

**DURHAM, NORTH CAROLINA  
MONDAY, MAY 6, 2019  
7:00 P.M.**

The Durham City Council met in a regular session on the above date and time in the Council Chambers 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, City Clerk Diana Schreiber and Deputy City Clerk Ashley Wyatt.

Mayor Schewel called the meeting to order, welcomed everyone in attendance, and asked for a moment of silent meditation.

Council Member Reece deferred to Scouts Troop 405 to lead the Pledge of Allegiance to the Flag.

**[CEREMONIAL ITEMS]**

Mayor Schewel read into the record the proclamation recognizing National Drinking Water Week and presented it to Tom Lucas, superintendent of the Brown Water Treatment Plant.

Erin Miller of the Water Management Department presented awards for the poster contest celebrating water conservation.

Mayor Schewel read into the record the proclamation recognizing Children's Mental Health Awareness Month and presented it to Teka Dempson, Family Coordinator of Alliance Behavioral Healthcare.

Eddie Davis, City of Durham Historian, presented a History Moment dedicated to Mr. Earl Pollock. Mr. Pollock's daughter, Professor Della Pollock presented remarks provided by her father.

**[ANNOUNCEMENTS BY COUNCIL]**

Council Member Reece recognized the reporters in the audience; and addressed Sarah Willetts of the Indy week, who will be starting a new position in the Durham County's District Attorney's Office.

Mayor Pro Tempore Johnson announced that the community voting was open for the participatory budget projects and that voting would remain open from May 1, 2019 through May 31, 2019.

Council Member Freeman noted that Raleigh-Durham International Airport had 7 new direct flights through Spirit Airlines, highlighted the proclamation recognizing Children’s Mental Health Awareness Month, thanked Teka Dempson for her comments and recognized that it was the 50<sup>th</sup> Anniversary of the Bimbe Festival.

Julie Garret, Public Affairs Specialist of the Recovery Center of the U.S Small Business Administration, stated that her unit was located in the Chesterfield building Suite 203 until Thursday of this week and encouraged any business owner impacted by the Durham explosion to come and apply for economic injury disaster loans. She advised that the deadline to apply for assistance was January 30, 2020 – and announced the website as [www.disasterloan.sbg.gov](http://www.disasterloan.sbg.gov)

**[PRIORITY ITEMS OF THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK]**

City Manager Bonfield, Interim City Attorney Rehberg and City Clerk Schreiber had no priority items.

**[CONSENT AGENDA]**

**SUBJECT: DURHAM SPORTS COMMISSION – REAPPOINTMENT (ITEM 2/ PR #13122)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to reappoint Omar Beasley to the Durham Sports Commission with the term to expire on June 30, 2022, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: DURHAM BOARD OF ADJUSTMENT – APPOINTMENTS (ITEM 3/ PR #13123)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to appoint Jessica Major as an Alternate Member and to reappoint Michael Retchless as a Regular Member to the Durham Board of Adjustment with the terms expiring on June 30, 2022, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: DURHAM CITY-COUNTY ENVIRONMENTAL AFFAIRS BOARD – REAPPOINTMENT (ITEM 4/ PR #13124)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to reappoint Jessalee Landfried representing Law to the Durham City-County Environmental Affairs Board with the term to expire on June 1, 2022, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

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

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to approve the City-County Planning Department FY20 Work Program, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: 2018 DURHAM OPEN SPACE AND TRAILS COMMISSION ANNUAL REPORT (ITEM 8/ PR #13127)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to receive the 2018 Durham Open Space and Trails Commission Annual Report, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: 2018 DURHAM CITY-COUNTY APPEARANCE COMMISSION ANNUAL REPORT (ITEM 9/ PR #13130)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to receive the 2018 Durham City-County Appearance Commission Annual Report, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: 2018 BOARD OF ADJUSTMENT ANNUAL REPORT (ITEM 10/ PR #13137)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to receive the 2018 Board of Adjustment Annual Report, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and

Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None.  
Absent: None.

**SUBJECT: 2018 DURHAM ENVIRONMENTAL AFFAIRS BOARD ANNUAL REPORT  
(ITEM 11/ PR #13135)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to receive the 2018 Durham Environmental Affairs Board Annual Report, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: 2018 PLANNING COMMISSION ANNUAL REPORT (ITEM 12/ PR #13147)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to receive the 2018 Planning Commission Annual Report, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: 2018 HISTORIC PRESERVATION COMMISSION ANNUAL REPORT  
(ITEM 13/ PR #13149)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to receive the 2018 Historic Preservation Commission Annual Report, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

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

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to authorize the City Manager to execute a contract with Housing For New Hope, Inc. in the amount of \$285,342.00 for Rapid Rehousing activities, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**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)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to authorize the City Manager to execute a contract with the North Carolina Coalition to End Homelessness (NCCEH) to provide services for Homelessness Coordinated Entry and Homeless Management Information System (HMIS) Planning and Administration in the amount of \$152,964.00 utilizing Dedicated Housing Funds; and

To allow the City Manager to make minor modifications to the contract during the contract term was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: EB-4707B OLD DURHAM-CHAPEL HILL ROAD BICYCLE AND PEDESTRIAN PROJECT SUPPLEMENTAL AGREEMENT (ITEM 16/ PR #13152)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to authorize the City Manager to execute the EB-4707B Supplemental Agreement with the N. C. Department of Transportation; and

To adopt an ordinance amending the General Capital Improvement Project Ordinance, Fiscal Year 2018-2019, as amended, the same being Ordinance #15327, for the purpose of adding \$65,000.00 for Old Durham-Chapel Hill Road (LC135), was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**ORDINANCE #15460**

**SUBJECT: WATER REGULATORY COMPLIANCE ENGINEERING DESIGN SERVICES AMENDMENT NO. 6 FOR BLACK & VEATCH, INC. (ITEM 17/ PR #13141)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to authorize the City Manager to negotiate and execute a contract amendment with Black and Veatch Inc. for additional construction phase services related to the Water Regulatory Compliance contract for additional costs not to exceed \$1,700,000.00 for a contract amount of \$12,518,836.00; and

To authorize the City Manager or his designee to negotiate change orders and amendments to the contract provided that the total contract cost does not exceed \$12,768,836.00, which includes the contract amount plus the current contingency of \$250,000.00, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: BID REPORT – MARCH 2019 (ITEM 18/ PR #13135)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to receive a report on the bids that were acted upon by the City Manager in March 2019, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**Date:** 3/28/19  
**To:** Thomas J. Bonfield, City Manager  
**Through:** Wanda S. Page, Deputy City Manager  
**From:** David Boyd, Finance Director  
Jonathan Hawley, Purchasing Supervisor  
**Subject:** Bid Report – March 2019

