

**DURHAM, NORTH CAROLINA  
MONDAY, MAY 17, 2021  
7:00 P.M.**

The Durham City Council met in a regular session on the above date and time virtually via Zoom with the following members present: Mayor Steve Schewel, Mayor Pro Tempore Jillian Johnson and Council Members Javiera Caballero, Pierce Freelon, DeDreana Freeman, Mark-Anthony Middleton and Charlie Reece. Absent: None

Also Present: Interim City Manager Wanda Page, City Attorney Kim Rehberg, City Clerk Diana Schreiber, and Deputy City Clerk Ashley Wyatt.

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

**[CEREMONIAL ITEMS]**

Mayor Schewel presented the Durham Recovery & Renewal Task Force Recognition of Service to two Co- Chairs of the Taskforce and thanked them for their work and efforts.

Mayor Pro Tempore Johnson read into the record the Period Awareness Week Proclamation and presented it to the Director of the Diaper Bag Bank of North Carolina.

Mayor Schewel read into the record the Tourette Syndrome Awareness Day Proclamation and presented it to Chelsea and Kathryn Fiebich.

Council Member Freeman read into the record the Mental Health Awareness Month Proclamation.

**[ANNOUNCEMENTS BY COUNCIL]**

Council Member Caballero noted that there were walk in appointments at Wheels for All and Duke for COVID-19 vaccinations and encouraged residents to get vaccinated.

Council Member Reece recognized that May was Bike Month and called for awareness on the ride of silence that commemorated those who have lost their lives in bicycle accidents.

Council Member Middleton recognized May as Older Americans Month; noted that he attended two ribbon cuttings in the City and was encouraged by this type of activity, however, he also discussed the ongoing gun violence in the city.

Council Member Freeman thanked her colleagues for their announcements and called awareness to two fellowship opportunities in the Office of Equity and Inclusion.

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

City Manager Page noted that Items 14, 15, 23, and 28 had additional information added.

City Attorney Rehberg and City Clerk Schreiber had no priority items.

**[CONSENT AGENDA]**

Council Member Middleton requested to pull Item 32 from the Consent Agenda.

**SUBJECT: APPROVAL OF CITY COUNCIL MINUTES (ITEM 1/ PR #14612)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to approve the City Council minutes for the following meetings: April 5, 2021 Regular Meeting and April 8, 2021 Work Session, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: DURHAM BICYCLE AND PEDESTRIAN ADVISORY COMMISSION – APPOINTMENTS (ITEM 2/ PR #14608)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to appoint Deniz Aydemir representing Transportation/Planning and Policy and Idreese Foxworth representing University Students/University Facilities to the Durham Bicycle & Pedestrian Advisory Commission with the terms to expire on August 31, 2022, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: DURHAM CITY-COUNTY APPEARANCE COMMISSION – APPOINTMENT (ITEM 3/ PR #14610)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to appoint Jerry Ulysses Guerrier to the Durham City-County Appearance Commission with the term to expire on April 1, 2024, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: DURHAM CITY-COUNTY APPEARANCE COMMISSION – APPOINTMENT (ITEM 4/ PR #14609)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to reappoint Aissa L. Dearing-Benton to the Durham City-County Environmental Affairs Board representing Energy with the term to expire on June 1, 2024, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: 2020 DURHAM CITY-COUNTY APPEARANCE COMMISSION ANNUAL REPORT (ITEM 5/ PR #14631)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to receive the 2020 Durham City-County Appearance Commission Annual Report, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: 2020 DURHAM OPEN SPACE AND TRAILS ANNUAL REPORT (ITEM 6/ PR #14633)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to receive the 2020 Durham Open Space and Trails Commission Annual Report, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: TEMPORARY OUTDOOR SEATING ORDINANCE EXTENSION (ITEM 7/ PR #14640)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to extend the previously adopted temporary ordinance amending certain provisions regarding Outdoor Dining Permits in the City Code of Ordinances to promote the City's economic and social recovery from the coronavirus pandemic, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**ORDINANCE #15809**

**SUBJECT: SERVICE AGREEMENT FOR THE NORTH DURHAM WATER RECLAMATION FACILITY (ITEM 8/ PR #14604)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to authorize the City Manager to execute Electric Service Agreement No. 6053-B with Duke Energy Carolinas, Limited Liability Corporation, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: SANITARY SEWER INSPECTION AND CLEANING SERVICES - AWARD TO HYDROSTRUCTURES, PROFESSIONAL ASSOCIATION (ITEM 9/ PR #14606)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to authorize the City Manager to execute a contract with Hydrostructures, Professional Association, in

an amount not to exceed \$478,550 for the Sanitary Sewer Inspection and Cleaning Services project;

To establish a contingency fund for the contract with Hydrostructures, Professional Association, in the amount not to exceed \$47,850; and

To authorize the City Manager to negotiate change orders for the contract with Hydrostructures, Professional Association, provided that the total contract cost does not exceed \$526,400, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: BID REPORT - MARCH 2021 (ITEM 10/ PR #14627)**

To receive a report on the bids that were acted upon by the City Manager in March 2021.

**To: Wanda S. Page, City Manager**  
**Through: Bertha Johnson, Interim Deputy City Manager**  
**From: David Boyd, Finance Director**  
**Frederick Nielsen, Purchasing Manager**  
**Jonathan Hawley, Purchasing Team Leader**  
**Subject: Bid Report – March 2021**

**Recommendation:**

To receive a report on the bids that were acted upon by the City Manager in March 2021.

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

- 1. **Bid:** Computer Software

**Purpose of Bid:** Provides the Information Technology Department with a software security (FatPipe Network).

**Comments:** Priced in accordance with purchasing cooperative program, National IPA Technology Solutions, Contract #2018011.

