

**DURHAM, NORTH CAROLINA
MONDAY, AUGUST 16, 2021
7:00 P.M.**

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

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

Mayor Schewel called the meeting to order and welcomed everyone in attendance.

[ANNOUNCEMENTS BY COUNCIL]

Council Member Middleton recognized Project 300 for their work in the community as they provided new sneakers to children in the city during a back to school event. He also brought awareness to recent gun fire in the Taylor Estates townhomes.

Council Member Freeman welcomed all students back to school and recognized the hardships happening in both Haiti and Afghanistan.

[PRIORITY ITEMS]

City Manager Page noted that items 7 and 19 had additional information added.

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

[CONSENT AGENDA]

SUBJECT: APPROVAL OF CITY COUNCIL MINUTES (ITEM 1/ PR #14815)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to approve the City Council minutes for the following meetings: May 17, 2021 Regular Meeting; May 20, 2021 Work Session; May 26, 2021 Budget Work Session; May 27, 2021 Budget Work Session; June 7, 2021 Regular Meeting; June 10, 2021 Work Session; June 10, 2021 Budget Work Session; June 15, 2021 Joint City County Meeting on the Comprehensive Plan Public Hearing; and June 21, 2021 Regular Meeting, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

SUBJECT: DURHAM CITY-COUNTY ENVIRONMENTAL AFFAIRS BOARD – APPOINTMENT (ITEM 2/ PR #14807)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to appoint Cristian R. Valle Kinloch to the Durham City-County Environmental Affairs Board representing Equity/Environmental Justice with the term to expire on June 1, 2022, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

SUBJECT: DURHAM WORKERS' RIGHTS COMMISSION – APPOINTMENT (ITEM 3/ PR #14806)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to appoint Eric J. Winston to the Durham Workers' Rights Commission representing the category of Low Wage Industry with the term to expire on April 30, 2023, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

SUBJECT: MAYOR'S COUNCIL FOR WOMEN – APPOINTMENT (ITEM 4/ PR #14808)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to appoint Lydia Mitchell to the Mayor's Council for Women representing Ward 3 with the term to expire on June 30, 2022, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

SUBJECT: CONTRACT WITH UNITED MINORITY CONTRACTORS OF NORTH CAROLINA, INC. FOR CONSULTING SERVICES (ITEM 5/ PR 14837)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to authorize the City Manager to execute a contract with United Minority Contractors of North Carolina, Inc., in the amount of \$533,980 in Dedicated Housing Funds, to provide consulting support related to contracting of minority and women business enterprises, local hiring, Davis Bacon and Section 3 compliance on City-funded affordable housing projects, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

SUBJECT: INTERLOCAL AGREEMENT FOR JOINT FUNDING FOR VACCINE EQUITY PROGRAM (ITEM 6/ PR # 14839)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to resolve that the City Manager be authorized to execute an Interlocal Agreement with Durham County for joint funding of the Durham Vaccine Equity Program, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

SUBJECT: 2022 CITY COUNCIL MEETING SCHEDULE (ITEM 7/ PR #14838)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to approve the 2022 City Council Meeting Schedule; and to adopt an Ordinance cancelling the City Council Work Sessions on June 23, 2022 and July 7, 2022, and cancelling the City Council Meetings on July 4, 2022 and July 18, 2022, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

ORDINANCE #15861

SUBJECT: U.S. DEPARTMENT OF TRANSPORTATION – FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT GRANT (ITEM 8/ PR #14841)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to accept the Federal Aviation Administration - Airport Improvement Program Grant Offer 3-37-0056-056-2021 in the amount of \$3,770,986; and to authorize the City Manager to execute the associated Grant Agreement, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

SUBJECT: RESCISSION OF DURHAM-ORANGE LIGHT RAIL TRANSIT CORRIDOR (ITEM 9/ PR #14832)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to approve a resolution to rescind the Durham-Orange Light Rail Transit Corridor, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

RESOLUTION #10227

SUBJECT: MAY 2021 BID REPORT (ITEM 10/ PR #14830)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to receive a report on the bids that were acted upon by the City Manager in May 2021, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

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

1. Bid: Computer Hardware

Purpose of Bid: Provides the Police Department with fifty-one (51) Panasonic TOUGHBOOK 14” Core i5-8365U 8GB RAM laptops and docking stations.

