

**DURHAM, NORTH CAROLINA  
MONDAY, JUNE 3, 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 led the Pledge of Allegiance to the Flag.

**[CEREMONIAL ITEMS]**

Council Member Alston read into the record the proclamation proclaiming June as PRIDE month and presented it to J. Clapp, Chair of PRIDE: Durham and Helena Cragg, Executive Director of LGBTQ Center of Durham.

**[ANNOUNCEMENTS BY COUNCIL]**

Mayor Pro Tempore spoke to the Participatory Budgeting process that involved determining how to spend the public funds and announced that there had been more than 10,000 votes in the direct democratic process.

Council Member Freeman stated that she attended the 2019 Black Millennials Conference and announced the upcoming Black Enterprise Entrepreneurial Summit from June 19-22<sup>nd</sup> in Charlotte, NC.

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

City Manager Bonfield, asked that Agenda Item #13 Approval Of Dedicated Housing Funds To The Community Empowerment Fund (CEF) to provide services for landlord engagement, be referred back to the Administration.

**MOTION** by Council Member Freeman, seconded by Mayor Pro Tempore Johnson, to accept the City Manager's Priority Item of Item #13; Approval of Dedicated Housing Funds to the Community Empowerment Fund (CEF) to provide services for landlord engagement, back to the Administration was approved at 7:13 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.

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

**[CONSENT AGENDA]**

Mayor Schewel read each item on the printed agenda and the following items were pulled for further discussion: Items 8, 9, 22, 30 and 31. Item 13 was removed from the agenda to be returned to the Administration.

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to approve the amended consent agenda was approved at 7:19 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.

**SUBJECT: APPROVAL OF CITY COUNCIL MINUTES (ITEM 1/ PR #13205)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to approve the City Council Minutes for April 15, 2019 and April 18, 2019 was approved at 7:19 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.

**SUBJECT: CAROLINA THEATRE OF DURHAM BOARD OF TRUSTEES - REAPPOINTMENT (ITEM 2/ PR #13198)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to reappoint Marc Lee to the Carolina Theatre of Durham Board of Trustees with the term to expire on June 30, 2022 was approved at 7:19 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.

**SUBJECT: DURHAM OPEN SPACE & TRAILS COMMISSION – REAPPOINTMENTS (ITEM 3/ PR #13201)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to reappoint Laura Stroud (representing Ward 1) and Luis Suau (representing Ward 2) to the Durham Open Space & Trails Commission with the terms to expire on June 30, 2022 was approved at 7:19 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.

**SUBJECT: CITIZENS ADVISORY COMMITTEE – APPOINTMENTS (ITEM 4/ PR #13202)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to appoint Ashley Robbins (term to expire on June 30, 2021) and Jillian Riley, Adam A. Sadda, Alicia P. Smith-Freshwater and Ebony N. West (terms to expire on June 30, 2022) to the Citizens Advisory Committee was approved at 7:19 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.

**SUBJECT: DURHAM CITY-COUNTY APPEARANCE COMMISSION – APPOINTMENT (ITEM 5/ PR #13203)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to appoint Jenna L. Bailey to the Durham City-County Appearance Commission with the term to expire on April 1 2022 was approved at 7:19 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.

**SUBJECT: DURHAM CULTURAL ADVISORY BOARD – APPOINTMENTS (ITEM 6/ PR #13206)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to appoint Katy A. Clune, Marcus Hawley, Mitchell E. Sava and Meg Stein to the Durham Cultural Advisory Board with the terms to expire on June 30, 2022 was approved at 7:19 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.

**SUBJECT: OVERTIME PERFORMANCE AUDIT APRIL 2019 (ITEM 7/ PR #13211)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to accept the Overtime Performance Audit dated April 2019 as presented and approved at the April 22, 2019 Audit Services Oversight Committee meeting was approved at 7:19 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.

**SUBJECT: APPROVAL OF INTERLOCAL AGREEMENT TO FUND ANTI-HUNGER INITIATIVE IMPLEMENTED USING THE CITY OF DURHAM'S CITIES COMBATING HUNGER THROUGH AFTERSCHOOL AND SUMMER MEAL PROGRAMS (CHAMPS) GRANT FUNDS (ITEM 10/ PR #13215)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute the interlocal agreement with the Durham Public Schools for disbursement of CHAMPS grant funding from the National League of Cities was approved at 7:19 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.

**SUBJECT: AMENDMENTS TO THE CIVILIAN POLICE REVIEW BOARD PROCEDURE MANUAL (ITEM 11/ PR #13252)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to approve the recommended changes to the Civilian Police Review Board Procedure Manual was

approved at 7:19 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.

**SUBJECT: GRANT PROJECT ORDINANCE (GPO) FY17 CONTINUUM OF CARE (COC) PLANNING GRANT (ITEM 12/ PR #13225)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to adopt the U.S. Department of Housing and Urban Development Continuum of Care Planning Grant FY2017 Grant Project Ordinance in the amount of \$42,955.00 for HUD Grant #NC0384L4F021700 was approved at 9 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 #15476**

**SUBJECT: DURHAM HOUSING AUTHORITY J.J. HENDERSON TOWER DEVELOPMENT – LOAN COMMITMENT TO DURHAM HOUSING AUTHORITY/ DEVELOPMENT VENTURES, INC. IN AN AMOUNT NOT TO EXCEED \$2,900,000.00 (ITEM 14/ PR #13239)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to issue to the Durham Housing Authority's subsidiary Development Ventures, Inc. or their designated affiliate approved by the City, a conditional binding commitment of permanent financing in the amount up to \$2,900,000.00, the source of these loan funds shall be U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program funds and City of Durham Dedicated Housing Funds; and

To authorize the City Manager to execute any and all documents and instruments, necessary, reasonable and appropriate in order to carry out the purpose and intent of this conditional binding commitment of permanent financing and to make necessary changes to the conditional binding commitment of permanent financing, including assignment of the commitment, so long as the changes do not increase the financial obligations of the City, and the changes taken as a whole are not less favorable to the City was approved at 7:19 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.

**SUBJECT: RENTAL ASSISTANCE PROGRAM WITH WILLARD STREET, LLC (ITEM 15/ PR 13240)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the commitment of up to \$1,871,661.00 in Dedicated Housing Funds (DHF) to provide rental assistance for the Willard Street Apartments;

To authorize the City Manager to execute a Commitment Letter to provide rental assistance to Willard Street, LLC in an amount up to \$1,871,661.00;

To authorize the City Manager to execute a Housing Assistance Payment Agreement with Willard Street, LLC in an amount up to \$1,871,661; and

To authorize the City Manager to modify the commitment letter or the payment agreement, and to execute such other related legal documents as necessary and as required by other lenders and the investor so long as they do not change the structure of the agreement, increase the dollar amount or lessen the obligations of Willard Street, LLC to the City was approved at 7:19 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.

**SUBJECT: ENDORSEMENT OF ENCAMPMENT RESPONSE POLICY (ITEM 16/ PR 13244)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to endorse the Encampment Response Policy was approved at 7:19 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.

**SUBJECT: AMENDMENT TO PART 17-107 PARKING FEE ORDINANCE (ITEM 17/ PR #13151)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to adopt an Ordinance to Amend Part 17-107 Parking Fee Schedule effective March 11, 2019, was approved at 7:19 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 #15477**

**SUBJECT: NORTH DURHAM WATER RECLAMATION FACILITY DIGESTER MIXING IMPROVEMENTS (ITEM 18/ PR #13200)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a contract with Hazen and Sawyer, P.C. for Professional Engineering Services for the NDWRF Digester Mixing Improvements at a contract cost of \$299,845.00;

To establish a contingency fund in the amount of \$30,000.00; and

To authorize the City Manager to negotiate amendments to the contract provided the total contract cost does not exceed \$329,845.00 was approved at 7:19 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.

