

DURHAM CITY COUNCIL WORK SESSION
Thursday, April 4, 2019 @ 1:00 p.m.
2nd Floor Committee Room – 101 City Hall Plaza

The Durham City Council held a Work Session on the above date and time in the City Council Committee Room located at 101 City Hall Plaza with the following members present: Mayor Steve Schewel, Mayor Pro Tempore Jillian Johnson and Council Members Vernetta Alston, Javiera Caballero, DeDreana Freeman, Mark-Anthony Middleton and Charlie Reece. Absent: None.

Also present: City Manager Tom Bonfield, Interim City Attorney Kimberly Rehberg and City Clerk Diana Schreiber.

Mayor Schewel called the meeting to order and welcomed all in attendance.

Mayor Schewel asked for announcements by Council.

Council Member Reece announced his early departure from the Work Session at 2:30 p.m. and requested an excused absence at the upcoming April 18, 2019 work session due to a family matter.

MOTION by Council Member Middleton, seconded by Mayor Pro Tempore Johnson, to approve an excused absence for Council Member Reece at the April 18, 2019 Work Session. Motion was approved unanimously.

Council Member Freeman requested Council's consent to bring a resolution pertaining to Malcolm X before the Council by being placed on the next work session's agenda. Council agreed to the request.

Council Member Alston requested Council's consent to bring a resolution pertaining to LGBTQ legislation before the Council by being placed on the next work session's agenda. Council agreed to the request.

Council Member Middleton addressed concerns about crime in Durham; and requested Council fund a three-year contract with ShotSpotter technology to lessen gun violence and to consider the request in this budgetary cycle.

Council Member Freeman inquired about adding \$55 million to the \$95 million to include conversations of Shotspotter, infrastructure and economic development.

Mayor Schewel acknowledged his colleagues concerns and expected discussions in the first cycle of May 2019.

City Manager Bonfield announced his priority items:

- Item 22, requested Council suspend the rules and vote on the item.

Donated corporate funding was received; Council was being requested to take action so the proceeds could be accommodated to enhance the entertainment at the event.

- Item 3, Attachment #1 was updated
- Item 4, Attachment #1 was updated
- Item 5, has been referred back to the administration
- Item 10, Attachments #1-5 have been updated
- Item 13, Attachment #3 was updated

City Manager Bonfield announced the 150th Birthday events for the public at large and city employees.

MOTION by Council Member Middleton, seconded by Mayor Pro Tempore Johnson, to accept the City Manager's Priority Items. Motion passed unanimously.

Mayor Schewel read the items on the printed agenda and the following items were requested to be removed for comment and/or discussion:

- Item 1, Vacant Positions Performance Audit March 2019
- Item 2, Approval of City Council Minutes
- Item 4, Comprehensive Plan Engagement Services
- Item 6, Families Moving Forward 2017-18 CDBG Sub-recipient contract for Comprehensive Case Management Services;
- Item 7, North Durham Phase III Hydraulic Model;
- Item 8, Southeast Regional Lift Station – Award of Construction Contract to Haren Construction Company, Inc.
- Item 9, Fourth Amendment to the Management Agreement by and Among City and County of Durham and Global Spectrum LP
- Item 10, General Classification and Compensation Plan Recommendations
- Item 11, Agreement to Support Moogest 2019 Operated by Moog Institute, Inc. using City of Durham Grant Funds
- Item 12, Amendment to Managed Network Security and Services (Carolina IT) Contract
- Item 22, Bimbe Festival Headlining Booking Agent Contract

Mayor Schewel, taking the prerogative of the Chair, requested that the Council address Item 22, Bimbe Festival Headlining Booking Agenda Contract, at this time.

MOTION by Council Member Freeman, seconded by Council Member Middleton, to suspend the rules to vote. Motion passed unanimously.

MOTION by Council Member Middleton, seconded by Council Member Alston, to authorize the City Manager to execute a contract with the DOME Group, LLC for management and booking services at a one-time cost of \$60,000.00 was approved at 1:17 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None.

The City Attorney's Office and City Clerks' Office had no priority items.

Mayor Schewel announced it was time for Citizens' Matters to be heard.

SUBJECT: KYLIE FOLEY (ITEM 19/ PR 13112)

To receive comments from Kylie Foley regarding new construction sewer and water variance request.

Ms. Foley spoke to building a small compact home in Durham and noted a developer did not run sewer service to 5004 and 5006 American Drive of which she was trying to purchase; and requested Council's support in connecting the lots to infrastructure.

Robert Joyner, Public Works, provided his assessment of the situation.

Council could not help with connecting the properties to the main sewer extension.

SUBJECT: CHRIS TIFFANY (ITEM 20/ PR 13113)

To receive comments from Chris Tiffany regarding Durham policing trends.

Mr. Tiffany presented graphs about demographical trends of arrests.

SUBJECT: PUBLIC COMMENT: VANESSA EVANS

To receive comments about support for the Z Smith-Reynolds Foundation Mural Project and request for a second letter of support by the Council.

After hearing Ms. Evans' presentation, Council, as a group, signed off on the second letter of support.

Mayor Schewel stated that Council would address the pulled items.

**SUBJECT: VACANT POSITIONS PERFORMANCE AUDIT MARCH 2019
(ITEM 1/ PR 13106)**

Council Member Reece inquired about an action plan for a position that had been vacant for one year, and what it would look like.

Germaine Brewington, Director of Audit Management, addressed vacancies and issues of skill sets and salary misalignment.

City Manager Bonfield noted that staff who were assuming the roles/responsibilities of vacant positions were compensated as extra duty pay or working out classifications.

Director Brewington responded to a concern by Council Member Freeman regarding the analysis of vacant positions and the costs involved.

Mayor Pro Tempore Johnson inquired about the frequencies of police and fire academies and processes utilized to fill vacancies.

Staff confirmed that the high vacancy figures in the report were due to the academy participants not being counted as full time employees until after graduation.

SUBJECT: APPROVAL OF CITY COUNCIL MINUTES (ITEM 2/ PR 13102)

Council Member Freeman requested additional information to be added to the March 7, 2019 Work Session Minutes.

The following revision was made to Page 2:

Council Member Freeman requested the portion of the minutes be replaced with ‘a transportation planning briefing from staff’ be replaced with ‘Council Member Freeman requested a briefing by Planning staff regarding Duke University, North Carolina Central University and Durham Technical Community College’s future transportation plans.’