**Opened:** 3/11/2021

**Bidders:**

Vendor	Qty	Price	Total Cost
CDW Government Inc. Vermon Hills, IL	2	\$ 5,075.00	\$ 10,150.00

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

**Workforce Statistics**

**TOTAL WORKFORCE**

Employment Category	Employees	Males	Females
Project Mgr.	2	1	1
Professional	37	22	15
Technical	0	0	0
Clerical	165	128	37
Labor	0	0	0
<b>Total</b>	<b>204</b>	<b>151</b>	<b>53</b>

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	1	0	0	0	0
Professional	20	0	0	2	0
Technical	0	0	0	0	0
Clerical	121	3	0	4	0
Labor	0	0	0	0	0
<b>Total</b>	<b>142</b>	<b>3</b>	<b>0</b>	<b>6</b>	<b>0</b>

UBE/SLBE REQUIREMENTS – FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	1	0	0	0	0
Professional	10	5	0	0	0
Technical	0	0	0	0	0
Clerical	23	10	0	4	0
Labor	0	0	0	0	0
<b>Total</b>	<b>34</b>	<b>15</b>	<b>0</b>	<b>4</b>	<b>0</b>

2. **Bid:** Canine (K-9) Purchase

**Purpose of Bid:** Provides the Police Department with one (1) canine (K-9) Police dog.

**Comments:** Multiple quotes requested but no bids received.

**Opened:** 3/12/2021

**Bidders:**

Vendor	Qty	Price	Total Cost
Tarheel Canine Training Sanford, NC	1	\$ 12,795.00	\$ 12,795.00

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

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	4	3	1
Professional	5	3	2
Technical	0	0	0
Clerical	1	0	1
Labor	7	3	4
<b>Total</b>	17	9	8

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	3	0	0	0	0
Professional	2	0	1	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	1	1	1	0	0
<b>Total</b>	6	1	2	0	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native

<b>Project Mgr.</b>	0	0	0	1	0
<b>Professional</b>	1	0	0	1	0
<b>Technical</b>	0	0	0	0	0
<b>Clerical</b>	1	0	0	0	0
<b>Labor</b>	3	1	0	0	0
<b>Total</b>	5	1	0	2	0

3. **Bid:** Garage Door Replacement

**Purpose of Bid:** Provides the Transportation Department, Transit Division with a garage door for the Durham Station.

**Comments:** Stanley Access Technologies is the City of Durham’s existing garage door provider for the Durham Station.

**Opened:** 3/15/2021

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Stanley Access Technologies Farmington, CT</b>	<b>1</b>	<b>\$ 24,009.00</b>	<b>\$ 24,009.00</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>	9	5	4
<b>Professional</b>	368	273	95
<b>Technical</b>	494	488	6
<b>Clerical</b>	4	0	4
<b>Labor</b>	182	169	13
<b>Total</b>	1057	935	122

<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>	4	0	0	1	0
<b>Professional</b>	238	9	17	9	0
<b>Technical</b>	402	25	57	1	3
<b>Clerical</b>	0	0	0	0	0
<b>Labor</b>	128	19	18	3	1
<b>Total</b>	772	53	92	14	4

<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>	3	1	0	0	0
<b>Professional</b>	67	8	11	9	0
<b>Technical</b>	3	1	1	1	0
<b>Clerical</b>	3	0	1	0	0
<b>Labor</b>	7	5	1	0	0
<b>Total</b>	83	15	14	10	0

**4. Bid:** Truck Weight Scale

**Purpose of Bid:** Provides the Solid Waste Department with one (1) Rice Lake 11 x 70 Steel Deck OTR Truck Scale and accessories.

**Comments:** Competitively Awarded to Charlotte Scale Company

**Opened:** 3/18/2021

**Bidders:**

<b>Vendor</b>	<b>Qty</b>	<b>Price</b>	<b>Total Cost</b>
<b>Charlotte Scale Company Charlotte, NC</b>	<b>1</b>	<b>\$ 52,855.50</b>	<b>\$ 52,855.50</b>
Wilson Construction LLC Greensboro, NC	1	\$ 83,261.00	\$ 83,261.00

**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>	0	0	0
<b>Professional</b>	1	1	0
<b>Technical</b>	14	14	0
<b>Clerical</b>	1	0	1
<b>Labor</b>	0	0	0
<b>Total</b>	16	15	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>	0	0	0	0	0
<b>Professional</b>	1	0	0	0	0
<b>Technical</b>	11	1	0	0	2
<b>Clerical</b>	0	0	0	0	0
<b>Labor</b>	0	0	0	0	0
<b>Total</b>	12	1	0	0	2

<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>	0	0	0	0	0
<b>Technical</b>	0	0	0	0	0
<b>Clerical</b>	1	0	0	0	0
<b>Labor</b>	0	0	0	0	0
<b>Total</b>	1	0	0	0	0

**5. Bid:** Heavy Equipment

**Purpose of Bid:** Provides the Fleet Maintenance Department with a 2022 Mack LR64R drop frame refuse truck.

**Comments:** Priced in accordance with purchasing cooperative program, North Carolina Sheriffs' Association, Contract #19-03-504R.

Opened: 3/18/2021

Bidders:

Vendor	Qty	Price	Total Cost
Transource Inc. Kernersville, NC	1	\$ 299,814.80	\$ 299,814.80

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

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	40	39	1
Professional	5	4	1
Technical	96	95	1
Clerical	37	10	27
Labor	49	44	5
<b>Total</b>	<b>227</b>	<b>192</b>	<b>35</b>

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	38	0	0	0	1
Professional	4	0	0	0	0
Technical	76	11	3	2	3
Clerical	10	0	0	0	0
Labor	36	5	1	1	1
<b>Total</b>	<b>164</b>	<b>16</b>	<b>4</b>	<b>3</b>	<b>5</b>
UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	1	0	0	0	0
Professional	1	0	0	0	0
Technical	1	0	0	0	0

<b>Clerical</b>	22	2	0	0	3
<b>Labor</b>	3	0	0	1	1
<b>Total</b>	28	2	0	1	4

**6. Bid: Fence Installation**

**Purpose of Bid:** Provides the Water Management Department, Engineering and Maintenance Division with purchase and installation of chain link fencing for the North Durham Water Treatment Plant.

