

DURHAM CITY COUNCIL WORK SESSION
Thursday, July 23, 2020 @ 1:00 p.m.
Virtual Zoom Meeting

The Durham City Council held a virtual Work Session on the above date and time with the following members present: Mayor Steve Schewel, Mayor Pro Tempore Jillian Johnson and Council Members Javiera Caballero, DeDreana Freeman, Mark-Anthony Middleton and Charlie Reece. Excused Absences: None.

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

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

Prior to announcements by Council, Mayor Schewel recognized the number of deaths resulting from COVID-19 in Durham (74 deaths); called for the shooting to cease; acknowledged the passing of two civil rights icons, the US Congress Representative John Lewis and C.T. Vivian and local 12 year-old Durham youth, Tyvian McLean who was struck and killed by stray gunfire, and called for a Moment of Silence in their honor.

[ANNOUNCEMENTS BY COUNCIL]

Mayor Schewel shifted items on the agenda to accommodate a discussion on local gun violence.

Council Member Freeman updated the community on the Black Artist Celebration was moving forward; noted that five neighborhoods were selected for public art and announced that additional neighborhoods could apply for the initiative.

[PRIORITY ITEMS FROM THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK]

City Manager Bonfield requested an update from OEWD on the Small Business Loan Program; and referenced three items from the Department of Community Development:

- Agenda Item 22) Contract with Durham County for the Provision of Community Development Block Grant (CDBG) COVID-19 Emergency Rental Assistance
- Agenda Item 23) Housing for New Hope, Inc. Emergency Solutions Grants- COVID (ESG-CV) for Rapid Rehousing Services
- Agenda Item 24) Project Access of Durham County, Emergency Solutions Grant – COVID (ESG-CV) for Emergency Shelter Case Management Services

City Manager Bonfield requested that Council suspend their rules to vote on Items 22 through 24 at the meeting.

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

City Attorney Kim Rehberg requested a closed session at the Work Session for Council to consider and discuss newly-filed litigation. The Motion should read as follows:

To hold a closed session for attorney-client consultation concerning newly filed litigation. The case name is Tony Scott, Jr. and Tony Scott, Sr. v. City of Durham, et al. The file number is 1:20-cv-558 and it was filed in the Middle District of North Carolina.

MOTION by Mayor Pro Tempore Johnson, seconded by Council Member Caballero, to accept the City Attorney’s Priority Item. Motion passed unanimously.

The City Clerk had no priority items.

[ADMINISTRATIVE CONSENT ITEMS]

Mayor Schewel read the items on the printed agenda and the following items were pulled for additional information and/or discussion:

Item 2) It was the consensus of Council to re-advertise the vacancy for the Carolina Theatre of Durham Board of Trustees – Appointment. (PR #14046)

Item 5) It was the consensus of Council to re-advertise the vacancy on the Durham Homeless Services Advisory Committee – Appointment. (PR 14047)

Item 12) Council concurred that they were supportive seeing the Juneteenth Holiday moving forward. (PR 14087)

Item 13) Noted the item Racial Equity Task Force- Final Report was a discussion item and that a presentation was expected from the Task Force. (PR 14039)

Item 14) Funding for the Recovery and Renewal Task Force was a discussion item and Council feedback was encouraged. (PR14094)

Item 15) Pulled by Mayor Schewel, City-County Planning Department FY21 Work Program. (PR 14075)

Item 16) Pulled by Council Member Reece, Expedited Hearing Request for Zoning Map Change Z19000036 (Farrington Road Multi-Family) (PR 14080)

Item 21) Pulled by Mayor Schewel, 2019 Planning Commission Annual Report. (PR 14081)

Items 22 through 24) Pulled by Mayor Schewel. Council was requested to suspend the rules and vote on approval. (PR 14092, 14090, 14091)

Item 25) Pulled by Mayor Schewel. Extension of Merger Agreement with the County of Durham Demand Response Services (PR 14085)

Item 26) Pulled by Council Member Reece. Contract for Cloud-Based, Vendor-Hosted Integrated Parking Management System (PR 14060)

Item 27) Pulled by Mayor Schewel. Contract with Otis Elevator, Inc. for Parking Garage Elevator Maintenance and Repair Services (PR 14078)

Item 29) Brief remarks by Council Member Freeman. Noted there were two women of over 200 staff and wondered if there had been any follow up by city staff regarding employment practices.

Item 34) Remarks only from Mayor Schewel. Appreciated the utilization of an equity lens. Ordinance amending the Durham City Code regulating Billing and Payment of water, sewer and stormwater fees on combine utility bills. (PR 14084)

Item 38) Remarks from Council Member Freeman about fees.