**SUBJECT: ACADEMY ROAD WATERLINE (ITEM 19/ PR 13207)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a contract with K. F. Carter Engineering, PLLC for professional engineering services in the amount not to exceed \$198,123.20 for the Academy Road Waterline was approved at 7:19 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.

**SUBJECT: APPROVAL TO EXECUTE A MEMORANDUM OF AGREEMENT FOR THE WESTERN INTAKE PARTNERSHIP (ITEM 20/ PR #13219)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to receive a presentation from the department regarding the Western Intake Partnership and to ratify by resolution the Memorandum of Agreement for the Western Intake Partnership and to authorize the City Manager to execute the Memorandum of Agreement for the Western Intake Partnership was approved at 7:19 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.

**SUBJECT: SOUTHEAST REGIONAL LIFT STATION - AMENDMENT #2 TO THE PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR CONSTRUCTION RELATED SERVICES (ITEM 21/ PR #13222)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute Amendment #2 with Hazen and Sawyer, PC for construction related services in the total amount not to exceed \$3,566,164.00; and

To authorize the City Manager to negotiate and execute Change Orders for the contract provided that the total cost of all amendments and contingencies together with original contract costs does not exceed \$9,633,164.00 was approved at 7:19 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.

**SUBJECT: SERIES RESOLUTION AND AMENDED AND RESTATED BOND ORDER OF THE CITY OF DURHAM, NORTH CAROLINA AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$263,000,000 WATER AND SEWER UTILITY SYSTEM REVENUE BOND ANTICIPATION NOTES, SERIES 2019 (ITEM 23/ PR #13221)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to adopt a Series Resolution and adopt an Amended and Restated Bond Order of the City of Durham, North Carolina authorizing the issuance of not to exceed \$263,000,000 Water and Sewer Utility System Revenue Bond Anticipation Notes, Series 2019 was approved at 7:19 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.

**RESOLUTIONS #10141 & 10144**

**SUBJECT: BID REPORT – APRIL 2019 (ITEM 24/ PR #13223)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to receive a report on the bids that were acted upon by the City Manager in April 2019 was approved at 7:19 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.

**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 – April 2019**

**Recommendation:**  
**To receive a report on the bids that were acted upon by the City Manager in April 2019.**

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

- 1. **Bid:** Fire Equipment and Accessories

**Purpose of Bid:** Provides the Fire Department with various fire equipment and accessories.

**Comments:**  
**Opened:** 3/25/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Atlantic Emergency Solutions Inc. Stantonsburg, NC</b>	<b>1</b>	<b>\$ 37,233.93</b>	<b>\$ 37,233.93</b>
Nafeco Decatur, AL	1	\$ 37,278.45	\$ 37,278.45
Stevens Fire Equipment Morganton, NC	1	\$ 40,055.22	\$ 40,055.22

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

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	50	46	4
Professional	31	29	2
Technical	92	91	1
Clerical	35	21	14
Labor	68	64	4
<b>Total</b>	<b>276</b>	<b>251</b>	<b>25</b>

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	44	1	0	1	0
Professional	29	0	0	0	0
Technical	82	6	2	0	1
Clerical	19	1	1	0	0
Labor	58	6	0	0	0
<b>Total</b>	<b>232</b>	<b>14</b>	<b>3</b>	<b>1</b>	<b>1</b>

UBE/SLBE REQUIREMENTS – FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	4	0	0	0	0
Professional	2	0	0	0	0
Technical	1	0	0	0	0
Clerical	14	0	0	0	0
Labor	4	0	0	0	0
<b>Total</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



2. **Bid:** Water Grit Collector System

**Purpose of Bid:** Provides the Water Management Department with a water grit collection system for the North Durham Reclamation Facility.

**Comments:** Emergency purchase

**Opened:** 3/11/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Charles R Underwood Inc. Sanford, NC</b>	<b>1</b>	<b>\$ 185,563.00</b>	<b>\$ 185,563.00</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>	5	5	0
<b>Professional</b>	9	7	2
<b>Technical</b>	17	17	0
<b>Clerical</b>	5	0	5
<b>Labor</b>	26	26	0
<b>Total</b>	62	55	7

<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>	5	0	0	0	0
<b>Professional</b>	7	0	0	0	0
<b>Technical</b>	16	1	0	0	0
<b>Clerical</b>	0	0	0	0	0
<b>Labor</b>	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>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**3. Bid:** Truck Purchase

**Purpose of Bid:** Provides the Parks and Recreation Department with one (1) 2019 Ford F-350 Regular Cab 4x2 with a dump body for the Park and Trail Maintenance Division.

**Comments:** Priced in accordance with North Carolina State Contract # 070A-item #5 and Bid No. 201500915.

**Opened:** 4/1/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
Piedmont Truck Center Inc. Greensboro, NC	1	\$ 55,676.00	\$ 55,676.00

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

**Workforce Statistics**

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	9	8	1
Professional	9	9	0
Technical	55	55	0
Clerical	4	0	4
Labor	5	5	0
<b>Total</b>	<b>82</b>	<b>77</b>	<b>5</b>

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	7	1	0	0	0
Professional	4	4	0	0	1
Technical	50	1	4	0	0
Clerical	0	0	0	0	0
Labor	4	1	0	0	0
<b>Total</b>	<b>65</b>	<b>7</b>	<b>4</b>	<b>0</b>	<b>1</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	0	0	0	0	0
Technical	0	0	0	0	0
Clerical	4	0	0	0	0
Labor	0	0	0	0	0
<b>Total</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**4. Bid:** Key Management Security System

**Purpose of Bid:** Provides the Water Management Department with a key management system to secure over 300 vehicles and equipment keys.

**Comments:** Priced in accordance with General Services Administration (GSA) Contract GS-07F-0771X.

**Opened:** 4/3/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
Keyper System Harrisburg, NC	1	\$ 14,744.00	\$ 14,744.00

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

**Workforce Statistics**

**TOTAL WORKFORCE**

Employment Category	Employees	Males	Females
Project Mgr.	0	0	0
Professional	7	6	1
Technical	7	7	0
Clerical	3	0	3
Labor	8	6	2
<b>Total</b>	<b>25</b>	<b>19</b>	<b>6</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	5	0	1	0	0
Technical	7	0	0	0	0
Clerical	0	0	0	0	0
Labor	6	0	0	0	0
<b>Total</b>	<b>18</b>	<b>0</b>	<b>1</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	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	3	0	0	0	0
Labor	2	0	0	0	0
<b>Total</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

5. **Bid:** Office Furniture Purchase

**Purpose of Bid:** Provides the City Council offices with office furniture.

**Comments:** Priced in accordance with purchasing cooperative program –US Communities #4400003402.

**Opened:** 4/3/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>PMC Commercial Interiors Morrisville, NC</b>	<b>1</b>	<b>\$ 21,101.62</b>	<b>\$ 21,101.62</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>	16	5	11
<b>Professional</b>	50	14	36
<b>Technical</b>	29	4	25
<b>Clerical</b>	15	0	15
<b>Labor</b>	27	27	0
<b>Total</b>	137	50	87