**Comments:** Competitively Awarded to Dickerson’s Fencing Co Inc

**Opened:** 3/18/2021

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Dickerson’s Fencing Co Inc. Durham, NC</b>	<b>1</b>	<b>\$ 24,750.00</b>	<b>\$ 24,750.00</b>
Sierra Structures Durham, NC	1	\$ 25,175.00	\$ 25,175.00

**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>	3	3	0
<b>Professional</b>	1	0	1
<b>Technical</b>	0	0	0
<b>Clerical</b>	2	0	2
<b>Labor</b>	17	16	1
<b>Total</b>	23	19	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>	3	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>	10	3	3	0	0
<b>Total</b>	13	3	3	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>	1	0	0	0	0
<b>Technical</b>	0	0	0	0	0
<b>Clerical</b>	2	0	0	0	0
<b>Labor</b>	1	0	0	0	0
<b>Total</b>	4	0	0	0	0

**7. Bid:** Traffic Information System

**Purpose of Bid:** Provides the Transportation Department, Sign & Signal Shop with Accessible Pedestrian Signal (APS)Traffic equipment.

**Comments:** Temple Inc. is the sole authorized provider of the Applied Information Traffic equipment for the State of North Carolina

**Opened:** 3/18/2021

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Temple Inc. Decatur, AL</b>	<b>1</b>	<b>\$ 29,815.00</b>	<b>\$ 29,815.00</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>	7	5	2

<b>Professional</b>	4	3	1
<b>Technical</b>	9	9	0
<b>Clerical</b>	43	30	13
<b>Labor</b>	17	7	10
<b>Total</b>	80	54	26

<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>	4	0	0	1	0
<b>Professional</b>	2	1	0	0	0
<b>Technical</b>	6	1	2	0	0
<b>Clerical</b>	27	1	2	0	0
<b>Labor</b>	4	3	0	0	0
<b>Total</b>	43	6	4	1	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	1	0
<b>Professional</b>	1	0	0	0	0
<b>Technical</b>	0	0	0	0	0
<b>Clerical</b>	11	1	1	0	0
<b>Labor</b>	6	4	0	0	0
<b>Total</b>	19	5	1	1	0

**8. Bid:** Law Enforcement System

**Purpose of Bid:** Provides the Police Department with fingerprint latent expert workstation and software.

**Comments:** Idemia Identity & Security USA LLC is the sole authorized provider for the City of Durham fingerprint latent equipment.

**Opened:** 3/23/2021

**Bidders:**

Vendor	Qty	Price	Total Cost
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Idemia Identity & Security USA LLC Tacoma, WA	1	\$ 18,603.00	\$ 18,603.00
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Award Based on:  Low Bid  Other (See Comments)  
 Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	19	11	8
Professional	1062	775	287
Technical	155	141	14
Clerical	395	103	292
Labor	70	48	22
<b>Total</b>	<b>1701</b>	<b>1078</b>	<b>623</b>

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	9	0	1	1	0
Professional	611	32	39	77	16
Technical	116	10	5	8	2
Clerical	64	18	12	7	2
Labor	26	6	5	5	6
<b>Total</b>	<b>826</b>	<b>66</b>	<b>62</b>	<b>98</b>	<b>26</b>

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	6	0	1	1	0
Professional	205	25	16	36	5
Technical	11	3	0	0	0
Clerical	151	80	44	6	11
Labor	15	2	0	5	0

<b>Total</b>	388	110	61	48	16
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9. **Bid:** Office Furniture

**Purpose of Bid:** Provides the General Services Department with office furniture for the City Manager’s Office.

**Comments:** Priced in accordance with Purchasing Cooperative Program, Sourcewell Contract #080819.

**Opened:** 3/31/2021

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Storr Office Equipment Raleigh, NC</b>	<b>1</b>	<b>\$ 50,685.00</b>	<b>\$ 50,685.00</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>	9	8	1
<b>Professional</b>	80	31	49
<b>Technical</b>	6	6	0
<b>Clerical</b>	19	3	16
<b>Labor</b>	58	57	1
<b>Total</b>	172	105	67

<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>	6	0	2	0	0
<b>Professional</b>	26	2	2	1	0
<b>Technical</b>	4	2	0	0	0
<b>Clerical</b>	2	1	0	0	0
<b>Labor</b>	25	29	3	0	0
<b>Total</b>	63	34	7	1	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	1	0	0
<b>Professional</b>	48	0	1	0	0
<b>Technical</b>	0	0	0	0	0
<b>Clerical</b>	13	3	0	0	0
<b>Labor</b>	1	0	0	0	0
<b>Total</b>	62	3	2	0	0

**SUBJECT: CONSTRUCTION CONTRACT WITH INCLINE CONSTRUCTION, INC. FOR THE DURHAM CONVENTION CENTER REPAIR PROJECT (ITEM 11/ PR #14639)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to authorize the City Manager to execute a construction contract with Incline Construction, Inc. for the Durham Convention Center Repair Project up to the amount of \$482,934;

To establish a contingency fund for the contract in the amount of \$23,490; and

To authorize the City Manager to negotiate and execute amendments to the construction contract provided the total project cost does not exceed \$506,424, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: PURCHASE CONTRACT WITH STORR OFFICE ENVIRONMENTS, INC. FOR THE DURHAM CONVENTION CENTER REPAIR PROJECT (ITEM 12/ PR #14654)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to authorize the City Manager to execute a purchase contract with Storr Office Environments, Inc. for the Durham Convention Center carpet replacement in the amount not to exceed \$334,410;

To establish a contingency for the Storr Office Environments, Inc. purchase contract in the amount of \$35,374 and to authorize the City Manager to negotiate and execute amendments to the Storr Office Environments, Inc. purchase contract provided the total project cost does not exceed \$369,784, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.