Items 40 & 41) Pulled by Council Member Caballero. Executive Office of the President, Office of National Drug Control Policy, 2020 High Intensity Drug Trafficking Area (HIDTA) Grant Project Ordinance; and Executive Office of the President, Office of National Drug Control Policy, 2019 High Intensity Drug Trafficking Areas (HIDTA) Grant Project Ordinance (PR 14068, 14072)

[ITEMS PULLED FROM THE AGENDA]

**SUBJECT: CITY-COUNTY PLANNING DEPARTMENT FY21 WORK PROGRAM.
(ITEM 15/ PR 14075)**

Mayor Schewel referred to the Comp Plan re-write and addressed the Interim Planning Director Sara Young; and asked how there could be more emphasis on small area planning outside of the NPO.

Interim Director Young indicated there would be a small amount of small area planning involved with the development of Comp Plan/new Land Use Plan, with the thought that more detailed plans would be needed as an outgrowth in areas poised for growth.

Council Member Freeman noted that neighborhoods that were organized had more engagement.

Council Member Reece noted that if and when the topic is addressed at the Joint City-County Planning Commission, he would invite his colleague, Council Member Freeman.

Council Member Caballero asked if staff would be working with HR on the departmental racial equity workplan and equitable hiring practices. Interim Director Young confirmed this practice.

**SUBJECT: EXPEDITED HEARING REQUEST FOR ZONING MAP CHANGE
Z19000036 (FARRINGTON ROAD MULTI-FAMILY) (ITEM 16/ PR
14080)**

Council Member Reece referenced an email from resident Ellen Pless about the item; and indicated that the resident had asked if the expedited request tied to a swift moving text amendment that seeks to enable development agreements in Durham.

Interim Director Young responded that the expedited request was designed to use the first statutory development agreement as defined in the General Statutes in conjunction with the rezoning.

Council Member Reece asked about the number of multi-family units, 330 or 160?

Interim Director Young would follow-up with Council about the number of units.

Mayor Schewel inquired about the expedited process.

It was noted that the process would take away Planning Commission's ability to continue the project up to 90 days.

**SUBJECT: 2019 PLANNING COMMISSION ANNUAL REPORT (ITEM 21/ PR
14081)**

Mayor Schewel asked about the number of seats allotted to the City and County; the County receives 11 seats and the City, six and asked about the rationale of the allotted seats.

Interim Director Young referenced the Planning Interlocal Agreement and would try to find the history behind the decision.

**SUBJECT: CONTRACT WITH DURHAM COUNTY FOR THE PROVISION OF
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) COVID-19
EMERGENCY RENTAL ASSISTANCE (ITEM 22/ PR 14092)**

Mayor Schewel stated that Items 22, 23, and 24 were requested by the City Manager to be expedited and voted on by Council.

Reginald Johnson, Director of the Department of Community Development, provided the staff report; explained the purpose of the item to contract with Durham Department of Social Services and Legal Aid of NC, to distribute rental assistant program, by funds sourced from CDBG, estimated at a little more than \$1 million; and summarized that DSS would distribute the funds.

Council Member Caballero asked for clarity on criteria that could pose as barriers to provide rental assistance for persons who were undocumented.

Director Johnson asked for clarity if the question was about personal documentation of applicants or what eligibility standards were to be met.

Melva Henry, Project Manager, acknowledged that DSS and Legal Aid had written guidelines for the program and deferred to staff of Social Services to provide additional details.

Contessa Sawyer, Supervisor of Rental Assistance Program at DSS, noted that clients would be referred by Legal Aid to DSS; appointments would be received at DSS by calling 919-560-8000; explained that the social workers on the team would contact clients to conduct housing assessments and to verify that circumstances were related to COVID-19; other requirements were that persons must be City of Durham residents, fall within 80% of AMI, be represented by Legal Aid or an attorney; and spoke to the required documentation of income, verification of needs, the stated the citizenship requirement had been waived.

Peter Gilbert, representing Legal Aid of NC, referenced the Scope of Work (Attachment A); reiterated eligibility requirements; and stated the required documents were listed on pages 2 and 3 in the Scope of Work.

Council Member Caballero expressed concerns about the eligibility process, who was holding the documents and acknowledged that some factors were beyond staff's control.

Director Johnson emphasized the rules, established by HUD for the city to receive the funds, would not address everything; and noted that DSS had improved the process with the objective to meet needs. He stated that he sought to get the city reimbursed from HUD for the expenditures.