<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	1	0	0	0
<b>Professional</b>	13	0	0	1	0
<b>Technical</b>	3	1	0	0	0
<b>Clerical</b>	0	0	0	0	0
<b>Labor</b>	18	6	2	1	0
<b>Total</b>	38	8	2	2	0

<b>UBE/SLBE REQUIREMENTS – FEMALES</b>					
<b>Employment Category</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian or Pacific</b>	<b>Indian or Alaska</b>

				Islander	Native
<b>Project Mgr.</b>	10	0	0	1	0
<b>Professional</b>	35	0	0	1	0
<b>Technical</b>	23	1	1	0	0
<b>Clerical</b>	11	3	0	1	0
<b>Labor</b>	0	0	0	0	0
<b>Total</b>	79	4	1	3	0

6. **Bid:** Pesticides

**Purpose of Bid:** Provides the Parks and Recreation Department with various types of pesticides.

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

**Opened:** 4/3/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Southern Seeds Inc. Middlesex, NC</b>	1	<b>\$ 11,599.15</b>	<b>\$ 11,599.15</b>

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

**Workforce Statistics**

<b>TOTAL WORKFORCE</b>			
Employment Category	Employees	Males	Females
<b>Project Mgr.</b>	0	0	0
<b>Professional</b>	9	8	1
<b>Technical</b>	0	0	0
<b>Clerical</b>	0	0	0
<b>Labor</b>	3	3	0
<b>Total</b>	12	11	1

<b>UBE/SLBE REQUIREMENTS - MALES</b>					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native

<b>Project Mgr.</b>	0	0	0	0	0
<b>Professional</b>	8	0	0	0	0
<b>Technical</b>	0	0	0	0	0
<b>Clerical</b>	0	0	0	0	0
<b>Labor</b>	0	3	0	0	0
<b>Total</b>	8	3	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>	1	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

**7. Bid:** Gator Utility Vehicle

**Purpose of Bid:** Provides the General Services Department with one (1) John Deere Pro-Gator 2020A utility vehicle for the Cemeteries Management Division.

**Comments:** Priced in accordance with North Carolina State Contract # 515 B.

**Opened:** 4/3/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Revels Turf and Tractor, LLC. Fuquay-Varina, NC</b>	<b>1</b>	<b>\$ 28,911.71</b>	<b>\$ 28,911.71</b>

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

**Workforce Statistics**

**TOTAL WORKFORCE**

Employment Category	Employees	Males	Females
Project Mgr.	150	48	102
Professional	169	71	98
Technical	16	10	6
Clerical	18	18	0
Labor	0	0	0
<b>Total</b>	<b>353</b>	<b>147</b>	<b>206</b>

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	39	6	1	2	0
Professional	41	20	6	3	1
Technical	5	1	1	3	0
Clerical	8	10	0	0	0
Labor	0	0	0	0	0
<b>Total</b>	<b>93</b>	<b>37</b>	<b>8</b>	<b>8</b>	<b>1</b>

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	95	5	0	2	0
Professional	83	5	0	9	1
Technical	5	0	0	1	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
<b>Total</b>	<b>183</b>	<b>10</b>	<b>0</b>	<b>12</b>	<b>1</b>

8. **Bid:** Barcoding Inventory Management System

**Purpose of Bid:** Provides the Police Department with five (5) barcoding/Inventory management software licenses.



**Comments:** Informatics Inc. is the preferred vendor for the Inventory Cloud Enterprise software. They are able to provide this software at a discounted cost.

**Opened:** 4/11/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Informatics Inc. Plano TX</b>	<b>5</b>	<b>\$ 2,768.12</b>	<b>\$ 13,840.60</b>
CDW-G Vernon Hills, IL	5	\$ 6,584.60	\$ 32,923.00
SHI International Corp. Ewing Township, NJ	5	\$ 6,683.11	\$ 33,415.55

**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>	10	7	3
<b>Professional</b>	36	25	11
<b>Technical</b>	18	14	4
<b>Clerical</b>	7	1	6
<b>Labor</b>	4	2	2
<b>Total</b>	75	49	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>	5	1	1	0	0
<b>Professional</b>	25	0	0	0	0
<b>Technical</b>	9	1	1	2	1
<b>Clerical</b>	1	0	0	0	0
<b>Labor</b>	2	0	0	0	0
<b>Total</b>	42	2	2	2	1

<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.	1	1	1	0	0
Professional	7	1	3	0	0
Technical	4	0	0	0	0
Clerical	4	1	0	1	0
Labor	0	0	2	0	0
<b>Total</b>	16	3	6	1	0

**9. Bid:** Roof Restoration

**Purpose of Bid:** Provides the General Services Department with roofing material and installation for re-roofing a portion of the Carolina Theatre.

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

**Opened:** 4/11/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
Simon Roofing Youngtown, OH	1	\$ 85,230.29	\$ 85,230.29

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

**Workforce Statistics**

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	46	46	0
Professional	17	13	4
Technical	23	21	2
Clerical	61	17	44
Labor	286	283	3
<b>Total</b>	433	380	53

**UBE/SLBE REQUIREMENTS – MALES**

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	41	3	2	0	0
Professional	13	0	0	0	0
Technical	18	1	2	0	0
Clerical	17	0	0	0	0
Labor	168	57	55	3	0
<b>Total</b>	<b>257</b>	<b>61</b>	<b>59</b>	<b>3</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	3	0	0	1	0
Technical	2	0	0	0	0
Clerical	43	1	0	0	0
Labor	3	0	0	0	0
<b>Total</b>	<b>51</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>

10. Bid: Oil Lube Skid Tank

**Purpose of Bid:** Provides the Fleet Maintenance Department with one (1) Oil lube skid tank.

**Comments:**

**Opened:** 4/23/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
Taylor Pump & Lift Concord, NC	1	\$ 10,850.00	\$ 10,850.00
C&A Equipment Services, Inc. Raleigh, NC	1	\$ 12,323.00	\$ 12,323.00

**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>	10	10	0
<b>Technical</b>	6	6	0
<b>Clerical</b>	4	0	4
<b>Labor</b>	34	34	0
<b>Total</b>	54	50	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>	10	0	0	0	0
<b>Technical</b>	6	0	0	0	0
<b>Clerical</b>	0	0	0	0	0
<b>Labor</b>	33	1	0	0	0
<b>Total</b>	49	1	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>	0	0	0	0	0
<b>Technical</b>	0	0	0	0	0
<b>Clerical</b>	4	0	0	0	0
<b>Labor</b>	0	0	0	0	0
<b>Total</b>	4	0	0	0	0

11. **Bid:** Ammunition

**Purpose of Bid:** Provides the Police Department with ammunition for the training division.

**Comments:** Priced in accordance with North Carolina State Contract # 680A.

**Opened:** 3/18/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Lawmen's Safety Supply, Inc. Raleigh, NC</b>	<b>140</b>	<b>\$ 554.20</b>	<b>\$ 77,588.00</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>	8	6	2
<b>Professional</b>	15	9	6
<b>Technical</b>	0	0	0
<b>Clerical</b>	6	2	4
<b>Labor</b>	0	0	0
<b>Total</b>	29	17	12

<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	0	0	0
<b>Professional</b>	8	1	0	0	0
<b>Technical</b>	0	0	0	0	0
<b>Clerical</b>	2	0	0	0	0
<b>Labor</b>	0	0	0	0	0
<b>Total</b>	16	1	0	0	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.	2	0	0	0	0
Professional	6	0	0	0	0
Technical	0	0	0	0	0
Clerical	3	0	1	0	0
Labor	0	0	0	0	0
<b>Total</b>	11	0	1	0	0