**SUBJECT: CONTRACT AMENDMENT WITH CMTA, INC. FOR THE DURHAM PERFORMING ARTS CENTER (DPAC) HVAC PROJECT (ITEM 13/ PR14636)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to authorize the City Manager to execute an amendment to the contract with CMTA, Inc. in the amount not to exceed \$131,000 for a new revised contract amount of \$156,000;

To establish a contingency fund for the contract in the amount of \$19,650; and

To authorize the City Manager to negotiate and execute amendments to the contract provided the total contract cost does not exceed \$175,650, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: DESIGN-BUILD SERVICES CONTRACT WITH DEWBERRY DESIGN-BUILDERS, INC. FOR THE DURHAM BULLS ATHLETIC PARK (DBAP) (ITEM 14/ PR #14637)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to adopt the resolution finding that the use of a Design-Build project delivery method for the DBAP boiler replacement project is in the best interest of the City;

To authorize the City Manager to execute a Design-Build contract with Dewberry Design-Builders, Inc. for preliminary design and preconstruction services for the DBAP boiler replacement project up to the amount of \$21,120;

To authorize the City Manager to negotiate and execute a design-build amendment for construction with Dewberry Design-Builders, Inc., if its design-build proposal is accepted in an amount not to exceed \$167,880;

To establish a contingency fund for the contract in the amount of \$21,000; and

To authorize the City Manager to negotiate and execute change orders and amendments to the Design-Build contract so long as the total contract amount does not exceed \$210,000, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**RESOLUTION #10211**

**SUBJECT: LAND DONATION AGREEMENT FOR REPLACEMENT OF FIRE STATION #19 (ITEM 15/ PR #14625)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to authorize the City Manager to enter into a Donation Agreement with FMR RTP LLC; and

To authorize the City Manager to enter into Declaration of Approval of Use Agreement with the Research Triangle Foundation of North Carolina, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: CONTRACT FOR LIVE WELL CITY OF DURHAM WEBMD ONE PLATFORM (ITEM 16/ PR #14643)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to authorize the City Manager to execute a 3-year contract with WebMD Health Services Employee Benefits Portal for the plan years July 1, 2021 through June 30, 2024, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: FISCAL YEAR 2021-2022 AGREEMENT TO FUND ECONOMIC DEVELOPMENT PROGRAMS AND SERVICES OPERATED BY DOWNTOWN DURHAM, INC. USING CITY OF DURHAM FUNDS (ITEM 17/ PR #14614)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to authorize the City Manager to execute the Fiscal Year 2021-2022 contract with Downtown Durham, Inc. to provide economic development programs and services in an amount not to exceed \$170,048, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: FIRST AMENDMENT TO CONTRACT WITH MID-ATLANTIC ASSOCIATES, INC. FOR PROFESSIONAL SERVICES RELATED TO IMPLEMENTATION OF THE 2018 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BROWNFIELDS ASSESSMENT GRANT (ITEM 18/ PR #14618)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to authorize the City Manager to execute a contract amendment with Mid-Atlantic Associates, Inc., increasing the contract amount by \$62,800 for a total contract amount not to exceed \$344,000 to conduct additional Site Inventory and Assessment activities in association with implementation of the City of Durham's 2018 U.S. Environmental Protection Agency (EPA) Brownfields Assessment Grant, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: 2019 SEWER REPAIRS PROGRAM - CITY CONTRACT NO. 16249 – AMENDMENT NO. 1 (ITEM 19/ PR #14623)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to authorize the City Manager to amend the existing contract no. 16249, 2019 Sewer Repairs Program, with Carolina Civilworks Inc. in the amount of \$456,349.46 for a revised, total contract amount of \$4,461,535.46; and

To authorize the City Manager to negotiate additional change orders for contract no. 16249 provided that the cost of the contract including all amendment change orders does not exceed \$4,861,535.46, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: CONTRACT ST-314 PAVEMENT CONDITION SURVEY 2021 (ITEM 20/ PR #14624)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to authorize the City Manager to execute a contract for ST-314 Pavement Condition Survey with Roadway Asset Services, LLC in the amount of not to exceed \$374,712, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: RESOLUTION TO SUPPORT THE UPPER NEUSE RIVER BASIN ASSOCIATION (UNRBA) FY2022 BUDGET (ITEM 21/ PR #14611)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to adopt a resolution supporting the Upper Neuse River Basin Association (UNRBA) FY2022 budget of \$1,165,517, with the City of Durham contributing \$257,670.11, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**RESOLUTION #10212**

**SUBJECT: STREET AND INFRASTRUCTURE ACCEPTANCES AND DELETIONS (ITEM 22/ PR #14645)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to accept certain streets and infrastructure in Brightleaf Tract 12, Canterbury Phases 1 & 2, Del Webb Carolina Arbors Phases 3, 4A, 4B, 4C, 4D, 5A, 5B, 5C, and 6, Richmond Park Subdivision, Sherron Road Tract Phases 1, 5, 6, 6A, 7, 8, and 9, Southpoint Trails Phases 1A, 1B, 1C and 2, Trivium at Brier Creek Phases 1 2, and 3, Village Hearth Co-Housing Community, Fire Station 17, Southern Pointe Townhomes Utilities and University Drive Sewer Extension for maintenance by the City of Durham;

To remove Big Fork Road and a portion of Slater Road from City maintenance and the Powell Bill street listing; and

To adopt a resolution requesting the North Carolina Department of Transportation (NCDOT) to add Big Fork Road at the southernmost end to the State Maintenance System and remove the said roadway section from Powell Bill eligibility, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**Streets and Infrastructure to be Accepted for Maintenance**

**Brightleaf, Tract 12**

- 1) Sandoval Drive – from the centerline of Flat River Drive southeast through the cul-de-sac (1840'), and
- 2) Red Rock Drive – from the centerline of Sandoval Drive east, then south to the centerline of Sandoval Drive (1174').

**Brightleaf, Tract 12 – Additional Infrastructure**

- 1) Sanitary Sewer Outfall – from Sandoval Drive south, then west to the Brightleaf Pump Station (380').

**Canterbury, Phases 1 & 2**

- 1) Birchbark Road – from the south curblineline of W. Cornwallis Road south, then east through the cul-de-sac (1465'), and
- 2) Mayweed Drive – from the centerline of Birchbark Road east through the cul-de-sac (738'), and
- 3) Sunburst Drive – from the centerline of Birchbark Road east, then south to the centerline of Mayweed Drive (700').

**Canterbury, Phases 1 & 2 – Additional Infrastructure**

- 1) Sanitary Sewer Outfall (MH16 to MH15) – from Mayweed Drive cul-de-sac southwest to Birchbark Road cul-de-sac (283'), and
- 2) Sanitary Sewer Outfall (MH5 to MH1) – from Birchbark Road southwest to existing outfall (888').