City Manager Bonfield responded he would schedule it.

**SUBJECT: COMPREHENSIVE PLAN ENGAGEMENT SERVICES
(ITEM 4/ PR 13100)**

City-County Planning Director Pat Young explained the engagement services that was included peer to peer engagement.

Council inquired if the plan included subcontracting with community based organizations and how NIS staff would be involved with its Equitable Engagement Blueprint (EEB); urged inclusion of specialized focused engagement to include aging and elders; and asked about the scope of work/timeplan.

Director Young had advised Joint City-County Planning that the intent was to work with the consultant along with NIS staff and partners, including the Board of Adjustment, while following the adopted EEB; noted the activation of communities of color was a priority; expected heavy community engagement in relation to goals and vision; indicated that bilingual engagement was an important part; and estimated the timeframe for the comprehensive plan recommendation within 24 months.

Consultants Jamie Greene, Principal of PlanningNext and Dr. Irma McClaurin, McClaurin Solutions, were introduced.

The consultants remarked that their efforts would include land use and quality of life considerations while emphasizing inclusion, this would ensure a successful process for Durham.

SUBJECT: FAMILIES MOVING FORWARD 2017-2018 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SUB-RECIPIENT CONTRACT FOR COMPREHENSIVE CASE MANAGEMENT SERVICES (ITEM 6/ PR 13105)

Council Member Freeman inquired if this was the first year of the grant and if there was previous historical performance data available, and specifically inquired about statistics on race, gender and outcomes and requested a memo from Families Moving Forward tracking this information.

Karen Lado, Assistant Manager of the Department of Community Development, responded that there was previous year performance data available and the organization expected to assist 80 families; and deferred to Ryan Fehrman, Executive Director of Families Moving Forward, for response.

Mr. Fehrman responded to the request for data: there had been 76 households assisted in the last year, with 82% of households finding permanent housing; more than half of the families increased their household income from entry to exit; detailed the measure of length of stay; indicated finding affordable housing was increasingly becoming more difficult to find; and shared that consistently from year to year, 90% of the households served were single female head of households and 90% were African-American.

Mr. Fehrman stated he would share the dashboard from 2018 that contained the performance measures to the Council via Assistant Director Lado.

Mayor Schewel compared the approval of the Action Plan in May 2018, RFP issued in May 2018, sub-recipient selected in August 2018 with the approval of expenditures eleven months later and asked for what accounted the lag.

Assistant Director Lado explained the RFP was issued in May 2018, the sub-recipient selection process in August 2018 and staff needed to close open contracts prior to starting new projects. The time intensive process accounted for the lag time.

SUBJECT: NORTH DURHAM PHASE III HYDRAULIC MODEL (ITEM 7/ PR 13012)

Council Member Freeman spoke to Items 7 & 8 simultaneously by expressing appreciation to staff for their workforce statistics of workers employed with current

vendors; and asked that the statistics include percentages of workers falling into the diversity category, rather than just a count/number; and when considering gender, knowing the racial make-up of the gender category should be forefront in the diversity conversation.

Don Greeley, Director of Water Management, was willing to add this information into his workforce statistics and in future agenda items.

Council Member Reece referenced the last year's approval of the Frieze & Nichols South Durham hydraulic model with more extensive sub-basins and asked if this item was a similar project, did staff reach out to Frieze & Nichols who worked the South Durham model to see if they wanted to handle the north Durham model and asked about training of the staff using both models.

Director Greeley explained that the north and south models used the same software so it was not necessary to re-train staff; and noted that Frieze & Nichols did not respond to the call for contracting.

**SUBJECT: SOUTHEAST REGIONAL LIFT STATION – AWARD OF
CONSTRUCTION CONTRACT TO HAREN CONSTRUCTION
COMPANY, INC. (ITEM 8/ PR 13093)**

Director of EOEA Debra Giles inquired about the percentages being requested by Council on the workforce statistics.

Mayor Schewel was satisfied with the level of disaggregated information provided by staff in regard to workforce stats that were now broken down by categories.

Council Member Freeman wanted to ensure that multi-million dollar contracts displayed the number of employees by race and urged percentages be provided on the tables.

Council Member Alston accepted the current level of detail on workforce statistics.

Council Member Reece noted that adding percentages would double the number of statistics on each table and would result in additional visual clutter.

It was the consensus of the majority of Council to leave the statistical break down 'as is' with exception to the current item.

Mayor Schewel noted that the lift station in the north could open up development to potentially 1400 new single family homes but this magnitude of development was not desired.

Mr. Dan Barry, Vice President of Heron Construction Company, explained the company's employment practices through Indeed and college campuses; noted that his

company found that skilled craftsmen were difficult to find and that engineers were a more easily located; and stated he would be interested in the youth program.

Due to the low number of African American and Hispanic employees, Mayor Schewel encouraged the company's participation in *YouthWorks*, the City's summer internship program along with recruitment at historically black colleges and universities.

Director Greeley explained that Heron Construction was from Tennessee; and noted in regard to hydraulic modeling, Water Management and Planning staff would be working with the Comp Plan to ensure that new construction was consistent with infrastructure planning.

SUBJECT: FOURTH AMENDMENT OT THE MANAGEMENT AGREEMENT BY AND AMONG CITY AND COUNTY OF DURHAM AND GLOBAL SPECTRUM, LP (ITEM 9/ PR 13104)

Mayor Pro Tempore Johnson inquired with General Services Director Steven Hicks about the management of the Convention Center (self-managed v. external), asked about current performance incentives and if employees made city living wages.

Director Hicks deferred to Rebecca Bolton, Executive Director at the Durham Convention Center and employee of Spectrum.

Ms. Bolton explained that servers and part-time staff were started at \$10/hour and increased pay based on seniority/longevity.

Mayor Pro Tempore Johnson inquired about savings on labor costs and their impact on operating profit, asked who decided on wages/benefits of convention center employees and how would employees get livable wages of \$15/hour.

Ms. Bolton responded that revenues increased the operating profit margin and explained workers received competitive wages as compared to other local hospitality centers; and to offer a livable wage would drive up labor costs and were based on elected officials' decisions.

City Manager Bonfield explained that the convention center was owned by the city and county and those entities would have to absorb the labor expenses and inquired if the Board of Trustees had addressed the livable wage issue.