**12. Bid:** Bus Shelters

**Purpose of Bid:** Provides the Transportation Department with bus stop amenities for multiple bus shelters.

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

**Opened:**4/29/2019

**Bidders:**

Vendor	Qty	Price	Total Cost
<b>Tolar Manufacturing Company Inc. Sanford, NC</b>	1	\$ 122,510.00	\$ 122,510.00

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

**Workforce Statistics**

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	1	1	0
Professional	4	4	0
Technical	6	5	1
Clerical	4	0	4
Labor	25	25	0
<b>Total</b>	40	35	5

**UBE/SLBE REQUIREMENTS – MALES**

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	1	0	0
Professional	4	0	0	0	0
Technical	1	0	4	0	0
Clerical	0	0	0	0	0
Labor	0	0	25	0	0
<b>Total</b>	5	0	30	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	1	0	0	0	0
Clerical	2	0	2	0	0
Labor	0	0	0	0	0
<b>Total</b>	3	0	2	0	0

**SUBJECT: PROPOSED LEASE WITH SWEETS BY SHAYDA COMPANY AT MORGAN/RIGSBEE GARAGE (ITEM 25/ PR #13173)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a ten-year lease with opportunity to extend the tenancy with Sweets by Shayda Company and Shayda Wilson for commercial retail space in the new parking garage at the corner of Morgan and Mangum Streets was approved at 7:19 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.

**SUBJECT: PROPOSED LEASE WITH KANDIBLE, INC. A NORTH CAROLINA CORPORATION AT MORGAN/RIGSBEE GARAGE (ITEM 26/ PR #13188)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a ten-year lease with opportunity to extend the tenancy with Kandible, Inc., Srikanth Gaddam, Jasbir Bola, Narinder S. Gill, and Jagdip S.

Grewal for commercial retail space in the new parking garage at the corner of Morgan and Mangum Streets was approved at 7:19 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.

**SUBJECT: DESIGN SERVICES WITH HORVATH ASSOCIATES, P.A. FOR THE CHAPEL HILL ROAD SIDEWALK PROJECT (ITEM 27/ PR #13236)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a design contract with Horvath Associates, P.A. for the Chapel Hill Road Sidewalk project up to the amount of \$61,000.00;

To establish a contingency fund for the contract in the amount of \$6,100.00; and

To authorize the City Manager to negotiate and execute amendments to the design contract provided the total contract cost does not exceed \$67,100.00 was approved at 7:19 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.

**SUBJECT: ON-CALL PROFESSIONAL CONSULTANTS RECOMMENDATIONS (ITEM 28/ PR 13248)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to adopt the proposed list of On-Call Professional Consultants was approved at 7:19 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.

**SUBJECT: MAYOR'S HISPANIC/LATINO COMMITTEE – BYLAWS (ITEM 29/ PR #13218)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to approve the Bylaws of the Mayor's Hispanic/Latino Committee was approved at 7:19 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.

**SUBJECT: PROFESSIONAL SERVICES CONTRACT WITH ALTA PLANNING + DESIGN FOR THE CITY'S TRAIL IMPLEMENTATION PROGRAM (ITEM 32/ PR #13249)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a professional services contract with Alta Planning + Design for the Trail Implementation Program up to the amount of \$160,000 was approved at 7:19 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.



**SUBJECT: CONTRACT WS-86D WITH HORVATH ASSOCIATES, P.A. FOR PROFESSIONAL SERVICES FOR 2018 WATER AND SEWER EXTENSIONS (ITEM 34/ PR #13209)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute contract WS-86D, Professional Services for 2018 Water and Sewer Extensions with Horvath Associates, P.A. in the amount not to exceed \$107,890.00 was approved at 7:19 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.

**SUBJECT: CONTRACT ST-298, PAVEMENT PRESERVATION 2019 PROJECT (ITEM 35/ PR #13226)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a contract for ST-298, Pavement Preservation 2019 with Slurry Pavers, Inc. in the amount of \$1,594,848.00;

To establish a contingency fund in the amount of \$159,484.80; and

To authorize the City Manager to negotiate and execute change orders to the contract provided that the total contract cost does not exceed \$1,754,332.80 was approved at 7:19 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.

**SUBJECT: CONTRACT ST-290C, INSPECTIONS FOR VARIOUS CITY CONSTRUCTION PROJECTS (ITEM 36/ PR #13227)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a contract for ST-290C, Inspections for Various City Construction Projects with AECOM Technical Services of North Carolina, Inc. not to exceed \$235,200.00 was approved at 7:19 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.

**SUBJECT: DURHAM ECONOMIC JUSTICE RESOLUTION (ITEM 50/ PR #13269)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to adopt a Resolution in Support of North Carolina's Working People and Their Families was approved at 7:19 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.

**RESOLUTION #10142**

**[ITEMS PULLED FROM THE AGENDA]**

**SUBJECT: AMEND THE FY2018-19 BUDGET AND OTHER GRANT AND CAPITAL PROJECT ORDINANCES AMENDMENTS (ITEM 8/ PR #13242)**

Victoria Peterson, Durham resident, inquired about the two federal grant total amounts and what the funds would be used for.

Christiana Riordan of the Budget Management Services Department advised that the two figures in question were \$985,000.00 and \$250,000.00.

**MOTION** by Mayor Pro Tempore Johnson, seconded by Council Member Caballero, to adopt a budget ordinance amending the City of Durham Budget Ordinance as amended, Fiscal Year 2018-19, the same being Ordinance #15326;

To adopt FY2018-19 Transit Planning and Capital Grant Project Ordinance Supersedes Grant Project Ordinance #15311;

To adopt Supersedes Grant Project Ordinance #15320 The U.S. Department of Justice U.S. Marshall Office FY2018/19 Federal Asset Forfeiture Funds Grant Project Ordinance; and

To adopt Supersedes Grant Project Ordinance #15321 The State of North Carolina, Department of Justice, Department of Revenue, FY2018-19 Controlled Substance Abuse Funds Grant Project Ordinance; and

To adopt an Ordinance amending the Fiscal Year 2018-19 General Capital Improvements Project Ordinance as amended, the same being Ordinance #15327 was approved at 7:24 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.

**ORDINANCES # 15471, 15472, 15473, 15474 & 15475**

**SUBJECT: RACIAL EQUITY TASK FORCE INITIAL REPORT (ITEM 9/ PR #13120)**

Victoria Peterson, Durham resident, expressed concern for African-American males not being able to find adequate employment.

**MOTION** by Council Member Middleton, seconded by Mayor Pro Tempore Johnson, to receive the initial report from the Racial Equity Task Force was approved at 7:29 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: \$95,000,000 GENERAL OBLIGATION BOND REFERENDUM  
(ITEM 22/ PR #13220)**

Council Member Freeman expressed concerns regarding the timing of the bond referendum and wanted to reiterate that she would not be supporting its passage. She stated that she would have liked to have seen a racial impact analysis and had concerns about the taxation.

**MOTION** by Council Member Reece, seconded by Council Member Alston, to introduce a Bond Order authorizing the issuance of \$95,000,000 General Obligation Housing Bonds; and to adopt a resolution setting a public hearing on the Bond Order for June 17, 2019 was approved at 7:31 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Middleton and Reece. Noes: Council Member Freeman. Absent: None.