**Apparatus, Supplies, Materials, Equipment, Construction and Repair work:**

**1. Bid:** Police Canine

**Purpose of Bid:** Provides the Police Department with one (1) trained police canine.

**Comments:** NC K9 LLC is the sole authorized provider of police canines for the State of North Carolina.

**Opened:** 3/1/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>NC K9 LLC. Stantonsburg, NC</b>	<b>1</b>	<b>\$ 11,500.00</b>	<b>\$ 11,500.00</b>

**Award Based on:**  Low Bid  Other (See Comments)

**Workforce Statistics**

**TOTAL WORKFORCE**

Employment Category	Employees	Males	Females
Project Mgr.	0	0	0
Professional	1	1	0
Technical	0	0	0
Clerical	0	0	0
Labor	0	0	0
<b>Total</b>	<b>1</b>	<b>1</b>	<b>0</b>

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	0	0	0
Professional	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
<b>Total</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

UBE/SLBE REQUIREMENTS – FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	0	0	0
Professional	0	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

2. **Bid:** Mobile Tower Lightning System

**Purpose of Bid:** Provides the Emergency Communications Department with a mobile tower lightning system for Lake Michie.

**Comments:**

**Opened:** 3/11/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Triangle Tower Services Durham, NC</b>	<b>1</b>	<b>\$ 21,262.50</b>	<b>\$ 21,262.50</b>
Motorola Solutions Siler City, NC	1	\$ 33,893.75	\$ 33,893.75

**Award Based on:**             **Low Bid**                             **Other (See Comments)**  
**Workforce Statistics**

<b>TOTAL WORKFORCE</b>			
<b>Employment Category</b>	<b>Employees</b>	<b>Males</b>	<b>Females</b>
<b>Project Mgr.</b>	2	2	0
<b>Professional</b>	0	0	0
<b>Technical</b>	3	3	0
<b>Clerical</b>	1	0	1
<b>Labor</b>	8	8	0
<b>Total</b>	14	13	1

<b>UBE/SLBE REQUIREMENTS - MALES</b>					
<b>Employment Category</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian or Pacific Islander</b>	<b>Indian or Alaska Native</b>
<b>Project Mgr.</b>	1	0	0	1	0
<b>Professional</b>	0	0	0	0	0
<b>Technical</b>	3	0	0	0	0
<b>Clerical</b>	0	0	0	0	0
<b>Labor</b>	8	0	0	0	0
<b>Total</b>	12	0	0	1	0

<b>UBE/SLBE REQUIREMENTS - FEMALES</b>					
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Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	0	0	0
Professional	0	0	0	0	0
Technical	0	0	0	0	0
Clerical	1	0	0	0	0
Labor	0	0	0	0	0
<b>Total</b>	1	0	0	0	0

3. **Bid:** CAT Forklift

**Purpose of Bid:** Provides the Solid Waste Department with one (1) CAT Fortis Forklift Model H50T for the Waste Disposal and Recycling Center (Transfer Station).

**Comments:** Priced in accordance with North Carolina State Contract # 760H.

**Opened:** 3/11/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Gregory Poole Equipment Co. Raleigh, NC</b>	<b>1</b>	<b>\$ 47,741.58</b>	<b>\$ 47,741.58</b>

**Award Based on:**       Low Bid       Other (See Comments)

**Workforce Statistics**

<b>TOTAL WORKFORCE</b>			
Employment Category	Employees	Males	Females
Project Mgr.	11	10	1
Professional	13	12	1
Technical	146	141	5
Clerical	19	10	9
Labor	7	6	1
<b>Total</b>	<b>196</b>	<b>179</b>	<b>17</b>

**UBE/SLBE REQUIREMENTS - MALES**



Employment Category	Employees	Males	Females
Project Mgr.	0	0	0
Professional	6	6	0
Technical	0	0	0
Clerical	5	4	1
Labor	6	6	0
<b>Total</b>	17	16	1

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	0	0	0
Professional	6	0	0	0	0
Technical	0	0	0	0	0
Clerical	4	0	0	0	0
Labor	1	5	0	0	0
<b>Total</b>	11	5	0	0	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	0	0	0
Professional	0	0	0	0	0
Technical	0	0	0	0	0
Clerical	1	0	0	0	0
Labor	0	0	0	0	0
<b>Total</b>	1	0	0	0	0

5. **Bid:** Office Furniture Purchase

**Purpose of Bid:** Provides the Community Development Department with office furniture.

**Comments:** Priced in accordance with purchasing cooperative program –National IPA Contract #R142208.

**Opened:** 3/13/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Forms and Supply Inc.Charlotte, NC</b>	<b>1</b>	<b>\$ 50,279.58</b>	<b>\$ 50,279.58</b>

**Award Based on:**             Low Bid                             Other (See Comments)  
**Workforce Statistics**

<b>TOTAL WORKFORCE</b>			
<b>Employment Category</b>	<b>Employees</b>	<b>Males</b>	<b>Females</b>
<b>Project Mgr.</b>	18	13	5
<b>Professional</b>	58	32	26
<b>Technical</b>	0	0	0
<b>Clerical</b>	81	28	53
<b>Labor</b>	110	102	8
<b>Total</b>	267	175	92

<b>UBE/SLBE REQUIREMENTS – MALES</b>					
<b>Employment Category</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian or Pacific Islander</b>	<b>Indian or Alaska Native</b>
<b>Project Mgr.</b>	12	1	0	0	0
<b>Professional</b>	28	2	1	0	1
<b>Technical</b>	0	0	0	0	0
<b>Clerical</b>	24	4	0	0	0
<b>Labor</b>	48	48	3	2	1
<b>Total</b>	112	55	4	2	2

<b>UBE/SLBE REQUIREMENTS – FEMALES</b>					
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Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	5	0	0	0	0
Professional	25	1	0	0	0
Technical	0	0	0	0	0
Clerical	41	9	0	1	2
Labor	1	6	0	1	0
<b>Total</b>	72	16	0	2	2

6. **Bid:** Office Furniture Purchase

**Purpose of Bid:** Provides the Neighborhood Improvement Services Department with office furniture.

**Comments:** Priced in accordance with purchasing cooperative program –National IPA Contract #R142208.

**Opened:** 3/13/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Forms and Supply Inc. Charlotte, NC</b>	1	<b>\$ 94,629.46</b>	<b>\$ 94,629.46</b>

**Award Based on:**       Low Bid       Other (See Comments)  
**Workforce Statistics**

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	18	13	5
Professional	58	32	26
Technical	0	0	0
Clerical	81	28	53
Labor	110	102	8
<b>Total</b>	267	175	92