Bill Kalkhof, Chair of the Board of Trustees at the Convention Center, responded that the Board would analyze the change and provide feedback to Council.

Mayor Pro Tem Johnson inquired about the timeline of the contract and possible delay to ensure the labor issue was addressed.

City Manager Bonfield explained that labor costs were not included in the contract.

Ms. Bolton responded that the contract included a term and it would be easy to change entry level wage and that other wages would need to be bumped up proportionately; and would provide feedback.

Council Member Caballero spoke in support of livable wages for employees.

Council Member Freeman stated that fair was not equal; and asked City Manager Bonfield to include livable wage language into future contracts.

City Manager Bonfield responded that since the facility was a city-owned it was not necessary to include mandatory livable wages into the contract and that state law prohibited the mandating of wages.

Mayor Schewel explained that the taxpayers would be absorbing the increase and complimented the current facility management.

City Manager Bonfield acknowledged that the item would need to be addressed at the county level.

Council Member Freeman requested a snapshot of workforce statistics before making wage changes at the Convention Center. Ms. Bolton responded 'yes'.

Mayor Schewel, taking the prerogative of the chair, stated that Item 12 would be addressed next.

**SUBJECT: AMENDMENT TO MANAGED NETWORK SECURITY AND SERVICES
(CAROLINA IT) CONTRACT (ITEM 12/ PR 13107)**

Mayor Schewel inquired about the employment numbers on the various charts and asked for the non-red line version and asked for the contractor's employment practices.

Terry Goode, Director of Technology Solutions, responded the numbers would be recalculated and the contractor would be invited to the upcoming council meeting to address Council's questions.

**SUBJECT: GENERAL CLASSIFICATION AND COMPENSATION PLAN
RECOMMENDATIONS (ITEM 10/ 13030)**

Regina Youngblood, Director of Human Resources and Alethea Hardy, Human Resource Manager.

Director Youngblood provided the final PowerPoint presentation and recommendation regarding the classification and compensation plan for general pay plan employees; provided the study's background that included a review of the current class plan of 473 jobs and the final recommendation affecting approximately 1500 employees; and stated the objective of the study was to standardize class titling conventions to simplify the classification structure and to update class specifications and FLSA guidelines; complete job evaluation to understand internal equity within organization and last phase included a market study to compensate employees fairly.

Council Member Reece departed at 2:30 p.m.

The initial recommendation was based on 22 of 29 comparable organizations in the Southeastern USA. After receiving employee feedback, HR reevaluated by focusing on a smaller, more localized, regional grouping consisting of 14 entities in a commutable distance to Durham. The analysis was based on employees' position description questionnaires (PDQs) and remarks. Director Youngblood stated that the number of job descriptions went from 473 to 203 and explained the decision band method (A to F); identified 87 benchmark jobs; confirmed that in the smaller data set, there were entities that paid more than the City of Durham, but in the larger data set, Durham was ahead of the market 7.73% of the time, for this reason, the smaller data set was utilized for analysis since it positioned Durham employees in a more favorable position; and explained the 12 step model v. open range (employee must be rated in performance evaluations as 'effective or better' to move a step each year), pay for performance matrix, longevity and compression adjustments.

The commutable distance was based on two hours from Durham with comparisons focused in North Carolina.

Any pay adjustments will be made in July 2019 and letters will be sent from Human Resources with the salary information; and estimated moving step plans every two years along with structure adjustments.

Mayor Pro Tempore Johnson asked how many of the ranges were being lowered and remarked that employees were concerned that the top of the ranges on the new plan were lower than the top of the ranges in the former plan.

No salaries would be decreased and most employees were on average 6.5 years from the maximum.

Council requested data on the names of each jobs where the ranges would be lower and the number of vacancies in those jobs. If the max was lowered, it would make it more difficult to hire for those positions; and asked about the employees who were currently over the maximum, how would their compensation be handled.

Director Youngblood stated for the employees over max, they would receive lump sum salary increase on annual basis with retirement and 401K contributions on behalf on the lump sums.

Council Member Alston referenced the compression adjustment discussion and asked Director Youngblood to explain the imaginary step piece and had questions about the meaning of legally defensible job levels and per cities in the region, how did those adjustments impact retention.

Manager Hardy explained the non-exempt v. exempt Fair Labor Standards Act, eligible for overtime, review of PDQs, level of decision making and determination of complexities of work that tied back to Fair Labor Standards.

Director Youngblood acknowledged that higher starting salaries might be available other entities; however, the pay for performance matrix was at a higher level in Durham. She explained that in Code Enforcement and Engineering series, the DBM scores were increased to reflect external market competition.

Engineering Inspector #2 and Civil Engineering #3 were two jobs that were the focus of the readjustment. Market Supplemental Pay incentives could be applied to hard to fill vacancies.

Council Member Middleton noted that Raleigh and Greensboro were larger cities compared to Durham; and asked about Grad A11, no numbers after step 4.

The classification was being created for training position, allowing for 4 years of training and referenced licensing for trades positions or equipment operation positions.

Council inquired about bumps for completion of certifications.

Director Youngblood addressed employees in water management and forensics who gain certifications and were duly compensated, that increases would be rolled into current salaries.

Inspectors would include certification pay increases from levels from 1 to 3 in the B-Class involving step increases plus lump sum amounts honoring certifications.

Council inquired about multi-lingual employees. A set aside for the language supplement would be continued.

Estimated the implementation of the class plan ranged between \$2.1 and 3.5 million.

Mayor Schewel stated it was time for speakers.

John Morris, Senior Utility Specialist, spoke to transparency of the process led by Gallagher and expressed concerns about his net income and compared his income to that of the City Manager.

Margaret Cody, employee, noted that she had some crew chiefs had been moved down a pay band that resulted in the supervisors' salaries being set below their former subordinates; and requested additional analysis prior to approval of the plan.

Ashley Collins, employee, at PWOC, employees wanted to reach their max's sooner; stated employees were unhappy and did not feel compensated by how hard they have been working; and expressed concerns about the inability to move laterally due to exclusionary positions.

Dante Strabino, organizer with Durham City Workers Union #150, appreciated moving toward a step-plan; explained there was frustration about pay and reclassification of city workers and the negative impact of vacancies and additional requirements on current and future employees in the Water Department.