**RESOLUTIONS #10139 & 10140**

**SUBJECT: FISCAL YEAR 2019-2020 CONTRACT TO FUND ECONOMIC  
DEVELOPMENT PROGRAMS AND SERVICES OPERATED BY  
DOWNTOWN DURHAM, INC. USING CITY OF DURHAM  
GRANT FUNDS (ITEM 30/ PR #13245)**

Victoria Peterson, a resident of Durham, asked how many African Americans were on the staff for Downtown Durham, Inc. (DDI) and inquired as to why DDI were receiving the grant funds.

Mayor Schewel stated that he believed that there were two African-American employees out of the four employees that work for the organization.

**MOTION** by Council Member Reece, seconded by Mayor Pro Tempore Johnson, to authorize the City Manager to execute the Fiscal Year 2019-2020 contract with Downtown Durham, Inc. to operate economic development programs and services for the City in an amount not to exceed \$170,048.00 was approved at 7:34 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman and Reece. Noes: None. Absent: None.

**SUBJECT: FISCAL YEAR 2019-2020 AMENDMENT TO CONTRACT FOR CITY  
SERVICES AND PROGRAMS FOR THE DOWNTOWN DURHAM  
MUNICIPAL SERVICE DISTRICT (ITEM 31/ PR #13247)**

Victoria Peterson, Durham resident, suggested that a representative from the company be made to attend council meetings to respond to resident questions and asked for what the funds were being used.

**MOTION** by Mayor Pro Tempore Johnson, seconded by Council Member Reece, to authorize the City Manager to execute a contract amendment with Downtown Durham, Inc. to provide services within the Downtown Durham Municipal Service District in an amount not to exceed \$1,181,500.00 for Fiscal Year 2019-2020 subject to City Council budget authorization was approved at 7:37 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.

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

**SUBJECT: FY2019-20 BUDGET AND FY2020-2025 CAPITAL IMPROVEMENT PLAN (CIP) (ITEM 40/ PR #13197)**

Bertha Johnson, Director of Budget and Management Services gave a report on the City Manager's proposed FY2019-20 Budget and FY2020-25 Capital Improvement Plan (CIP) and stated for the record the item had been advertised and noticed in accordance with state and local law, and affidavits of all notices were on file.

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

Allison Shauger of 1528 N. Duke St, stated that she liked that Council passed a Vision Zero Resolution Action Plan in 2017 and appreciated that the Transportation Department was working on speed management projects and encouraged the highlighting of key performance indicators.

John Morris of 3 Quintin Place, suggested raising the part-time employee minimum wage to \$15/hour. He also stated that he did not support the hiring of additional police officers and supported the Durham Beyond Policing recommendation.

George Vaughan, resident, asked that the process for the Neighborhood Protective Overlay be expedited and funded for the Forest Hills Neighborhood, due to time constraints.

Dave Connelly of 3 Bland Spring Place, stated that Durham Parks and Recreation Department had identified \$3.2 million worth of maintenance needed for various parks and trails and encouraged Council fund the request.

Hart Pillow of 16 Glenmore Drive, asked that Council consider the hiring of a full-time person to educate the public on recycling and sustainability.

Chris Tiffany, a resident of Durham, stated that the Police Department did not need additional police officers, but that they needed better police officers. He also suggested extending the Racial Equity Taskforce by an additional year.

Sheila Huggins of 2408 Tampa Avenue, spoke to the requested increase of police officers by the Police Department and stated that she supported the increase as an effort to decrease crime.

Rann Barron of 208 N. Driver Street, suggested to Council that continuing the Eviction Diversion Program through Legal Aid was of higher importance than hiring additional police officers.

John Rooks Jr., Durham resident, spoke on behalf of the Human Relations Commission and advised that the Commission requested the hiring of a Neighborhood Improvement Services Coordinator and that the additional police officer request, not be funded.

Robert Belcher of 4328 Chimneystone Road, stated that he supported the hiring of additional police officers and any other grass roots organization that would assist with crime in Durham.

Ellen Pless of 706 E. Forest Hills Blvd, requested that Council fund a consultant to assist with the Neighborhood Protection Overlay as recommended by the Planning Department.

Laura Stroud of 912 Rosehill Avenue, stated that the city's trail systems needed maintenance and updating for people who had mobility challenges.

Vitoria Peterson, a resident of Durham, encouraged city residents to run for office, spoke to her support of hiring additional police officers and the creation of job training programs for residents.

Jim Svava a resident of 1114 Woodburn Road, requested that Council continue to provide tax relief to low-income homeowners.

Vanessa Evans of 3223 Dearborn Drive, spoke to the proposed tax increase and how it could adversely affect low income residents and promote potential gentrification.

Catherine Pleil of 300 N. Queen Street, representing Families Moving Forward, advocated for additional funding to the Eviction Diversion Program.

Leslie Nydick of 1721 Vista Street, requested that funding be doubled for the eviction diversion program.

Sheri Starks, requested that funding be doubled for the eviction diversion program and spoke to herself being a success story through the program.

Katie Mgnongolwa of 1013 Valley Rose Way, stated that she preferred that the money allocated toward hiring additional police officers go instead toward investing in the community.

Jackie Wagstaff, a resident of Durham, stated that she was in support of hiring additional police officers.

Council Member Freeman welcomed former Council Member Wagstaff and recognized her in the Chamber.

James Nishimuta of 16 Sweetbay Court, spoke in support of protected bike lanes and advocated for safer road ways for all people.

Scott Harmon of 600 West Main Street, spoke in support of housing equity for low income residents and asked for funding to be doubled to assist the Eviction Diversion Program and to fund affordable housing.

Aidil Ortiz of 1808 Vale Street, suggested that the Council fund community rooted partnerships, affordable housing, financial resources, the Eviction Diversion Program, living wages for all city workers, as opposed to funding additional police officers.

Dick Hails of 100 Brier Cliff Road spoke on behalf of affordable housing and transit.

Danielle Purifoy of 2032 Englewood Avenue, supported the recommendation made by Durham Beyond Policing to not hire additional police officers. She also advocated for the Eviction Diversion Program.

Carlos Bennerman of 1504 Woodway Club Drive, requested that wages be raised to \$15/hour for part-time employees.

Selena Kornegay of 2503 Hitchcock Drive, requested that the wage be raised to \$15/hour for part-time employees.

Poet Williams of 3601 Weatherby Drive, expressed concern for the Participatory Budgeting process and stated that it had not targeted marginalized groups of people nor did it correct past harm. He also stated that the Council should approve the recommendation made by Durham Beyond Policing.

Mariah Mansanto of 2341 Cherry Creek Drive, opposed the hiring of any additional police officers. She suggested that crime existed because people's needs were not met. She also stated that Council should approve on the recommendation made by Durham Beyond Policing.

Manju Rajendran of 2112 Summit Street, spoke in opposition to hiring any additional police officers.

Mab Segrest of 1419 Ruffin Street, spoke in opposition of hiring any additional police officers.

AJ Williams of 4504 Emerald Forest Drive, spoke in opposition to hiring any additional police officers. He also stated that Council should approve the recommendation made by Durham Beyond Policing and that for conflict resolution needs, Spirit House could be the resource.

Antonia Randolph of 2032 Englewood Avenue, spoke in opposition to hiring additional police officers. She suggested that community based wellness resources be funded instead.

Erin Finn of 907 Orient Street, spoke in support of the recommendations made by Durham Beyond Policing.

Sarah Vukelich of 710 Underwood Avenue, stated that police officers respond to violence, but that they did not prevent violence. She requested Council raise part-time employees' wages to \$15/hour.

Andrea Hudson of 322 Junction Road, spoke in opposition of hiring any additional police officers and over-policing.