**UBE/SLBE REQUIREMENTS - MALES**

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	12	1	0	0	0
Professional	28	2	1	0	1
Technical	0	0	0	0	0
Clerical	24	4	0	0	0
Labor	48	48	3	2	1
<b>Total</b>	<b>112</b>	<b>55</b>	<b>4</b>	<b>2</b>	<b>2</b>

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	5	0	0	0	0
Professional	25	1	0	0	0
Technical	0	0	0	0	0
Clerical	41	9	0	1	2
Labor	1	6	0	1	0
<b>Total</b>	<b>72</b>	<b>16</b>	<b>0</b>	<b>2</b>	<b>2</b>

**7. Bid:** Lawn Mowers

**Purpose of Bid:** Provides the General Services Department with two (2) lawn mowers.

**Comments:** Bids were requested from multiple vendors but only one bid was received.

**Opened:** 3/18/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
Quality Mower and Saw Equipment Inc. Durham, NC	2	\$ 6,974.34	\$ 13,948.68

**Award Based on:**       Low Bid       Other (See Comments)

**Workforce Statistics**

<b>TOTAL WORKFORCE</b>			
<b>Employment Category</b>	<b>Employees</b>	<b>Males</b>	<b>Females</b>
<b>Project Mgr.</b>	2	1	1
<b>Professional</b>	1	1	0
<b>Technical</b>	4	4	0
<b>Clerical</b>	3	3	0
<b>Labor</b>	0	0	0
<b>Total</b>	10	9	1

<b>UBE/SLBE REQUIREMENTS - MALES</b>					
<b>Employment Category</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian or Pacific Islander</b>	<b>Indian or Alaska Native</b>
<b>Project Mgr.</b>	1	0	0	0	0
<b>Professional</b>	1	0	0	0	0
<b>Technical</b>	4	0	0	0	0
<b>Clerical</b>	3	0	0	0	0
<b>Labor</b>	0	0	0	0	0
<b>Total</b>	9	0	0	0	0

<b>UBE/SLBE REQUIREMENTS - FEMALES</b>					
<b>Employment Category</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian or Pacific Islander</b>	<b>Indian or Alaska Native</b>
<b>Project Mgr.</b>	1	0	0	0	0
<b>Professional</b>	0	0	0	0	0
<b>Technical</b>	0	0	0	0	0
<b>Clerical</b>	0	0	0	0	0
<b>Labor</b>	0	0	0	0	0
<b>Total</b>	1	0	0	0	0

8. **Bid:** Truck Purchase

**Purpose of Bid:** Provides the Public Works Department with one (1) 2019 Ford F-150 XL 4x4 Regular Cab for the Street Maintenance Division.

**Comments:** Priced in accordance with purchasing cooperative program – North Carolina Sherriff Association #19-05-0911 Specification # 20.

**Opened:** 3/18/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Asheville Ford Lincoln Asheville, NC</b>	<b>1</b>	<b>\$ 26,352.88</b>	<b>\$ 26,352.88</b>

**Award Based on:**             Low Bid                                     Other (See Comments)  
**Workforce Statistics**

<b>TOTAL WORKFORCE</b>			
<b>Employment Category</b>	<b>Employees</b>	<b>Males</b>	<b>Females</b>
<b>Project Mgr.</b>	11	9	2
<b>Professional</b>	27	19	8
<b>Technical</b>	32	32	0
<b>Clerical</b>	8	1	7
<b>Labor</b>	7	7	0
<b>Total</b>	85	68	17

<b>UBE/SLBE REQUIREMENTS - MALES</b>					
<b>Employment Category</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian or Pacific Islander</b>	<b>Indian or Alaska Native</b>
<b>Project Mgr.</b>	9	0	0	0	0
<b>Professional</b>	18	1	0	0	0
<b>Technical</b>	27	2	3	0	0
<b>Clerical</b>	1	0	0	0	0
<b>Labor</b>	5	1	1	0	0
<b>Total</b>	60	4	4	0	0



UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	2	0	0	0	0
Professional	7	0	1	0	0
Technical	0	0	0	0	0
Clerical	5	1	1	0	0
Labor	0	0	0	0	0
<b>Total</b>	14	1	2	0	0

**9. Bid:** Water Valves

**Purpose of Bid:** Provides the Water Management Department with ten (10) H-Tec Water Valves.

**Comments:** Porter Products is the sole authorized provider of H-Tec Water Valves.

**Opened:** 3/18/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
Porter Products Eustis, FL	10	\$ 3,050.00	\$ 30,500.00

**Award Based on:**             Low Bid                             Other (See Comments)

**Workforce Statistics**

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	0	0	0
Professional	6	2	4
Technical	0	0	0
Clerical	0	0	0
Labor	1	1	0
<b>Total</b>	7	3	4

<b>UBE/SLBE REQUIREMENTS – MALES</b>					
<b>Employment Category</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian or Pacific Islander</b>	<b>Indian or Alaska Native</b>
<b>Project Mgr.</b>	0	0	0	0	0
<b>Professional</b>	2	0	0	0	0
<b>Technical</b>	0	0	0	0	0
<b>Clerical</b>	0	0	0	0	0
<b>Labor</b>	1	0	0	0	0
<b>Total</b>	3	0	0	0	0

<b>UBE/SLBE REQUIREMENTS – FEMALES</b>					
<b>Employment Category</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian or Pacific Islander</b>	<b>Indian or Alaska Native</b>
<b>Project Mgr.</b>	0	0	0	0	0
<b>Professional</b>	4	0	0	0	0
<b>Technical</b>	0	0	0	0	0
<b>Clerical</b>	0	0	0	0	0
<b>Labor</b>	0	0	0	0	0
<b>Total</b>	4	0	0	0	0

10. **Bid:** Truck Purchase

**Purpose of Bid:** Provides the General Services Department with one (1) 2019 Ford F-150 xl 4x2 Regular Cab for the Building Maintenance Division.

**Comments:** Priced in accordance with purchasing cooperative program – North Carolina Sherriff Association #19-05-0911 Specification # 20.