Ms. Henry explained that self-certification was allowed for income and stated that the County and City had tried narrowing the documentation list.

Mayor Pro Tempore Johnson asked if any of the documentation could be eliminated.

Council Member Freeman asked if NIS could be included in the process and conversation.

Lee Little, representing DSS, referenced the documentation required for the process and that DSS would try to process the paperwork as smoothly as possible.

Council expressed appreciation for the City and County staffs' efforts in ensuring housing for families during the COVID-19 pandemic and urged additional state and federal resources for this purpose.

Mayor Schewel mentioned that the new AMI for a family of four in the Durham/Chapel Hill MSA was \$91,000, 30% of which was \$27,000; and noted that DSS and Legal Aid

were donating a portion of their staff time to ensure the allotted funds were applied to those in need.

MOTION by Mayor Pro Tempore Johnson, seconded by Council Member Freeman, to suspend the rules and vote; the motion was approved at 1:55 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

MOTION by Council Member Middleton, seconded by Mayor Pro Tempore Johnson, to approve the Contract with Durham County for the Provision of Community Development Block Grant (CDBG) COVI-19 Emergency Rental Assistance; the motion was approved at 1:55 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

SUBJECT: HOUSING FOR NEW HOPE, INC. EMERGENCY SOLUTIONS GRANT – COVID (ESG-CV) FOR RAPID REHOUSING SERVICES (ITEM 23/ PR 14090)

Director of Community Development Johnson deferred to Colin Davis, Homelessness Systems Manager, to present the staff report.

Manager Davis presented the staff report to approve the Housing for New Hope Emergency Solutions grant for rapid re-housing services for people in Durham experiencing homelessness, to move them from homelessness to permanent housing as soon as possible during the COVID pandemic.

Council Member Reece inquired about the three items, asking if there were two applications for funding and reference their funding sources. Manager Davis confirmed this fact and confirmed that this represented the first round of ESG funds for the community. Rapid rehousing was being prioritized since the Marriott RTP contract ended and that the residents needed to have permanent housing, this being done with Housing for New Hope.

Council Member Freeman inquired about administrative fees.

Manager Davis explained that HUD changed their rules on COVID funds and that Community Development monitored compliance.

MOTION by Council Member Middleton, seconded by Mayor Pro Tempore Johnson to suspend the rules and vote; the motion was approved at 2:00 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

MOTION by Mayor Pro Tempore Johnson, seconded by Council Member Middleton, to approve the Housing for New Hope, Inc. Emergency Solutions Grant – COVID-19 (ESG-CV) For Rapid Rehousing Services; the motion was approved at 2:00 p.m. by the

following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

SUBJECT: PROJECT ACCESS OF DURHAM COUNTY, EMERGENCY SOLUTIONS GRANT – COVID (ESG-CV) FOR EMERGENCY SHELTER CASE MANAGEMENT SERVICES (ITEM 24 / PR 14091)

Reginald Johnson, Director of the Department of Community Development, deferred to Manager Colin Davis for presentation and to answer Council's questions.

Manager Davis summarized that the funds were going to Project Access to go toward those who were experiencing homelessness and who were medically vulnerable; the funding was primarily for case management and had some flexibility in ESG guidelines, such as renting hotel rooms, not apartments. Persons would be identified by medical providers, local shelter staff and the street outreach team.

Mayor Schewel supported the three expenditures at this time and acknowledged that a portion of funds were being spent from the Dedicated Housing Fund, of which, would be an anticipated reimbursement by the federal government.

MOTION by Council Member Freeman, seconded by Mayor Pro Tempore Johnson, to suspend the rules and vote; the motion was approved at 2:08 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

MOTION by Mayor Pro Tempore Johnson, seconded by Council Member Reece, to approve Project Access of Durham County, Emergency Solutions Grant – COVID (ESG-CV) For Emergency Shelter Case Management Services; the motion was approved at 2:08 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

SUBJECT: EXTENSION OF MERGER AGREEMENT WITH THE COUNTY OF DURHAM DEMAND RESPONSE SERVICES (ITEM 25/ PR 14085)

Sean Egan, Director of Transportation, introduced the item, responded to the Mayor's questions and summarized the staff report. He stated the city was working through an extension with Durham County, consolidating two transit systems for paratransit into one. An agreement was entered into last October and a contract was awarded with GoTriangle and began September 1. There was now a new contract going into effect as of September 1 and that new service provisions were be applicable. Proposed a six-month extension to the end of December, and that a long term extension would be devised with the County in the meantime. The new contract ran until June 2023 with two additional option years. The inter-local agreement was being matched up with the service contract and that the ramifications of the transition needed to be addressed and wanted to ensure that no disruptions of service would occur. So far, the merger had progressed smoothly and that county riders had been transitioned to the city service.

