into compliance with dam safety regulations. Cost estimates do not address any mitigation costs associated with future projects that would include impacts to the pond or stream beyond the immediate dam repair.

In following the State's procedures for the work, both the Repair and the Removal options will require that the pond be drained, and the dam be breached.

Repair Option

Dam repair will include dewatering the pond, riser barrel structure replacement, and a filter diaphragm, an outlet energy dissipater, and a drainage blanket will be added. Figure 3 provides a preliminary conceptual plan for the repair option, which was the basis for the quantity estimates in the cost evaluations. The preliminary opinion of cost for the repair option is presented in Table 2.

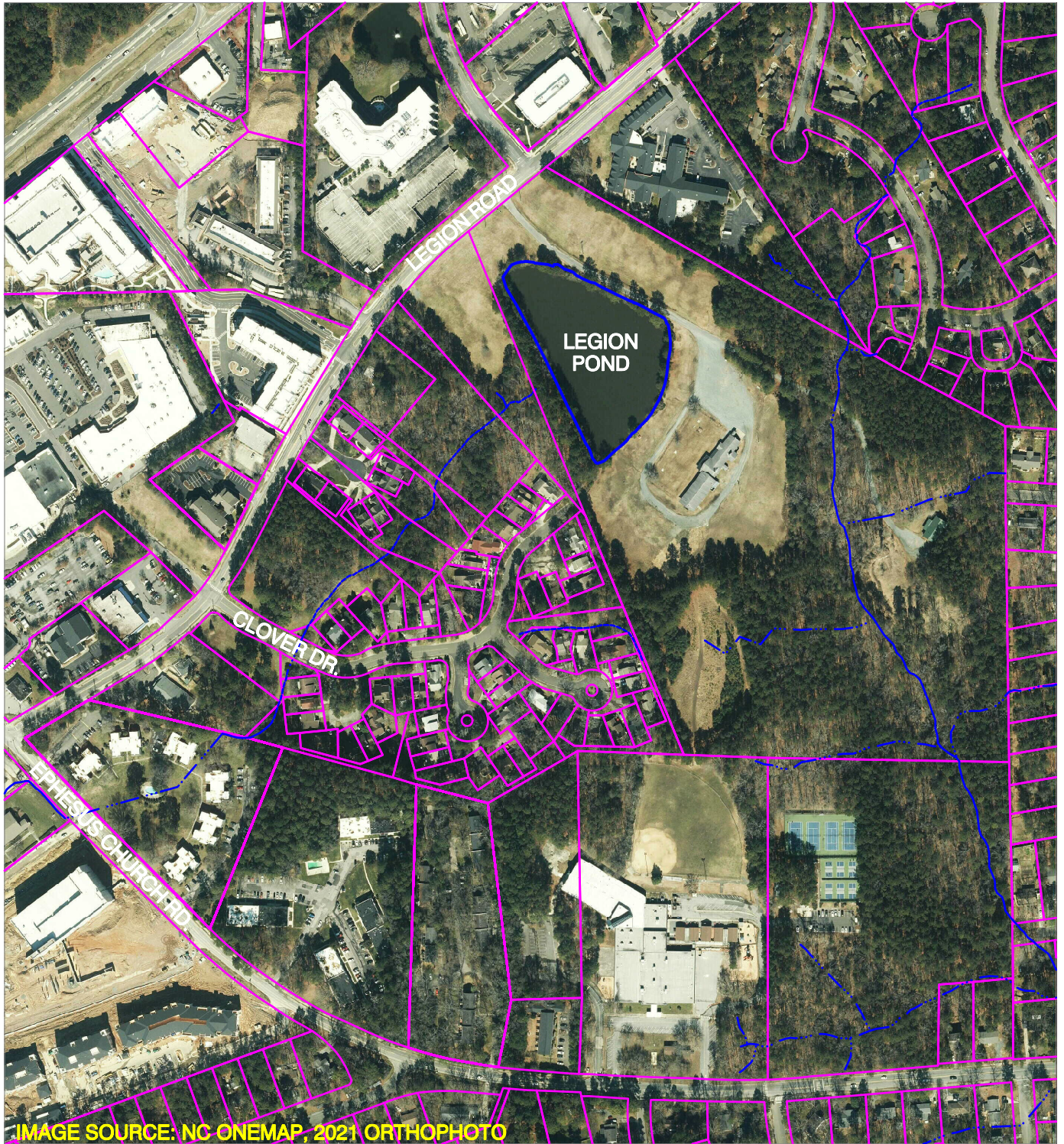
Removal Option

Dam removal will consist of dewatering the pond, existing outlet structure removal, and excavation of dam embankment soils such that water will no longer be impounded.

The preliminary opinion of cost for the removal option is presented in Table 3.

5.0 Future Development Considerations

We recommend the Town proceed with the work required to mitigate the liability associated with owning a high hazard dam. We understand that potential future use of the property will be a factor in the Town's decision regarding the option that is implemented. Any potential waters, wetland, stream, or riparian buffer impacts that would be necessary for future development on the site, whether the dam is repaired or removed, should be evaluated independently based on the specific requirements of the future use.

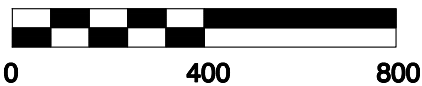


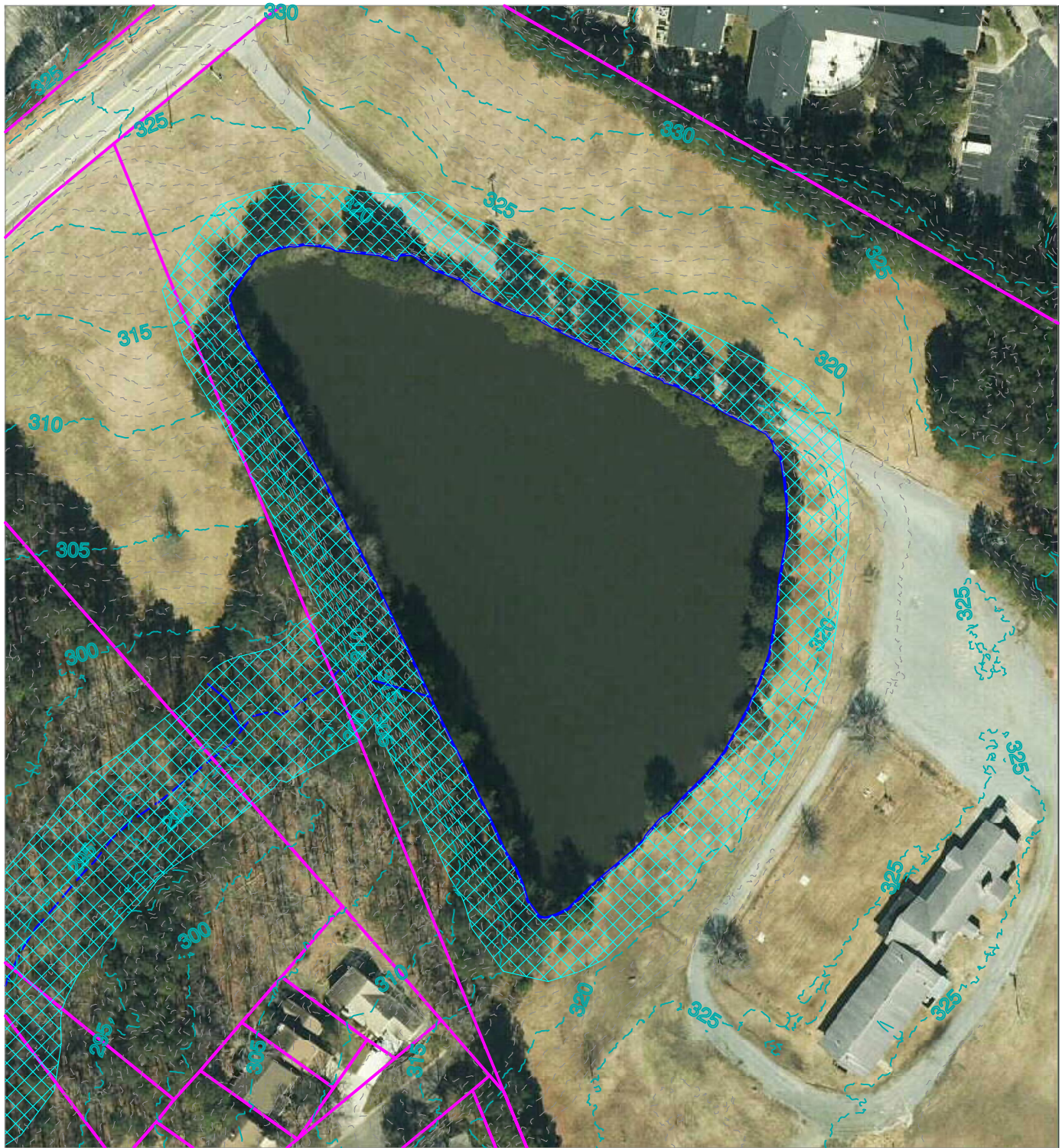
PROJECT VICINITY

- PERENNIAL STREAM
- - - - - INTERMITTENT STREAM
- . . . - EPHEMERAL STREAM

SOURCE: CHAPEL HILL
OPEN DATA, APRIL 2023
DATA SET

GRAPHIC SCALE 1" = 400'

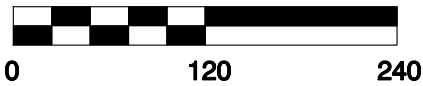




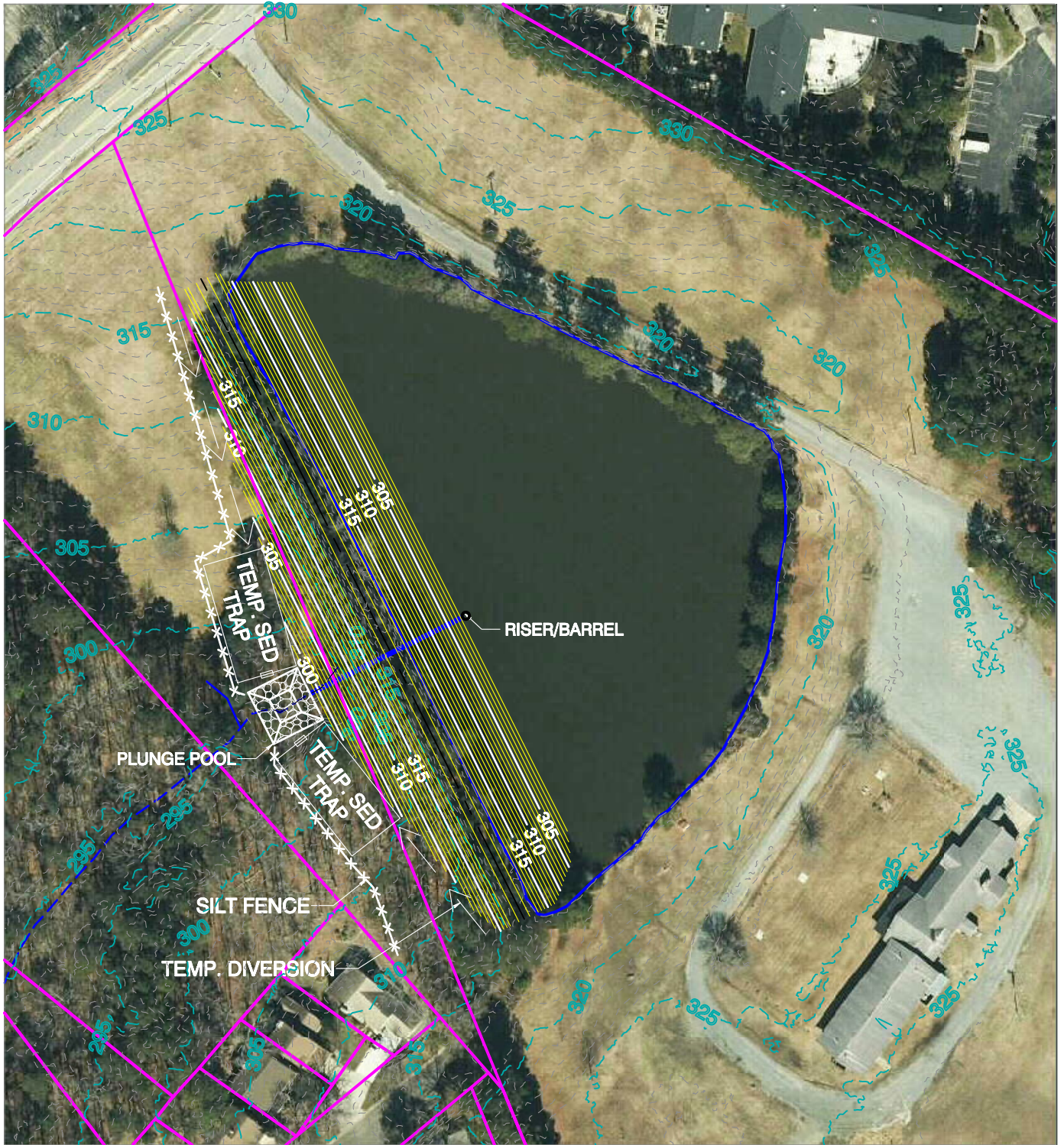
EXISTING CONDITIONS


JORDAN LAKE RIPARIAN 50-FOOT BUFFER & RESOURCE CONSERVATION DISTRICT 50-FOOT BUFFER

GRAPHIC SCALE 1" = 120'

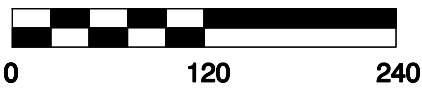


D:\Project\Chapel Hill\Legion Pond V2.pro Thu Apr 27, 2023 3:35:25PM



DAM REHABILITATION

GRAPHIC SCALE 1" = 120'