**Del Webb Carolina Arbors, Phase 3, 4A, 4B, 4C, 4Dd, 5A, 5B, 5C & 6**

- 1) Del Webb Arbors Drive – from the south curblineline of Leesville Road south 2165' to STA 53+00 at the end of Phase 1B construction (2165'), and
- 2) Currituck Lane – from the southern cul-de-sac north, then east past Del Webb Arbors Drive, then north through the northern cul-de-sac (2679'), and
- 3) Snowdrop Lane – from the centerline of Del Webb Arbors Drive south then west to the centerline of Currituck Lane (596'), and
- 4) Turnstone Drive – from the centerline of Pipit Drive west to the centerline of Tuttle Road (2,634'), and
- 5) Merganser Way – from the centerline of Currituck Lane northeast to the centerline of Pipit Drive (509'), and
- 6) Pipit Drive – from the centerline of Currituck Lane southeast through the cul-de-sac (1195'), and
- 7) Egret Street – from the centerline of Turnstone Drive north to the centerline of Sailfish Court (580'), and
- 8) Tee Pee Trail – from the beginning of Phase 4B construction east to the centerline of Egret Street (1219'), and
- 9) Gadwall Lane – from the centerline of Tuttle Road east to the centerline of Ibis Lane (768'), and
- 10) Tanoak Court – from the centerline of Tuttle Road east to the centerline of Ibis Lane (552'), and
- 11) Tuttle Road – from the southern cul-de-sac north past Sailfish Court through the northern cul-de-sac (2116'), and
- 12) Sailfish Court – from the centerline of Tuttle Road east to the centerline of Del Webb Arbors Drive (1538'), and
- 13) Ibis Lane – from the centerline of Tuttle Road east, then north to the centerline of Turnstone Drive (1461'), and
- 14) Kalmia Drive – from the beginning of Phase 4D construction east through the cul-de-sac (1086'), and
- 15) Viburnum Drive – from the centerline of Sailfish Court north to the centerline of Kalmia Drive (299'), and

16) Axelwood Lane – from the centerline of Rosedale Creek Drive south through the cul-de-sac (735'), and

17) E. Rosedale Creek Drive – from the centerline of Del Webb Drive northeast to the end of Phase 5B construction (1362'), and

18) Areca Way – from the centerline of Gaston Manor Drive south through the cul-de-sac (929'), and

19) Foxtail Drive – from the centerline of Areca Way northeast to the centerline of E. Rosedale Creek Drive (764'), and

20) Gaston Manor Drive – from the end Phase 1A construction @ STA 31+80.19 east through the cul-de-sac (280'), and

21) Dickson Mill Lane – from the end of Phase 1A construction @ STA 12+61.37 south to the centerline of Oysterwood Lane (230'), and

22) Oysterwood Lane – from the western cul-de-sac east past Dickson Mill Ln through the eastern cul-de-sac (822'), and

23) Spindle Drive – from the centerline of Oysterwood Lane north through the cul-de-sac (204').

**Del Webb Carolina Arbors, Phase 3, 4a, 4b, 4c, 4d, 5a, 5b, 5c & 6 – Additional Infrastructure**

1) Phase 4B Sanitary Sewer Outfall – from MH1 @ STA 0+52.68 north to existing MH62 @ STA 7+36.14 (683'), and

2) Tuttle Road Sanitary Sewer Outfall – from the southern cul-de-sac of Tuttle Road south to MH 3 of Phase 4 Sanitary Sewer Outfall (100')

3) Phase 4C and 4DD Sanitary Sewer Outfall – from Kalmia Drive south to Sailfish Court (253').

4) Phase 6 Sanitary Sewer Outfall – from Oysterwood Lane northwest to existing outfall MH34 @ STA 0+50.68 (151').

**Richmond Park Subdivision**

1) Richmond Court – from the centerline of Sutteridge Court east through the cul-de-sac (722').

**Sherron Road Tract, Phases 1, 5, 6, 6A, 7, 8, & 9**

- 1) Hiddenbrook Drive – from Phase 3B construction @ STA 11+18 north to the beginning of Phase 1 construction @ STA 23+79 (1261'), and
- 2) Holly Blossom Drive – from the centerline of Hiddenbrook Drive west, north, & then east back to the centerline of Hiddenbrook Drive (817'), and
- 3) Starry Sky Drive – from the centerline of W. Wellwater Avenue east, then south to the centerline of W. Wellwater Avenue (1334'), and
- 4) Hocutt Road – from the centerline of Starry Sky Drive north to the end of construction @ STA 1+42 (142'), and
- 5) W. Wellwater Avenue – from the south curblineline of Sherron Road southeast to the centerline of Hiddenbrook Drive (1909'), and
- 6) Green Gables Way – from the centerline of W. Wellwater Avenue east through the cul-de-sac (393'), and
- 7) Porch Swing Place – from the centerline of Starry Sky Drive north through the cul-de-sac (499'), and
- 8) Byram Drive – from the centerline of W. Wellwater Avenue southwest to the end of construction @ STA 0+00 (536').

Southpoint Trails, Phase 1a,1b,1c, & 2

- 1) Southpoint Trail – from the west curblineline of NC 751 Hwy west, then south, looping to the centerline of Southpoint Trail (2729'), and
- 2) Great Egret Way – from the west curblineline of NC 751 Hwy west to the centerline of Southpoint Trail (609').

Southpoint Trails, Phase 1a,1b,1c, & 2 – Additional Infrastructure

- 1) Sanitary Sewer Outfall – from Southpoint Trail east to existing MH1 in NC 751 Hwy (95').

Trivium at Brier Creek, Phase 1, 2 3 (excluding sewer)

- 1) Trilogy Boulevard – from the east curblineline of Page Road southeast to the end of Phase 3 construction @ STA 22+62.57 (1233').

Village Hearth Co-Housing Community

- 1) Buttonbush Drive – from the existing end of street at STA 10+47 (aka new construction @ STA 2+28) west to the end of construction @ STA 4+07 (179').

**Fire Station 17 – Additional Infrastructure**

- 1) Sanitary Sewer Main Extension – from Fire Station 17 Manhole 1 east along Leesville Road, then south from Manhole 3, then west from Manhole 6 to Tuttle Road cul-de-sac (1123’).

**Southern Pointe Townhomes - Additional Infrastructure**

- 1) Sanitary Sewer Outfall ‘A’ – from the existing sanitary sewer main @ STA 10+00 just north of Wynn Road north, along NC 55 Hwy, to Longitude Drive (2013’), and
- 2) Water Main Extension ‘1’ – from existing 12” water main north of Latitude Way southeast to the end of construction @ STA 41+88 at Longitude Drive (3563’).