Ridership had decreased during the pandemic and noted that trip demand and administrative costs were being met. A Joint City-County Transportation Advisory Committee was replacing the County Transportation Advisory Board. Engagement was occurring with county stakeholders to consolidate objectives for the group. Input was being collected from the Durham County Commissioners.

SUBJECT: CONTRACT FOR CLOUD-BASED, VENDOR-HOSTED INTEGRATED PARKING MANAGEMENT SYSTEM (ITEM 26/ PR 14060)

Council Member Reece expressed concerns about the demographics of the company being that there were only white employees; UBE compliance were met due to the lack of sub-contracting companies available. He asked that if state law did not allow Council to reject a contract with a vendor without any black or brown employees, then he wanted someone to tell Council this fact. Either Council was not doing enough to require more diversity of its vendors or that it was unlawful for Council to do more. He felt that voting in favor of such vendors was demoralizing and wanted to know what the law required and what it forbid. He suggested that topic was one for the Legislative Delegation.

Council Member Freeman concurred with Council Member Reece' comments and did not usually ask about vendors with fewer than 15 employees, because she was cognizant of how workplace comfort levels can be off-putting when there was a small workgroup with an employee who was the only employee of color working there. She supported urging the topic to move to the Legislative Agenda to confirm what Council could and could not ask for.

SUBJECT: CONTRACT WITH OTIS ELEVATOR, INC. FOR PARKING GARAGE ELEVATOR MAINTENANCE AND REPAIR SERVICES (ITEM 27/ PR 14078)

Mayor Schewel explained that he had pulled the item due to concerns about the contract's employment statistics. He asked Thomas Leathers, Chief Parking Administrator, to provide an update prior to the next council meeting from Otis Elevator, Inc.'s on their employment and recruitment practices and outreach to Historically Black Universities.

Mr. Leathers would provide that information to Council.

SUBJECT: EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF NATIONAL DRUG CONTROL POLICY, 2020 HIGH INTENSITY DRUG TRAFFICKING AREAS (HIDTA) GRANT PROJECT ORDINANCE (ITEM 40/ PR 14068); and EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF NATIONAL DRUG CONTROL POLICY, 2019 HIGH INTENSITY DRUG TRAFFICKING AREAS (HIDTA) GRANT PROJECT ORDINANCE (ITEM 41/ PR 14072)

Council Member Caballero inquired about the local match number for Items 40 and 41; and asked if the local match number was a total of \$20,000.

Keisha Preston, representing the Police Department, confirmed \$10,000 was the local match for each item and the purpose was for officer overtime and benefits.

[PRESENTATIONS]

Taking the prerogative of the Chair, Mayor Schewel requested the Racial Equity Taskforce Final Report be heard next.

SUBJECT: RACIAL EQUITY TASK FORCE – FINAL REPORT (ITEM 13/ PR 14039)

Mayor Schewel introduced the item and deferred to the Co-Chairs, Judge and Dean Elaine O’Neal and Kaaren Haldeman for presentation.

Mayor Pro Tempore Johnson addressed the upcoming presentation and provided background on the 21-month research that included community engagement and multiple taskforce meetings; and represented the beginning of a very important conversation. The recommendations required city resources to support them and to commit to putting ideas into practice.

Judge O’Neal, Co-Chair of the Racial Equity Task Force, Nov 18, 2018 to July 23, 2020, introduced the task force members who would be speaking at the meeting and making recommendations. She explained that the tone was important and focused on community love, kindness and grace and emblematically, the report was a love letter to Durham.

Co-Chair Haldeman explained the genesis of the final report and the need for on-going conversations moving forward, sub-committees were established for housing, wealth and economy, health and environmental justice, education, criminal/legal and public history. Eight meetings seeking community feedback were conducted until prohibited by COVID-19. Taskforce members voiced recommendations, detailed in the RETF Final Report.