D:\Project\Chapel Hill\Legion Pond V2.pro Thu Apr 27, 2023 4:59:38PM

Table 2
 Engineer's Opinion of Probable Cost
 Town of Chapel Hill
 Legion Pond

Dam Repair Option

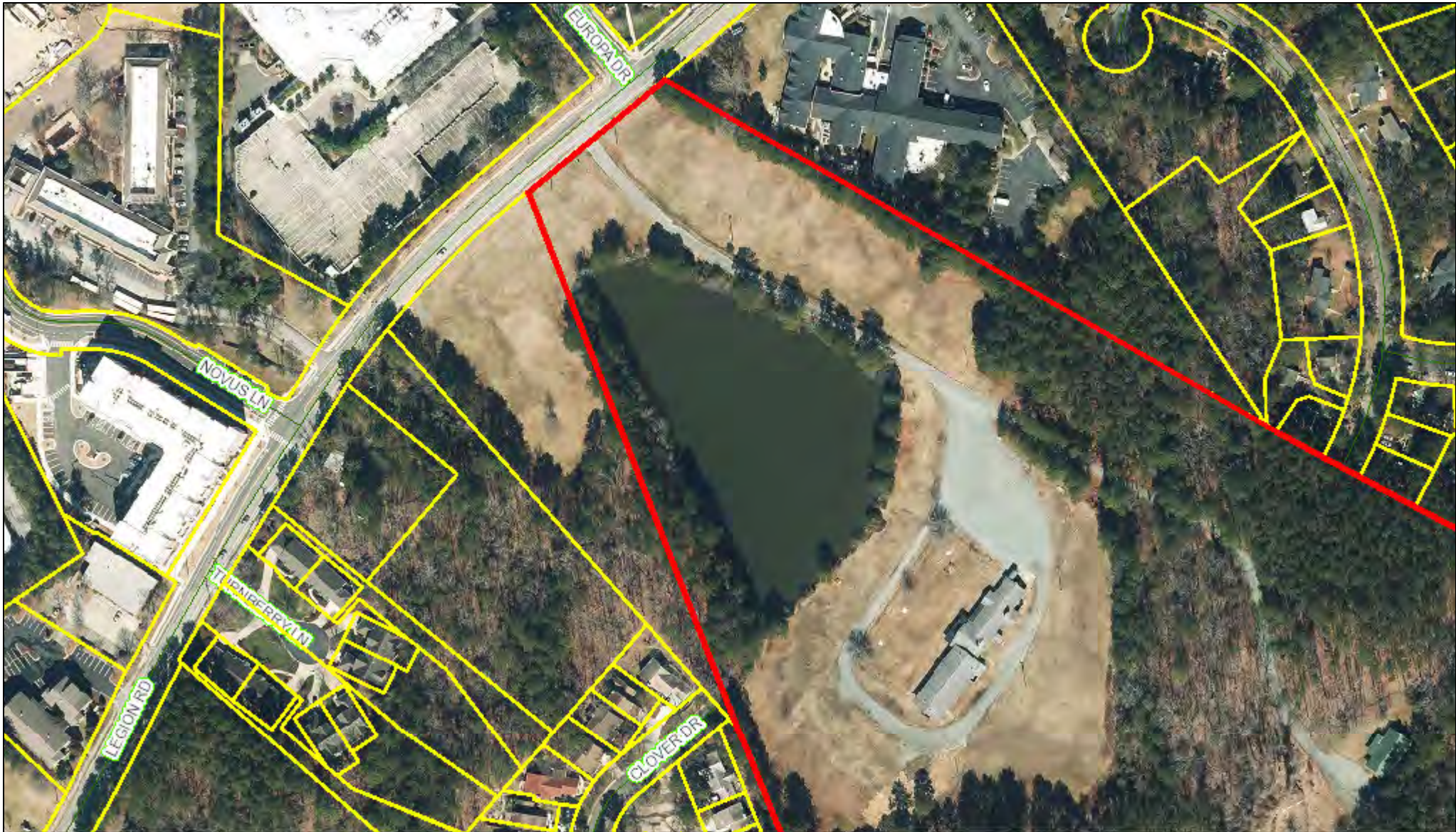
Item No.	Description	Quantity	Unit	Unit Price	Amount
1	Geotechnical Investigation/Drilling	1	LS	\$25,100	\$25,100
2	Surveying	1	LS	\$11,400	\$11,400
3	Dam Safety Permit	1	LS	\$20,700	\$20,700
4	Mitigation	1	LS	\$100,000	\$100,000
5	Erosion & Sediment Control Permit	1	LS	\$19,900	\$19,900
6	Bid/Construction Documents	1	LS	\$16,000	\$16,000
7	Bidding Services	1	LS	\$13,000	\$13,000
8	Mobilization/Demobilization	1	LS	\$26,000	\$26,000
9	Silt Fence	1500	LF	\$5.00 /LF	\$7,500
10	Temporary Diversion Ditch	400	LF	\$15.00 /LF	\$6,000
11	Sediment Trap	2	LS	\$30,000	\$60,000
12	Dewatering Pump	2.5	Mo	\$10,000 /Mo	\$25,000
13	Filter Bag	1	LS	\$2,000 LS	\$2,000
14	Tree Removal	2	AC	\$10,000 /AC	\$20,000
15	Grubbing	2	AC	\$10,000 /AC	\$20,000
16	Unsuitable Excavation	2500	CY	\$15 /CY	\$37,500
17	Excavation & Haul Offsite	0	CY	\$20 /CY	\$0
18	Backfill w/ Offsite Soils	8500	CY	\$20 /CY	\$170,000
19	Filter Diaphragm	2000	CY	\$25 /CY	\$50,000
20	Riser Structure	1	LS	\$30,000	\$30,000
21	Barrel Pipe	140	LF	\$300 /LF	\$42,000
22	Rip Rap Plunge Pool	1	LS	\$15,000	\$15,000
23	Erosion Control Matting	0	SY	\$7 /SY	\$0
24	Seeding & Mulching	2	AC	\$5,000 /AC	\$10,000
25	Miscellaneous Work & Cleanup	1	LS	\$25,000	\$25,000
26	Construction Administration	1	LS	\$19,600	\$19,600
27	Construction Quality Assurance	1	LS	\$35,200	\$35,200
Total					\$806,900

Table 3
 Engineer's Opinion of Probable Cost
 Town of Chapel Hill
 Legion Pond

Dam Removal Option

Item No.	Description	Quantity	Unit	Unit Price	Amount
1	Geotechnical Investigation/Drilling	0	LS	\$25,100	\$0
2	Surveying	1	LS	\$11,400	\$11,400
3	Dam Safety Permit	1	LS	\$20,700	\$20,700
4	Mitigation	1	LS	\$25,000	\$25,000
5	Erosion & Sediment Control Permit	1	LS	\$19,900	\$19,900
6	Bid/Construction Documents	1	LS	\$16,000	\$16,000
7	Bidding Services	1	LS	\$13,000	\$13,000
8	Mobilization/Demobilization	1	LS	\$20,775	\$20,775
9	Silt Fence	1500	LF	\$5.00 /LF	\$7,500
10	Temporary Diversion Ditch	400	LF	\$15.00 /LF	\$6,000
11	Sediment Trap	2	LS	\$30,000	\$60,000
12	Dewatering Pump	2.5	Mo	\$10,000 /Mo	\$25,000
13	Filter Bag	1	LS	\$2,000 LS	\$2,000
14	Tree Removal	2	AC	\$10,000 /AC	\$20,000
15	Grubbing	2	AC	\$10,000 /AC	\$20,000
16	Unsuitable Excavation	0	CY	\$15 /CY	\$0
17	Excavation & Haul Offsite	12000	CY	\$20 /CY	\$240,000
18	Backfill w/ Offsite Soils	0	CY	\$20 /CY	\$0
19	Filter Diaphragm	0	CY	\$25 /CY	\$0
20	Riser Structure	0	LS	\$30,000	\$0
21	Barrel Pipe	0	LF	\$300 /LF	\$0
22	Rip Rap Plunge Pool	0	LS	\$15,000	\$0
23	Erosion Control Matting	0	SY	\$7 /SY	\$0
24	Seeding & Mulching	2	AC	\$5,000 /AC	\$10,000
25	Miscellaneous Work & Cleanup	1	LS	\$25,000	\$25,000
26	Construction Administration	0.7	LS	\$19,600	\$13,720
27	Construction Quality Assurance	0.7	LS	\$35,200	\$24,640
Total					\$580,635

Attachment 1 – Parcel Maps



March 22, 2023

This map contains parcels prepared for the inventory of real property within Orange County, and is compiled from recorded deed, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.

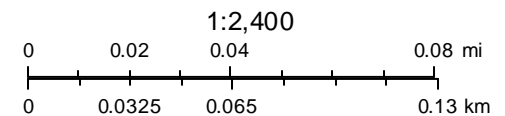
The county and its mapping companies assume no legal responsibility for the information on this map.

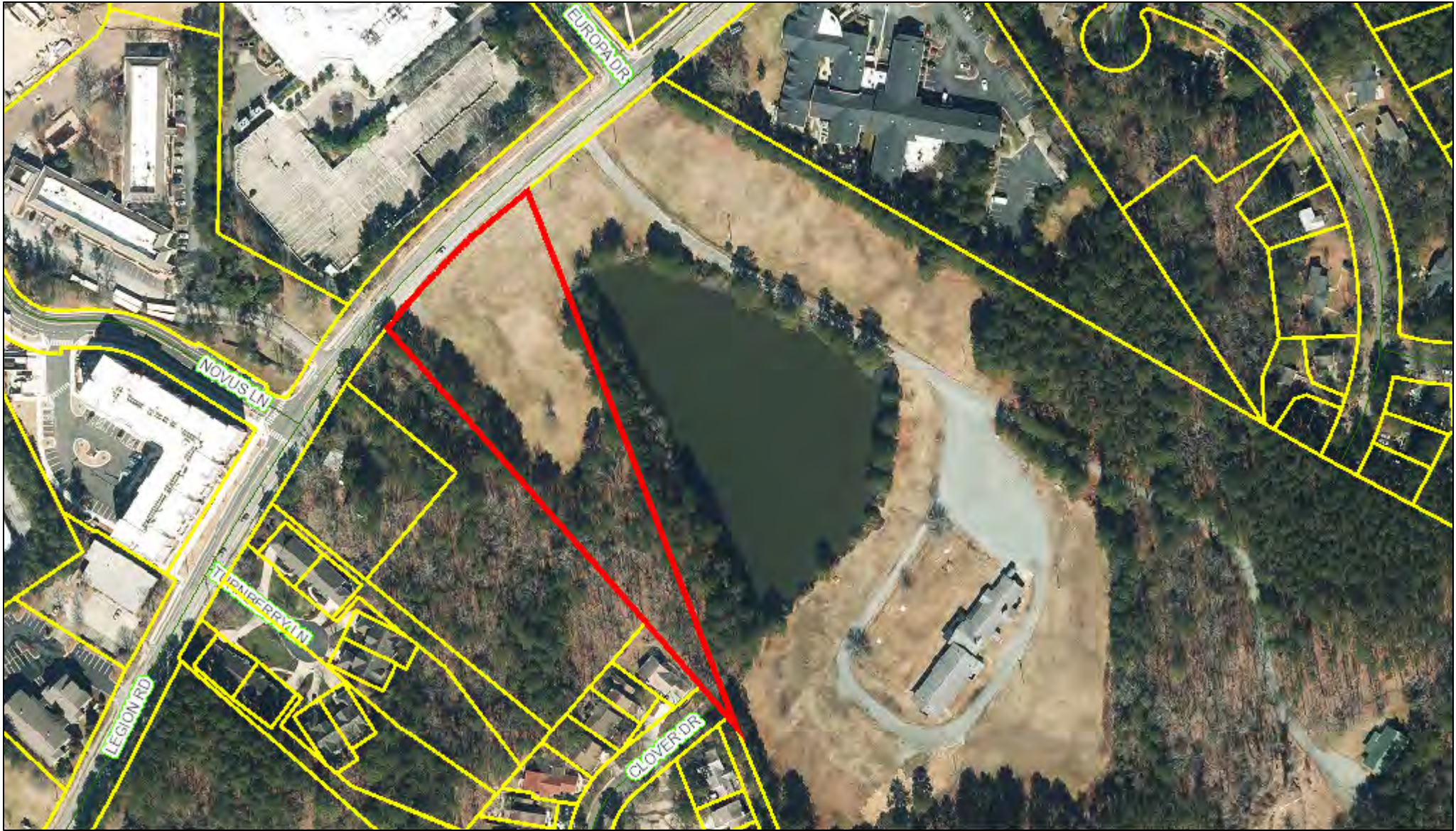
PIN: 9799555951

OWNER 1: TOWN OF CHAPEL HILL
 OWNER 2:
 ADDRESS 1: 405 MARTIN LUTHER KING JR BLVD
 ADDRESS 2:
 CITY: CHAPEL HILL
 STATE, ZIP: NC 27516
 LEGAL DESC: E/S AMERICAN LEGION RD

SIZE: 33.2 A
 DEED REF: 6282/545
 PARCELCODE: 22
 TOWNSHIP: CHAPEL HILL
 BLDG SQFT: 10618
 YEAR BUILT: 1985

BUILDING COUNT: 2
 LAND VALUE:
 BLDG_VALUE:
 USE VALUE:
 TOTAL VALUE:
 DATE SOLD: 3/30/2017
 TAX STAMPS:





March 22, 2023

This map contains parcels prepared for the inventory of real property within Orange County, and is compiled from recorded deed, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.

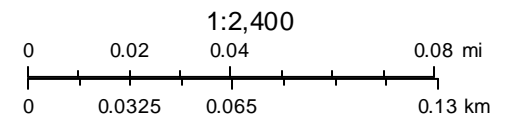
The county and its mapping companies assume no legal responsibility for the information on this map.