Sarah Vukelich, member of Durham City Workers Union #150, noted that the new job descriptions were vague, included a wide range of tasks and that some were working outside of job descriptions; and spoke to mandatory overtime causing exhaustion and made union recommendations.

Romey Gaddy, employee and union member, expressed concerns about the recommendations in the pay study; and stated the exempt employees were getting all the money.

Mayor Schewel asked for Council's questions.

Mayor Pro Tempore Johnson inquired for her colleague, Council Member Reece, about the location of the final report.

Director Youngblood stated the final report was in the Council packet; indicated that an employee had requested the raw data but this information was not available from the consultant until Council approved the comp and classification plan; explained that when the methodology for analysis was revised, that the corresponding raw data file did, as well; and confirmed there were not 203 different pay scales but rather 203 different job titles and two pay structure, the step and open range.

Mayor Pro Tempore Johnson continued expressing employee concerns about DBM methodology did not consider responsibility of job but focused on decision making; inquired to the rationale about raising the step plan annually versus C+ ranges; and asked about recruitment of technical/engineering jobs and existing long-term vacancies.

Director Youngblood reiterated that the DBM considered the level of decision making along with level of responsibility, level of impact of job on organization and

licensure/certifications; and responded that there was a manual that explained the decision making band process, a one-page explanation could be posted to explain the process to employees. She explained the difference between adjusting C-D-E jobs every year versus the steps every two years; and relevant to technical positions, explained the supplemental adjustments made per quarter plus pay for performance for engineers, etc.

City Manager Bonfield asked about the estimated number of employees over the max in A-B versus C-D-E level jobs.

Mayor Pro Tempore Johnson voiced concerns about associate degrees for salary and classification positions to competitors in market and the requirements; and asked about CDL requirements for maintenance employees.

Director Youngblood addressed the use of educational equivalencies where a certain number of years of service could be applied as educational equivalents for associate and bachelor degrees; and that this information was posted on CODI. She stated that no one would be asked to get a CDL if it was not currently needed; and noted that feedback from employees would be received at the departmental level but challenging the classifications would not be permitted.

Mayor Pro Tempore Johnson inquired about the new job titles prevent employees from moving in between departments.

Director Youngblood responded to the concern about shifting to other jobs with similar DBM scores and lateral movements; and addressed persons being classified below persons they supervise and that the consultants had reviewed substantial differentiation between workers and that if this situation exists, that the situation needed to be reviewed.

Council Member Middleton expressed Council's concern and attention to the comp and classification study; inquired about required overtime and supported educational equivalencies pertaining to certifications; asked about the comment about the workforce becoming 'more white' due to requiring employees with certifications and emphasized that it was a matter of finding minorities with certifications and being competitive in hiring practices.

City Manager Bonfield would follow-up on the operational concern related to employees working required overtime.

Council Member Caballero asked if educational equivalencies were applied when employees came from different organizations or if that was something applied internally;

Director Youngblood stated that the equivalencies were used for internal and external hires; however, hiring officers in the city could use the educational attainment as a screening tool in hiring practices for new hires.

Council Member Freeman recognized the comp and class study was a huge undertaking and evolving process in trying to address the many salary and work related classification and criteria; and noted that recognizing the purpose of the endeavor was to raise minimum wage to \$15/hour, how many folks were involved in the lower wage; and noted that being equitable was not about being equal and recognizing that there were very different parameters about folks who worked inside and outside; and urged mindfulness about the persons being directly impacted should always be at the center of the conversation that way in order to capture the sentiment and to ensure feelings of transparency.

Council Member Freeman asked about job title and responsibility discrepancies.

Director Youngblood responded that once implemented, employees can reach out to HR Connect to answer questions about the rationale for their allocations to particular classifications.

Mayor Schewel requested Ms. Margaret Cody to the podium and asked her about the concern regarding certifications.

Ms. Cody responded that in Water Management there was certification pay for receiving licensures from the state to ensure that there were always employees to serve as supervisors; that backup certifications were required. There were 1% increases with certifications but that future incentives would be eliminated because they were rolled into salaries, if there were already shortages in engineering that there should be consider incentive pay for collections and distribution.

Director Youngblood explained that new certifications were not added as required that would prevent persons from getting jobs; and moving forward, supervisors could make certifications part of performance, and for employees who went above and beyond and got certificates, could be reflected in higher performance management ratings.

City Manager Bonfield responded that staff could put certification information together in regard to Water Management employees.

Mayor Schewel noted that for A & B bands, 99% of employees were getting pay increases, a substantial benefit to employees in these categories; and thanked the speakers for their concerns with special mention to attending to the city's engineering staff.

Director Youngblood expressed appreciation for the work of Alethea Hardy, Human Resource Manager.

It was the consensus of Council to place the item under the General Business Agenda at the upcoming Council meeting.

[PRESENTATION]

SUBJECT: UPDATE ON DISPOSITION PROCESS FOR 505 WEST CHAPEL HILL STREET (ITEM 13/ PR 13103)

Stacey Poston, General Services' Special Projects Manager and Kyle Vangel, principal with HR&A Advisors, Inc. made a PowerPoint presentation on the disposition process for 505 West Chapel Hill Street and updated Council on the RFQ/RFP processes.

Mr. Vangel discussed the draft for proposals and next steps for disposition of the former police headquarters building.

The Cover Memo to City Manager Bonfield from Planning Director Patrick Young and Scope of Work follow:

Date: April 15, 2019

To: Thomas J. Bonfield, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Patrick O. Young, Director, City/County Planning
Subject: Durham Comprehensive Plan Community Engagement – Professional Services Contract Award to Planning NEXT

Executive Summary

In September 2018, the Planning Department issued a Request for Proposals (RFP) for planning and engagement consulting services for the development of a new Durham Comprehensive Plan. The City and County are beginning the process of developing a new Comprehensive Plan to replace the one from 2005. The Comprehensive Plan will guide development in Durham and accommodate future growth, setting a cohesive vision for the community.

The Planning Department received eight responses to the RFP. Planning NEXT was selected and a scope of work for the project has been developed.

Recommendation

The Planning Director recommends that the City Council authorize the City Manager to execute a contract with Planning Next for professional community engagement and planning services to develop a new Comprehensive Plan for Durham in an amount not to exceed \$250,000.00.