**University Drive Sewer Extension – Additional Infrastructure**

- 1) Sanitary Sewer Main Extension – from the existing manhole in University Drive east to end of construction near West Cornwallis Road (86’)

**Street Segment to be Relinquished from City Maintenance**

**Big Fork Road - Street Limit Deletion (excluding water and sewer mains)  
(Street to be Added to NCDOT’s Maintenance System)**

- 1) Big Fork Road – at the southernmost end to include the hammerhead turnaround (40’).

**Street Limit to be Corrected per Road Realignment in NCDOT Project U-3853**

**Slater Road – Street Limit Correction  
(to reduce the City maintained distance by 1300 feet)**

- 1) Slater Road – revise the maintained limits from “from the centerline of South Miami Boulevard to Emperor Boulevard (3196’)” to “from the south curblineline of Page Road southeast to the west curblineline of Emperor Boulevard (1896’)”, thereby removing the now abandoned alignment of Slater Road from South Miami Boulevard to Page Road from City maintenance.

**RESOLUTION #10213**



**SUBJECT: 2020-2021 DOWNTOWN DURHAM MUNICIPAL SERVICE DISTRICT ANNUAL REPORT (ITEM 26/ PR #14615)**

**MOTION** by Council Member Reece, seconded by Council Member Caballero, to receive a presentation on the FY2021 Downtown Durham, Inc. Business Improvement District; and

To receive the Downtown Durham Inc. 2020-2021 Business Improvement District Annual Report pursuant to North Carolina G.S. 160A-536, was approved at 7:37 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**[GENERAL BUSINESS AGENDA]**

**SUBJECT: FISCAL YEAR 2021-22 PROPOSED BUDGET AND FISCAL YEAR 2022-27 CAPITAL IMPROVEMENT PLAN (CIP) (ITEM 23/ PR #14626)**

City Manager Page gave a presentation on key factors of the upcoming budget and highlighted the following: total budget figures; dedicated housing fund; transit fund; stormwater fund; general fund; property tax rates; water rate increases; community safety; affordable housing; emergency rental program; business support; employee increases and bonuses.

Mayor Schewel thanked City Manager Page for the presentation and expressed excitement for various upcoming initiatives.

Council Member Freelon thanked City Manager Page for the presentation and looked forward to the Community Safety Department and what it would look like.

Council Member Reece expressed excitement for using federal relief dollars for free bus fares in the upcoming year; thanked City Manager Page for the ambitious proposals; and thanked staff for their work.

Mayor Pro Tempore Johnson noted that in the previous year the council was much more concerned about what the current year's budget was going to look like and appreciated the additional full time employee positions, staff increases, premium pay, and no cost bus fares.

Council Member Middleton celebrated the budget document and congratulated City Manager Page on her first budget address and thanked staff for their work.

Council Member Freeman expressed excitement for the upcoming initiatives from the Performance and Innovation Division of Budget Management Services and thanked City Manager Page. However, she expressed concerns that she would delve deeper into at a later date.

Council Member Caballero thanked City Manager Page and looked forward to the future initiatives.

No vote was required on the item.

**[ITEM PULLED FROM THE AGENDA]**

**SUBJECT: CREATION AND IMPLEMENTATION OF A PROGRAM TO SUPPORT ACHIEVING VACCINE EQUITY (ITEM 32/ PR #14657)**

Mayor Schewel introduced the item and provided background on the items origin and the vendor that was selected. He stated that he received feedback regarding the contract vendor and decided to move forward with the Request for Professionals (RFP) process with the help of input from the City Manager.

Council Member Middleton asked if the RFP process would delay the rollout.

Mayor Schewel advised that it would delay the rollout.

City Manager Page said that the total turnaround time could be 4 weeks from the time the RFP went out.

Council Member Middleton expressed concerns on the delay due to the emergency situation of COVID-19 vaccines for the most vulnerable communities.

Mayor Schewel shared the concerns of Council Member Middleton. He stated that one of the County Commissioners expressed concerns regarding the vendor and because the item required a joint effort between the City and the County, that is how the RFP process was decided on.

Council Member Middleton asked if there were other vendors that offered the same service.

Mayor Schewel stated that there was one other vendor; however, they did not already have a business relationship in Durham.

Council Member Caballero reiterated the need for joint support by the county, and felt that if an RFP was needed in order to secure their participation than it was warranted.

Mayor Pro Tempore Johnson suggested holding off on the item until the upcoming work session and encouraged conversations between the City Council and County Commissioners to move forward as the item was presented, since only a majority was needed.

Mayor Schewel stated that he would open those discussions with County Commissioners and would enlist other Council Members to join in on those efforts.

Council Member Middleton stressed the need for urgency and agility.

Council Member Caballero expressed support for holding the item until the work session.

Council Member Freeman expressed concerns on pushing for a majority vote of County Commissioners and suggested that both sides work together in unison.

**The item was referred back to the Council.**

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

**SUBJECT: CONSOLIDATED ANNEXATION ITEM - OLIVE BRANCH WEST II (ITEM 28/ PR #14641)**

Danny Cultra, Senior Planner, stated for the record that the Planning Department hearing item had been advertised and noticed in accordance with state and local law, and the affidavit of the notice were on file in the Planning Department and provided the following staff report:

A request for utility extension agreement, voluntary annexation and initial zoning map change had been received from Jessie Hardesty with McAdams, acting as agent for individual land owners Shaw Hill 22 Investors, Robert D. Sherron, and Joan T. Sherron for three parcels of land totaling 59.055 acres located at or around 434 Olive Branch Road, and 815 and 818 Doc Nichols Road. The annexation petition (Case BDG2000023) was for a contiguous expansion of the existing corporate limits. The site was being annexed to accommodate the construction of a proposed conservation subdivision of 108 single-family units, which was under current review. As the conservation subdivision was considered under an administrative review, there were no requirements or guarantees through the annexation process that the type of development would occur.

