

**DURHAM CITY COUNCIL WORK SESSION**  
**Thursday, April 18, 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 and Mark-Anthony Middleton. Excused Absence: Council Member Charlie Reece.

Also present: Deputy City Manager Wanda Page, 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.

Deputy City Manager Page announced the priority items:

- Item 6, Resolution in Recognition of the Life of El-Hajj Malik El-Shabazz aka Malcolm X; indicated a new resolution has been attached.
- Item 32, Supplemental Item: Participatory Budgeting Update; requested the item be heard at 1:30 p.m.
- Item 33, Supplemental Item: Resolution in Support of the Mental Health Protection Act, the Equality for All Act and the Full Repeal of House Bill 2; Council Member Alston revised the HB # from 142 to 2.
- Item 21, Resolution in Support of the 2020 Census, requested that Council suspend the rules and vote on the item.

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

The Interim City Attorney Rehberg announced that there would be a closed session following the Work Session pursuant to NCGS 143-318.11(a) 3 for attorney-client consultation concerning the handling or settlement of threatened litigation and the recently filed cases of:

- Eyal & Livneh. v. City of Durham and C. J. Davis
- Deborah Friedman v. Durham City Council, et al.
- NC Coalition for Israel, et al. v. City of Durham, et al.
- John David Gunter, et al. v. City of Durham, et al.

**MOTION** by Council Member Middleton, seconded by Council Member Caballero, to accept the City Attorney's Priority Item. Motion passed unanimously.

City Clerk Schreiber stated there were no priority items from the City Clerk's Office.

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

- Item 5, Passenger Vehicle for Hire Commission;
- Item 6, Resolution in Recognition of the Life of El-Hajj Malik El-Shabazz aka Malcolm X;
- Item 7, City-County Planning Department FY20 Work Program;
- Item 14, Sub-recipient Contract with Housing for New Hope, Inc. for Rapid Re-Housing Services;
- Item 15, Approval Of Dedicated Housing Funds to the North Carolina Coalition to End Homelessness (NCCEH) to Provide Services For Homelessness Coordinated Entry and Homeless Management Information System (HMIS) Planning And Administration;
- Item 19, Resolution Approving the Application to the Local Government Commission for the Issuance of Not to Exceed \$263,000,000.00 Water and Sewer Utility System Revenue Bond Anticipation Notes; and
- Item 24, Downtown Durham Wayfinding Program (TIP #C-5605H).

**SUBJECT: RESOLUTION IN SUPPORT OF THE 2020 CENSUS  
(ITEM 21/ PR 13155)**

Due to the time sensitivity of the resolution, Mayor Schewel requested that Council suspend the rules and vote on the item.

**MOTION** by Mayor Pro Tempore Johnson, seconded by Council Member Alston, to suspend the rules; motion passed unanimously.

**MOTION** by Council Member Middleton, seconded by Council Member Alston, to approve the Resolution in support of the 2020 Census; motion passed unanimously.

**RESOLUTION #10128**

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

**CITIZEN'S MATTER: CHRIS TIFFANY (ITEM 31/ PR 13159)**

To receive comments from Chris Tiffany regarding the Durham Police.

Mr. Tiffany expressed concerns about police officer interactions with teenager.

Mayor Schewel indicated Mr. Tiffany could send his information to Council Members.

**PUBLIC COMMENT: KEIJUANE HESTER (NO ITEM #)**

To receive comments from Keijuane Hester regarding his bakery, Favor Desserts.

Mr. Hester spoke of to his development as a baker and businessman; and urged funding for his program that served as outreach to employing ex-offenders.

Mayor Schewel requested that the PowerPoint presentation be emailed to Council.

Mayor Pro Tempore encouraged Mr. Hester to contact the organizations, Forward Justice and the Transformative Justice League; and provided the information to Mr. Hester.

Council Member Middleton expressed support for Mr. Hester's business and noted that through Mr. Hester's support, many ex-offenders had been kept away from crime.

Council Member Freeman inquired about the funding being requested.

Mr. Hester responded that he was requesting \$3 million for his endeavors.

**PUBLIC COMMENT: DANIELLE PURIFOY (NO ITEM #)**

To speak in opposition to the proposed 72 new, full-time police officers.