- Camryn Smith- Housing Sub-Committee
- Emily Coward – Wealth and Economy Sub-Committee
- Ana Nunez – Criminal/Legal System Sub-Committee
- Jamal Moss – Environmental Justice and Health Sub-Committee
- Katie Mgongolwa – Education Sub-Committee
- Vanessa Hines – Public History Sub-Committee

Executive Summary of the Report of the Durham Racial Equity Task Force: An Urgent and Loving Call to Action

In a city born during Reconstruction and reared under Jim Crow, shocking inequities between white people and people of color are still evident in 21st century Durham. If we

reject the notion that these disparities are normal, due to differences in capability or culture, it is imperative that we take significant strides to undo the negative legacies that haunt our local and national history. We need to be not merely anti-racist in thought, but actively and continuously anti-racist in deed.

At the request of Mayor Pro Tempore Jillian Johnson, the city of Durham formed its first racial equity task force in October 2018, and appointed 17 volunteer members from across the city of Durham.

The Durham Racial Equity Task Force (RETF) has spent the last 21 months developing trust, openness, and honest internal relationships that the work of racial equity demands and deserves. We began our first conversations about how each of us understood racial equity, and came to a consensus on how we would use the term and apply this to our work as a group. From these conversations grew the development of six subcommittees to address specific areas of programming within the city of Durham: Wealth & Economy, Criminal Legal System, Health and Environmental Justice, Housing, Education, and Public History.

We recognize the intimate interconnections of these areas and assume that we need to act simultaneously on multiple fronts. We have been able to dig deeply and feel confident in making specific policy recommendations on some issues. In other equally important areas, we have identified crucial issues that need to be addressed even as we are not yet ready to make specific proposals. We see our efforts as seeding further, ongoing work.

We entered into this work with some lived experiences and expertise in this arena. However, we were educated by the many others who helped deepen and expand our views. We have come to lean on the expertise of our community.

Our work concludes with a detailed report, which is to be presented to the Durham City Council on July 22, 2020. This report seeks to address, develop, and implement policies and actions to ensure a more equitable Durham community.

Contents of the Final Report

- The Data, the Stories, the Receipts: Centering Racial Equity in Durham
 - A narrative of Durham
 - Defining and addressing racial equity
 - The formation and scope of RETF
 - The importance of language usage
 - Task Force members
- Tell It Like It Is: The Water We Swim In and Naming Whiteness
 - Contextual overview of our racial reality
- Let the Record Show: Stories, Data, Transparency, and Accountability
 - RETF data requests: You can't fix what you don't measure.
- Limitations of the report
- This Is How We Do It - Making the Vision a Reality: Our Recommendations

- Introduction, recommendations, limitations, and summaries:
 - Wealth & Economy
 - Criminal Legal System
 - Health and Environmental Justice
 - Housing
 - Education
 - Public History
- What's In the Toolkit: Building Blocks for Racial Equity
 - Racial equity checklist and impact tool
- Not A Conclusion, but a Beginning: Reimagining, Realigning, and Sustaining an Equitable Infrastructure
 - Sustainability and the advancement of racial equity work
- Acknowledgments
- Appendices-including a glossary

Conclusion of the Racial Equity Task Force Final Report

Racial equity work in the city of Durham must be permanent, appropriately funded, and institutionally supported by the city, county, and all community stakeholders. RETF is concerned about issues of accountability and long-term sustainability in carrying out this work. Dealing with racial inequity is not the mission of one city council or one mayor. The work is ongoing and long term. Anti-racism practices and racial equity benefit all residents of Durham. We as a community should be intentional about equity in every aspect of our lived experience to dismantle systemic racism.

The Durham Racial Equity Task Force has dedicated itself to the work, putting in countless hours as we tried to both understand the scope and depth of racial inequity in our city and figure out how to overcome it. But this is the work of the whole community and not just elected officials. Our document is intended not to be read-only, but as a spur to action.

We call on you, as individuals, neighborhoods, institutions, and communities, to become active participants in the struggle to end racism. With the development and sustained implementation of racially equitable policies, we look to becoming the city we know we can be; where all residents are truly free. Finally, we thank the people from across Durham; the community members who attended meetings and provided input; local resources who shared their years of expertise and helped us in our thinking and in our thinking and our growth.

After the presentation by the RETF Committee Chairs, Co-Chair Haldeman made final remarks, encouraged all to read the report, and acknowledged those who supported the process:

Mayor Pro Tempore Johnson (originator of the Racial Equity Task Force),
 Mayor Schewel and Council Members Caballero, Freeman, Middleton and Reece
 Mamie Webb-Bledsoe
 Jeremy Rowe

Neighborhood Improvement Services: Constance Stancil, Lynwood Best, Laura Biediger, Pamela Pagan, Tannu Gupta, Alexis John, Carmen Ortiz, Cheryl McDonald, Faith Gardner, James Davis
Kristine Dismukes- Durham resident
Durham Community Members who provided input and resources
Dr. Henry McCoy
Families of the Task Force Members

Judge O'Neal closed the presentation with a call to action to the City of Durham.