The site was within the Suburban Tier, and presently zoned Residential Rural (RR) and Falls/Jordan Watershed Protection Overlay District B (F/J-B). The proposed annexation area was designated as Low Density Residential and Recreation and Open Space on the Future Land Use Map, which was consistent with the proposed zoning request. If the annexation was approved, staff recommended an exact translation of the zoning designation, and the request would become effective on May 31, 2021.

Staff determined that the request was reasonable, given three factors: 1) the development of the property proposed for annexation is found to be revenue positive based upon a cost-benefit analysis conducted by the city's Budget and Management Services Department; 2) no city department identified an operational impact associated with providing a city service to the area proposed for annexation and; 3) the site was contiguous with the city's jurisdictional boundaries.

The Public Works and Water Management Departments also performed the utility impact analysis for the utility extension agreement based on 110 proposed dwelling units, and

determined that the existing water and sanitary sewer infrastructure has capacity to serve the project.

There were three motions required for the application. The first was to adopt an ordinance annexing 'Olive Branch West II' into the City of Durham effective May 31, 2021, and to authorize the City Manager to enter into a utility extension agreement with FFAC Olive Branch West, LLC. The second was to adopt an ordinance for the transitional rezoning; and the third was to adopt a Consistency Statement.

Mayor Schewel opened the public hearing and asked for any speakers to the item.

Mr. Ghosh a representative of the applicant, spoke to the item and highlighted the following: meeting the open space requirements, a more efficient layout, neighborhood conversations, and including more townhomes.

Robert Sherron, a resident and property owner, included in the annexation, made himself available for any questions and requested support for the item by Council.

Timothy Tucker, resident of Durham, expressed concerns for increased traffic in the area and water and sewer as it pertained to surrounding properties located in a floodplain.

Mathew Kartes, resident of Durham, expressed concerns for the increased traffic in the area as well as the overall increase in development in the immediate area. He estimated that over 5000 hundred homes had been approved in the last few months and requested a long term plan for the area.

Mayor Schewel asked for staff to respond to the speakers concerns.

Mr. Cultra advised that water and sewer regarding the property had been analyzed by the Water Management Department and that the applicant would have had to design stormwater facilities that met the city requirements.

Bill Judge, Assistant Director of Transportation, advised that there was no development plan associated with the item and that the main streets had the capacity to handle the traffic.

Sara Young, Director of Planning, stated that there were already efforts taking place for a long term plan in that area.

Council Member Freeman asked if there was a way to monitor stormwater on an annual basis regarding before and after a development was constructed.

Mr. Cultra advised that annual reports were required by a developer.

Council Member Freelon asked a clarifying question about floodplains and how that pertained to conservation subdivisions.

Mr. Cultra advised that conservation subdivisions were required to conserve all of the environmental features.

Council Member Caballero wanted to confirm that the commitments by the developer would be binding.

Mr. Cultra stated that there were no guarantees that the conservation subdivision would be constructed.

Mr. Ghosh responded to several comments made during the public hearing and spoke to the density of the townhomes proposed, assured council that the applicant was very invested to the site plan, and that they were looking forward to implementation.

Mayor Schewel if there were any lots that would be outside of the city limits.

Mr. Cultra advised that was correct.

Council Member Reece thanked staff for their work on the item as well as the applicant team, and residents for their comments and looked forward to hearing from his Council colleagues on the matter.

Council Member Freeman expressed concerns for the item pertaining to the annexation aspect; however, she did appreciate the improvements to the item since the item was last seen by Council.

Council Member Caballero expressed concerns for the direct translation process since it circumvented the advisory component of the Planning Commission.

Director Young stated that she was comforted knowing that familiar developers appeared before council frequently and should their projects fall through they would likely be before Council again. However, she stated that her Department was open to hearing suggestions on improvements.

Mayor Schewel echoed the position of Ms. Young and stressed the need for additional housing in the community and asked if there would be a trail located on the development.

Mr. Ghosh advised that there would be a trail and that it would be publicly accessible eventually, but that it was not going to be built immediately.

Council Member Freeman requested a tour of the area.

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

**MOTION** by Council Member Middleton seconded by Mayor Pro Tempore Johnson, to adopt an ordinance annexing 'Olive Branch West II' into the City of Durham effective May 31 2021; and to authorize the City Manager to enter into a utility extension agreement with

FFAC Olive Branch West, LLC, was approved at 9:29 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, and Middleton. Noes: Council Members Freeman and Reece. Absent: None.

**MOTION** by Council Member Middleton seconded by Council Member Freelon, to adopt an ordinance amending the Unified Development Ordinance By Taking Property out of the Residential Rural (RR) and Falls/Jordan Lake Watershed Protection Overlay District-B (F/J-B), County Jurisdiction and establishing the same as Residential Rural (RR) and Falls/Jordan Lake Watershed Protection Overlay District-B (F/J-B), City Jurisdiction, was approved at 9:30 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman and Middleton. Noes: Council Member Reece. Absent: None.

**ORDINANCES #15810 & 15811**

**MOTION** by Council Member Middleton seconded by Council Member Freelon, to adopt a Consistency Statement as required by NCGS 160D-605, was approved at 9:31 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman and Middleton. Noes: Council Member Reece. Absent: None.

UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP CHANGE CONSISTENCY STATEMENT  
BY THE DURHAM CITY COUNCIL  
REGARDING BDG2000023, Olive Branch West II

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160D-605, 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 160D-605, 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 BDG2000023, Olive Branch West II, is based upon review of consistency with the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable, as provided in the 'Planning Commission Resolution'; dated May 17, 2021, regarding the subject 'BDG2000023, Olive Branch West II', along with additional agenda information provided to the City Council and information provided at the public hearing; and

That the proposed zoning map change designation is consistent with the Future Land Use Designation as provided on the Future Land Use Map of the Comprehensive Plan in Attachment 04.

It is the objective of the Durham City Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. This request promotes this by offering fair and reasonable development regulations supported by the 'Planning Commission Resolution'; dated May 17, 2021 regarding the subject 'BDG2000023, Olive Branch West II', along with additional agenda information provided to the City Council and information provided at the public hearing. Therefore, the request is reasonable and in the public interest.