Background

As part of the FY 2019 budget submittal, the Planning Department requested a new initiative to partially fund a new Comprehensive Plan. The \$250,000.00 budget item will be used to hire a consultant to assist Planning staff with the substantial community engagement facet of the process.

Robust community engagement is important because residents need to have a say in their future. As elected officials, appointed officials, and staff come and go, the Comprehensive Plan should endure and transcend these changes because it is deeply rooted in the vision of the community. Without a clear vision and actions grounded in extensive community outreach, Durham risks constant reexamination and debate of the issues and possible solutions, wasting

time that could be spent implementing the Plan and making meaningful, long-lasting changes in the community.

A qualified engagement consultant is essential to the success of the Comprehensive Plan. The Planning Department proposes to conduct the data collection, analysis, policy drafting, and document publishing in-house, while the consultant will be responsible for the community outreach and collaboration process, marketing and branding, and will also provide technical review and advisement services to the staff team. The consultant will be the lead on these efforts but Planning staff will still be deeply involved with the various community engagement efforts. The tasks a consultant may lead include:

- Branding of the project and associated collateral;
- Hosting an interactive project website that is user-friendly and available in English and Spanish;
- Developing promotional materials (e.g. press releases, flyers, posters, etc.) and educational videos in English and Spanish;
- Providing and managing community engagement software and web tools;
- Conducting surveys, focus groups, stakeholder interviews, and roundtables (with Spanish translation available);
- Hosting community workshops (both large and small) and “pop-up workshops” (with Spanish translation available);
- Presenting to community groups, boards, and commissions (with Spanish translation available); and
- Facilitating City-County staff working groups.

The consultant team and Planning staff will work together to determine engagement strategies that will best engage different stakeholders within the community and at different points within the project timeline, and has agreed to fully follow the Equitable Engagement Blueprint. This work will include requesting demographic and geographic data from participants in order to determine how representative engagement efforts are. The project scope and timeline accounts for the ability to reassess engagement strategies to correct the imbalance in participation when it does not appropriately represent the cross section of communities in Durham.

There are three main reasons why the Planning Department is contracting with a consultant for the tasks above (and other associated tasks to-be-determined). They are:

- **Need for Additional Labor to Ensure Momentum, Quality, and Timeliness.** Without a consultant, staff will need to lead all aspects of plan-making. More tasks assigned to a limited amount of staff will either result in a plan of limited scope or a significant delay, eliminating project momentum and making the final product less relevant because of changing conditions and limited applicability. Other projects and new initiatives will also not have the appropriate resources because staff is focused solely on the Comprehensive Plan, making staff less proactive and responsive to other emerging challenges and projects. In two peer cities in North Carolina that staff spoke with (Greensboro and Raleigh), neither hired a consultant for their most recent Comprehensive Plan effort and this led to stops and starts, delays, and inefficiencies.
- **Need for Expertise and Outside Perspective.** Planning staff have years of expertise in plan-making and community outreach, but recognize that an outside consulting firm has a much more specialized understanding of comprehensive planning and associated outreach. Staff would benefit from additional expertise on the latest effective trends in community outreach, including emerging technologies. Additionally, the consultant has

an outside and unfiltered perspective that can be valuable when engaging with the community.

- **Need for Access to New Technologies for Community Engagement.** The consultant can bring a variety of media and technology platforms and software to a project that the Planning Department does not have access to or has limited experience in utilizing properly. They often have licenses with various technology platforms that allow them to provide them to clients more cost-effectively than if the client was to purchase each individually.
- **Leveraging Staff Resources.** The City and County staff do have staff with a wealth of expertise in engaging the community; however those staff resources are already committed to other priorities. Marshalling those resources for a multiple-year comprehensive planning process would require multiple departments across two organizations to prioritize this project over others.

Issues and Analysis

In September 2018, the Planning Department issued a Request for Proposals for planning and engagement services for the new Comprehensive Plan. The department received eight responses to the RFP:

- IBTS
- Maslow Development
- Planning NEXT
- Renaissance Planning
- Ramey Kemp and Associates
- STRADA
- TPUPC
- WXY/HR&A

Six of the eight respondents met the EOE requirements for the RFP and were invited to interview with three panels, each made up of a mix of staff, community members, and the development community. Those six proposals were also reviewed and scored by a technical staff committee. The two finalist respondents were invited to interview with the Planning Director and staff. Based on these reviews the Planning Department selected Planning NEXT for the project.

Alternatives

One alternative would be to use any existing community engagement resources within various City departments in the development of the new Comprehensive Plan. Due to limited staff resources and competing priorities this would result in a much less authentic and robust community engagement effort than will result from contracting an outside resource to work with staff on more representative and meaningful engagement from a diversity of the Durham community.

Financial Impact

Funding for this project is available in account 0J000000-725000.

The project includes the following task items:

Phase 0: Preparation	\$70,000.00
Phase 1: Big Questions and Project Launch	\$33,500.00
Phase 2: Big Ideas and Vision	\$48,500.00

Phase 3: Policy Framework	\$37,800.00
Phase 4: Actions, Strategies, Implementation	\$30,200.00
Phase 5: Review and Adoption	\$9,500.00
Technical Planning Consultation (throughout Phases 0-5)	\$20,500.00
Total Project Cost	\$250,000.00

Equal Business Opportunity Summary

The Equal Opportunity/Equity Assurance Department reviewed the proposal submitted by Planning Next and determined that they are in compliance with the Ordinance to Promote Equal Business Opportunities in City of Durham Contracting.

M/W UBE REQUIREMENTS

The M/W UBE goal for this RFP was 8% minority participation. Planning Next will subcontract to the following certified firms. Refer to the agenda item in the packet for Workforce Statistics.