1. Realize there is a problem
2. Find a critical mass of caring people who are committed to changing and repairing the breach
3. Give five hours of personal time to others who are unlike yourself

This is just the beginning, let's go forth together for the generations to come.

Mayor Schewel expressed appreciation and gratitude for the report and its recommendations and looked forward to reading the report and moving forward together. He encouraged the task force members to continue to lead and stated that the presentation was the best he had heard during his time on Council.

Council Member Freeman expressed gratitude and noted the Task Force members for their contributions; recognized the time committed to the process of achieving racial equity and wanted to know how to move the initiative forward, by expanding the process to the City and County and encouraged their involvement over the next 10 years or so.

Judge O'Neal encouraged a return of the Task Force after one year to re-assess the progress and hoped for a permanent commission; encouraged daily interaction within some of the arenas; and supported a time-capsule moment for in/formal presentations to the community. Judge O'Neal encouraged everyone in Durham for their proactivity.

Task Force member Tia Hall spoke to the longevity of the work, addressed the numerous meetings and encouraged that there be resourced meetings for community members who otherwise would be unable to attend.

Council Member Middleton returned the love to the Task Force's love letter, publicly committed to working with racial equity in Durham and encouraged investing in community players not traditionally in attendance and to include them within the budgeting process; referenced MLK, Jr.'s *I Have a Dream Speech* and its message addressing systemic racism; and looked forward to reading the Report.

Mayor Pro Tempore Johnson continued presiding over the agenda item.

Council Member Reece expressed gratitude for the members' commitment to the work and appreciation for the Report; and reminded Council how government had failed black and brown peoples. Council Member Reece noted that the Report represented an opportunity to build a community for all in that the report explained what was wrong,

how elected officials had failed and how to be pointed in the right direction toward a community for all.

Council Member Caballero complimented the members of the taskforce for their efforts and spoke to barriers of time; expressed appreciation for the Report; encouraged members to present to the County and School Board; noted there was a lot of work ahead but that she believed in the matter.

Mayor Pro Tempore Johnson addressed the matter being presented before other boards such as a County Commissioner meeting as well as a Durham Public School Board meeting.

Mayor Schewel supported future presentations to the broader community and that the members could decide on the details of doing so; additionally, Council would be referring back to the RETF members for advice.

Mayor Pro Tempore appreciated and grateful for the members and their tenacity; referenced the current environment of Black Lives Matter Uprising and the global COVID-19 Pandemic and its impact on the community; stated it was good timing to receive the recommendations and to move the work forward and was excited to dig into resolving racial inequities.

Council Member Freeman asked about the housing of the recommendations with the Equity and Inclusion Department or the Neighborhood Improvement Services Department.

Mayor Pro Tempore Johnson spoke to how to proceed with staff and institutionalizing the Report.

City Manager Bonfield stated staff would review the recommendations and report back to Council.

Taking the prerogative of the Chair, Mayor Schewel deferred to Mayor Pro Tempore Johnson to preside over the next three items: OEWD Small Business Recovery Fund Program Update, Recovery and Renewal Task Force funding and local gun violence.

**SUBJECT: DURHAM SMALL BUSINESS RECOVERY FUND PROGRAM UPDATE
(CITY MANAGER PRIORITY ITEM / NO AGENDA NUMBER)**

Andre Pettigrew, Director of the Office of Employment and Workforce Development, Brian Smith of EOWD and Kevin Dick, CEO of Carolina Small Business Development Fund, presented the item.

Director Pettigrew made the PowerPoint Presentation; updated Council on the Durham Small Business Recovery Fund Program, the first 30 days, partnering with Duke University; and marks the beginning of Durham County joining the fund.

Key Highlights

- 81 businesses served with \$750,000 had been distributed.
- Round 2 of program opened on July 20, 2020

Grant Program – targeted to businesses with less than \$500,000 of revenue

- Grant funds distributed to date is \$585,000
 - Awards ranging from \$7,600 to \$10,000
 - 62% women owned and 56% owned by people of color
- Major Industries & primary reason for declination

Loan Program – targeted at businesses making more than \$500,000 to \$12 million

- Loan funds distributed to date is \$168,000
 - Average loan: \$33,000
 - 24 applications, 6 awarded, 50% of approved loans granted to people of color
- Major industries and primary reason for declination.