**Opened:** 3/18/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Asheville Ford Lincoln Asheville, NC</b>	<b>1</b>	<b>\$ 23,251.84</b>	<b>\$ 23,251.84</b>

Award Based on:  Low Bid  Other (See Comments)  
 Workforce Statistics

<b>TOTAL WORKFORCE</b>			
<b>Employment Category</b>	<b>Employees</b>	<b>Males</b>	<b>Females</b>
<b>Project Mgr.</b>	11	9	2
<b>Professional</b>	27	19	8
<b>Technical</b>	32	32	0
<b>Clerical</b>	8	1	7
<b>Labor</b>	7	7	0
<b>Total</b>	85	68	17

<b>UBE/SLBE REQUIREMENTS – MALES</b>					
<b>Employment Category</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian or Pacific Islander</b>	<b>Indian or Alaska Native</b>
<b>Project Mgr.</b>	9	0	0	0	0
<b>Professional</b>	18	1	0	0	0
<b>Technical</b>	27	2	3	0	0
<b>Clerical</b>	1	0	0	0	0
<b>Labor</b>	5	1	1	0	0
<b>Total</b>	60	4	4	0	0

<b>UBE/SLBE REQUIREMENTS – FEMALES</b>					
<b>Employment Category</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian or Pacific Islander</b>	<b>Indian or Alaska Native</b>
<b>Project Mgr.</b>	2	0	0	0	0
<b>Professional</b>	7	0	1	0	0
<b>Technical</b>	0	0	0	0	0
<b>Clerical</b>	5	1	1	0	0
<b>Labor</b>	0	0	0	0	0
<b>Total</b>	14	1	2	0	0



Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	10	0	0	1	0
Professional	35	0	0	1	0
Technical	23	1	1	0	0
Clerical	11	3	0	1	0
Labor	0	0	0	0	0
<b>Total</b>	79	4	1	3	0

**12. Bid:** Water Valves Pump

**Purpose of Bid:** Provides the Water Management Department with valve pump replacement for Pump #3 and Pump #4 for the North Durham Reclamation Center.

**Comments:**

**Opened:** 3/18/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Charles R Underwood Inc. Sanford, NC</b>	<b>1</b>	<b>\$ 69,950.00</b>	<b>\$ 69,950.00</b>
<b>Carolina Civilworks Inc. Raleigh, NC</b>	<b>1</b>	<b>\$ 81,363.00</b>	<b>\$ 81,363.00</b>

**Award Based on:**             **Low Bid**                             **Other (See Comments)**

**Workforce Statistics**

<b>TOTAL WORKFORCE</b>			
Employment Category	Employees	Males	Females
Project Mgr.	5	5	0
Professional	9	7	2
Technical	17	17	0
Clerical	5	0	5
Labor	26	26	0
<b>Total</b>	<b>62</b>	<b>55</b>	<b>7</b>

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	5	0	0	0	0
Professional	7	0	0	0	0
Technical	16	1	0	0	0
Clerical	0	0	0	0	0
Labor	23	3	0	0	0
<b>Total</b>	51	4	0	0	0

UBE/SLBE REQUIREMENTS – FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	0	0	0
Professional	2	0	0	0	0
Technical	0	0	0	0	0
Clerical	5	0	0	0	0
Labor	0	0	0	0	0
<b>Total</b>	7	0	0	0	0

13. **Bid:** Security System Equipment

**Purpose of Bid:** Provides the General Services Department with a video surveillance security system equipment for the Walltown Recreation Center.

**Comments:** Priced in accordance with purchasing cooperative program –US Communities #22-20061-19-001.

**Opened:** 3/20/2019

**Bidders:**

Vendor	Qty	Price	Total Cost

Brady Trane Service Inc. Greensboro, NC	1	\$ 19,439.07	\$ 19,439.07
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Award Based on:             Low Bid                             Other (See Comments)  
 Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	2	2	0
Professional	7	7	0
Technical	21	21	0
Clerical	2	1	1
Labor	0	0	0
<b>Total</b>	<b>32</b>	<b>31</b>	<b>1</b>

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	2	0	0	0	0
Professional	5	1	1	0	0
Technical	13	4	4	0	0
Clerical	1	0	0	0	0
Labor	0	0	0	0	0
<b>Total</b>	<b>21</b>	<b>5</b>	<b>5</b>	<b>0</b>	<b>0</b>

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	0	0	0
Professional	0	0	0	0	0
Technical	0	0	0	0	0
Clerical	1	0	0	0	0
Labor	0	0	0	0	0

Total	1	0	0	0	0
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**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)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to adopt a Resolution of the City of Durham, North Carolina, directing the application to the Local Government Commission (LGC) for approval of not to exceed \$263,000,000.00 Water and Sewer Utility System Revenue Bond Anticipation Notes and requesting that the LGC approve the Water and Sewer Utility System Revenue Bond Anticipation Notes, Series 2019, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**RESOLUTION 10130**

**SUBJECT: PROPOSED CONDEMNATION OF PROPERTY LOCATED AT 203 SOUTH GREGSON STREET, DURHAM, NC 27701 (PARCEL #103295), FOR THE AMERICAN TOBACCO WATERLINE REPLACEMENT PROJECT (ITEM 20/PR #13146)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to adopt the Resolution Authorizing the Condemnation of Portions of Certain Parcel(s) for the American Tobacco Waterline Replacement Project, which includes a deposit into court of \$168,525.00 as the City's estimate of just compensation, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**RESOLUTION 10131**

**SUBJECT: ORDINANCE AMENDING SECTION 38-21 OF THE CITY CODE (ITEM 22/ PR #13117)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to approve an amendment to City Ordinance Chapter 38, Section 21 to provide additional event locations that allow alcohol, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**ORDINANCE #15461**



**SUBJECT: STREET AND INFRASTRUCTURE ACCEPTANCES (ITEM 30/ PR #13108)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to accept certain streets and infrastructure in Brightleaf at the Park Tract 6, Brightwood Trails Phases 4C and 5, Creekside at Bethpage - Portions of Phase 1, Jordan at Soutpoint Phases 3B and 3C, Montclair Phase 2, Sarah Avenue Extension, Sherron Road Tract Phases 2, 3 and 4, Windsford at the Park Phase 2, 730 Dulaire Drive, Herndon Trace Sanitary Sewer Outfall, Ravenstone Phase 3C, Sherron Road Tract Phase 1 and The Revitalization of Southside for maintenance by the City of Durham was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: RESOLUTION IN SUPPORT OF THE MENTAL HEALTH PROTECTION ACT, THE EQUALITY FOR ALL ACT, AND THE FULL REPEAL OF HOUSE BILL 2 (ITEM 33/ PR #13186)**

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to adopt a Resolution in Support of the Mental Health Protection Act, the Equality for All Act, and the Full Repeal of House Bill 2, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**RESOLUTION 10132**

**[GENERAL BUSINESS AGENDA]**

**SUBJECT: HOUSING APPEALS BOARD – APPOINTMENTS (ITEM 1/ PR #13121)**

**MOTION** by Council Member Middleton, seconded by Council Member Caballero, to reappoint John Green to the Housing Appeals Board as a Regular Member representing Homeownership with the term to expire on June 30, 2022; and

To appoint a resident to fill one (1) vacancy as an Alternate Member representing At-Large with the term to expire on June 30, 2022, was approved as amended at 7:35 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: 2018-2019 DURHAM YOUTH COMMISSION ANNUAL REPORT (ITEM 23/ PR #13153)**

Anagha Jandhyala and Serach Patterson of the Durham Youth Commission provided a presentation on the 2018-2019 Durham Youth Commission Annual Report.