A resident of 2613 Chapel Hill Road, spoke in support of the recommendations made by Durham Beyond Policing and did not support hiring any additional police officers.

Nia Wilson of 224 West Trinity Avenue, represented the Spirit House and opposed the hiring of any additional police officers and led the Durham Beyond Policing coalition song on incarceration.

Tanya Vujic of 1014 West Forest Hills Boulevard, requested that Council fund a consultant to assist with the Neighborhood Protection Overlay as recommended by the Planning Department.

Diana Standaert of 1114 Lancaster Street, spoke against hiring any additional police officers and supported the recommendations made by Durham Beyond Policing.

Chanel Chambers, a resident of Durham, stated that law enforcement should be funded commensurate with the growth of the city to ensure growing responsibly.

Alexandra Valladares of 4918 Robinwood Road, advised that she wanted to see more investments into community resources and additional training to current police officers.

Yesenia Castro of 1816 Hillandale Drive, spoke to repairs being needed on several roads and roadways.

Council Member Reece asked Ms. Castro what road she was most concerned with.

Ms. Castro advised that Hillandale Road was most concerning.

Lionetti Batista 1717 West Lakewood Avenue, requested that the wage be raised to \$15/hour for part-time employees and stated that part-time workers be included in the salary step plan.

Kristen Gorman of 721 Millspring Drive, stated that many of the city trails did not comply with ADA standards and asked that focus be placed on the nine priority trails.

Seeing no additional speakers to the budget, Mayor Schewel declared the public hearing closed. No vote taken.

**SUBJECT: ZONING MAP CHANGE – KINGS DAUGHTERS INN (ITEM 41/ PR #13212)**

Emily Struthers, Senior Planner with the 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.

Kings Daughters Inn rezoning map change case Z1800024 was continued from the April 15, 2019 City Council meeting. No changes had been made since that time. The following provided a summary of the case:

A request for a zoning map change had been received from Dan Jewell, on behalf of Colin Crossman, for a parcel located at 204 North Buchanan Boulevard, totaling 0.603 acres. The site was presently split zoned Residential Urban-Multifamily (RU-M) and Residential Urban-5 (RU-5). Mr. Jewell proposed to change the designation to Residential Urban-Multifamily. RU-M zoning would have allowed for a wider range of permissible housing types and future multi-family conversion of the existing bed and breakfast. There was no development plan associated with the case. The parcel was currently designated as Medium Density Residential on the Future Land Use Map which was consistent with the proposed zoning change. The Durham Planning Commission, at their February 12, 2019 meeting, recommended approval of the proposed Residential Urban-Multifamily (RU-M) zoning district by a vote of 10-0. Staff determined that the request was consistent with the Comprehensive Plan and applicable policies and ordinances.

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

Collin Crossman of 204 W N. Buchanan Blvd, stated that he was available to answer Council's questions.

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

**MOTION** by Council Member Freeman, seconded by Council Member Caballero, to adopt a Consistency Statement as required by NCGS 160A-383, was approved at 9:23 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 Z1800024 – Kings Daughters Inn

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 Z1800024, Kings Daughters Inn is based upon review of, and 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 in Attachment 5, “Comprehensive Plan Consistency Analysis,” dated June 3, 2019, regarding the subject “Kings Daughters Inn” (Z1800024), along with additional agenda information provided to the City Council and information provided at the public hearing; and

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 zoning item promotes this objective 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 5, “Comprehensive Plan Consistency Analysis,” dated June 3, 2019, regarding the subject “Kings Daughters Inn” (Z1800024), 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.

**MOTION** by Council Member Freeman, seconded by Council Member Reece, to adopt an ordinance amending the Unified Development Ordinance by taking property out of the Residential Urban-5 (RU-5) and Residential Urban-Multifamily (RU-M) and establishing the same as Residential Urban-Multifamily (RU-M) was approved at 9:23 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 #15478**

**SUBJECT: ZONING MAP CHANGE – CRITTER CONTROL 315 SOUTHERLAND  
(ITEM 42/ PR #13213)**

Emily Struthers, Senior Planner, 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.

A request for a zoning map change had been received from Lawrence Owens and Lance Farlow, with Four L Properties LLC, for a parcel located at 315 Southerland Street, totaling 2.248 acres. The site was presently zoned Residential Suburban-20 (RS-20). The applicants proposed to change the designation to Industrial Light with a text-only development plan (IL(D)). Text-only development plans are a new type of development plan that allows proffered text commitments that specify, limit, and/or prohibit uses within the zoning district requested pursuant to UDO Section 5.3.1, the Use Table. As the name suggested, no graphic plan was provided with a text-only development plan.

The rezoning request included a text commitment that: the following specific uses would be permitted in the proposed Industrial Light zoning: Apiculture; Clubs and Lodges (nonprofit); Day Care Facility; Places of Worship; Retail Sales and Services (Except Antique Shop, Convenience Store with or without Gasoline, Drive-Through Facilities, and Payday Lenders); additionally Art, Music, Dance, Photographic Studio or Gallery; Veterinary Clinic, Animal Hospital, Kennel; Self-Service Storage; Vehicle Service - Minor; Offices (Except Conference Center, Retreat House, and Drive-Through Facilities); Light Industrial Services; Research and Development; and Wholesale Trade. The parcel was currently designated as Industrial on the Future Land Use Map which was consistent with the proposed zoning change. The Durham Planning Commission, at their March 12, 2019 meeting, recommended approval of the proposed Industrial Light with a text only development plan (IL(D)) Zoning district by a vote of 10-1.

Staff determined that the request was consistent with the *Comprehensive Plan* and applicable policies and ordinances.

Council Member Freeman stated that she supported the item.

Mayor Schewel opened the public hearing and called for speakers.

Carina Muehl of 304 Southerland Street, stated that she was an employee of Critter Control and was in favor of the item.

Lance Farlow of 315 Southerland Street, stated that the current property would be used 'as is' to conduct administrative work for the business.

Council Member Freeman expressed appreciation for the reuse of the facility.

Mayor Schewel expressed concern for approving the range of various uses that would be permitted under the designation they were requesting.

Patrick Young, Director of the Planning Department, advised that the Planning Commission expressed similar concerns but were reassured by the representation of the company that no additional uses would be utilized.

Mayor Schewel described the uses that he felt concerning as follows: kennel, self-serving storage, vehicle service, and light industrial services. He asked if the applicant considered removing those uses from the text commitment.

Ms. Struthers advised that the Critter Control company fell under the light industrial services category.

Council Member Reece echoed the sentiments of the Mayor regarding potential uses of the item.

Council Member Alston asked how many people attended the community meeting to discuss the potential use of the property.

Mr. Farlow advised that the residents located directly across the street of the building attended.

The Mayor asked if the applicant voluntarily would like to amend the permitted uses by removing kennel, self-serving storage and vehicle service.

Mr. Farlow expressed concern for having to attend an additional meeting in the future.

Ms. Struthers advised that the text amendment could be revised on record and that staff would work with the applicant to make the agreed upon changes.

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

**MOTION** by Council Member Reece, seconded by Council Member Alston, to adopt a Consistency Statement as required by NCGS 160A-383 was approved at 9:45 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 Z1800025 – Critter Control 315 Southerland

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 Z1800025, Critter Control 315 Southerland is based upon review of, and 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 6, 'Comprehensive Plan Consistency Analysis'; dated June 3, 2019 regarding the subject 'Critter Control 315 Southerland' (Z1800025) along with additional agenda information provided to the City Council and information provided at the public hearing; and

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 zoning map change 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 6, 'Comprehensive Plan Consistency Analysis'; dated June 3, 2019, regarding the subject 'Critter Control 315 Southerland' (Z1800025) 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.