PIN: 9799467392

OWNER 1: TOWN OF CHAPEL HILL
 OWNER 2:
 ADDRESS 1: 405 MARTIN LUTHER KING JR BLVD
 ADDRESS 2:
 CITY: CHAPEL HILL
 STATE, ZIP: NC 27516
 LEGAL DESC: E/S AMERICAN LEGION RD

SIZE: 2.33 A
 DEED REF: 6282/545
 PARCELCODE: 22
 TOWNSHIP: CHAPEL HILL
 BLDG SQFT:
 YEAR BUILT:

BUILDING COUNT:
 LAND VALUE: \$20,300
 BLDG_VALUE: \$0
 USE VALUE: \$0
 TOTAL VALUE: \$20,300
 DATE SOLD: 3/30/2017
 TAX STAMPS: 15800



Attachment 2 – Photographs from March 7, 2023



Photograph 1 – Impoundment Area and Upstream Dam Face from East Shore



Photograph 2 – Dam Crest Facing East from West Abutment



Photograph 3 – Downstream Face, Facing East from Western Groin



Photograph 4 – PVC Overflow Device Inlet



Photograph 5 – Overflow Outlet and Primary Outlet Valve from Dam Crest



Photograph 6 – Overflow Device Outlet, Erosion Cavity Below Repaired Joint, Erosion Cavity at Outlet



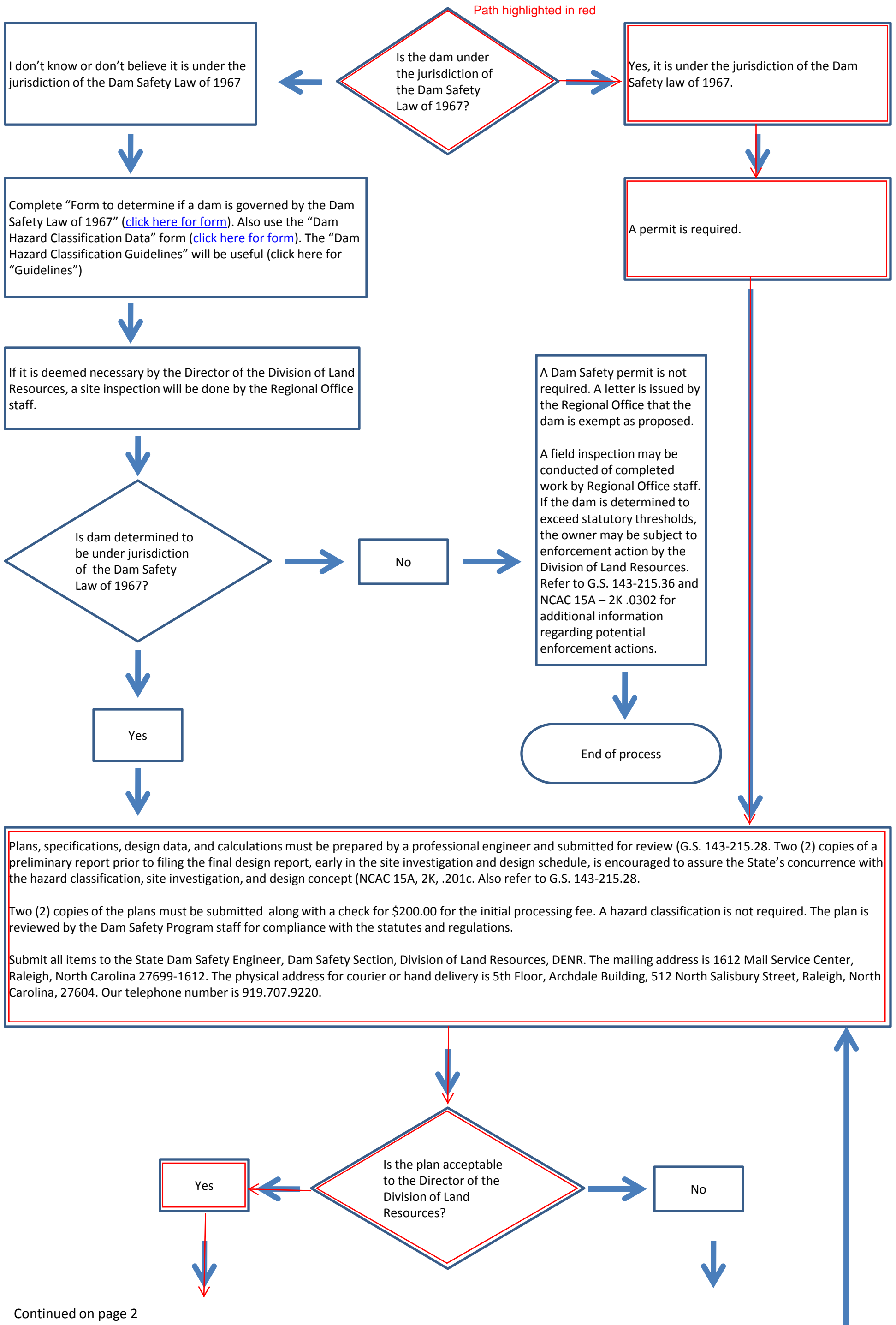
Photograph 7 – Butterfly Valve at Downstream End of Primary Outlet



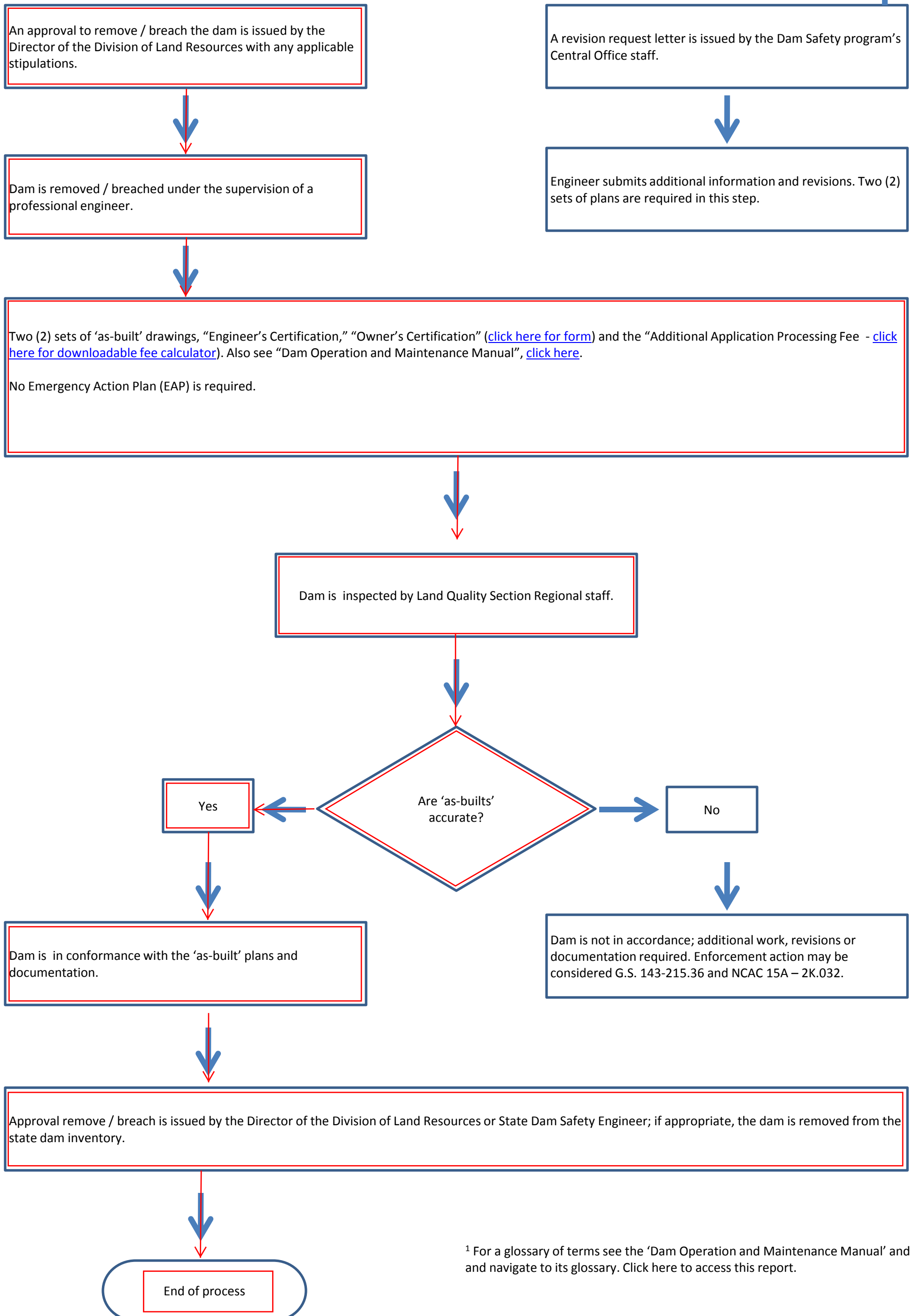
Photograph 8 – Pipe Culvert Outlet at Clover Drive

Attachment 3 – Dam Safety Permitting Flow Charts

Procedure to breach a dam ¹ Rev. 3.0 – 25 February 2013

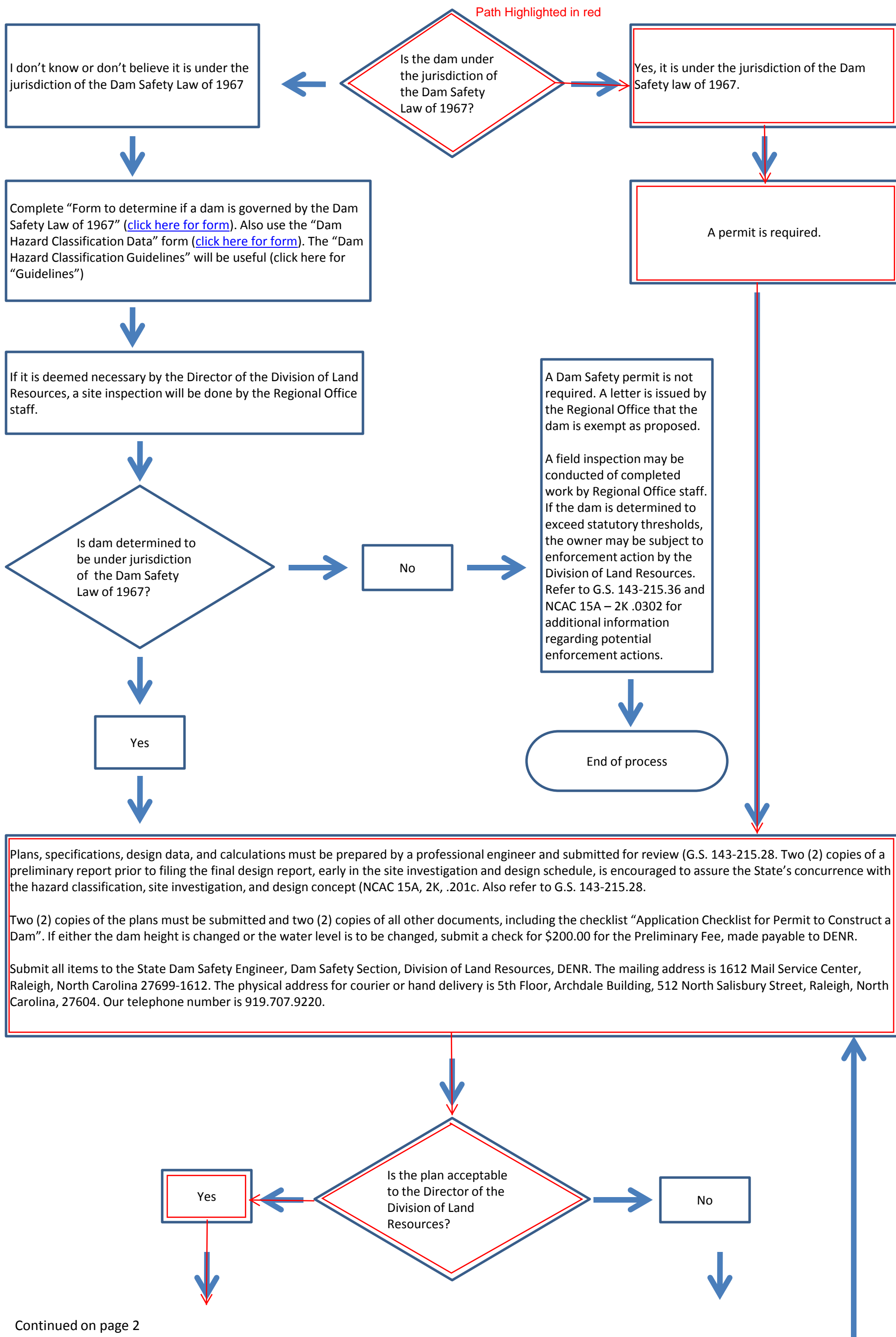


Continued from page 1

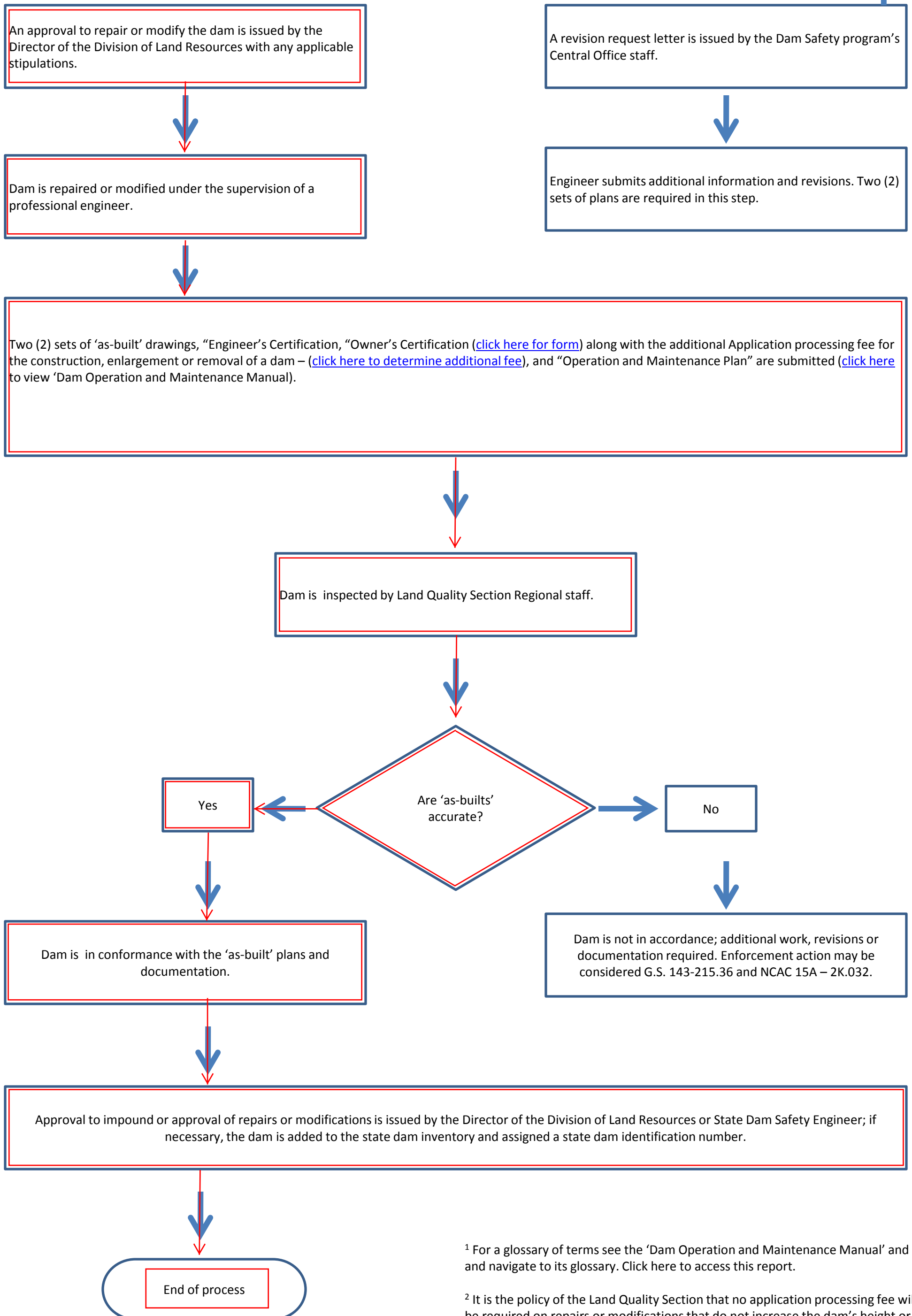


¹ For a glossary of terms see the 'Dam Operation and Maintenance Manual' and and navigate to its glossary. Click here to access this report.

Procedure to repair or to modify a dam Rev. 3.0 – 25 February 2013



Continued from page 1



¹ For a glossary of terms see the 'Dam Operation and Maintenance Manual' and and navigate to its glossary. Click here to access this report.