Ms. Purifoy referenced the March 8, 2019 presentation to Council about the Police Department's substantiation for the budget request involving an increase of officers.

Ms. Purifoy explained that other resources should be used for public safety instead of armed officers, was in favor of a taskforce to end the violence and a mobile crisis unit equipped with counselors and medics. She urged denial in any increase in the number of police officers in the upcoming budget cycle.

As per the request of the Deputy City Manager, Mayor Schewel announced that Item 32, the Participatory Budgeting (PB) Update would be heard next.

**SUBJECT: PARTICIPATORY BUDGETING (PB) UPDATE (ITEM 32/ PR 13175)**

Participatory Budget Engagement Manager Andrew Holland introduced Robin Baker, Participatory Budget Engagement Coordinator and NCCU Intern Justin Henderson.

Mr. Holland updated Council on the PB projects and the upcoming city-wide voting process. Voting was expected to begin on-line and at kiosks throughout the city beginning on May 1 through May 31.

Ms. Baker detailed the voting process and final budget proposals, displayed a video with bilingual actors and explained how to access the budget proposals online at [www.pbdurham.mapseed.org/list](http://www.pbdurham.mapseed.org/list); and indicated that NCCU MPA students were expected to evaluate the first year PB project.

Council Member Caballero inquired about how would folks determine that the PB voting process differed from the regular election cycle.

Ms. Baker clarified that there was a PB marketing and advertising program occurring in the schools and that community partners were educating the students about the differences.

Council requested that the video be posted online via social media and suggested the PB staff reach out to the Interdenominational Ministerial Alliance.

Council Member Alston encouraged the PB staff be aggressive in advertising the election process in the week prior to the election period beginning on May 1.

Mr. Holland interjected that PB staff was partnering with DHA who had intended on canvassing DHA neighborhoods.

Ms. Baker confirmed that youth in schools would be able to vote on site and noted that individuals in the County jail were going to be allowed to vote; and emphasized 'one person, one vote'.

#### **[ITEMS PULLED FROM THE AGENDA]**

#### **SUBJECT: PASSENGER VEHICLE FOR HIRE (ITEM 5/ PR 13119)**

Mayor Schewel noted the committee had not met often; and proposed the committee be scheduled to meet at an ad hoc basis.

Council Member Alston, liaison, noted that it was her intent to contact the members of the committee for their feedback before making a decision.

Mayor Schewel stated that he would prefer leaving the decision up to the administration combined with the advice of Council Member Alston; this way the committee could decide if they needed a regular meeting or preferred to serve on an ad hoc basis.

Item #5 was removed from the agenda.

**SUBJECT: RESOLUTION IN RECOGNITION OF THE LIFE OF EL-HAJJ MALIK EL-SHABASS AKA MALCOLM X (ITEM 6/ PR 13157)**

Mayor Schewel stated there had been considerable discussion on the item.

Council Member Freeman, Mayor Pro Tempore Johnson and Council Member Middleton made various revisions.

Council Member Middleton stated for the record: 'I want to make sure I'm representing you correctly. It's my understanding that Council Freeman is open to striking the language, the 'Whereas' Due largely to his leadership efforts to the Nation of Islam grew 400 members when he was released from prison in 1952 to 40,000 members by 1960.'; and asked if this was an accurate characterization and indicated that there was on-going conversation between Mayor Pro Tem and Council Member Freeman. It was Council Member Middleton's understanding that Council Member Freeman was open to the language being struck.

Council Member Freeman stated that if this language was a point of contention to the point that one of her colleagues would not support the entire resolution based on that, she was open to striking it.

Mayor Pro Tempore Johnson was not willing to support the resolution with this language included and appreciated its removal; and addressed the Nation of Islam in the 6<sup>th</sup> paragraph and explained her concerns about the content.

Mayor Schewel summarized that Council was in agreement to move forward with placing the resolution on the Consent Agenda, and removing the clause with 'Whereas due largely to his leadership effort...'

The Council Members agreed to revise the resolution and resubmit the item for processing.

**SUBJECT: CITY-COUNTY PLANNING DEPARTMENT FY20 WORK PROGRAM (ITEM 7/ PR 13133)**

Scott Whiteman, Planning Supervisor and Bo Dobrzanski, Developmental Service Center Manager, presented the item.