**SUBJECT: 2019 FIRST QUARTER CRIME REPORT (ITEM 25/ PR #13158)**

Chief Davis gave the following presentation on the 2019 First Quarter Crime Report:

- Reported Part 1 index crime (property and violent crime) went up by 16 percent during the first quarter of 2019 compared to the first three months in 2018.
- Violent crime (homicide, rape, robbery and aggravated assault) increased by 13 percent and property crime (burglary, larceny and motor vehicle theft) went up by 17 percent.
- Larceny made up 61% of all part 1 crime
- Average response time 5.75 minutes
- Misdemeanor Diversion Program for 16-17 year olds- Thirteen total referrals with eight referred from DPD during the 1st quarter of 2019.
- 390 referrals since the program started in 2014.
- Misdemeanor Diversion Program for 18-21 year olds- Twenty-seven total referrals with 26 referred from DPD and one from Sheriff/SRO during the 1st quarter of 2019.
- 257 referrals since the program started in October 2015.
- 1st Quarter Recruiting Events/Job Fairs – Officers from the Recruiting Unit attended recruiting events and job fairs at the following locations during the first quarter of 2019: Camp Lejeune (four times), Fitness Connection in Durham, University of South Carolina, Mayor's Job Fair in Orlando, Florida, University of Southern Alabama (HBCU), North Carolina State University, Clark Atlanta University (HBCU), Alabama A&M University (HBCU), Claflin University (HBCU), UNC-Greensboro Public Safety & Education Fair, Fayetteville State University (HBCU), NC A&T University (HBCU), UNC Charlotte, University of Tampa, East Tennessee State University The Citadel, Georgia Southern University, CIAA Career Expo, Virginia Military Institute, Jordan High School, North Carolina Wesleyan College, East Carolina University (two times), Carteret Community College, Carrington Middle School, John Jay College, Delaware State University (HBCU) and UNC Wilmington. The Recruiting Unit also held nine open houses at DPD Headquarters.
- Hispanic Robbery Community Outreach – There were several armed robberies of Hispanic victims reported during the 1st quarter. These robberies occurred primarily in the parking lots of apartment complexes. Officers from throughout the department worked together to reach out to members of the community and to reduce the number of robberies. Officers increased patrols in areas where these crimes were occurring and met with people in several complexes. Officers passed out crime prevention flyers in English and Spanish. Our Hispanic liaison officer set up several successful programs at Hispanic churches and we plan to continue these meetings.
- Police Athletic League (PAL) Basketball – More than 260 3rd through 5th grade students from 20 local schools participated in the Police Athletic League (PAL) basketball program at Holt Athletic Association in February and March.
- Operation Slow Down – On March 6 officers with the DPD's Traffic Services and Motor units, in conjunction with the Durham County Sheriff's Office, conducted Operation Slow Down, which targeted speeding issues on Garrett Road, Cornwallis Road and Interstate 85 near Cole Mill Road. The operation was in response to complaints from residents about speeding in these areas. Officers issued 34

speeding citations to motorists going at least 15 miles above the speed limit. The highest speed recorded was 97 mph in a 60 mph zone. Officers also issued four additional traffic citations.

Council Member Alston asked about the nature of the car break-ins and if they were generally related to home invasions.

Chief Davis advised that they were usually parking lot break-ins while residents were coming from or going to work.

Mayor Pro Tempore asked for clarification on the year to date change graph and what it was meant to communicate to Council.

Chief Davis advised that the graph was a visual representation that captured the percentage of crime movement in general.

Mayor Pro Tempore Johnson stated that she did not feel the information was as useful as a broader range analysis. She also asked about the increase in drug violation offenses.

Chief Davis advised that due to crime reporting requirements that the Police Department was recorded to report all instances of a particular offense as opposed to only having to report up to a certain amount.

Mayor Pro Tempore Johnson recognized that no one had been cited for solicitation in the first quarter of the year.

Council Member Reece suggested using the previous 12 months of data as opposed to the previous 90 days for quarterly reports and requested the traffic stop data report.

Council Member Freeman asked for clarification regarding who was diverted through the misdemeanor diversion program and requested a report be sent to Council. She also asked if the Police Department used the information from their various reports to chart staffing needs.

Chief Davis advised that the Police Department did utilize the data they collected.

Council Member Middleton echoed Council Member Reece regarding the integrity of quarterly crime reporting as opposed to annual crime reporting. He also asked if the Police Department intended on requesting funding for “shot spotter” during the upcoming budget cycle.

Chief Davis advised that there had been discussions about utilizing “shot spotter”.

City Manager Bonfield advised that the “shot spotter” was on the agenda to be discussed during budget briefings.

Council Member Middleton thanked the City Manager for his response about upcoming conversations on “shot spotter” and stated for the record:

“For whatever its worth, however those conversations go- and I know as a manager, Chief, you have to look as resources and you have to ask and prioritize. And because an ‘ask’ may not make the list doesn’t mean you don’t think it’s important. You have limited resources and as a manager you are mindful of that- and I want to honor all of that. But I think with respect to this issue, if it does not make the list, I want to say to my colleagues very directly that I think this is one of those situations that rises to the level of leadership on our part- that we should make this happen as we’ve made other things happen. I don’t know how many people were killed on bikes in traffic last year, but I know that one is one too many, but I do know that we are moving to put barrier protected bike lanes in the city. There was no sign that suggested tire mulch was endangering our children in an East Durham park, but the parents felt that they were and we acted. This is as I think one of those moments, another one of those times, where we need to act notwithstanding any recommendations that come from staff. And I think we’ve more than demonstrated our willingness to do this, this is one of those moments I think.

So I want to encourage and thank the City Manager, but however those conversations go, I want to respectfully submit that this council should be prepared to act and demonstrate to people in this city that we take this issue as seriously as we do trees, and bikes, and tire mulch, and that we when it comes to certain people and certain neighborhoods, that we will go beyond making speeches and platitudes, and discussing root causes, and spend some money. And if it doesn’t work we can cancel it. Thank you”

Council Member Caballero thanked Chief Davis and the Police Department for engaging people in the Latino community and recognized that the U-Visa requirement for reporting had been moved back, although she would have liked for it to be open-ended.

Council Member Freeman asked if the U-Visa numbers were connected to the Police outreach in the Latino community regarding reporting numbers.

Chief Davis stated that tools had been utilized to bridge the gap in the Latino community to report crimes and that having more bilingual officers had helped.