**MOTION** by Council Member Reece, seconded by Council Member Alston, to adopt an ordinance amending the Unified Development Ordinance by taking the property out of the Residential Suburban-20 (RS-20) and Falls/Jordan Watershed Protection District B (F/J-B) Zoning Districts and establishing the same as Industrial Light with a text-only development plan (IL(D)) and Falls/Jordan Watershed Protection District B (F/J-B) Zoning Districts, was approved at 9:45 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 #15479**

**SUBJECT: CONSOLIDATED ITEM – ELEVATE AT THE PARK (ITEM 43/ PR #13216)**

Emily Struthers, Senior Planner, 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.

A request for a future land use map amendment and zoning map change have been received from Jarrod Edens with Edens Land, on behalf of Brian Wise, for two parcels of land located at 3700 NC 55 Highway and 3706 NC 55 Highway. The site area of the Future land use map amendment was 15.53 acres and the site area for the zoning map change was 35.04 acres. The applicant had applied for a zoning map change from Office and Institutional (OI) and Residential Suburban-20 (RS-20) to Residential Suburban Multifamily with a Development Plan (RS-M(D)).

The applicant also proposed to change the Future Land Use Map Designation from Office to Medium-High Density Residential (which is 8-20 density units per acre). Areas designated as Recreation Open Space would remain as is. Key commitments included that the proposed development would be limited to multifamily residential and accessory uses; there would be a maximum of 336 multifamily units. A 100-foot wide greenway easement would be dedicated, impervious surface will be limited to 70%, and traffic improvements would be constructed including a traffic signal and multiple turn lanes. Regarding the zoning context map and site history information, staff pointed out that the adjacent site, Odyssey Townes rezoning, was approved by City Council on April 15th.

The adjacent site was zoned Commercial General and Residential Suburban-8 with a Development Plan. The Durham Planning Commission, at their March 12, 2019 meeting, recommended approval of the proposed Residential Multifamily with a Development Plan RS-M(D) zoning district and Future Land Use Map amendment to Medium-High Density Residential by a vote of 9-2.

Staff determined that the requests were consistent with the Comprehensive Plan and applicable policies and ordinances.

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

Jarroed Edens, representing the applicant, stated that roadways were under capacity for the project. He also advised that there was adequate water and sewer on the property and proffered a traffic signal, \$26,500.00 to the Durham Public School system and \$50,400.00 to the Affordable Housing Fund.

Council Member Reece thanked staff for including pictures in the report.

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

**MOTION** by Council Member Reece, seconded by Mayor Pro Tempore Johnson, to adopt a resolution amending the Future Land Use Map to Medium-High Density Residential and Recreation Open Space for the site was approved at 9:52 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 #10143**

**MOTION** by Mayor Pro Tempore Johnson, seconded by Council Member Reece, to adopt a Consistency Statement as required by NCGS 160A-383 was approved at 9:52 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 Z1800013 – Elevate at the Park

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 Z1800005, Elevate at the Park is based upon review of, and 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 6, ‘Comprehensive Plan Consistency Analysis’; dated June 3, 2019, regarding the subject ‘Elevate at the Park’ (Z1800013) along with additional agenda information provided to the City Council and information provided at the public hearing; and

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 zoning map change 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 6, ‘Comprehensive Plan Consistency Analysis’; dated June 3, 2019, regarding the subject ‘Elevate at the Park’ (Z1800013) 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.

**MOTION** by Council Member Reece, seconded by Mayor Pro Tempore Johnson, to adopt an ordinance amending the Unified Development Ordinance by taking property out of the Office and Institutional (OI) and Residential Suburban-20 Zoning Districts and establishing

the same as Residential Suburban-Multifamily with a Development Plan (RS-M(D)) Zoning District was approved at 9:53 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 #15480**

**SUBJECT: CONSOLIDATED ANNEXATION ITEM – 5816 BARBEE CHAPEL ROAD  
(ITEM 44/ PR #13217)**

Emily Struthers, Senior Planner, 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.

Regarding 5816 Barbee Chapel Road Annexation case BDG1800018: a request for a utility extension agreement, voluntary annexation, and initial zoning map change had been received from Tim Smith for one parcel located at 5816 Barbee Chapel Road, approximately 4 acres. The site was zoned Residential Rural (RR) and Falls/Jordan Watershed Protection Overlay District B and staff recommends an exact translation of the zoning district. The parcel is designated very low density residential on the Future Land Use Map, which was consistent with the zoning request.

The annexation petition was for a contiguous expansion of an existing satellite to the corporate limits. The proposed annexation area was located between the existing satellite and existing City Limits. Should the Council act favorably, approval of the annexation petition and zoning would become effective on June 30, 2019. Staff determined that these 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.

Council Member Reece asked if the owner of the underlying property on Barbee Chapel Hill Road could create an access point to the road or if they would have to go through the existing street.

Bill Judge, Interim Director of Transportation, stated that they would have to use the existing street.

Council Member Reece asked if the owner of the underlying property was the same as the applicant.

Ms. Struthers stated that the applicant and other owner were not the same. Tim Smith, representing of the applicant, stated that the proposed property would be residential so there would not have been any reason to widen the street.

Senator Floyd McKissick spoke in support of the item and encouraged its approval.

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

**MOTION** by Mayor Pro Tempore Johnson, seconded by Council Member Alston, to adopt an ordinance annexing 5816 Barbee Chapel Road into the City of Durham effective June 30, 2019 and to authorize the City Manager to enter into a utility extension agreement with Toothland, LLC was approved at 10:00 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 #15481**

**MOTION** by Mayor Pro Tempore Johnson, seconded by Council Member Caballero, to adopt a Consistency Statement as required by NCGS 160A-383 was approved at 10:01 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 Z1900015A, 5816 BARBEE CHAPEL ROAD

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 Z1900015A, 5816 Barbee Chapel Road 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, Falls/Jordan Watershed Protection Overlay District B, (RR, F/J-B, County Jurisdiction) and establishing the same as Residential Rural Zoning District, Falls/Jordan Watershed Protection Overlay District B (RR, F/J-B, City Jurisdiction) was approved at 10:01 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 #15482**

**SUBJECT: OREGON STREET CLOSING (ITEM 45/ PR #13231)**

Emily Struthers, Senior Planner, 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 May 6<sup>th</sup> City Council meeting.

The applicant had requested a continuance to allow for additional time to coordinate a meeting with a stakeholder who was currently out of the country. At the applicant's request, staff recommended continuing the case to the August 19, 2019 Council meeting.

It was the consensus of Council to continue the item to the August 19, 2019 Council Meeting. No vote taken on the order.

**SUBJECT: CONSOLIDATED ANNEXATION ITEM – 1001 OLIVE BRANCH ROAD (ITEM 46/ PR #13241)**

Jamie Sunyak, Senior Planner, 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.

A request for a utility extension agreement, voluntary annexation, and zoning map change had been received from Arnaldo Echevarria of Withers Ravenel for two parcels of land located at 1001 Olive Branch Road, totaling 216.241 acres. The annexation was for a continuous expansion of the city limits. In addition, the applicant had applied for a zoning

map change from Rural Residential to Planned Development Residential 2.686, with an associated development plan that stipulates up to 562 single-family attached and detached residential units. The area was designated Low Density Residential on the Future Land Use Map, which was consistent with the rezoning request. If approved, the annexation petition and associated applications would become effective on June 30, 2019.