Mayor Schewel appreciated staff's efforts in the work program; and asked about the Forest Hills 'Neighborhood Protection Overlay' (and its funding and asked about the potential conflict between the NPO and the Expanding Housing Choices Initiative.

Mr. Whiteman explained there could be a conflict between the Forest Hills NPO and the Expanding Housing Choices Initiative and that staff was giving this impact its attention.

Council Member Middleton provided historical context of the Forest Hills petition; addressed the issue of fairness by the petitioners of the Forest Hills NPO, since the petitioners had followed the rules and submitted their petition under the new rules although had met the requirements under the old rubric.

Council Member Freeman inquired about streetscape along Fayetteville Street.

Mr. Whiteman explained that partnering with other departments was included in the workplan.

**SUBJECT: SUBRECIPIENT CONTRACT WITH HOUSING FOR NEW HOPE, INC. FOR RAPID RE-HOUSING SERVICES (ITEM 14/ PR 13083)**

Council Member Freeman inquired about statistics related to the demographics and the number of households related to rapid re-housing.

Karen Lado, Assistant Manager Department of Community Development, addressed the number of households served and would provide demographic information.

Mayor Schewel asked about the point in time count figure and noted that the figure seemed much lower than usual.

Assistant Director Lado addressed unsheltered count versus the total point in time count; and noted that staff would follow-up with figures pertaining to the one-night point-in-time count versus the total unsheltered.

Council Member Freeman requested clarification in the definition of 'literal homelessness' and asked if it included couch surfing.

Hanaleah Hoberman, Project Manager II, explained the working definition of 'literal homelessness' and responded that couch surfing did not fit within HUD's classification for homelessness.

**SUBJECT: APPROVAL OF DEDICATED HOUSING FUNDS TO THE NORTH CAROLINA COALITION TO END HOMELESSNESS (NCCEH) TO PROVIDE SERVICES FOR HOMELESSNESS COORDINATED ENTRY AND HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS) PLANNING AND ADMINISTRATION (ITEM 15/ PR 13073)**

Hanaleah Hoberman, Project Manager II, stated the project was about administrative support and planning capacity rather than impact on individual households and anticipated the hiring of one full time staff member.

Emily Carmody, Program Director representing the NC Coalition to End Homelessness, explained there were currently three staff persons and that one additional would be hired.

Mayor Schewel inquired about the intakes as noted on Page 3, Scope of Work.

Council Member Freeman inquired if the Continuum of Care revolved around mental health services; and requested that gaps be documented especially shortages.

Ms. Hoberman addressed linkages to other agencies in mental health care and explained that NCCH would assist in the configuration of data to determine the effectiveness of diversion programs and spoke to 24/7 coordinated entry to care.

Council Member Freeman requested that there be language access and cultural sensitivity attached to the coordinated entry and asked if the system would handle child protection and safety services.

Ms. Hoberman addressed language access line and other language access services and explained that screenings would address human trafficking, involuntary sex work and intimate partner violence. She said that Lifeskills Foundation had applied to be a youth hub for vulnerable youth.

Mayor Schewel asked about the time being spent in Urban Ministries and that the number of days were increasing.

Ms. Carmody responded that her organization was designing the back door into permanent housing and methods to streamline the referral process into housing programs.

Mayor Schewel encouraged staff to meet with Mr. Garrett, resident, about homeless programming.

**SUBJECT: RESOLUTION APPROVING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR THE ISSUANCE OF NOT TO EXCEED \$263,000,000.00 WATER AND SEWER UTILITY SYSTEM REVENUE BOND ANTICIPATION NOTES (ITEM 19/ PR 13139)**

Emily Desiderio, Treasury Manager, explained the rationale behind the Finance Department's selection to go with the three-year interest only period upfront and indicated the financing model was designed to keep rates as low as possible and had the objective of aligning spending with borrowing. She stated that the city would be paying interest only on the funds being used or borrowed, indicated that a RFP had been issued and explained the take-out function.

Ms. Desiderio addressed the upcoming projects with special mention of the Water Management projects and explained how the interest only phase would save the city money.

Council Member Freeman inquired about making minority lending institutions the lead financial partners rather than a part and asked if flooding mitigation and land grants are built into the bond.