Comments: Priced in accordance with NC Rugged Computers and Accessories 204B DIT #400186.

Opened: 4/22/2021

Bidders:

Vendor	Qty	Price	Total Cost
CDW Government Inc. Vernon Hills, IL	51	\$ 2,425.00	\$ 123,675.00

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

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

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

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

2. Bid: John Deere Gator 2021

Purpose of Bid: Provides the Department of Fleet Maintenance with one (1) John Deere TE GATOR Tractor.

Comments: Priced in accordance with North Carolina State Contract – Grounds Equipment #515B.

Opened: 3/27/2021

Bidders:

Vendor	Qty	Price	Total Cost
John Deere & Company Cary, NC	1	\$ 16,315.52	\$ 16,315.52

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
Total	353	147	206

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
Total	93	37	8	8	1

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
Total	183	10	0	12	1

3. Bid: Truck Purchase

Purpose of Bid: Provides the Department of Fleet Management with one (1) 2021 Ford F150 Super Cab pick-up truck.

Comments: Priced in accordance with purchasing cooperative program, NC Sheriffs' Association Contract #21-07-9015, Specification #25.

Opened: 5/18/2021

Bidders:

Vendor	Qty	Price	Total Cost
Four Seasons Ford Inc. Hendersonville, NC	1	\$ 30,551.60	\$ 30,551.60

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	8	7	1
Professional	9	7	2
Technical	20	20	0
Clerical	6	0	6
Labor	9	9	0
Total	52	43	9

UBE/SLBE REQUIREMENTS - MALES

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	7	0	0	0	0
Professional	6	1	0	0	0
Technical	18	1	1	0	0
Clerical	0	0	0	0	0
Labor	4	2	3	0	0
Total	35	4	4	0	0

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	2	0	0	0	0
Technical	0	0	0	0	0
Clerical	6	0	0	0	0
Labor	0	0	0	0	0
Total	9	0	0	0	0

4. Bid: Office Furniture

Purpose of Bid: Provides the Planning Department with furniture, chairs and laptop tables.

Comments: Priced in accordance with the NC State Contract 420A. PMC Commercial Interiors is the existing provider of office furniture for the City of Durham.

Opened: 5/24/2021

Bidders:

Vendor	Qty	Price	Total Cost
PMC Commercial Interiors Raleigh, NC	1	\$ 19,584.39	\$ 19,584.39

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	15	6	9
Professional	89	25	64
Technical	27	27	0
Clerical	22	2	20
Labor	8	8	0
Total	161	68	93

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	5	1	0	0	0
Professional	24	0	0	1	0
Technical	20	5	2	0	0
Clerical	2	0	0	0	0
Labor	7	1	0	0	0
Total	58	7	2	1	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	8	1	0	0	0
Professional	61	0	2	1	0
Technical	0	0	0	0	0

Clerical	17	2	0	1	0
Labor	0	0	0	0	0
Total	86	3	2	2	0

5. Bid: Playground equipment surfacing

Purpose of Bid: Provides the Parks and Recreation Department with One (1) Access A Mat.

Comments: Priced in accordance with Purchasing Cooperative Program, National IPA Contract.

Opened: 5/4/2021

Bidders:

Vendor	Qty	Price	Total Cost
Rubberecycle Lakewood, NJ	1	\$ 26,359.00	\$ 26,359.00

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	0	0	0
Professional	17	7	10
Technical	0	0	0
Clerical	3	0	3
Labor	0	0	0
Total	20	7	13

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	7	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	7	0	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	10	0	0	0	0
Technical	0	0	0	0	0
Clerical	3	0	0	0	0
Labor	0	0	0	0	0
Total	13	0	0	0	0

6. Bid: Ammunition

Purpose of Bid: Provides the Police Department with various types of Ammunition.