Mayor Schewel thanked Chief Davis for the continual growth of the U-Visa process and acknowledged that the quarterly crime reporting did change from 2018 to 2019.

Mayor Schewel stated there were speakers to the item.

James Chavis, a resident of 2813 Ash Street, expressed traffic and safety concerns regarding the Bull City Open Street Festival that had taken place the previous Saturday.

Jackie Wagstaff, a resident of Durham expressed concerns regarding violent crime in the city.

Abdul Burnett, a resident at 512 North Hardy Street, spoke to the state of increased gun violence in the city.

Rob Belcher, a resident 4328 Chimneystone Road, spoke in support of the Shot Spotter and encouraged the hiring of additional police officers and having outside property developers hire residents of Durham.

Monica Rosa, a resident of 2520 Chapel Hill Road, requested that the restrictions on the U-Visa process be lifted.

Margarita Ocampo, a resident of 402 Junction Road thanked the Council for the U-Visa process and requested that the restrictions on the U-Visa process be lifted.

Fidenorela Maraino, of 615 Raxinor Street, advised that she was a victim of an aggravated assault and through the U-Visa process she was able to receive the visa certification. She also requested that the restrictions on the U-Visa process be lifted.

Erika Rojas, a resident of 545 Liberty Street, stated that she had been a victim of a crime in 2008 and also requested that the restrictions on the U-Visa process be lifted so that she could be eligible to apply.

Ivan Pementel, a resident of 311 South LaSalle Street, spoke in favor of lifting the restrictions for the U-Visa process.

Dennis Garret, a resident of 1801 Angier Avenue, expressed concern for the violent crime in the city and also advised that he planned to run for City Council.

Council Member Freeman asked how the Police Department would conduct and follow through on investigations if they did not get the additional police officers requested.

Chief Davis advised that the Department would work with the resources they had.

Council Member Freeman asked about the efficiency of officers working overtime as opposed to hiring new officers.

Chief Davis stated that extensive overtime was not ideal for officer wellness.

The report was received by Council. No vote was taken.

**[GENERAL BUSINESS AGENDA - PUBLIC HEARINGS]**

**SUBJECT: PATTERSON PLACE COMPACT SUBURBAN DESIGN (CSD) DISTRICT TEXT AMENDMENT AND ZONING MAP CHANGE (TC1800009 AND Z1800030) (ITEM 26/ PR #13129)**

Lisa Miller, Senior Planner with the City-County Planning Department, made the following staff report and stated for the record that all Planning Department hearing items had been advertised and noticed in accordance with state and local law, and affidavits of all notices were on file in the Planning Department.

The project included the creation of new zoning regulations to be applied to Compact Neighborhood Tiers with existing auto-oriented context through a UDO text amendment. It then applied those regulations to the Patterson Place Compact Neighborhood Tier through the zoning map change, and established the placement of three sub-districts Core, Support 1, and Support 2. Finally it included a proposed future street network to be fully designed and precisely placed, as property is developed or redeveloped. This was in order to ensure smaller block sizes and to implement multi-modal street design standards in the creation of new streets. The particular project was supported by a myriad of comprehensive plan policies and was the culmination of work by staff and a variety of stakeholders that began in October of 2016 after the Compact Neighborhood Tier boundaries were reassessed and revised. It was also useful to note that longstanding homeowners in this area have been expecting and waiting for this change long before our work began.

On April 12<sup>th</sup> the Planning Commission took action on these items and they voted to recommend against the text amendment (5-6), the zoning map change (5-6), and the street network (4-7). The project required five separate motions: a motion to adopt the consistency statement for the text amendment, a motion on the text amendment itself, a motion to adopt the consistency statement for the zoning map change, a motion on the zoning map change itself, and a motion on the future street network resolution. Planning staff recommends approval of all three components of the project.

Council Member Freeman asked if water runoff, stormwater concerns, and the reduction of green space had been accounted for in the plan.

Ms. Miller advised that the Compact Design District designation was the best suited designation for the area.

Mayor Pro Tempore Johnson asked if the densities could be supported by an alternative to the light rail such as bus rapid transit.

Ms. Miller stated that the densities could be supported by another mode of transportation, such as bus rapid transit.

Mayor Pro Tempore asked for status on how the current affordable housing units were being protected from outside development.

Ms. Miller stated that the current affordable housing units were not in any immediate danger and that there was time to work with community development to retain their affordability.



Council Member Reece asked if congregate living facilities made sense to be categorized in the residential portion.

Ms. Miller advised that question had been brought up relatively recently and that the City-County Planning Department did not have time before the meeting to vet if there would have been any unintended consequences.

Mayor Schewel opened the Public Hearing and asked if there were any speakers to the item.

Michael Waldrop, a resident of 5324 McFarland Drive spoke in support of the Patterson Place project and expressed concern regarding the street network plan.

Bob Healy, a resident of 839 Sedgefield Street, spoke in support of the Patterson Place project and expressed concerns regarding the 200 foot transitional zone stating that it did not cover enough.

Patrick Byker a resident of 2614 Stuart Drive, spoke in support of the Patterson Place project and encouraged Council to vote in favor of the project.

Reynold Smith, a member of the Durham Open Space and Trails Commission, spoke in support of the Patterson Place project and expressed concerns regarding the 200 foot transitional zone stating that 300 feet was more ecological.

Jim Svara of 1114 Woodburn Road, spoke in support of the Patterson Place project and stated that it would be a good use of the mixed use space.

John Kent, representing the New Hope Creek Advisory Committee, suggested that Council were to approve the project, a setback of 300 feet should be required.

Stephen Hall, a resident of 105 Braswell Place in Chapel Hill, stated that he preferred as much conservation of the project as the city could manage.

Mayor Schewel asked if no longer having the light rail changed any aspect of the project as it pertained to potential proposals for density bonuses from developers.

Ms. Miller advised that she thought there could still be interest for projects that could apply the density bonuses and they would depend on various factors. However, the project could continue on the same path forward without the light rail.

Mayor Schewel asked for clarification regarding information in the memo to Council that stated a developer would mass grade an area near the project if the 200 foot transitional zone was raised to 300.

Ms. Miller stated that there were already some existing entitlements in the transitional use area. The developer proffered to submit the 200 foot transitional use area, but would

withdraw that proffer and would not want to be included in the redevelopment if the area was raised to 300 feet.

Mayor Schewel asked what was a clear zone for sidewalks.

Ms. Miller stated that it was an area of sidewalk that needed to remain unobstructed from street furniture, such as poles or light fixtures.

Mayor Schewel asked what was a suspended sidewalk system.

Ms. Miller stated that they pavers located over the street tree pit. She advised that they usually go unnoticed.