Round 2 Program Changes

- \$414,000 grant funds available
- Businesses selected on first-come, first-serve
- Evidence of COVID impact
- Durham County businesses are eligible
- \$1.4 million in loan funds available
- Evidence of significant disruption of operations
- Durham County businesses eligible

Council Member Freeman asked if there was a minimum grant or loan amount.

Director Pettigrew responded that grants were awarded up to \$10,000 and the minimum amount for the loan was \$5,000. He spoke to Round 2 of the grant and loan applicants and noted that applications were accepted until the funding was exhausted.

CEO Dick amplified the Round 2 grant and loan processes under new rules. He stated there were 17 pending grant applications and noted the momentum for both grants and loans was increasing. A diverse applicant pool was evident. A full detailed demographic report was expected in a couple months.

Brian Smith, OEWD, spoke to modifications of the program in its outreach to the LatinX community. Materials have been translated into Spanish and distributed to Hispanic Chamber of Commerce, Mexican Consulate, BB&T/Truist, Que Pasa newspaper, Univision, El Centro Hispano and the Economic Development Partnership of NC.

Mayor Schewel expressed appreciation for getting the funds out the door to local businesses and thanked staff for their commitment to diversity.

Council Member Middleton noted that a couple businesses had not heard from staff about their grant applications. He referenced adding funds to the those currently available and asked what the threshold needed to be prior to another cash infusion. He also asked to be kept updated as to how quickly the grants were being awarded and the demand for additional funds.

Director Pettigrew requested that applications be forwarded to Brian Smith.

CEO Dick responded that based on the current pace of applications received and at the average grant size, estimated that within the next two weeks, the monies would run out. He noted that \$1.6 million was available for loans. Demand would drive Council's decision to infuse cash into the process.

Mayor Schewel noted that additional future funding would be required in the grant program so private sector funds were being encouraged; however, he spoke to a private campaign underway for Durham Public Schools' Digital Learning Initiative spearheaded by Jeff Durham at the Chamber of Commerce and explained he did not want two competing campaigns conducted simultaneously.

Due to technical difficulties, Item 14 was discussed next.

**SUBJECT: FUNDING FOR THE RENEWAL AND RECOVERY TASK FORCE
(RRTF) (ITEM 14/ PR 14094)**

Mayor Schewel presented the item; noted that a letter had been distributed in regard to comprehensive budgetary needs for the City and County as determined by the RRTF. He explained that he requested the City Manager to approve of funds for the Language Access for RRTF and initial publicity for *Back on the Bull Campaign*, estimated at approximately \$14,000. He preferred that Council approve future allocations from the COVID relief funds.

Mayor Schewel explained that a budget request was coming from the RRTF to the City and County for outside dining, homeless services, etc. In reference to sources of funding, there are ESG funds, Durham County's CARES Act funds and City' COVID-19 Funds.

City Manager Bonfield confirmed the City had spent nearly \$600,000 of the set-aside COVID-19 funds for internal costs related to a variety of expenses; and believed a percentage of the expenses may be eligible for FEMA reimbursement. He clarified the types of expenses used from the COVID funds.

**SUBJECT: DISCUSSION OF RECENT GUN VIOLENCE IN DURHAM
(NO AGENDA ITEM NUMBER)**

Mayor Pro Tempore Johnson deferred to Council Member Middleton for the item.

Council Member Middleton initiated the conversation on the impacts of gun violence in Durham and conveyed the hurt being experienced by constituents and spoke to two residents who had recently passed from gun-fire in Durham, senior-citizen Paulette Thorpe and 12 year-old Tyvian McLean and called for change in the City. He addressed Council initiatives related to immigration but could not mention similar legislation on gun violence.

Council Member Middleton sought to provide comfort to grieving families by proposing legislative action at gun violence and referred to funding of COVID Relief, Participatory Budgeting (\$2.1 million) and Immigrant Defense Fund (\$500,000); and urged Council to fund an initiative against gun violence. He announced the assembly of 1000 Black Men to join in solidarity to stand between children and gun wielding individuals.

Police Chief CJ Davis thanked Council Member Middleton and reiterated the fact that Police could not handle the problem itself and needed additional support, such as 1000 Black Men, to assist with community efforts to prevent innocent youths and families from being impacted. She said aggravated assaults were driving violent crime in the community.

Mayor Schewel reflected on his colleague's remarks and cited the following efforts on gun violence:

- A Well run and led Police Force
- Community Safety and Wellness Taskforce, devising alternatives to policing.
- Crime Cabinet
- Gang Reduction Steering Committee

The Mayor voiced support for the 1000 Black Men Solidarity effort as community support was critical right now.