² It is the policy of the Land Quality Section that no application processing fee will be required on repairs or modifications that do not increase the dam's height or the impoundment's normal pool.

Attachment 4 – Preliminary Jurisdictional Determination and Stream Determination Area Map

AMERICAN LEGION AQUATIC RESOURCES MAP

WITH AERIAL

PROPERTY PIN 9799-55-5951

CREATED BY TOWN OF CHAPEL HILL STORMWATER DIVISION

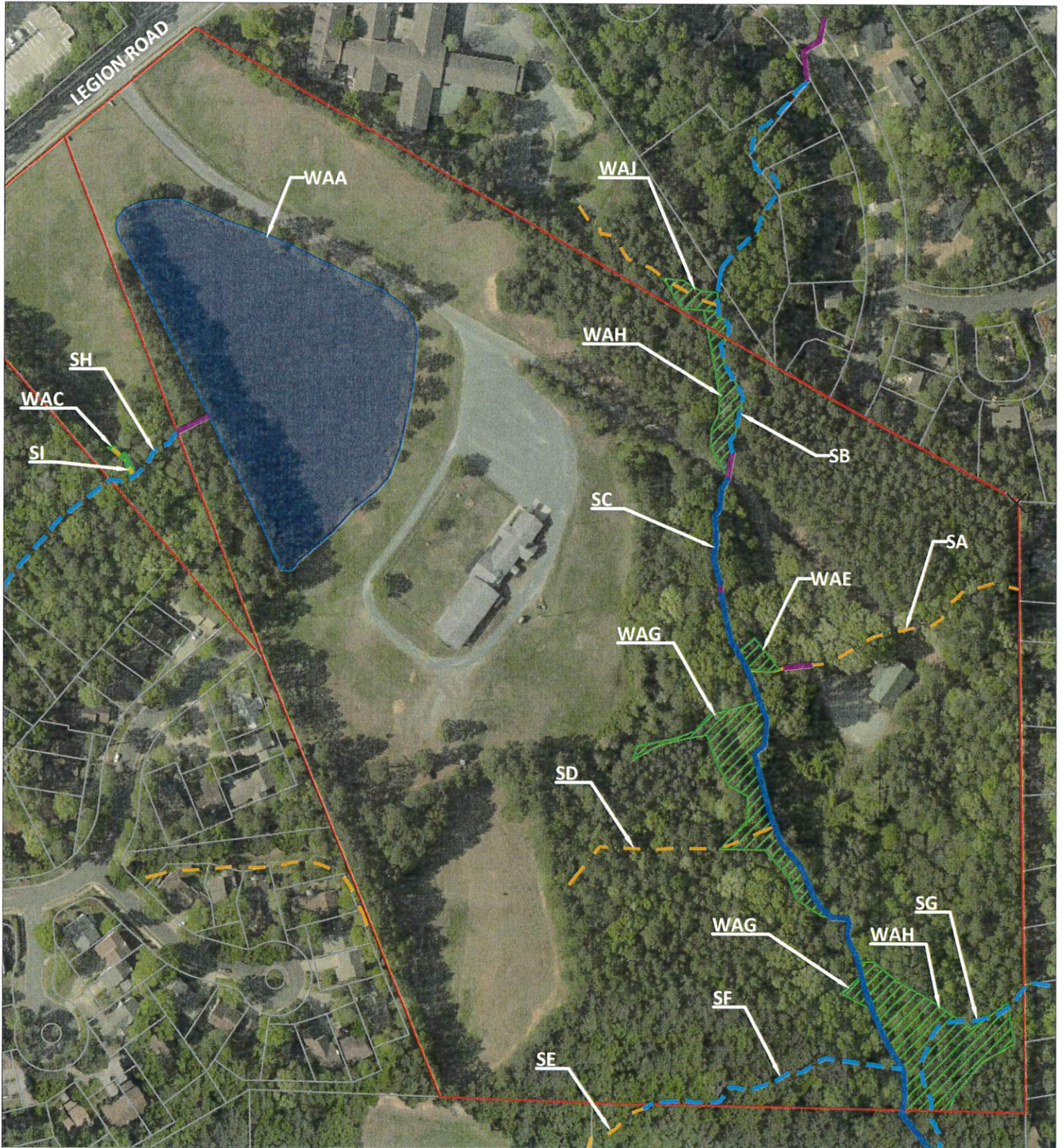
FEBRUARY 7, 2020

DRAWING SCALE: 1" = 200'



LEGEND

PROPERTY LINE		WETLAND AREA	
PERENNIAL STREAM		POND	
INTERMITTENT STREAM		CULVERT	
EPHEMERAL STREAM			



WETLANDS DELINEATED BY HART & HICKMAN 2/14/2019. STREAMS CLASSIFIED BY TOWN OF CHAPEL HILL 2/26/2019.

Stream Determination Area Map

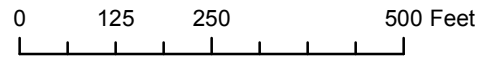
- ⋯ Unclassified Stream
- - - Ephemeral Stream
- · - · - Intermittent Stream
- Perennial Stream
- Culverts
- 2-foot Contours
- 10-foot Contours
- Buildings
- Parcels
- Addresses
- Approximate Jordan Buffer
- Subject Property

- Possible Jurisdictional Wetlands
- Non-perennial Waterbody
- Wide Perennial Stream
- Perennial Waterbody

- Flood Zones**
- 100-year floodplain
 - Ephemeral Breakpoint
 - Intermittent Breakpoint
 - Perennial Breakpoint

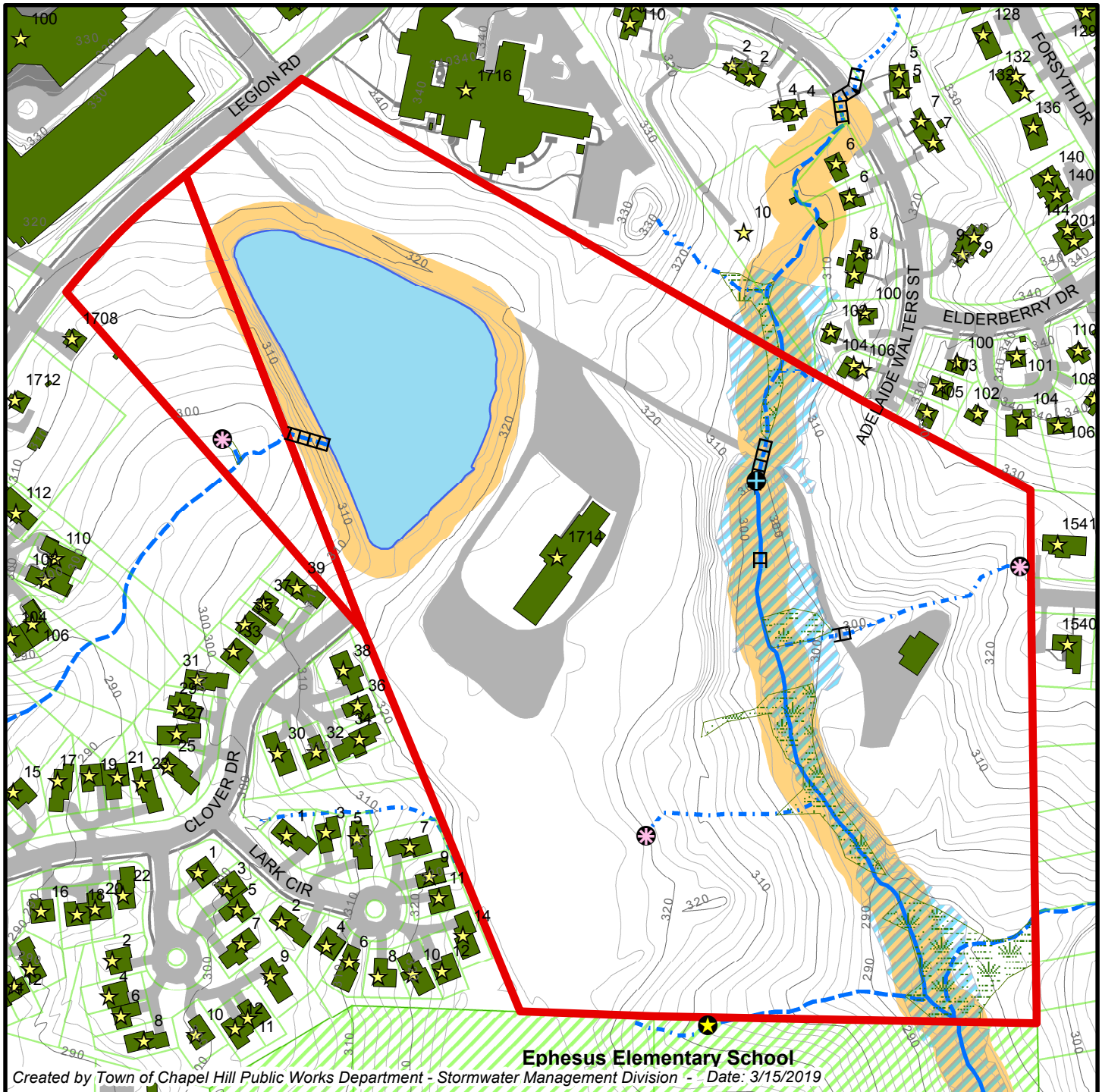
Address: 1714 Legion Road, Chapel Hill, NC

Parcel ID: 9799-55-5951 & 9799-46-7392



1 inch = 250 feet

Stream and wetland locations are approximate and must be verified by survey. Buffers are measured from top of bank. RCD buffers may apply. Please contact the Town of Chapel Hill Planning Department to verify.



Ephesus Elementary School



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 3., File #: [23-0433], Version: 1

Meeting Date: 5/17/2023

Discuss the Report and Recommendations from the Gaps Analysis and Engagement Study.

Staff:

Sarah Vinas, Director
Rebecca Buzzard, Community Connections Manager

Department:

Affordable Housing and Community Connections

Overview: The Gaps Analysis and Engagement Study is a multi-phased process that engaged residents, community partners, and Town departments to explore who is missing from Town engagement and identify barriers to engagement. The Study also recommends how the Town can strengthen engagement efforts to align with the Town's equity goals and long-standing Council commitment to creating an inclusive community. An informational item with this content was provided at the March 22, 2023 Council Meeting.



Recommendation(s):

That the Council receive this report and provide input on prioritization of implementation steps.

Overview of the Gaps Analysis and Engagement Study

Making meaningful progress towards the Town's goal of creating a healthy and inclusive community requires that the Town center the voices of residents most impacted by Town decisions and engage historically marginalized populations in decision-making processes. Conducting a Gaps Analysis to identify populations that are under-engaged with the Town and completing an Engagement Study to deepen the Town's understanding of the reasons for under-engagement aligns with Town Council Goals, as well as our [Community Connections Strategy <https://www.townofchapelhill.org/government/departments-services/housing-and-community/community-connections/immigrants-and-refugees/language-access>](https://www.townofchapelhill.org/government/departments-services/housing-and-community/community-connections/immigrants-and-refugees/language-access), the Town's framework for equitable community engagement.

The Gaps Analysis and Engagement Study identifies populations that the Town is not reaching, deepens our understanding behind this historical lack of engagement, and provides recommendations for community engagement for the future.

What We Learned

Through this Study, the project team identified populations that have been under-engaged by the Town. This Study also revealed three major themes related to barriers to engagement in Town decision-making, programs, and services: trust and accountability, communication, and inclusivity. Finally, through the Study the project team identified recommendations and immediate next steps to further center equity in our community engagement.

Fiscal Impact/Resources: The total cost of this project was \$18,519, including compensation of community facilitators and residents who participated in community conversations, as well consultant services. Many of the immediate next steps are being accomplished with no additional financial resources, beyond staff time. The employee language pay incentive is included in the Manager's Recommended Budget for FY24, which if approved, would strengthen our capacity to carry out the language access recommendations of this Study. Additional funding will be required for implementation next fiscal year

and beyond for expansion of paid engagement, communications tools, and other recommendations identified in this Study.

**Attachments:**

- Draft Staff Presentation
- Engagement Study Summary Report

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

PRESENTER: Sarah Osmer Vinas, Director of Affordable Housing and Community Connections
Rebecca Buzzard, Community Connections Manager
Zequel Hall, Community Connections Coordinator
Katelyn Robalino, Community Connections Coordinator

The purpose of this item is to share the results of the Gaps Analysis and Engagement Study and receive Council input on prioritization of implementation steps.

Gaps Analysis & Engagement Study

Summary and Recommendations

Draft



Town Council Work Session
May 17, 2023



Agenda

1) Background

2) Purpose & Approach

3) What We Learned

4) Next Steps



Draft



Council Consideration

- Receive this report and provide input on prioritization of implementation steps



Centering Equity in our Approach to Engagement

- Alignment with Council Goals & One Orange Racial Equity Framework
- Supports success of Complete Community implementation
- Strategy outlined in our Community Connections Equitable Engagement Framework



COMPLETE
COMMUNITY
STRATEGY



Purpose & Approach

Purpose of the Study

1. Identify populations not engaged
2. Deepen our understanding of the reasons for lack of engagement
3. Develop recommendations for new equitable community engagement approaches



Three Phases of the Study

1 Community Partners

2 Internal Analysis

3 Community Conversations

Draft



Purpose & Approach

1 Community Partners

19

Community Partner
Survey Responses

9

Community Partner
Interviews



Shared Perspective on:

- Communities Engaged
- Engagement Barriers
- Successful Equitable Engagement Ideas

Draft



2

Internal Analysis

100%

Town
Department
Participation in
Interviews & Survey

Shared Perspective on:

- Communities Engaged
- Engagement Barriers
- Successful Equitable Engagement Ideas

draft



Purpose & Approach

3 Community Conversations

7

Community Facilitators

5

Languages

9

Community Conversations

169

Residents Participated in Community Conversations



Residents from Under-Engaged Populations Shared:

- Feedback on their experience engaging with the Town
- Reasons for not engaging
- Ideas for how the Town should do engagement differently

***Facilitators & participants compensated for their expertise**



Purpose & Approach



Purpose & Approach

Under-Engaged Populations

- 1. Black or African American residents**
- 2. Immigrant & Refugee residents**
- 3. Low-income residents**
 - Seniors on a fixed income
 - Public housing residents
 - Manufactured home communities
- 4. Students & Young Adults**
- 5. Renters**

Draft



What We Learned

Engagement Themes



Trust & Accountability



Communication



Inclusivity

Draft



What We Learned

Trust & Accountability

What We Heard:

- Leadership Interactions
- Institutional – Systemic Disenfranchisement
- Purpose of Engagement
- Relevance

Recommendations:

- Expand compensated engagement
- Meet People Where They Are
- Set Clear Expectations
- Improve Follow Through

Draft



What We Learned

Communication

What we heard:

- Diverse Preferences
- Reliance on Community Partners
- Lack of Awareness of Services
- Literacy Barriers
- Language Access

Recommendations:

- Know the target audience & tailor communications
- Continue & expand language access
- Expand opportunities for face-to-face communications
- Develop a service guide
- Create a Town App
- Expand training & learning opportunities



Inclusivity

What We Heard:

- Meeting Location and Schedule
- Layers of Barriers to Participation
- Renters and BIPOC residents feel particularly excluded

Recommendations:

- Alter the structure & schedule of Town meetings
- Expand existing incentives
- Jointly design programs & policies
- Intentionally focus on including renters and BIPOC populations
- Make representation more inclusive



What We Learned

Progress to Date on Next Steps

Completed:

- ✓ Incorporated implementation steps into work plan
- ✓ Met with departments to review results and feedback
- ✓ Reviewed paid engagement process and including in future projects
- ✓ Participated in Public Housing pop-ups
- ✓ Purchased technology tools to support engagement and outreach
- ✓ Updated Engagement Toolkit and templates
- ✓ Created Prototype of Engagement Demographic Summary
- ✓ Developed multi-lingual video content for several initiatives

In Progress:

- ✓ Piloting regular community office hours
- ✓ Piloting the use of WhatsApp as communications tool
- ✓ Townwide Language Incentive included in Manager's Recommended Budget
- ✓ Providing Language Access training employees
- ✓ Working with community partners to develop list of holidays and celebrations to recognize
- ✓ Conducting targeted outreach for Neighborhood Liaison program

And much more to come...