Comments: In accordance with the NC State Contract 680A and authorized distributor of Ammunition and Firearms, Lawmen's Safety Supply, Inc.

Opened: 5/17/2021

Bidders:

Vendor	Qty	Price	Total Cost
Lawmen's Safety Supply Inc. Raleigh, NC	1	\$ 32,386.68	\$ 32,386.68

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

Workforce Statistics

TOTAL WORKFORCE

Employment Category	Employees	Males	Females
Project Mgr.	8	6	2
Professional	15	9	6
Technical	0	0	0
Clerical	6	2	4
Labor	0	0	0
Total	29	17	12

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	6	0	0	0	0
Professional	8	1	0	0	0
Technical	0	0	0	0	0
Clerical	2	0	0	0	0
Labor	0	0	0	0	0
Total	16	1	0	0	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	2	0	0	0	0
Professional	6	0	0	0	0
Technical	0	0	0	0	0
Clerical	3	0	1	0	0
Labor	0	0	0	0	0
Total	11	0	1	0	0

7. **Bid:** Separator Tank (14" ID X 42" SL)

Purpose of Bid: Provides the Department of Water Management with a new pressure separator tank 14' x 42" SL tank.

Comments: Priced in accordance with Authorized Sole Source provider.

Opened: 5/4/2021

Bidders:

Vendor	Qty	Price	Total Cost
STORYTOWN TANK AND STEEL COMPANY Durham, NC	1	\$ 10,678.00	\$ 10,678.00

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	0	0	0
Professional	4	3	1
Technical	0	0	0
Clerical	0	0	0
Labor	9	9	0
Total	13	12	1

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	0	0	0
Professional	3	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	9	0	0	0	0

Total	12	0	0	0	0
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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	0	0	0	0	0
Labor	0	0	0	0	0
Total	1	0	0	0	0

8. Bid: Firearms

Purpose of Bid: Provides the Police Department with various types of Firearms.

Comments: In accordance with the NC State Contract 680A and authorized distributor of Ammunition and Firearms, Lawmen's Safety Supply, Inc.

Opened: 5/17/2021

Bidders:

Vendor	Qty	Price	Total Cost
Lawmen's Safety Supply Inc. Raleigh, NC	1	\$ 30,664.94	\$ 30,664.94

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

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females

Project Mgr.	8	6	2
Professional	15	9	6
Technical	0	0	0
Clerical	6	2	4
Labor	0	0	0
Total	29	17	12

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	6	0	0	0	0
Professional	8	1	0	0	0
Technical	0	0	0	0	0
Clerical	2	0	0	0	0
Labor	0	0	0	0	0
Total	16	1	0	0	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	2	0	0	0	0
Professional	6	0	0	0	0
Technical	0	0	0	0	0
Clerical	3	0	1	0	0
Labor	0	0	0	0	0
Total	11	0	1	0	0

SUBJECT: JUNE 2021 BID REPORT (ITEM 11/ PR #14831)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to receive a report on the bids that were acted upon by the City Manager in June

2021, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

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

6. Bid: Computer Equipment

Purpose of Bid: Provides the Technology Solutions Department with four (4) Lenovo ThinkVision T24i-20 LED Monitors and seven (7) Dell Latitude 5420 – 14” Core 1135G7.

Comments: Priced in accordance with Statewide IT Contract Number 204A - Microcomputers, Peripherals, and Related Services.

Opened: 5/27/2021

Bidders:

Vendor	Qty	Price	Total Cost
CDW Government Inc.			
Vernon Hills, IL	1	\$ 13,510.06	\$ 13,510.06

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	2	1	1
Professional	37	22	15
Technical	0	0	0
Clerical	165	128	37
Labor	0	0	0

Total	204	151	53
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UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	1	0	0	0	0
Professional	20	0	0	2	0
Technical	0	0	0	0	0
Clerical	121	3	0	4	0
Labor	0	0	0	0	0
Total	142	3	0	6	0

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

7. **Bid:** Office Furniture

Purpose of Bid: Provides the Police Department with desks, chairs and furnishings.