Mayor Schewel addressed ShotSpotter Technology and Violence Interrupters. He urged discussions with city sponsored groups to take expeditious action against gun violence to ask what could be done immediately against the violence and how much will it cost.

Council Member Middleton spoke to the evidentiary argument and political will surrounding Participatory Budgeting of which did not attain the desired results. He urged finding funds for gun violence efforts.

Mayor Pro Tempore Johnson departed the meeting at 5:02 p.m.

Mayor Schewel presided over the meeting.

Council Member Reece acknowledged his colleague's call to action; and voiced support for Violence Interrupters. He noted that Council could start investigating for a program called CAHOOTS, a police reform and social service program patterned in Oregon that substituted sending armed police officers into different kinds of situations replaced with other types of social service professionals. He was willing to keep an open mind on ShotSpotter.

Mayor Pro Tempore Johnson returned to the meeting at 5:07 p.m.

Mayor Pro Tempore spoke in favor of Durham County's Violence Interrupters activists and hoped that the program continued after COVID. She supported taskforce participation by justice-involved persons and criminal justice advocates, supported crisis response work and the future efforts of the Safety and Wellness Taskforce.

Council Member Middleton questioned PB's stated outcome/intentions compared to what actually happened- it was listed as an equity initiative for access for black and brown peoples who typically had been barred from participation, to have 60% white participation missed the point.

Mayor Pro Tempore Johnson asked that PB and its equity goals and evaluation of program be addressed at an upcoming Work Session to review the PB cycle and to hear staff recommendations.

Council Member Caballero supported a PB presentation to Council at a future Work Session. She spoke to her years-long effort on the Immigrant Defense Fund and was willing to discuss her work with Council Member Middleton to move his issues forward.

Council Member Middleton stated that he would like the same level of scrutiny in regard to ShotSpotter, if Council decides to support. He asked Council to schedule time to allocate on what to do about the violence, moving on violence interruption, what was the plan along with funding initiatives.

Council Member Freeman felt the failure of addressing gun violence to the community in a way that was measured, knowing that community members were losing children, and that there needed to be a counter-balance. She appreciated the initiative 1000 Black Men and was willing to try new ideas to prevent any more loss of life, especially of Durham's youth.

SUBJECT: RECOMMENDATIONS TO BOARDS/COMMITTEES AND COMMISSIONS

Council made the following recommendations and nominations to Council-appointed boards, committees and commissions:

- Carolina Theatre Board of Trustees – readvertise the vacancy
- Durham Convention Center Authority- nominated Ashley Ferrell
- Cultural Advisory Committee – nominated to reappoint Angela Lee and appoint Joseph Jordan and Saira Estrada
- Durham Homeless Services Advisory Committee – readvertise the vacancy
- Durham Housing Authority Board of Commissioners – nominated Torrell Armstrong
- Durham Open Space and Trails – nominated Mohammad Basha
- Durham Housing Appeals Board- nominated Madeline Miller
- Recreation Advisory Commission – nominated Karthik Sundaramoorthy

SETTLING THE AGENDA - CITY COUNCIL MEETING ON AUGUST 3, 2020

City Manager Bonfield announced the items for the August 3, 2020 City Council Agenda: Consent Agenda Items 1, 3 and 4, 6 through 21, and 25 through 44; General Business Agenda - Public Hearing Items 45 through 47.

MOTION by Council Member Reece, seconded by Mayor Pro Tempore Johnson, to accept and settle the City Manager's agenda items for the August 3 Council Meeting as stated by City Manager Bonfield was approved at 5:27 p.m. Motion passed unanimously.

City Attorney Rehberg reiterated the motion to go into Closed Session:

To hold a closed session for attorney-client consultation concerning newly filed litigation. The case name is Tony Scott, Jr. and Tony Scott, Sr. v. City of Durham, et al. The file number is 1:20-cv-558 and it was filed in the Middle District of North Carolina.

MOTION by Council Member Freeman, seconded by Council Member Caballero, to enter into Closed Session in accordance to the City Attorney's motion at 5:29 p.m. Motion passed by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freeman, Middleton and Reece.

ENTER INTO CLOSED SESSION – 5:33 PM

RETURN TO OPEN SESSION – 6:42 PM

No action taken in Open Session.

Being no additional business to come before the Council, Mayor Schewel declared the Work Session adjourned at 6:42 p.m.

Diana Schreiber, NCCMC, CMC
City Clerk