Next Steps

Thank You!

**DR. IRMA MCCLAURIN
COMMUNITY PARTNERS
TOWN DEPARTMENTS &
LEADERSHIP**

COMMUNITY FACILITATORS

- Kathy Atwater
- Betty Curry
- Deirdre Keenan
- Rubi Morales
- Katie Palmer
- Samuel Rushombo
- Hsar Paw Paw Wei

Chapel Hill



Acknowledgements



Council Consideration

- Receive this report and provide input on prioritization of implementation steps





Town of Chapel Hill



Engagement Study Summary

April 2023

**Prepared by Town of Chapel Hill
Affordable Housing and Community Connections Staff**

Table of Contents

03 Overview

05 Background

06 Purpose and Approach

08 What We Learned

15 Immediate Next Steps

16 Acknowledgements

18 Appendix

To learn more, contact:

Sarah Viñas, Director of Affordable Housing and Community Connections, svinas@townofchapelhill.org

Rebecca Buzzard, Community Connections Manager, rbuzzard@townofchapelhill.org

Last Updated April 2023



Town of Chapel Hill Engagement Study

Background

Making meaningful progress towards the Town's goal of creating a vibrant and inclusive community requires that the Town center the voices of residents most impacted by Town decisions and engage marginalized populations in the Town's decision-making processes. Historically, local governments have played a role in creating and maintaining institutional barriers to participation. While many local governments have made great strides in reversing policies and practices that exclude marginalized populations, there is still much progress to be made.

Conducting a Gap Analysis to identify populations that are under-engaged with the Town and completing an Engagement Study to deepen the Town's understanding of the reasons for under engagement aligns with the [Town Council Goals](#) and [Community Connections Strategy](#), and represents an essential step towards addressing long-standing, institutionalized barriers to participation in Town government.

Purpose and Approach

This Study aims to identify populations in Chapel Hill that the Town is not reaching, deepen the Town's understanding behind this historical lack of engagement, and identify recommendations for future community engagement consistent with the [Town's equity and inclusion goals](#). To achieve these objectives, the project team used a three-phased approach: Phase 1: Community Partner Interviews and Survey, Phase 2: Internal Analysis of Town Materials and Strategies, and Phase 3: Resident-led Community Conversations.

What We Learned

Through this Study, the project team (see Appendix) identified what populations are under-engaged by the Town and major themes related to barriers to participation and engagement in Town decision-making, programs, and services. The under-engaged populations and theme areas related to barriers to engagement are listed below.

Under-Engaged Populations

- 1. Black or African American residents**
- 2. Immigrant and refugee residents, especially speakers of languages other than English**
- 3. Low-income residents (including seniors on a fixed income, public housing residents, and manufactured home park residents)**
- 4. Students and young adults**
- 5. Renters**

Engagement Themes

The following theme areas emerged related to barriers to engagement:



Trust & Accountability



Communication



Inclusivity



Recommendations

The following 15 recommendations emerged through this Study:

1. **Expand compensated engagement:** Offer paid engagement opportunities to residents who are part of under-engaged populations.
2. **Meet people where they are:** Create more opportunities for consistent in-person interactions with Town staff to help residents feel more connected and comfortable providing input on issues.
3. **Set clear expectations:** Clearly define what type of participation the Town is seeking and be transparent about why and what results residents should expect.
4. **Improve follow through:** Follow through on action items identified by residents and share information about how the Town used input received to inform decision-making.
5. **Know the target audience:** Tailor Town communications to the intended populations most impacted.
6. **Continue and expand Language Access work:** Create additional multi-lingual communication tools, make interpretation and translation services more broadly available, and focus on hiring more multi-lingual and multi-cultural staff.
7. **Expand opportunities for face-to-face communication in the community:** Host mobile office hours in neighborhoods to provide opportunities for ongoing relationship building, information sharing, and input.
8. **Develop a services guide:** Partner with other local governments and institutional partners to develop a guide summarizing who is responsible for specific services and include contact information.
9. **Create a Town app:** This tool would allow residents to easily access Town resource information and services.
10. **Expand training and learning opportunities:** Continue Diversity, Equity, and Inclusion and Language Access trainings with Town staff, as well as partner with agencies to expand the offerings of English as a Second Language (ESL) classes.
11. **Alter the structure and schedule of Town meetings:** Hold meetings at different times of day in more varied locations in the community, as well as offer a hybrid option.
12. **Intentionally focus on including renters and Black, Indigenous, and people of color (BIPOC) populations:** Expand outreach and engagement of renters and BIPOC populations, in particular, given strong feelings of exclusion expressed by these populations.
13. **Expand existing incentives for participation:** Provide food, transportation, childcare, and digital support for a broader range of Town meetings.
14. **Jointly design programs and policies:** Collaborate with residents from historically under-engaged populations to design programs and policies that directly impact their communities.
15. **Make representation more inclusive:** Make marketing materials, staff, and the focus of events more inclusive of under-engaged communities. See the full Summary Report for additional details.

The Study also identifies proposed immediate next steps that the Town will take to respond to the recommendations identified through this effort.

Background

Making meaningful progress towards the Town's goal of creating a vibrant and inclusive community requires that the Town center the voices of residents most impacted by Town decisions and engage historically marginalized populations in the Town's decision-making processes. Conducting a Gap Analysis to identify populations that are under-engaged with the Town and completing an Engagement Study to deepen the Town's understanding of the reasons for under engagement aligns with the [Town Council Goals](#) and the [Community Connections Strategy](#), the Town's equitable community engagement framework.

Historically, local governments have played a role in creating and maintaining institutional barriers to participation for people of color, women, LGBTQ+, immigrants, refugees, people with disabilities, and other populations. While many local governments have made great strides in reversing policies and practices that exclude marginalized populations, there is still much progress to be made.

Through a multi-phased process, this Study engaged residents, community partners, and Town departments and examined data sources to explore who is missing from Town engagement, barriers to engagement, and recommendations for how the Town can strengthen engagement efforts to align with the [Town's equity goals](#) and the long-standing Council commitment to creating a vibrant and inclusive community.

In addition to summarizing what the Town learned and making recommendations to address key findings, this report outlines immediate next steps that the Town can take. The identified next steps respond to what the Town heard and demonstrates to those who shared their experiences and ideas that the Town is committed to change and further centering equity in the Town's engagement efforts going forward.



Purpose and Approach

This Study aims to identify populations in Chapel Hill that the Town is not reaching, deepen the Town's understanding behind this historical lack of engagement, and identify recommendations for community engagement for the future consistent with the Town's equity and inclusion goals.

Primary Objectives:

1. Identify populations currently not engaged
2. Deepen the Town's understanding of the reasons for this lack of engagement
3. Develop recommendations for new equitable community engagement approaches

To achieve these objectives, the project team, in collaboration with the Town's consultant for the project, Dr. Irma McClaurin, used a three phased approach. Dr. McClaurin assisted with the design of the study components, as well as with the synthesis of information for Phases 1 and 2. She also provided subject matter expertise throughout the process.

Phase 1: Community Partner Interviews and Survey

In the Spring and Summer of 2022, the project team distributed a survey and conducted interviews with community partners who frequently engage with populations historically under-engaged in Town decision-making processes and programs. Nineteen community partners responded to the survey and nine community organizations participated in interviews (see acknowledgement section for full list of respondents). Through the interviews and survey responses, community partners shared their perspectives on what communities they primarily serve, barriers they face in interacting with historically under-engaged communities, and ideas for how the Town can better involve the communities they serve.

Phase 2: Internal Analysis of Town Materials and Strategies

In the Spring and Summer of 2022, representatives from all twenty departments in the Town participated in interviews with the project team. The interviews focused on assessing the level of collaboration among Town departments and historically under-engaged populations, as well as questions similar to those posed to community partners focused on issues of access, barriers, and strategies for reaching under-engaged populations.

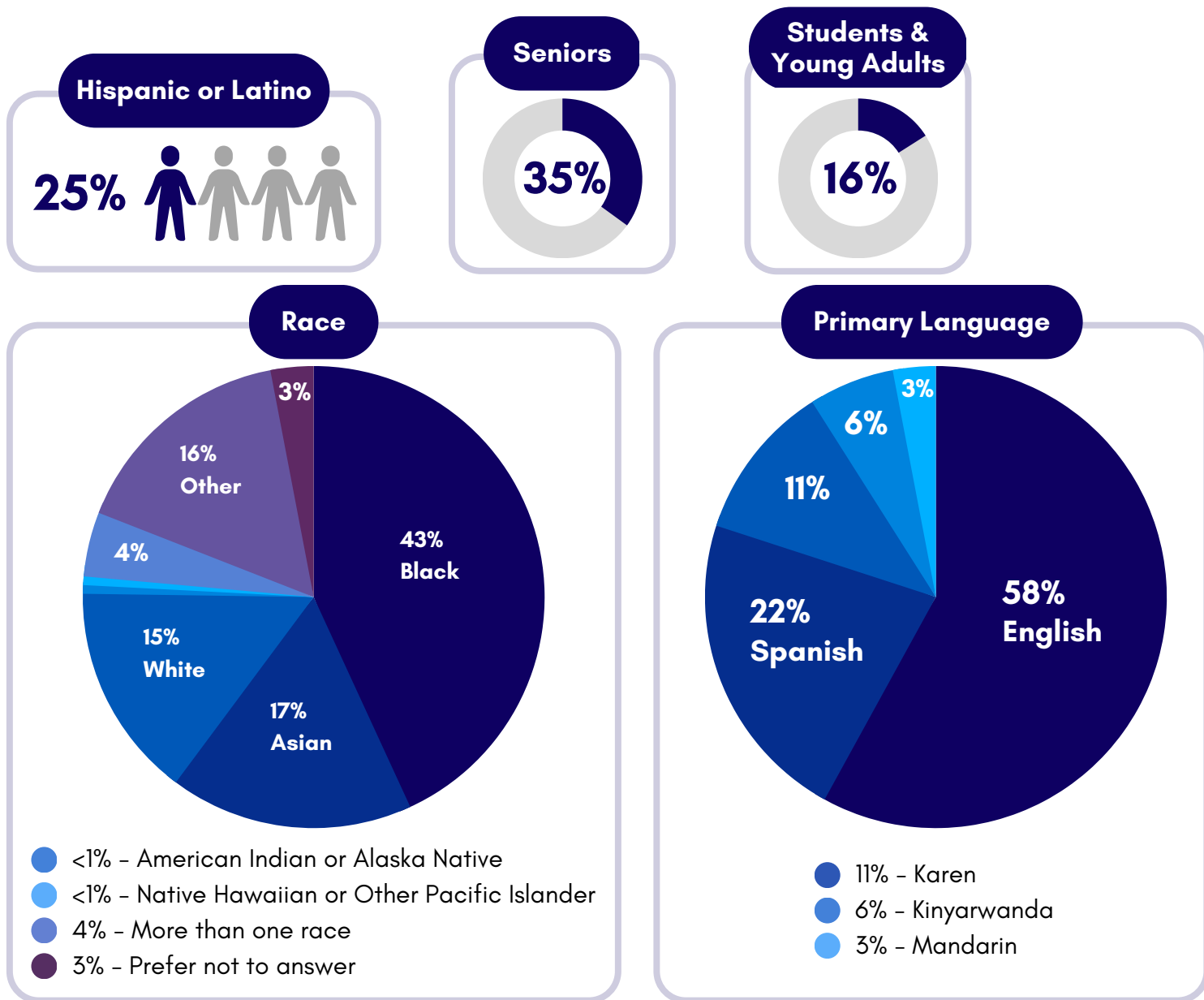
The project team, in conjunction with Dr. McClaurin, used the findings from Phases 1 and 2 to guide the final Phase of the Study. The information provided from the community partners and Town departments, as well as data on who the Town typically engages provided in the appendix of this report, helped identify population gaps in current engagement efforts.

Phase 3: Resident-Led Community Conversations

In the Fall and Winter of 2022, the project team launched the final phase of the Study where we engaged directly with residents who have been historically under-engaged by the Town. This phase of the Study involved compensating community members from the groups identified to lead community conversations with their friends, neighbors, and broader social networks.

Community partners provided recommendations to the project team on community leaders that would be excellent facilitators. The project team worked with the Town's Diversity, Equity, and Inclusion Office to design and provide an orientation and training on meeting facilitation for the community facilitators. The community facilitators hosted nine sessions involving 169 residents in various locations throughout the community and in five languages.

The demographic data for the participants of the Community Conversations shows that this Study successfully reached the populations identified as being historically under-engaged in Phases 1 and 2 and reflect a notable distinction from the demographics of the populations typically engaged with the Town (see Appendix for additional details).



What We Learned

Through this Study, which included engagement of residents, community partners, and Town departments, the project team identified what populations are under-engaged by the Town, and major themes related to barriers to engagement in Town decision-making, programs, and services. Each of the barriers noted below were reflected in all three phases of the Study. Where there were substantial differences across populations in the results, the team disaggregated the data and noted the specifics in this section. In addition to summarizing key findings, this section also includes recommendations for the Town to consider to address barriers and better align the Town's community engagement practices with the Town's equity goals.