Firm	ID	City/State	Amount	% of Contract
Irma McLaurin Solutions	MUBE	Raleigh, NC	\$32,200.00	13%
Bilingual Communications	MUBE	Cary, NC	\$5,850.00	2%

Attachment 2

Exhibit A: Scope of Work

Planning & Engagement Consulting Services, Comprehensive Plan

City of Durham, North Carolina

General

1. City-County Staff (hereafter referred to as “Staff”) will work closely with the Planning Next Team (hereafter referred to as “Team”) to assist with the various community engagement efforts, but the Team will take the lead.
2. In addition to this scope of work focused on managing the engagement effort an allotment of hours/fee is earmarked for as-needed planning expertise throughout the comprehensive planning process.
3. The planning process is expected to be completed in three years through six phases:
 - Phase 0: Preparation
 - Phase 1: Big Questions and Project Launch
 - Phase 2: Big Ideas and Vision
 - Phase 3: Policy Framework
 - Phase 4: Actions, Strategies, Implementation
 - Phase 5: Review and Adoption

Scope of Work

Phase 0: Preparation

The Team places great emphasis on the preparation phase to create a strong foundation for the complex planning process. During this phase, the Team will work with Staff to collaboratively design the engagement process.

0.1 Conduct Orientation Workshop. The Team and Staff will conduct an orientation workshop. Staff will share contextual and background information that is important to the Team's work, and the Team will discuss how they anticipate approaching the work. The meeting will produce a refined approach to the engagement of the community.

0.2 Assist Formation of Outreach and Communications Committees. The Team will assist in formation of an Outreach Committee and Communications Committee. Both of these committees will be made up of volunteer citizens. Outreach members will focus on a word-of-mouth approach to attracting participants to the process. Communications members will focus on creating general awareness of opportunities to participate. The Team is prepared to advise Staff on the formation of the committees. These groups should be representative of the broader community and include individuals that are diverse demographically, geographically and civically.

The Team will prepare materials to assist Staff with committee selection (including job descriptions, application forms and a diversity matrix). Staff will use materials to recruit committees.

0.3 Develop and Manage a Neighborhood Ambassador Program. Working with Staff, the Team will create a group of up to 30 "neighborhood ambassadors" from typically underrepresented communities. Neighborhood ambassadors will be paid support for the outreach strategy. They will be recruited, recruit, hired and trained to engage the communities they represent on land use concepts, issues education, and input on the Comprehensive Plan vision, content and policies. This group will be responsible for energizing their networks and delivering participants to the Comprehensive Plan process.

0.4 Convene Outreach and Communications Committee Meetings. The Team will conduct seven meetings with both the Outreach Committee and Communications Committee throughout the process. The first meeting will be an orientation meeting for the committees. The primary focus of the first meeting will be to set expectations and goals for outreach and communications throughout the planning process. The committees will have direct involvement in developing outreach methods and communication strategies to be used in the Outreach and Communications Plans (Tasks 0.5 and 0.6).

0.5 Develop an Outreach Plan. Working closely with the Outreach Committee and Staff, the Team will develop an Outreach Plan that clearly defines comprehensive strategies to personally invite diverse participants to engagement opportunities. The Outreach Plan will be supplemented by an Outreach Toolkit to be utilized by Ambassadors or volunteers. The Outreach Toolkit will include scripts for phone, email and social media posts; letter to the editor templates and instructions; flyers; and community meeting invitations to be used by the committees when getting the word out about the process.

0.6 Develop a Communications Plan. Working closely with the Communications Committee and Staff, the Team will develop a Communications Plan. It is the Team's recommendation that the plan be developed concurrently with the Outreach Plan (Task 0.5) and closely coordinated. Specifically, the communications effort will include both general awareness-raising as well as specific promotional activities associated with all rounds of community engagement. Prior to all

community engagement meetings, the publicity and outreach channels will be activated with messages relevant to the upcoming events.

0.7 Create Project Branding. The Team will work with Staff to develop a project name, logo, color scheme, and tagline for the effort that will help to interest the public, as well as key messages that will consistently brand the planning work. The Team will also develop a campaign for communications that capitalizes on existing outlets for sharing information and builds upon the use of these outlets with a suite of branded collateral (posters, postcards, flyers, worksheets), press releases and other tools for getting the word out. All collateral will be delivered in both English and Spanish languages.

0.8 Create a Project Website and Social Media Presence. The Team will design an interactive project website that will be user-friendly and engaging to become the heart of plan's communications. The site will present materials from stakeholder and community engagement, interim information and drafts of planning documents. It will include project background, resources, news and information about how to get involved. The website will have a Spanish page option with all necessary information about the process.

The website will also have the capability for interactive tools for engagement. Online activities will take place throughout plan development and in coordination with all rounds of community engagement. Partnering with Staff and the County's communications offices the Team will either develop new, project-branded social media accounts or utilize existing accounts for promotion and engagement. The website will be synchronized with social media.

0.9 Meet with Joint City-County Planning Committee (1). Throughout the process, the Team will meet with the JCCPC to keep them actively involved and informed. During this phase it is anticipated that the Team will convene an orientation work session with the committee to review overall scope and their specific role as share and gather feedback on approach to engagement.

Phase 0: Deliverables

- Meeting agendas, handouts and presentations
- Outreach and Communications Committees formation materials
- Outreach and Communications Plans
- Project identity (logo, tag line, key messages)
- Project website and social media accounts

Phase 1: Big Questions & Project Launch

This phase will include educating the community on planning, creating awareness of the Comprehensive Plan effort, and conducting community listening sessions as well as public input data analysis that can culminate in a list of key community concerns, issues and opportunities.

1.1 Meet with Joint City-County Planning Commission (2). Throughout the process, the Team will meet with the JCCPC to keep them actively involved and informed. During this phase it is anticipated that the Team will meet with the committee one time at a critical pre and post milestone to share progress and gather input.

1.2 Create an Educational Program and Materials. The Team will work with Staff and community contacts to develop an accessible educational program and materials. These may be used by the City-County and neighborhood ambassadors to educate the general public on historical land use decisions in the community and the current process and framework for land use decisions.

1.3 Conduct Listening and Learning Sessions. A series of up to four workshops, branded as “Listening and Learning Sessions,” will take place in several locations throughout the City-County and provide an overall orientation for the public to the planning process. The goals of the Listening and Learning sessions are to lay the foundation for the process—to start the conversation and to inspire the community to think big about what they want. The workshops will be broadly promoted in accordance with the Outreach and Communications Plans (Tasks 0.5 and 0.6). The events may include a brief assembly period during which there would be an overview of the process and schedule, followed by small group activities designed to be interactive, inspiring and fun. Online engagement activities mimicking those in the Listening and Learning sessions will also be deployed. The Neighborhood Ambassadors will support the Listening and Learning sessions by conducting targeted outreach and could serve as table facilitators during the workshop.