**SUBJECT: ZONING MAP CHANGE - SELBY AVENUE HOMES (ITEM 29/ PR 14635)**

Danny Cultra, Senior Planner, stated for the record that the Planning Department hearing item had been advertised and noticed in accordance with state and local law, and the affidavit of the notice were on file in the Planning Department and provided the following staff report:

The request for Tier boundary change, future land use map (FLUM) change, and zoning map change was received from Katie Hamilton of Stewart, for one parcel of land located at 1518 Riddle Road totaling 3.59 acres.

The site was presently zoned Residential Suburban-20 (RS-20) and Residential Urban-5 (RU-5). The applicant sought to change the zoning designation to Residential Urban-5 with a development plan (RU-5(D)), for up to 26 single family attached or detached dwelling units.

The applicant was also seeking to change the current development tier from Suburban to Urban.

The Future Land Use Map (FLUM) is designated as Low Density Residential at 4 DU/Acre or less. If the zoning and tier boundary changes were approved, the recommended FLUM proposed was Medium Density Residential at 6-12 DU/Acre. The change did not require a separate motion and would take effect concurrently with the zoning map and tier boundary change. The Planning Commission, by a vote of 7 – 5 at their February 9, 2021 meeting, recommended approval. There were three motions required for the application: The first was to adopt a resolution amending the Tier Map and Future Land Use Map of the Comprehensive Plan from the Suburban Tier to Urban Tier. The second was to adopt an ordinance for the rezoning request; and the third was to adopt a Consistency Statement.

Mayor Schewel opened the public hearing and asked for speakers to the item.

Katie Hamilton, a representative for the applicant, provided a presentation for Council and highlighted the following: direct access to Riddle Road, a bus stop forthcoming near the property, and the development density.



Mayor Schewel asked if the applicant had considered making proffers to the Durham Public School system and the Affordable Housing Fund.

Ms. Hamilton responded that they would proffer \$500 per additional student and \$1000 per unit over all.

Mr. Cultra advised that the proffers be incorporated into the text commitment on top of the site plan

Director Young stated that forms would need to be signed and that checks would need to be received by the build permit.

Council Member Freeman thanked the developer for acknowledging the exiting neighborhood and for taking that into account while developing the new one.

Mayor Schewel noted that the Red Fin data as it pertained to the item was not helpful.

Council Member Reece expressed support for the item.

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

**MOTION** by Council Member Reece seconded by Council Member Middleton, to adopt a resolution amending the Tier Map and Future Land Use Map of the Comprehensive Plan from the Suburban Tier to Urban Tier, was approved at 9:52 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**RESOLUTION #10214**

**MOTION** by Council Member Reece seconded by Council Member Middleton, to adopt an ordinance amending the Unified Development Ordinance By Taking Property out of Residential Suburban-20 (RS-20) and Residential Urban-5 (RU-5) and establishing the same as Residential Urban - 5 with a Development Plan (RU-5(D)), was approved at 9:53 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**ORDINANCE # 15812**

**MOTION** by Council Member Reece seconded by Council Member Middleton, to adopt a Consistency Statement as required by NCGS 160D-605, was approved at 9:54 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.



UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP CHANGE CONSISTENCY STATEMENT  
BY THE DURHAM CITY COUNCIL  
REGARDING Z2000018, SELBY AVENUE HOMES

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160D-605, 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 160D-605, 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 Z2000018, Selby Avenue Homes, is based upon review of consistency with the Durham Comprehensive Plan and any other officially adopted plan that is applicable, as provided in the 'Consistency with Adopted Plans' and 'Reasonable and in the Public Interest' sections of the staff report and Attachment 07, 'Comprehensive Plan Consistency Analysis'; dated May 17, 2021, regarding the subject 'Z2000018, Selby Avenue Homes' along with additional agenda information provided to the City Council and information provided at the public hearing; and

Although the proposed zoning map change designation is inconsistent with the Future Land Use designation as provided on the Future Land Use Map (FLUM) of the Comprehensive Plan in Attachment 07, the zoning change will amend the FLUM to a designation consistent with the proposed zoning change and other land use designations in the vicinity of the subject area.

It is the objective of the Durham City Council to have the Unified Development Ordinance promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. This request promotes this by offering fair and reasonable development regulations supported by the 'Consistency with Adopted Plans' and 'Reasonable and in the Public Interest' sections of the staff report, and Attachment 07, 'Comprehensive Plan Consistency Analysis'; dated May 17, 2021, regarding the subject 'Z2000018, Selby Avenue Homes' along with additional agenda information provided to the City Council and information provided at the public hearing. Therefore, the request is reasonable and in the public interest.

**SUBJECT: CONTRACT WITH DOWNTOWN DURHAM, INC. TO OPERATE THE DOWNTOWN DURHAM MUNICIPAL SERVICE DISTRICT (ITEM 30/ PR #14613)**

Nicole Thompson, CEO of Downtown Durham Inc., was available for questions.

Mayor Schewel opened the public hearing and asked for speakers to the item.

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

**MOTION** by Council Member Freeman seconded by Council Member Reece, to authorize the City Manager to execute a five-year contract with Downtown Durham, Inc. to operate the Downtown Durham Municipal Service District from July 1, 2021 through June 30, 2026, was approved at 9:56 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**MOTION** by Council Member Freeman seconded by Council Member Reece, to authorize payment to Downtown Durham, Inc. in an amount up to \$1,181,500 during the first fiscal year of the contract, was approved at 9:57 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**MOTION** by Council Member Freeman seconded by Council Member Reece, to authorize future payments subject to City Council budget authorization, was approved at 9:58 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: FY2022 STORMWATER RATES (ITEM 31/ PR #14629)**

Paul Wiebke, representing the Public Works Department, outlined the presentation already given to Council and made himself available for questions.

Mayor Schewel opened the public hearing and asked for speakers to the item.

Council Member Freeman thanked staff for addressing the previous lack of flexibility in the structure.

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

**MOTION** by Council Member Freeman seconded by Council Member Middleton, to adopt an ordinance to change the Fee Schedule revising stormwater rates effective July 1, 2021, was approved at 10:04 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None.

**ORDINANCE #15813**

**[ADJOURNMENT]**

Seeing no further business to come before the Council, Mayor Pro Tempore Johnson adjourned the meeting at 10:06 P.M.

Ashley Wyatt, CMC  
Deputy City Clerk

Diana Schreiber, CMC  
City Clerk