Under-Engaged Populations

Through engagement of community partners and Town departments and a review of data on who the Town typically engages (see Appendix), the project team identified populations that the Town is under-engaging. The data reveals that historically, the populations the Town has engaged skew White, older, and non-Hispanic/Latino (see Appendix). Conversely, the data also reveals that the following populations have been historically under-engaged by the Town:

1. **Black or African American residents**
2. **Immigrant and refugee residents, especially speakers of languages other than English**
3. **Low-income residents (including seniors on a fixed income, public housing residents, and manufactured home park residents)**
4. **Students and young adults**
5. **Renters**

Engagement Themes

Through this Study, three main theme areas emerged related to barriers residents face to engagement with the Town:



Trust & Accountability



Communication



Inclusivity

Trust & Accountability



Trust was the number one overarching theme area that emerged through this Study. Residents noted trust is the key barrier to engagement with the Town. Community partners and Town staff also emphasized trust as a key challenge. Lack of accountability was also mentioned in relation to trust. Under-engaged residents often do not feel heard or know who they can hold responsible if they are dissatisfied.

Key words related to this theme area include: dependability, consistency, relevance, perseverance, transparency, and integrity.

"What is the Town going to do about the trust issues? We have done surveys before, and nothing has changed."

"To what extent are these surveys being used to say underserved communities were considered, these communities' interests are not being translated into policies."

Across demographic groups, residents indicated that trust needs to be improved in order for residents to feel compelled to engage with Town programs and decision-making processes.


- **Leadership interactions:** Residents frequently equated the "Town" with the elected officials and advisory board members, both groups with which they had limited interaction. Residents reported that their interaction at public meetings often led them to not feel heard. They indicated that it is hard to feel heard in the public meeting setting because of the rigid processes, three minute time limit, and structured agendas. Northside residents, Public Housing residents, and student populations noted that they have shared information with the Town Council and felt that little change resulted, which made them feel unheard.
- **Institutional - systemic disenfranchisement:** Given the history of local governments in perpetuating racism through policies and practices, as well as the lived experience of many immigrant and refugee residents with government corruption and political persecution in their countries of origin, many residents expressed their reluctance to trust government. Black/African American residents and immigrant and refugee groups highlighted this as a key barrier to trusting the Town and expressed that it is hard to believe that local government systems are changing and feel welcome.
- **Purpose of engagement:** Residents expressed frustration that they were frequently asked for their opinions but felt that their input was not used to create policies. Town staff also noted that they are frequently asked to gather input from the community on various topics, but it is not always relevant to the whole community, the request is unclear, and the results do not often impact policy decisions.
- **Relevance:** Community partners also expressed concern about the relevance of the topics on which they were asked to provide input. Many of the planning topics, which often become highly technical and detailed, are not aligned with the concerns and issues impacting the lives of many of the residents they serve, especially those from marginalized populations.

Trust & Accountability (cont.)

Recommendations:

- **Expand compensated engagement:** Residents and community partners recommend that the Town should continue to offer paid engagement opportunities to residents who are part of under-engaged populations to lead community engagement efforts, in collaboration with Town staff.
- **Meet people where they are:** Create more opportunities for consistent face-to-face interactions with Town staff within under-engaged populations to help residents feel more connected and comfortable providing input on issues.
- **Set clear expectations:** Clearly define what type of participation the Town is seeking and be transparent about why and what results community members should expect.
- **Improve follow through:** Build trust by following through with action items identified by residents. Develop a follow-up process that includes circling back to residents to let them know how their input was considered and what the outcome was. The Town should also establish a new standard for reflecting back community input on planning efforts to the Town Council, including information about who was engaged and how the Town engaged populations most impacted.

The [International Association for Public Participation](#) Spectrum of Public Participation is used to help with selecting the level of public participation in a process, showing the public participation goal and the promise made to the public for each level of public participation.

INCREASING IMPACT ON THE DECISION 					
	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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Communication



Through the Study we also learned that communication is another key barrier to further engagement with the Town. The Study highlighted that different populations have varied communication needs and preferences.

The engagement of community organizations and residents, also highlighted the importance of targeting and tailoring Town messages to these needs and preferences, including preferred language.

"When the Town is conducting these surveys or posting on social media, they need to take into account that some of our residents cannot read and write."

"When we see things on social media, the time has already passed [for that event/resource]. It gets to us too late."

"I have gone to community meetings twice, but the Town has not offered interpretation."

- **Diverse preferences:** Residents and community partners shared varied preferences in terms of communication. The Study highlighted that race/ethnicity cannot be used as singular indicators – age and other demographics and life experiences also matter.
 - Seniors expressed a preference for newsletters, door to door interaction, and in person meetings.
 - Students preferred digital communications almost exclusively, including email, apps, and social media.
 - Speakers of languages other than English preferred in person meetings with trusted partners and text and audio through WhatsApp.
- **Reliance on community partners:** The Town's reliance on community partners to share key messages with residents sometimes leads to delays in messages being shared and prevents residents from being able to ask immediate follow-up questions. It also places an undue burden on community partners.
- **Lack of awareness of services:** Many residents are unaware of where to go for information because they do not know who is responsible for which services: school system, Town, County, or state. Many speakers of languages other than English assume there are not services and accept this instead of asking for guidance.
- **Literacy barriers:** Residents indicated that literacy is a significant barrier to written communications, especially among residents who speak languages other than English. Even for those who are literate, the use of jargon and technical language prevents many in the community from understanding Town communications.

Biggest challenge Residents face when interacting with the Town

50%

of residents are unaware of services, resources, and events

Communication (cont.)

- **Language Access:** Many residents and community partners are not aware of the Town's [language access services](#) and the Town's heavy use of digital platforms and written communications is not accessible to many residents who speak languages other than English.

Recommendations:

- **Know the target audience and tailor the communications to the intended populations:**
 - Rely less on written communication (flyers, website, and surveys).
 - Use plain language and graphics.
 - Look at opportunities to diversify communication methods, expanding on video, voice, and text message delivery systems already in place or under development.
- **Continue and expand Language Access work underway:** Residents recommend that the Town create additional multi-lingual communication tools, make interpretation and translation services more broadly available, and focus on hiring more multi-lingual and multi-cultural staff.
- **Expand opportunities for face-to-face communication in the community:** Across under-engaged populations, residents expressed a preference for face-to-face interactions with Town officials out in the community, rather than at Town facilities. Residents suggest that the Town should consider hosting mobile office hours in neighborhoods to provide opportunities for ongoing relationship building information sharing, and input from residents.
- **Develop a services guide:** Residents and community partners encourage the Town to partner with the County, School System, OWASA, and UNC to develop a succinct explanation of key services, including who is responsible for each service and contact information.
- **Create a Town app:** This tool would allow students and residents to browse resource information and services on a mobile device. The app could send Town news alerts and engagement opportunities.
- **Expand training and learning opportunities:** Residents and community partners recommend that the Town continue Diversity, Equity, and Inclusion and Language Access trainings with Town staff, as well as expand partnerships with community agencies that offer English as a Second Language (ESL) classes.

Inclusivity



The third and final engagement barrier that emerged through this Study was related to the lack of inclusivity. Residents indicate that they feel excluded from participating in Town services and processes due to inaccessibility and institutional marginalization.

"I used to regularly attend Council meetings. Now, it is too great of a health risk to attend in-person and I can't stream it on-line."

"How do they make decisions about our neighborhood without asking for our opinion? I feel like many of the decisions are made without even asking us what we think."

- **Meeting location and schedule:** Residents and community partners shared that Town meetings are not hosted in locations that are convenient to the community and are viewed as symbols of exclusion. They also expressed that the format, length, time meetings are held, and schedule of Town meetings makes it difficult for residents to participate consistently and meaningfully.
- **Layers of barriers to participation:** Residents shared that there are other serious barriers to participation in Town meetings include transportation, childcare, limited digital access, and language access. While some noted that the Town had done some work to address these barriers, much more needs to be done.
- **Renters feel particularly excluded:** Renters perceive that the Town values and listens to homeowners more than other groups, which discourages renters from sharing their perspective with the Town.
- **BIPOC (non-white, non-immigrant) residents:** Non-white residents feel that the Town values and listens to white residents more than BIPOC populations. This is a sentiment that came up in multiple community conversations with BIPOC residents and in interviews with community partners.

Recommendations:

- **Alter the structure and schedule of Town meetings:** Residents and community partners suggest that the Town should consider holding meetings at different times of day in more varied locations out in the community. They also suggest offering a hybrid option, particularly for Council meetings.
- **Intentionally focus on including renters:** Residents suggest that the Town should expand its outreach to renters. In particular, including them in all notifications about development applications.
- **Purposefully conduct greater outreach to BIPOC populations:** The Town should focus specifically on engagement with BIPOC populations, given the strong feeling of exclusion, through sustained efforts in BIPOC spaces.

Inclusivity (cont.)

Recommendations:

- **Expand existing incentives for participation:** Residents and community partners recommend that the Town should provide food, transportation, childcare, and digital support for a broader range of Town meetings. They also suggest that the Town continue and expand paid engagement opportunities that acknowledge and reward residents for their lived experience and expertise.
- **Jointly design programs and policies:** Residents encourage the Town to collaborate with residents from historically under-engaged populations to design programs and policies that directly impact their community.
- **Make representation more inclusive:** Residents and community partners recommend that the Town should make marketing materials, staff, and the focus of events more inclusive of diverse communities.

Immediate Next Steps

The project team identified the following immediate next steps the Town will take to respond to what we learned through this Study:

1. Develop a detailed implementation plan for the recommendations outlined in this report.
2. Meet with Town departments to share issues identified by residents not related to engagement.
3. Expand paid engagement opportunities for residents, building off the success of the community conversations piloted in this project. Explore opportunities for funding through the budget process.
4. Pilot having staff “office hours” at various spaces in the community to build relationships with residents, share Town information, and gather input on issues.
5. Provide food, childcare, transportation, and language services for a broader range of Town meetings. Explore options for adding back a hybrid option for Town Council meetings.
6. Update the Community Engagement Toolkit to reflect the results of the Engagement Study. After updating the Toolkit, staff will be trained and implementation will begin Town-wide. Staff propose operationalizing the Toolkit in the Planning Department first, where much of the Town’s community engagement is focused.
7. For initiatives that include community engagement, staff will share a summary of engagement demographics and key takeaways with the Council and community. Staff will develop an engagement summary template to begin using immediately.
8. Pilot the use of video and oral communication tools to share Town information and updates in the Town’s primary languages.
9. Create a multi-lingual pocket service guide that summarizes the roles and services provided by the Town and other local government and institutions. Staff will work with residents and community partners engaged in this Study to distribute the guide.
10. Explore opportunities to implement the pay incentive outlined in the Town’s Language Access Plan through the budget process for next fiscal year.
11. Continue and expand DEI and language access training for Town staff, in collaboration with the Town's DEI Officer and Human Resources staff.
12. Expand the recognition and visibility of historically under-represented communities through proclamations, community cultural events, images used in Town materials, and more (i.e. Burmese and Karen refugees, Latinx residents, etc.).
13. Continue to build out and implement the Town’s Neighborhood Liaisons program, with a focus on recruiting under-engaged populations to serve as Liaisons.

Acknowledgements

Consultant: Dr. Irma McClaurin, Irma McClaurin Associates

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 Laine Staton

Refugee Community Partnership:

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 Daniella Runyambo

Compass Center:

Diiv Sternman

Acknowledgements (cont.)

Community Partners Surveyed:

Amity United Methodist Church: Sandra Benavides

Club Nova: Karen Kincaid Dunn

Community Empowerment Fund: Donna Carrington

Community Home Trust: Daniele Berman

Dispute Settlement Center: Frances Henderson

El Futuro: Christa Atkinson

Exchange Club: Sarah Black

Hope Renovations: Sarah Campbell

Orange County Rape Crisis Center: Tracey Miller

Pathways to Change: John Williamson

Pee Wee Homes: Erika Walker

Planned Parenthood South Atlantic: Karina Martinez Romo

Rogers Eubanks Neighborhood Association: Robert L. Campbell

Soltys Place Adult Day Health: Melissa Bryant

The Arc of the Triangle: Michelle Foy

Transplanting Traditions Community Farm: Ree Ree Wei

Volunteers for Youth: Susan Worley

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Consultant

Dr. Irma McClaurin, Irma McClaurin Associates

Town Departments Surveyed:

Affordable Housing & Community Connections

Building & Development Services

Business Management

Communications & Public Affairs

Community Arts & Culture

Economic Development

Fire

Human Resource Development

Library

Ombuds

Parks & Recreation

Planning

Police

Public Housing

Public Works

Technology Solutions

Town Attorney

Town Manager

Transit

Graphic Design:

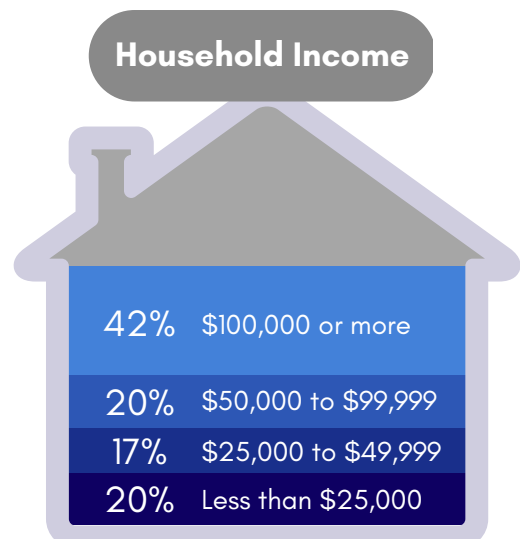
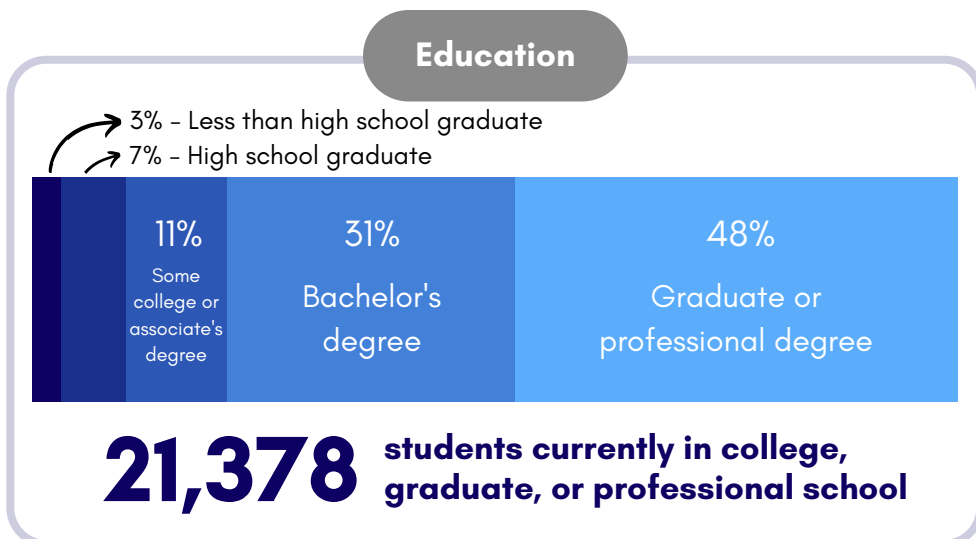
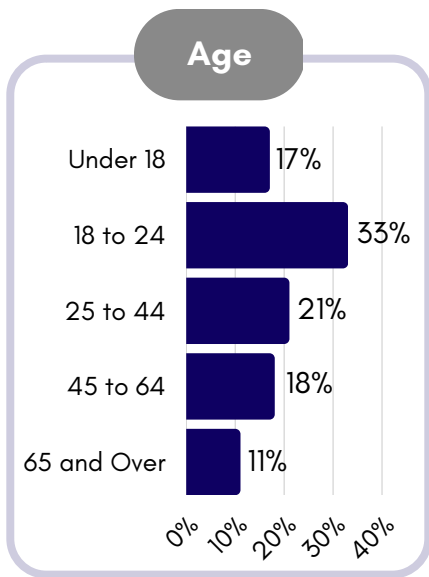
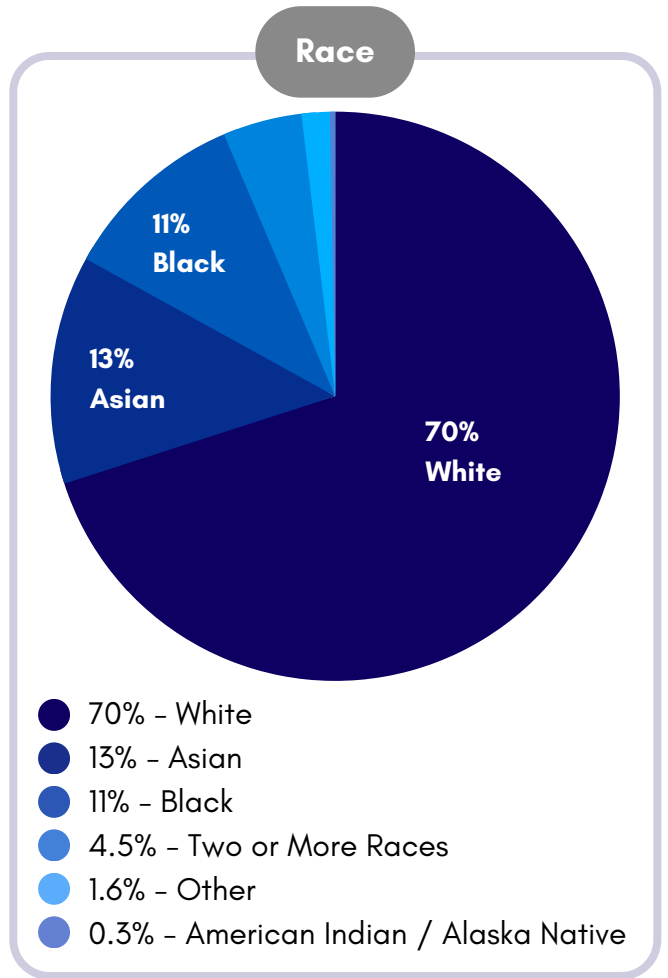
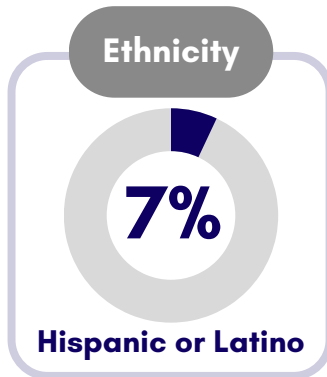
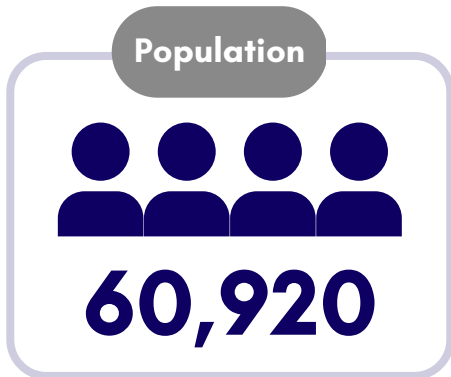
Thomas Chen, Research and Communications Specialist

Affordable Housing & Community Connections

Appendix

Demographic Overview of Chapel Hill

The following data is from the 2021 American Community Survey, 5-Year Estimates:



Appendix (cont.)

Who the Town is Currently Engaging

In addition to collecting data from Town departments and community partners on who is under-engaged by the Town, the project team also looked at existing Town data sources to assess what populations are engaged/under-engaged. The data sources available include:

- Community Survey
- Town Meeting Demographic Survey
- Town Boards and Commission Composition
- Planning Department Public Input Surveys

These data sources reveal that the populations currently engaged with the Town tend to skew White, older, and non-Hispanic/Latino. The section that follows provides additional details about the demographics of those who are engaged with the Town.

Community Survey

The [Community Survey](#) is conducted periodically to gather information about Chapel Hill residents' perceptions of Town programs and services. The Survey is sent to a randomized sample of households that is statistically significant. The Survey highlights important information about residents' perceptions of current engagement efforts and preferences related to communication and engagement. See below for additional details.

Key Findings Related to Engagement

50% of residents feel either neutral or like they do not have opportunities to participate in Town decision making.

48% of residents have not provided input to the Town.

47% of residents receive information through neighborhood associations

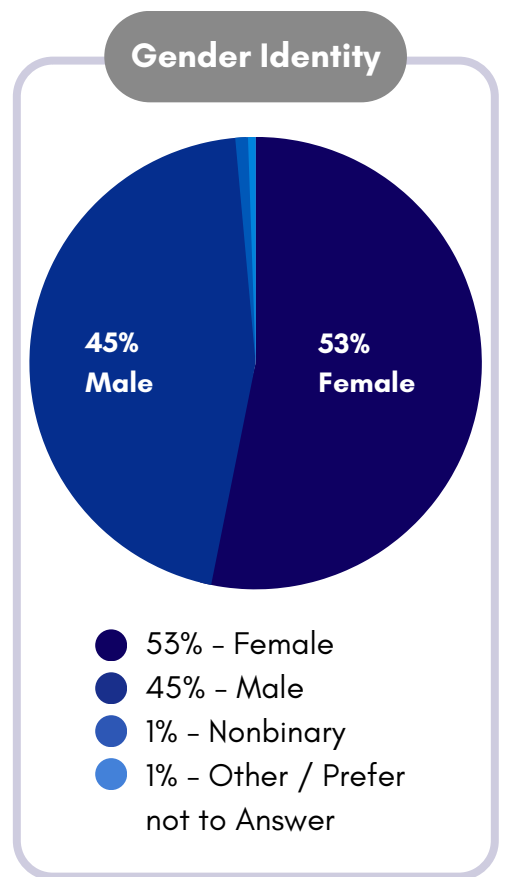
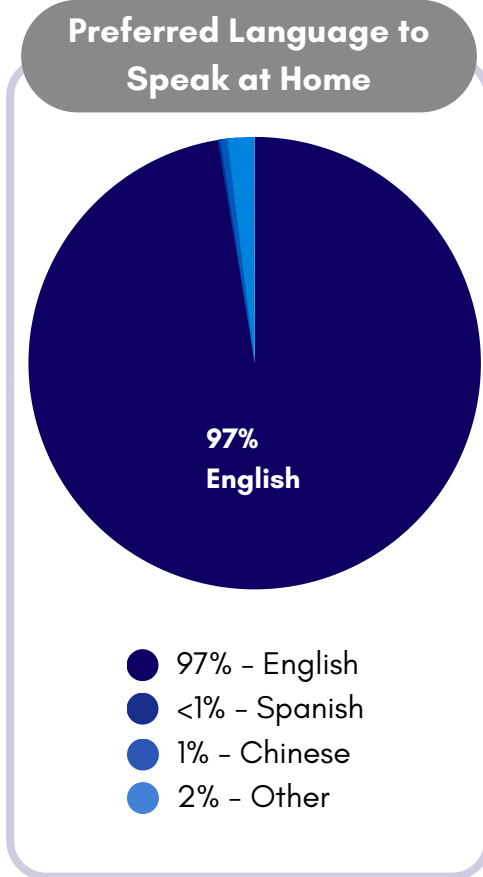
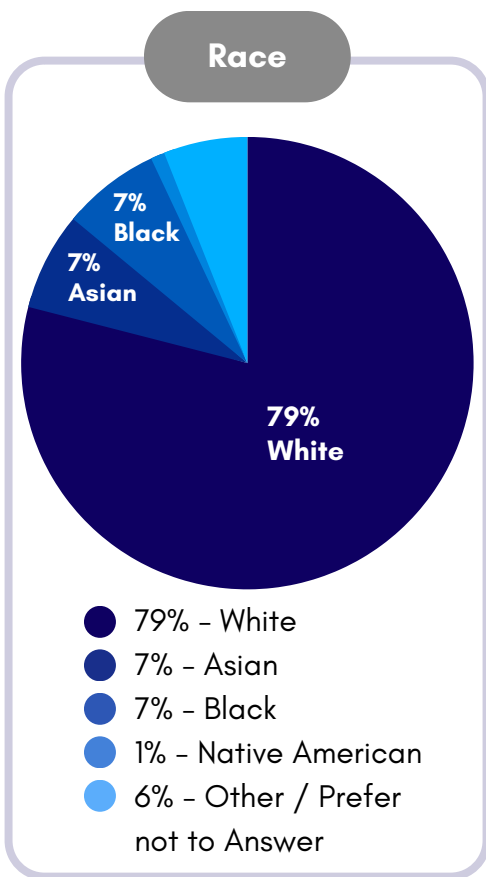
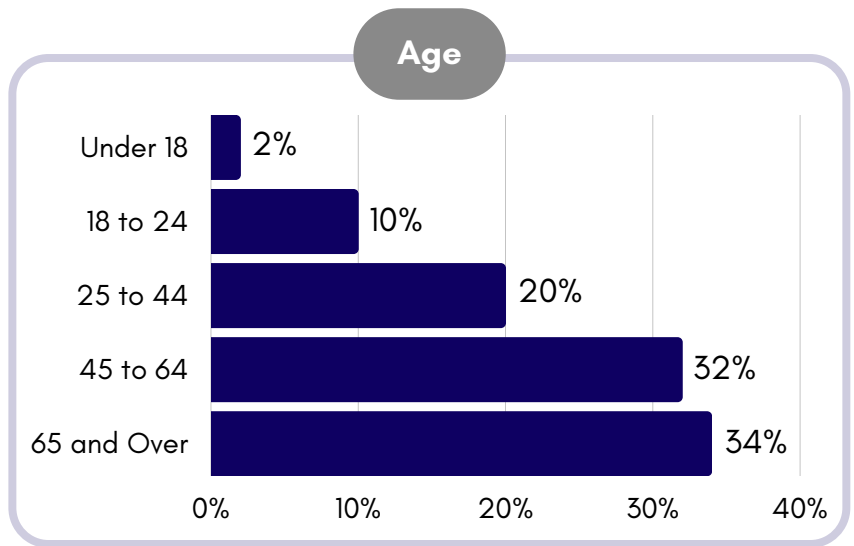
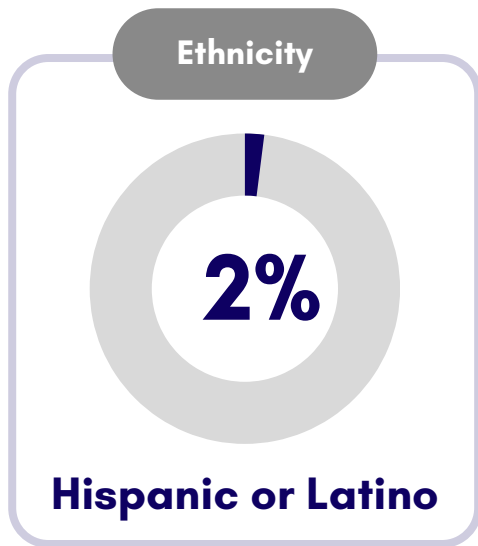
46% of residents receive information through the Town website

30% of residents prefer to receive Town news and information through a Town email subscription

Appendix (cont.)