Following every public workshop throughout the process, participants will be asked to complete an exit questionnaire related to demographics. Using this data and analytics and the observed experiences of community members, the Team will reassess the structure of future outreach and community engagement to be responsive to the documented behavioral preferences of community groups involved and make any necessary changes to the Outreach and Communications Plans and upcoming event formats. The Neighborhood Ambassadors will be utilized to help fill in gaps in participation based upon the exit questionnaire data in the form of meeting-in-a-box or other follow-up activities.

1.4 Prepare a Community Concerns, Issues and Opportunities Summary. Using the input provided from the Listening and Learning Sessions, a summary will be prepared that synthesizes this input and highlights community concerns, issues and opportunities.

Phase 1: Deliverables

- Meeting agendas, handouts and presentations
- Community Concerns, Issues and Opportunities Summary

Phase 2: Big Ideas & Vision

Phase 2 will focus on educating the community about current conditions, future trends and forces that will affect the community, and generating a discussion about their ideas for the future of the City-County. It will create community-wide interest for the planning process through a high-profile event and follow-up activities. Ideas shared during this phase will result in the generation of a clear and actionable vision statement and set of values/guiding principles that can guide policy development.

2.1 Facilitate Focus Group Meetings. The Team will coordinate with Staff to conduct a series of up to eight stakeholder meetings to identify key topic areas for discussion at the upcoming community-wide event, the “Vision Summit”. The list of stakeholders will be developed by Staff and the Team. Focus group meetings will include interviews and small roundtable discussions.

2.2 Host the Vision Summit. This community-wide workshop, branded the “Vision Summit,” will build on the Listening and Learning Sessions. (NOTE: To gain greater interest and an exciting first impression, a relevant, notable speaker could be included in the program.) The workshop will be broadly promoted and scheduled on one evening in one location. The Vision Summit will center on activities that will focus on how the City-County should plan for its future. The conversation will focus on affirming a vision statement and set of values/guiding principles

based on what was heard in the Listening and Learning Sessions (Task 1.3). Online engagement activities will also be deployed that mimic the Vision Summit activities.

2.3 Conduct “Pop up” Workshops. The strategy for the “pop up” workshops is to take messages and information directly to people throughout the City-County—especially the hard-to-reach members of the community and traditionally under-served audiences. After reviewing the exit questionnaires from the Vision Summit (Task 2.2), the Team will lead and host “pop-up” workshops throughout the community to reach those who were not well represented at the Summit, such as at a bus station, grocery store, city/county parks, senior center, homeless shelter, etc. Activities will be conducted in places and at events where people are already planning to be to maximize interest and participation rates. It is anticipated that up to four “pop up” workshops will be planned in association with the Vision Summit. The activities will be designed by the Team, and staffed by the Neighborhood Ambassadors and or Outreach Committee to help execute them.

2.4 Deploy Web-based Engagement Tools. While face-to-face communication will be the heart of the engagement process, web-based tools will be used to broaden our reach and to inspire creative thinking about topics that emerge as important to the public. In association with all rounds of community engagement, web-based tools will be integrated into the project website. Web-based engagement will overlap and correspond with activities at the in-person meetings.

2.5 Create a Community Values and Vision Report. Using the input provided from the community engagement activities above, a report will be prepared that synthesizes this input and highlights key trends and observations. This report will be a cumulative outreach summary and include the results of both Phase 1 and Phase 2 of the engagement process. The report will be reviewed and commented on by Staff.

2.6 Meet with Joint City-County Planning Committee (3). Following Staff review, the Team will meet with JCCPC to present the Community Values and Vision Report.

Phase 2: Deliverables

- Meeting agendas, materials, handouts and presentations
- Community Values and Vision Report

Phase 3: Policy Framework

Phase 3 will include working with the community to translate their big ideas and vision into a broad set of policy priorities and goals, likely related to land use, housing, infrastructure, economic development, and more.

3.1 Prepare for Community Choices Meetings. The Team, in collaboration with Staff, will use public feedback provided in the Community Values and Vision Report (Task 2.5) to develop a broad set of policy priorities and goals. These priorities and goals will be used to develop the formal strategy for the Community Choices Meetings—four community meetings that frame choices on “where” and “how” the City-County should grow.

3.2 Facilitate Community Choices Meetings. During these face-to-face workshops (up to four) participants will be invited to interact with what was learned through previous rounds of engagement and to prioritize and comment on preliminary goals and policy priorities of the plan.

The format will be determined in discussion with Staff but may involve a brief assembly period and presentation followed by draft recommendations on display boards (replicated as hand-outs). Participants would be provided with worksheets for rating and commenting. Online engagement activities will also be deployed that mimic the Community Choices activities. The Neighborhood Ambassadors will support the Community Choices Meetings by conducting targeted outreach and provide general support during the workshops. The Neighborhood Ambassadors will also be utilized to help fill in gaps in participation based upon the exit questionnaire data in the form of meeting-in-a-box or other follow-up activities.

3.3 Create Community Directions Recommendations. Following the above community engagements, recommendations will be prepared based on the feedback provided. The recommendations will be for short-term policy alternatives and scenarios developed in collaboration with Staff. Staff will review and comment on the report.

3.4 Meet with Joint City-County Plannign Committee (4). Following Staff review, the Team will meet with the JCCPC to present the Community Directions Recommendations.

Phase 3: Deliverables

- Meeting agendas, materials, handouts and presentations
- Community Directions Recommendations

Phase 4: Actions, Strategies, Implementation

Phase 4 will be used to reignite enthusiasm for the Comprehensive Plan process after the draft plan has been created. The Team will work with the community to develop and review specific policies and actions intended to implement the vision and policy framework, weigh various pro's and con's, evaluate trade-offs, and more.

4.1 Conduct the Open House(s). A final Open House will be held once the draft Comprehensive Plan has been prepared, but before it has been finalized. It will begin with an evening event at a single location but be designed so that it can also be used as a traveling exhibit (road show). A presentation by the Team will summarize the Comprehensive Plan, but most of the time will be reserved to allow the public to view and comment on a series of displays summarizing the plan. The Team and Staff will be present to answer questions on a one-on-one basis. If appropriate, a questionnaire can be distributed to participants asking key questions about the draft plan as well as implementation measures.