Mayor Schewel asked how the Support 2 boundaries were decided on.

Ms. Miller stated that there were several meetings in the previous year where they heard feedback from residents as to what areas were sensitive in nature.

Council Member Reece asked if it was likely that the area would get a lot of single story commercial development.

Ms. Miller advised that it was possible; however, that particular area did not have a draw for commercial use.

Council Member Reece asked what types of development would the city be incentivizing should a mass transit alternative to the light rail not happen.

Ms. Miller advised that the worst case scenario based on the requirements of the proposed developments would have been better options than what the city was currently able to allow to be developed at the location.

Council Member Middleton asked how robust the support was by stakeholders without having the light rail since the project's success was tethered to the light rail.

Ms. Miller stated that any lack of support for the project was temporary and as development occurred, it would have been done so in a way that the city had vision for.

Council Member Middleton asked what the risk would be if the Council had not taken action.

Ms. Miller stated that the risk would have been development taking place in the current pattern.

Council Member Freeman stated that she was concerned about the impact that the development could have for generations to come since she did not believe that the storm water and flood plain concerns had been addressed.



Mayor Pro Tempore Johnson asked what the difference in acreage was between a 200 foot buffer and a 300 foot buffer.

Ms. Miller advised that she did not have that information included.

As per the consensus of Council, the public hearing was continued to the August 5, 2019; the public hearing remained open.

**SUBJECT: OREGON STREET CLOSING (ITEM 27/ PR #13131)**

Emily Struthers, Senior Planner with the City-County Planning Department, made the following staff report and stated for the record that all Planning Department hearing items had been advertised and noticed in accordance with state and local law, and affidavits of all notices were on file in the Planning Department.

Oregon Street Closing case SC1800001 was continued from the March 18th City Council meeting. A minor revision had been made to a note on the plat for clarity purposes and additional language was added to the staff report summarizing the privatization of the water and sewer mains within Oregon Street upon approval of the street closing request. No other changes had been made.

Mayor Schewel opened the public hearing and asked if there were any speakers to the item.

George Stanziale of 101 W. Main Street, advised Council that Duke agreed to maintain all utilities and asked council to consider the approval.

Steve Haughton of 312 Alexander Avenue, advised that Duke has not provided a development plan or its effect on traffic and that closing Oregon Street seemed premature.

Mr. Stanziale concurred that Duke did not yet have a development plan but would keep the road open to city and county access.

Pat Young, Director of the City-County Planning Department, advised that they had requested that Duke keep unimpeded vehicular and pedestrian traffic open to the general public until such time that the redevelopment would take place.

Council Member Middleton asked for clarification on a portion of the applicants' application that stated "Duke wishes to clarify responsibility for street maintenance and to assume and improve campus security".

Mr. Stanziale stated that he was unable to provide further clarification regarding that statement but could reach out to the University.

Council Member Reece asked if the purpose of closing the street was for Duke University security to patrol the street.

Mr. Stanziale advised that while they do already patrol the area, it is the opinion of the University that closing the street would have improved those efforts.

Council Member Middleton asked if people that did not attend Duke still have access to the street.

Mr. Stanziale stated that this closure would mimic other streets on campus with the same feature.

Mayor Schewel expressed concern that Duke University had not reached out to the city council directly.

**MOTION** by Council Member Freeman, seconded by Council Member Alston, to adopt an order permanently closing 1,794.18 linear feet of Oregon Street.

Council Member Reece stated that he supported the closure given that the applicant did address many of the practical concerns, such as land locked parcels.

Mayor Pro Tempore Johnson asked for clarification regarding access to the street closure.

Mr. Stanziale stated that he did not know specifically how the University intended to secure the restricted access they suggested.

City Manager Bonfield and Planning Director Young described a similar instance regarding Maxwell Street where they gated the street during certain times to limit access.

Mayor Pro Tempore Johnson asked for additional clarification to be provided before the council moved forward.

Council Member Caballero advised that if a vote took place she would have voted no.

Council Member Freeman expressed concern for keeping the public hearing open.

Council Member Alston **withdrew** her second of the **motion** to adopt an order permanently closing 1,794.18 linear feet of Oregon Street. **No Vote Was Taken.**

As per the consensus of Council, the public hearing was continued to the June 3, 2019; the public hearing remained open.

**SUBJECT: UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT, TREE COVERAGE AND LANDSCAPING REVISIONS (ITEM 28/ PR #13134)**

Michael Stock, Senior Planner with the City-County Planning Department, made the following staff report and stated for the record that all Planning Department hearing items had been advertised and noticed in accordance with state and local law, and affidavits of all notices were on file in the Planning Department.

The text amendment TC1800005 included amendments to landscaping, buffering, and tree coverage standards for additional buffers for residential development sites that were mass graded, to establish or retain more tree canopy, to modify requirements for street trees, and to strengthen current specimen tree requirements. Additionally, amendments pursuant to consideration of the TreesDurham requests were submitted on October 2, 2018, were proposed. At the December 5, 2018, JCCPC meeting, staff presented responses to TreesDurham requests and a draft text amendment. The Planning Commission recommended approval, 10-1, of the text amendment on February 12, 2019.

Mayor Schewel opened the public hearing and asked if there were any speakers to the item.

Laura Davis, a resident of 1707 Valley Run, spoke on behalf of the Environmental Affairs Board. She stated that the board passed a Resolution in support of the proposed changes by TreesDurham.

Katie Rose Levin spoke on behalf of TreesDurham and stated that their goal was to create a sustainable and social just trust canopy and requested that the item be referred back to the Planning Department for additional review.

**MOTION** by Council Member Alston, seconded by Council Member Reece, to refer the unified development ordinance text amendment, tree coverage and landscaping revisions back to the Administration, was approved at 11:16 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: CONSOLIDATED ANNEXATION ITEM – NOVEMBER DRIVE ANNEXATION (ITEM 29/ PR #13136)**

Emily Struthers, Senior Planner with the City-County Planning Department made the following staff report and stated for the record that all Planning Department hearing items had been advertised and noticed in accordance with state and local law, and affidavits of all notices were on file in the Planning Department.

November Drive Annexation case BDG1600016: was a request for a utility extension agreement, voluntary annexation, and initial zoning map change and had been received from Sonya Ramadan for seven parcels of land totaling approximately five acres located at

the southeastern corner of Umstead Road and November Drive. The site was zoned Residential Rural and staff recommended an exact translation of the zoning district. The parcels are designated Low Density Residential on the Future Land Use Map, which was consistent with the zoning request. No department had raised service delivery concerns as the site was located between the existing contiguous city limits and an existing satellite area to the west. The site was located in an area which was surrounded by properties served by City water and sewer, which was authorized without required annexation under earlier (1980s) City policy. Additionally, the project was deemed revenue-positive by the Budget Management Services Department. Approval of the annexation petition and zoning would become effective on June 30, 2019.