Key commitments included a maximum of 90 dwelling units prior to a second point of access to the roadway network, additional asphalt for the construction of a future bicycle lane, dedicated right-of-way for roadway improvements and a series of TIA required roadway improvements which are outlined further in Attachment 8h. The Public Works and Water Management departments have determined that the existing water and future sanitary sewer improvements associated with the SERLS project will have the capacity for the proposed development. The Budget and Management Services Department determined that the proposed annexation would become revenue positive immediately following annexation. Additional information can be found in the staff report.

The Durham Planning Commission, at their March 12, 2019 meeting, recommended approval of the proposed by a vote of 9-2. Staff determined that these requests were consistent with the Comprehensive Plan and applicable policies and ordinances. Three motions were required for the application.

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

Randy Herman, a representative for the applicant, requested that Council approve the item. He stated that the traffic impact analysis was positive and any improvements required were already agreed to, as well as, sewer improvements.

Mayor Schewel asked if the applicant had considered making a voluntary proffer to Durham Public Schools and/or the Affordable Housing Fund.

Mr. Herman advised that he did not have any proffers.

Mayor Schewel asked for the price point of the units.

Mr. Herman stated that the Townhomes could be anywhere from \$250,000- \$300,000 and the detached units could be anywhere from \$300,000- \$450,000 and that there could be roughly 562 units developed.

Mayor Schewel asked staff about comments made by Planning Commissioner Baker that were not in favor of the project and if they shared any of the concerns.

Mr. Young stated that changes could be made to the Comprehensive Plan and UDO in the future to make housing in the proposed area less auto-dependent, but that the area was intended to have significant development and the project was consistent with current policies.

Mr. Herman advised that the applicant had the right to develop a residential sub division at the current density, but that they were asking for an increase to create additional units.

Council Member Freeman stated that she was concerned about the demand for water in the area; specifically, the quality and source of the water.

Ms. Sunyak advised that the utility extension agreement had been vetted by the Water Department.

Mr. Bonfield advised that all of those matters had been accounted for.

Council Member Freeman stated that the increase in vehicle trips was concerning.

Council Member Alston stated that while the applicant believed that the increase in potential students may not have affected the school system in that particular area, it could have had an effect on the school in other areas throughout the city.

Mayor Pro Tempore Johnson asked what the process was to determine the number of single family homes and townhomes.

Mr. Herman stated that it was done by standard market analysis.

Mayor Pro Tempore Johnson asked if the market analysis was the method the applicant used to determine the size and cost of the homes.

Mr. Herman advised that it was.

Council Member Middleton stated that Commission Miller made a good counter argument to Commissioner's Bakers comments even though they were compelling. He advised that he would be supporting the item.

Mayor Pro Tempore asked if the redevelopment did not pass what would happen to the property.

Mr. Herman advised that it could stay vacant or be developed at the current density.

Mr. Young advised that the area was not currently in the city limits and would need to be annexed which made the potential for development more constraining without receiving utilities from the city.

Council Member Reece stated that he was unsure which way he was going to vote on the item and that he would wanted to hear more about the water capacity in that area. He stated that he believed additional time for Council and for the applicant to consider the nuisances of the project could be beneficial.

Mayor Schewel stated that he would reluctantly support the project, as he did not believe that there would be a better project to come forward. He also stated that it was not ideal that the applicant did not provide a proffer on a development that was roughly estimated at \$168 million.

Council Member Reece stated that just because a project was consistent with the current Comprehensive Plan did not mean that the Council had to vote in favor of it.

Council Member Middleton stated that he wanted Council to send a signal that all developers were playing on a leveled playing field.

Council Member Alston stated that she would be reluctantly supporting the item.

Council Member Freeman stated that it was important to think about how decisions made by Council would affect future generations.

Council Member Middleton asked if Council Member Freeman thought if there was something about the item that would have had an adverse effect on the environment.

Council Member Freeman responded that she had concerns regarding the intermittent streams in that area.

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

Council Member Caballero appreciated everyone's comments and said that she would not be supporting the item due to sustainability concerns.

Council Member Middleton stated that he hoped that Council would remain consistent with all future developers.

**MOTION** by Council Member Middleton, seconded by Council Member Alston, to adopt an ordinance annexing '1001 Olive Branch Road' into the City of Durham effective June 30, 2019 and to authorize the City Manager to enter into a utility extension agreement with Mungo Homes of North Carolina, Inc. **FAILED** at 10:45 p.m. by the following vote: Ayes: Mayor Schewel, and Council Members Alston and Middleton. Noes: Mayor Pro Tempore Johnson and Council Members Caballero, Freeman and Reece. Absent: None.

Subsequently, no vote taken on the Consistency Statement and UDO Ordinance.

**SUBJECT: ECONOMIC DEVELOPMENT INCENTIVE WITH THE FAMOUS CHICKEN HUT DURHAM, INC. (ITEM 47/ PR #13224)**

Chris Dickey, Senior Economic Development Coordinator with Office of Economic and Workforce Development, 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 Office of Economic and Workforce Development.

Consideration of approval of a proposed agreement between the City of Durham and Chicken Hut, an African American legacy business, had been in existence for over 60 years. Chicken Hut had applied to OEWD for a Neighborhood Revitalization Grant Incentive.

Chicken Hut proposed to repair the roof and parking area of a building at 3019 Fayetteville Street which was located on City of Durham Targeted Commercial Corridor. The project, when completed, will enable the African American Legacy business to stimulate new business development, provide increased job opportunities for local residents, and promote increased curb side appeal for this neighborhood. The proposed project would produce approximately \$46,929.00 in private investment with \$23,071.00 in City recommended funding, producing approximately a 2:1 ratio of private to public funding.

Other Deliverables:

a. The Company shall expend a minimum of \$47,714.00 in hard cost & provide the City with evidence of these capital expenditures by the completion deadline  
In addition

The OEWD and Small Business Technology Development Center (SBTDC) at NC Central University would be partnering together to assist the business owner with implementation of the succession plan and providing support for the continued success of the legacy business. SBTDC did a detailed assessment of the business and uncovered several areas in which technical assistance could be provided to assist with the successful stabilization of the African American Legacy business.

Mayor Pro Tempore Johnson asked if the owners of the Chicken Hut had a succession plan.

Mr. Dickey responded that at the moment they were not, that the only focus was to maintain and sustain the business.

Council Member Freeman thanked the department for bringing the item forward and for promoting shared economic prosperity.

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

Claiborne Tapp of 3019 Fayetteville Street advised that he was the current owner of the Chicken Hut. He asked for financial support in order to upgrade the roof of the establishment and the parking lot.

Council Member Middleton stated that the Chicken Hut was an iconic African-American food establishment in Durham and would support the item.

Council Member Alston stated that she would support the item.

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

**MOTION** by Council Member Middleton, seconded by Mayor Pro Tempore Johnson, to hold a public hearing to receive comments on the proposed economic development incentive agreement per G.S. 158-7.1 and to authorize the City Manager to execute an economic development incentive agreement with The Famous Chicken Hut Durham, Inc. in an amount not to exceed \$23,071.00 for a building & exterior improvements at 3019 Fayetteville Street, Durham, NC was approved at 10:57 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.

Being no additional business to come before council the Mayor adjourned the meeting at 10:58 p.m.

Ashley Wyatt, CMC  
Deputy City Clerk

Diana Schreiber, CMC  
City Clerk