Town Meetings Demographic Survey

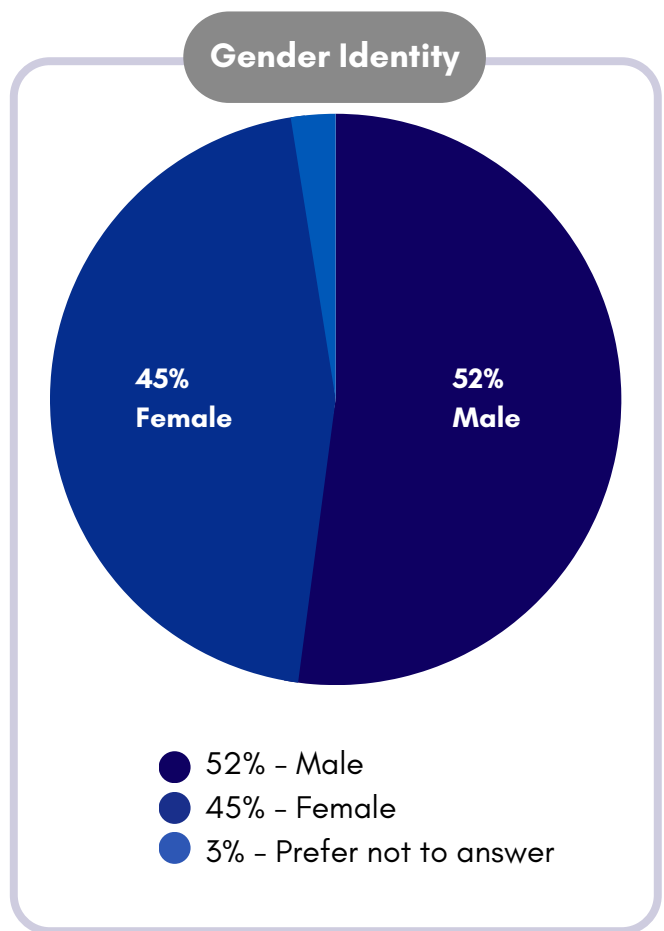
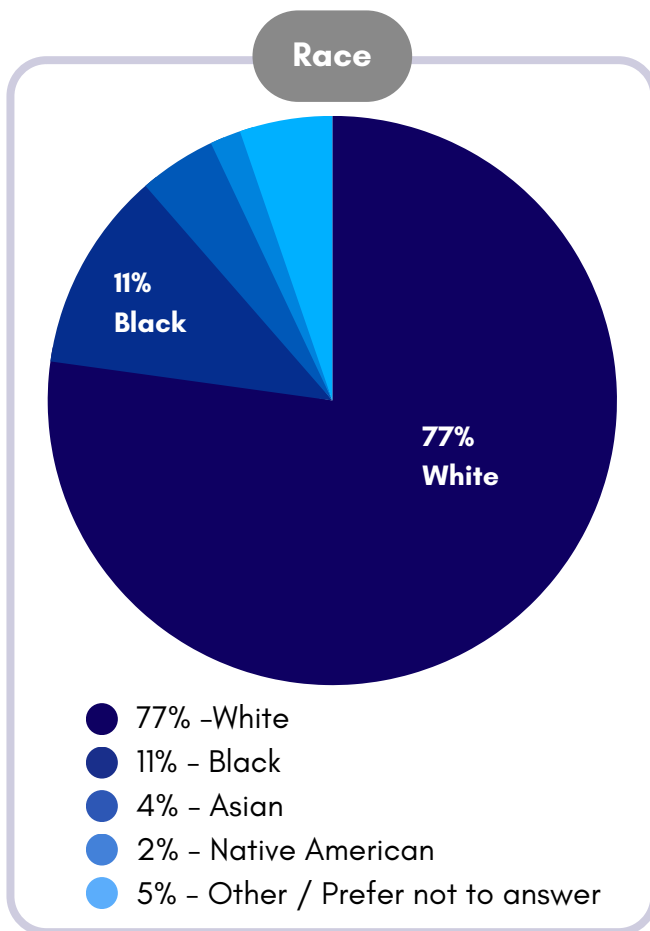
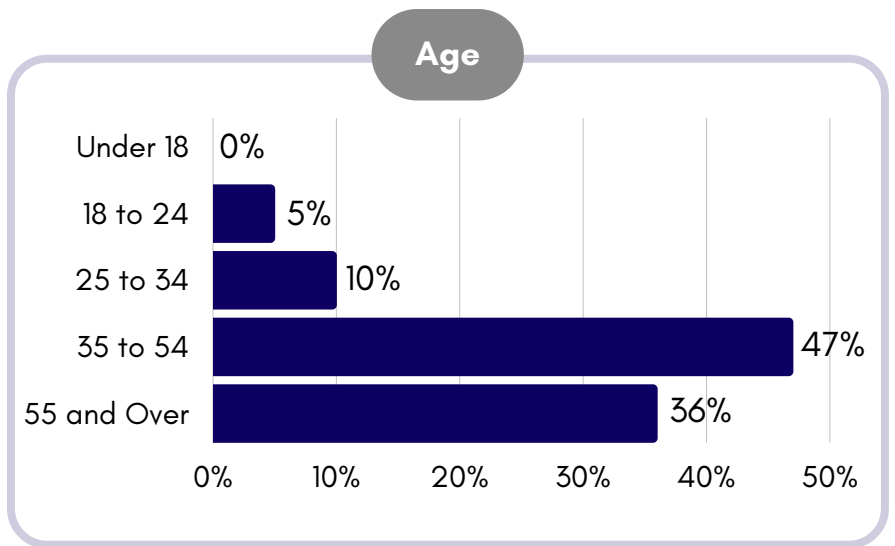
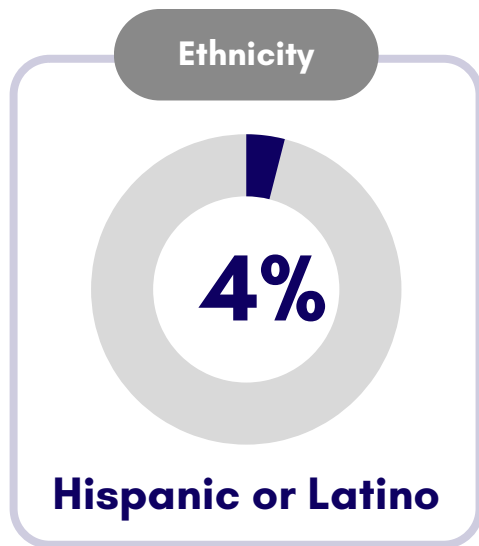
The [Town's demographic survey](#) is used to better understand who is participating in the Town's programs and processes, including Town Council business meetings and work sessions. It's important to note that the sample size is relatively small and the survey is voluntary.



Appendix (cont.)

Town Boards and Commissions

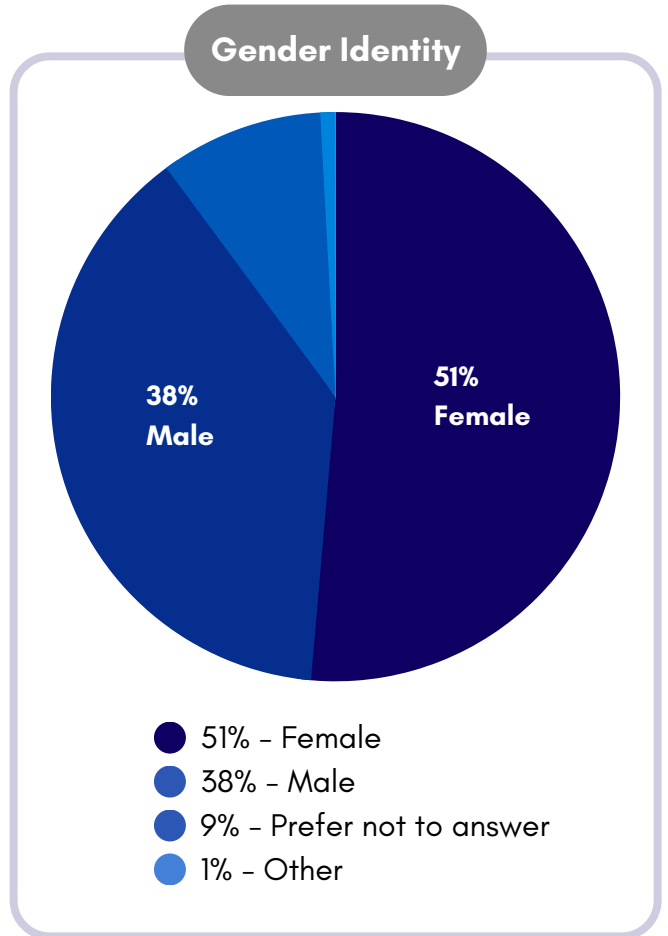
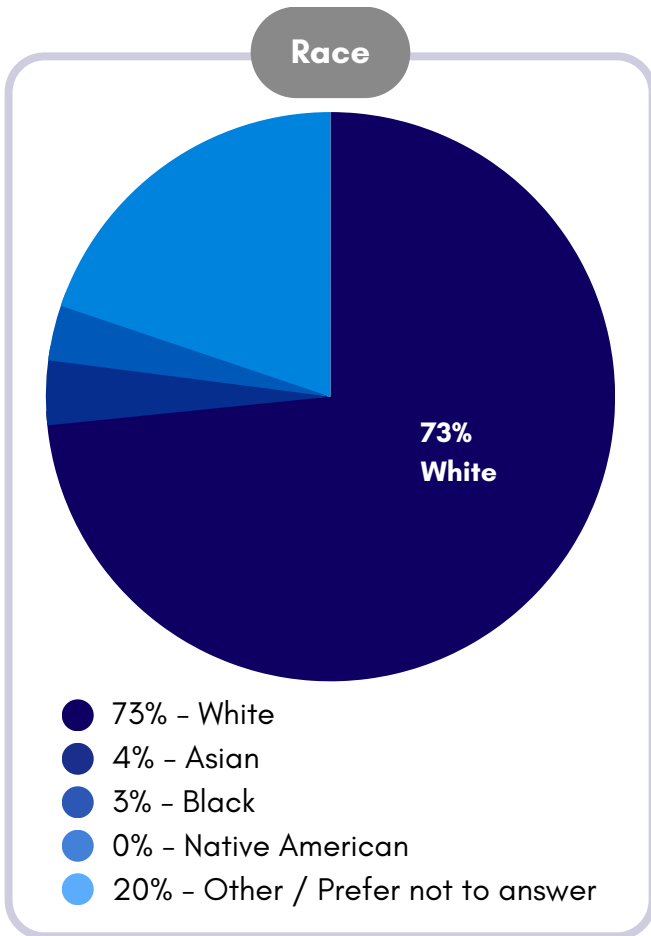
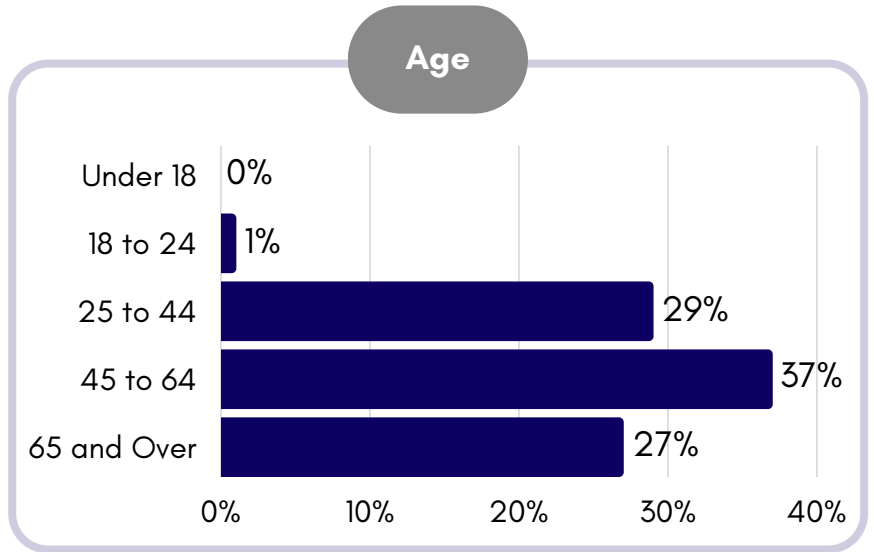
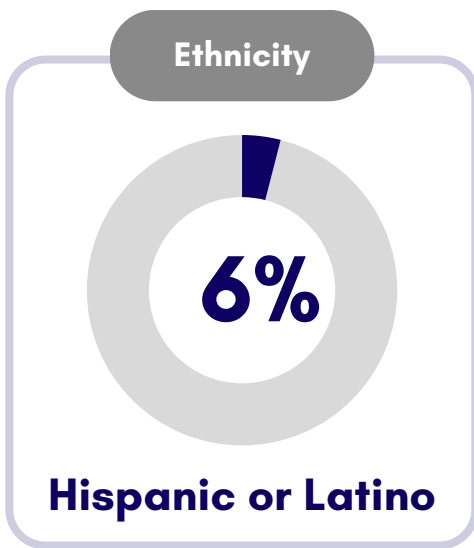
The Town has various boards and commissions that advise the Town Council on a wide range of issues. The Town's boards and commissions are comprised of residents who are appointed by the Town Council.



Appendix (cont.)

Planning Department Public Input Surveys

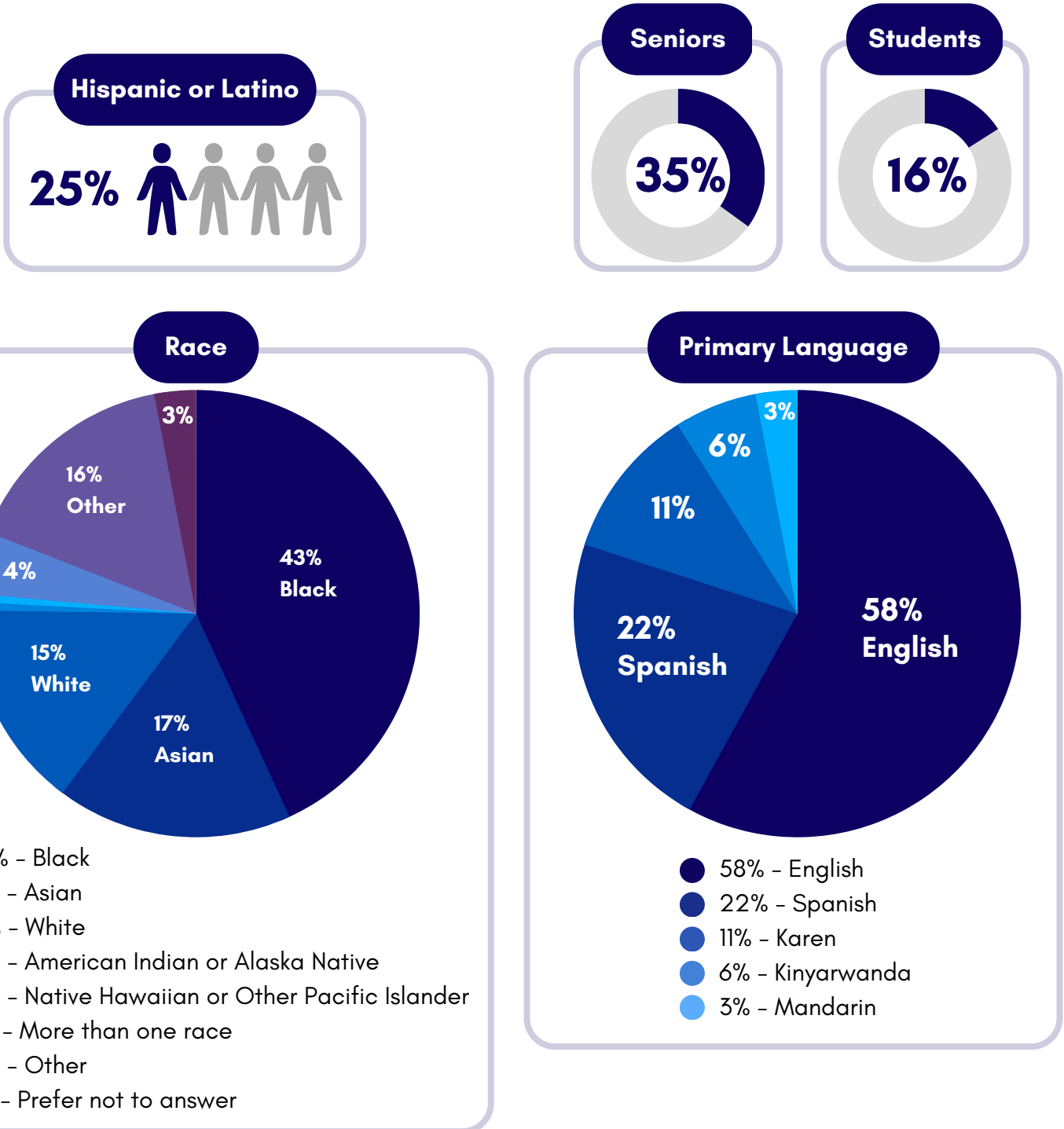
The Town’s Planning Department uses Public Input, an online platform, to gather input from residents on various topics. Below is a summary of the demographics of those who have responded to all Town Public Input surveys and input opportunities.



Appendix (cont.)

Demographic Overview of Phase 3

As noted in the Report, the Engagement Study was purposefully designed to hear from residents most impacted by Town decisions and engage historically marginalized populations who have had limited engagement with the Town. Below is a demographic summary of who participated in Phase 3 of this Study.



Appendix (cont.)

Locations of Community Conversations and Participants for Phase 3