Staff determined that the requests were consistent with the Comprehensive Plan and applicable policies and ordinances. Three motions were required for the application. The first was to adopt an ordinance annexing the property and entering into a utility extension agreement, the second was to adopt a consistency statement and the third was for the zoning ordinance.

Mayor Schewel opened the public hearing and asked if there were any speakers to the item.

Seeing no speakers, Mayor Schewel declared the public hearing closed.

**MOTION** by Mayor Pro tempore Johnson, seconded by Council Member Alston, to adopt an ordinance annexing 'November Drive Annexation' into the City of Durham effective June 30, 2019 and to authorize the City Manager to enter into a utility extension agreement with Sonya Ramadan, was approved at 11:19 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**ORDINANCE #15462**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to adopt a consistency statement as required by NCGS 160A-383, was approved at 11:19 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP CHANGE CONSISTENCY STATEMENT  
BY THE DURHAM CITY COUNCIL  
REGARDING Z1700028A, NOVEMBER DRIVE ANNEXATION

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to approve a statement describing how the action is consistent with the Durham Comprehensive Plan; and

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

That final action regarding zoning map change Z1700028A, November Drive is based upon review of consistency with the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable;

That the proposed zoning map change designation is consistent with the Future Land Use Designation on the property; and

That the proposed zoning map change is reasonable and in the public interest based upon the information provided within the staff memo and associated documents submitted to the City Council, and the information provided through the public hearing.

**MOTION** by Mayor Pro tempore Johnson, seconded by Council Member Caballero, to adopt an ordinance amending the Unified Development Ordinance By Taking Property out of Residential Rural Zoning District, Eno River District B Watershed Protection Overlay District (RR, E-B), County Jurisdiction and Establishing the Same as Residential Rural Zoning District, Eno River District B Watershed Protection Overlay District (RR, E-B), City Jurisdiction, was approved at 11:19 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**ORDINANCE #15463**

**[ITEMS PULLED FROM THE AGENDA]**

**SUBJECT: RESOLUTION IN RECOGNITION OF THE LIFE OF EL-HAJJ MALIK EL-SHABAZZ A.K.A. MALCOLM X (ITEM 6/ PR #13157)**

Johnathan Dayan, a resident of 1104 Anderson Street, spoke to anti-Semitic acts that were taking place within the city. He stated that the Resolution was well meaning, but would further bridge the gap between the Jewish community and Council.

Carl Kenney, a resident of 4121 Settlement Drive, stated that he believed that the Resolution was extremely important and meaningful and supported its passage.

Mayor Schewel suggested that Council create a separate resolution condemning Anti-Semitism and Islamophobia; and added additional language to the Resolution.

Council Member Middleton expressed concern regarding additional language being added to the Malcolm X Resolution and volunteered to craft a free standing statement on Anti-Semitism and Islamophobia.

Mayor Pro Tempore Johnson suggested that Council could highlight the fact that Malcolm X came to reject all forms of bigotry.

Council Member Middleton stated that the concerns expressed by residents deserved their own separate full throated treatment and that the Malcolm X resolution had precedence.

Council Member Alston endorsed the suggestion that Mayor Pro Tempore Johnson provided; she also said that she would be fine with passing the Resolution as it was and supported creating a stand-alone resolution to address the other issues.

Council Member Freeman stated that she appreciated all of the viewpoints that were expressed and that she recognized that there were difficult conversations that needed to be had, but there had only been proposed additions to the Resolution that she brought forward.

Council Member Reece stated that there was a Go Fund Me page for a cyclist that was struckover the weekend and was seriously injured.

Council Member Reece also stated for the record:

“ I was the principal drafter in this Council’s Resolution opposing House Bill 2 and calling for its repeal and I can guarantee you with 100% metaphysical certainty because I was there and it wasn’t fun, that every member of the Council at that time had suggestions on how to change that Resolution and include whereas’s, so you’re not alone Council Member Freeman. And receiving feedback on resolutions, I will say that I think those suggestions might have been more appropriate at the work session where we dealt with this and unfortunately I was not there. As my colleagues know I was granted an excused absence so that I could be out of the state to help a relative who was recovering from surgery, but I listened to the recording of the work session and was heartened by the spirit with which all of my colleagues addressed themselves to this Resolution, the suggestions that they made to address concerns raised in the community. And, I especially wanted to thank Council Member Middleton who worked hard to find common ground on this particular issue and to Mayor Pro Temp Johnson who raised the concerns and had some suggestions and changes, but most importantly I want to thank Council Member Freeman who championed this Resolution all the way through and was willing to accept changes that she might not have otherwise made to the resolution in order to find common ground with her colleagues and has expressed very clearly her passionate views about this and other issues tonight. I just want to thank you for being who you are. In closing, I want to say to the Jewish members of our community that I think as you can see all of the folks up here on the dais are prepared to exclaim with a loud and clear voice that Anti-Semitism has no place in our community and I think that your desire to have that expressed clearly and unequivocally is not a part of any kind of oppression olympics, it is your right as members of this

community and I think we will- I'm encouraged by Council Member Middleton's volunteering himself to shoulder this work and I'll volunteer to work with you on that because I think we are going to need to make it very clear that we don't support Anti-Semitism, which is kind of obvious. With respect to the Resolution itself, I think where we landed is a fitting tribute to the man who died as El-hajj Malik el-Shabazz, but commonly known as Malcolm X, obviously like any other person like Council Member Middleton has said, we change and grow as people. And we honor, as we do with any person, we honor the good and I think that's what this Resolution does. And we wouldn't be the people that we are if we didn't grapple with the right way to do that together. And I feel like that's what we've done in this process. So I thank all my colleagues and I'm happy to vote for the Resolution when the time comes."

Council Member Caballero stated that she supported the Resolution as it stood and appreciated where Council landed at the Work Session.

Mayor Schewel asked that Council Members Middleton and Reece have the proposed stand-alone resolution for the June 6<sup>th</sup> work session meeting.

**MOTION** by Council Member Middleton, seconded by Council Member Caballero, to adopt the Resolution in recognition of the life of El-Hajj Malik El-Shabazz A.K.A. Malcolm X, was approved at 11:56 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**RESOLUTION 10129**

Council Member Freeman recognized Ben Haas and Demetrius Lynn of the Durham Reentry Council and read the Resolution into the record.

Being that there was no additional business to come before Council, the meeting was adjourned at 12:04 a.m.

Ashley Wyatt  
Deputy City Clerk, CMC

Diana Schreiber  
City Clerk, CMC