The Open House displays will then travel to different locations in the City-County for two to three weeks. (The Neighborhood Ambassadors could assist with this task.) In addition, they will be posted online. In both cases, preferences for recommendations and comments can be provided. The project displays will be designed to be mobile device friendly, so they can easily be viewed on smartphones and tablets.

4.2 Host Community Group Presentations. The Team and Staff will present the draft Comprehensive Plan to targeted groups, such as neighborhood groups, private sector groups, development community, etc. Up to four presentations will be given throughout the City-County, and invited groups will be determined in collaboration with Staff. These presentations will provide an opportunity for targeted groups to share input directly with the Team and ask questions. Neighborhood ambassadors may be reconvened to assist with these presentations.

4.3 Prepare a Plan Feedback Report. A report will be prepared that summarizes the public direction provided during the Open House and Community Group Presentations. Staff will review and comment on the report.

Phase 4: Deliverables

- Meeting agendas, materials and handouts
- Plan Feedback Report

Phase 5: Review & Adoption

Phase 5 will include additional community engagement, education, and review of the document, comment, edits and finalization of the draft for recommendation by the Planning Commission, and action by both the City Council and the Board of County Commissioners.

5.1 Publicize the Public Review Draft. The Team will publicize the draft Comprehensive Plan and solicit public comments for 30 days prior to the presentation given to elected and appointed boards and commissions for final approval.

5.2 Create a Summary Report of Draft Plan Comments. Following the public review period, the Team will prepare a summary report of the public review draft comments.

5.3 Present to Joint City-County Planning Committee (5). The Team and Staff will present the plan’s draft recommendations to the JCCPC for review and final approval.

5.4 Adoption Hearings. The Team will be available to attend public hearings in support of adoption of the Comprehensive Plan.

Phase 5: Deliverables

- Meeting agendas, materials, handouts and presentations
- Summary Report of Draft Plan Comments

Time-Product-Payment Schedule

Planning NEXT

The following schedule may be revised only upon agreement by the Durham City-County Planning Department, and as necessary based upon JCCPC, Planning Commission, and Governing Body scheduling requirements and deadlines.

Percent of Contract	Product	Payment
See signed contract	Contract fully executed, including: <ul style="list-style-type: none"> • Project scope. • A time-product-payment schedule for the project developed with Durham City-County Planning Department staff. 	NA
Phase 0: Preparation		
28% of contract	Tasks 0.1 – 0.6	\$70,000

Phase 1: Big Questions and Project Launch		
13% of contract	Tasks 1.1-1.4	\$33,500
Phase 2: Big Ideas and Vision		
19% of contract	Tasks 2.1-2.6	\$48,500
Phase 3: Policy Framework		
15% of contract	Task 3.1-3.4	\$37,800
Phase 4: Actions, Strategies, Implementation		
12% of contract	Task 4.1-4.3	\$30,200
Phase 5: Review and Adoption		
4% of contract	Task 5.1-5.4	\$9,500
Technical Planning Consultation		
9% of contract	As needed throughout project duration	\$20,500
	Project Total	\$250,000

Mayor Schewel stated there was a speaker to the item.

Dick Hails, representing the Coalition of Affordable Housing and Transit, spoke to his organization’s community outreach with like-minded agencies about the RFP/RFQ processes; and requested that a minimum of 80 units of affordable apartments be constructed at the site and delete Scenario B.

Mayor Schewel asked for Council’s questions and comments.

Council Member Alston inquired about the 50 versus 80 units for the site; and supported 80 units in Option A.

Mr. Vangel acknowledged the site was relatively small and spoke to expectations and goals; and explained that if 80 units were incorporated, it would take up a significant portion of the site; did not feel the site would be eligible for the 9% LIHTC Credit; however, a mixed income model would be viable.

Mayor Schewel advocated for 80-unit minimum in Option A.

Mayor Pro Tempore Johnson supported 80 units; and instead of giving points for more units, start with 80 units and deduct points for having fewer units than the 80.

Council Member Middleton spoke to the existing skyline, branding opportunities, preserving the building and supporting affordable housing in the Downtown district; sought to maintain the historical corridor in that portion of Downtown and looked forward to the proposals.

Council Member Freeman appreciated the mandatory/optional format and point system and appreciated the financial return to the City in the mixed use project; and supported preserving the building.

Council Member Caballero spoke to historic tax credits being leverage to developers and could be the rationale for the preservation being in the matrix.

Mr. Vangel acknowledged some of the teams sought to preserve the building, left to their own devices and noted that all of the teams had at least one local partner.

It was the consensus of Council to set the 80-unit goal, go with Scenarios A & B, fewer points to be allotted for fewer affordable units,

City Manager Bonfield interjected that the rubric allowed for 35 points or nothing, either meet the requirement or not.

Ms. Poston spoke to the inverted, graduated point system in a scoring tier from 50 to 80 units; the more units included, the more points gained.

City Manager Bonfield addressed the question of how many market rate units were necessary to support one affordable unit; without tax credit support, then it had the potential to become a heavily dominated residential site.

Karen Lado addressed the financial perspective of inclusionary zoning policies and stated that developers could propose more residential units or pay less for the land; and commented on the potential feasibility of a 4% tax credit on the site.

Mr. Hails explained that the Coalition had discussed wanting to break up the clusters of affordable housing; this site was located at the west side of Downtown and suggested if Scenario B remained, that a comparable or nearby site be included, anywhere in the Downtown area and wanted it to be comparable in visibility and accessibility.

Mayor Pro Tempore Johnson departed the meeting at 5:05 p.m.

Mr. Vangel stated that Scenario A was mandatory; and Scenario B, optional.

Council Member Middleton asked about the origin of 80 units and questioned other scenarios.

It was the consensus of the Council that the rubric be devised with 50 to 80 affordable housing units along with its scoring.

Settling the Agenda – April 15, 2019 City Council Meeting

City Manager Bonfield announced the agenda for the April 15, 2019 City Council Meeting for the following items: Consent Agenda items 1 through 4, 6 through 9, 11, 12 and 21; General Business - Agenda Item 10; and General Business Agenda - Public Hearings, Items 14 through 18.

MOTION by Council Member Middleton, seconded by Council Member Caballero to settle the Agenda; motion passed unanimously.

Being no further business to address, the Work Session was adjourned at 5:07 p.m.

Diana Schreiber, NCCMC, CMC
City Clerk