Ms. Desiderio responded that smaller lending institutions had been contacted and that typically, given the size of the bond, the bond request would be placed with larger banking institutions. She deferred the question about flooding mitigation and land grants to Water Management Director Don Greeley.

Director Greeley responded that the funds were related to water and sewer improvements, not stormwater.

#### **[PRESENTATION]**

#### **SUBJECT: DOWNTOWN DURHAM WAYFINDING PROGRAM (TIP #C-5605H) (ITEM 24/ PR 13148)**

Ellen Beckmann, Transportation Planner II, stated the PowerPoint Presentation would be emailed to Council; provided the background of the item that was funded by a federal grant with the objectives to improve air quality and reduce emissions and to *refresh* the city's signage.

Glen Swantak, consultant representing Merje (consultant design firm on the project), explained his company handled community wayfinding programs and noted a coordinated system would replace the various signs in Downtown currently in use; explained the simplified signage would incorporate Downtown as a whole, rather than the current five districts; and noted that signage would direct drivers from parking decks without space to those with vacancies.

Mr. Swantak continued explaining that surveys and public meetings had been conducted and that great input was received. He presented three options and explained the design features and stated that Option 4, representing a combination of Options 1 (modern, clean appeal) and 2 was the favorite; and he stated that signage would be in English and Spanish at the kiosks; however, the vehicular signage would be in English only.

Council Member Middleton inquired about the final decision coming before Council.

Council Member Alston inquired if the City of Durham's flag colors on the signage wayfinding signage might confuse drivers with traffic signals.



Mr. Swantak explained that the concern was valid and explained the colors to be utilized on the poles, of which, would be custom colors.

Ms. Beckmann indicated that staff had not planned on another presentation but would come back to Council with a construction contract for approval.

### **[BOARDS, COMMITTEES AND COMMISSIONS APPOINTMENTS]**

City Clerk Schreiber announced that Council had nominated John Green to the Housing Appeals Boards; there was a tie for the second vacancy on the Housing Appeals Board and suggested the appointment go on the General Business Agenda at the upcoming Council Meeting.

Mayor Schewel confirmed the Housing Appeals Board item would be placed on the General Business Agenda for decision making by Council.

Additionally, Omar Beasley was nominated for reappointment to the Durham Sports Commission; Michael Retchless and Jessica Major were both nominated for reappointment to the Durham Board of Adjustment; and Jessalee Landfried was nominated for reappointment to the Durham City-County Environmental Affairs Board.

### **PUBLIC COMMENT: MR. GARRETT**

Mr. Garrett addressed the crime rate in Durham and requested funding for his training program.

Mayor Schewel responded that he had spoken with Mr. Garrett, explained the process and encouraged him to contact the Homeless Services Advisory Committee (HSAC) for grant funds and contact staff members Lloyd Schmeidler (HSAC) and Andre Pettigrew (Jobs program).

Mayor Schewel asked Mr. Garrett to reach out to him for additional support.

### **SETTLING THE AGENDA – MAY 6, 2019 CITY COUNCIL MEETING**

Deputy City Manager Page announced that the Consent Agenda consisted of Items 2 through 4, 6 through 20, 22 and 33; the General Business Agenda consisted of Items 1, 23 and 25; and the General Business Agenda, Public Hearings consisted of Items 26 through 30.

**MOTION** by Council Member Caballero, seconded by Mayor Pro Tempore Johnson, to settle the agenda as stated by the Deputy City Manager for the May 6, 2019 City Council Meeting. Motion passed unanimously.

Council Member Freeman requested that a presentation by John Killeen on the Urban Tier (addressing demographics specifically related to housing) be added to the May 9, 2019 Work Session agenda. It was the consensus of Council to hear the presentation at the upcoming Work Session.

**Council entered Closed Session – 3:07 p.m.**

**MOTION** by Council Member Middleton, seconded by Council Member Caballero, to enter closed session. Motion passed unanimously.

**Council Returned to Open Session – 3:51 p.m.**

**MOTION** by Council Member Alston, seconded Mayor Pro Tempore, to return to open session. Motion passed unanimously.

No action was taken on the items.

There being no further business to come before Council, the meeting was adjourned at 3:52 p.m.

Diana Schreiber, CMC, NCCMC  
City Clerk