Comments: In accordance with the NC State Contract #420A. PMC Commercial Interiors is the existing provider of the office furniture for the City of Durham.

Opened: 6/24/2021

Bidders:

Vendor	Qty	Price	Total Cost
PMC Commercial Interiors			
Raleigh, NC	1	\$ 26,531.96	\$ 26,531.96

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	15	6	9
Professional	89	25	64
Technical	27	27	0
Clerical	22	2	20
Labor	8	8	0
Total	161	68	93

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

Project Mgr.	5	1	0	0	0
Professional	24	0	0	1	0
Technical	20	5	2	0	0
Clerical	2	0	0	0	0
Labor	7	1	0	0	0
Total	58	7	2	1	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	8	1	0	0	0
Professional	61	0	2	1	0
Technical	0	0	0	0	0
Clerical	17	2	0	1	0
Labor	0	0	0	0	0
Total	86	3	2	2	0

8. Bid: Software Purchase

Purpose of Bid: Provides the Police Department with Vehicle Video Evidence Storage.

Comments: Purchased pursuant to Cooperative Contract, CCPA No. 1400673. This is the final year of a three (3) year agreement.

Opened: 6/12/2021

Bidders:

Vendor	Qty	Price	Total Cost
Axon Enterprises Inc	1	\$ 151,433.10	\$ 151,433.10

Phoenix, Az			
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Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	136	105	31
Professional	547	408	139
Technical	57	48	9
Clerical	82	39	43
Labor	248	67	181
Total	1070	667	403

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	80	1	9	15	0
Professional	242	5	16	143	2
Technical	38	2	5	3	0
Clerical	21	0	14	4	0
Labor	29	1	23	11	3
Total	410	9	67	176	5

UBE/SLBE REQUIREMENTS – FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	25	0	1	5	0
Professional	80	6	8	43	2
Technical	3	0	6	0	0
Clerical	32	2	5	2	2
Labor	62	5	98	13	3
Total	202	13	118	63	7

9. **Bid:** Sewage Pump Submersible / Equipment.

Purpose of Bid: Provides the Department of Water Management Engineering and Maintenance Division with Sewage removal equipment.

Comments: Clearwater is the authorized exclusive distributor of the manufacturer Pentair Flow Technologies.

Opened: 5/25/2021

Bidders:

Vendor	Qty	Price	Total Cost
Clearwater Inc. Hickory NC	1	\$ 36,163.00	\$ 36,163.00

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	12	8	4
Professional	13	12	1
Technical	0	0	0
Clerical	8	0	8
Labor	12	12	0
Total	45	32	13

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	8	0	0	0	0
Professional	11	0	0	0	1
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	11	0	0	0	1
Total	30	0	0	0	2

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	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	8	0	0	0	0
Labor	0	0	0	0	0
Total	13	0	0	0	0

10. Bid: Fire Fighting Equipment

Purpose of Bid: Provides the Fire Department with Hurst Tools Cutter, Splitter, Ram and Battery with charger.

Comments: Priced by soliciting the lowest competitive quote in accordance with City of Durham Purchasing Policy / guidelines.

Opened: 5/20/2021

Bidders:

Vendor	Qty	Price	Total Cost
Newton's Fire and Safety Graham, NC	1	\$ 67,727.15	\$ 67,727.15
Municipal Emergency Services	1	\$ 68,115.27	\$ 68,115.27

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

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	3	2	1
Professional	16	15	1
Technical	0	0	0

Clerical	2	0	2
Labor	3	3	0
Total	24	20	4

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	2	0	0	0	0
Professional	15	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	3	0	0	0	0
Total	20	0	0	0	0

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

9. Bid: Solar School Beacon

Purpose of Bid: Provides the Transportation Department with solar beacon equipment complete with mounting poles and clamp assembly tools.

Comments: Sole Source - ELTEC Electronics corporation is the manufacturer and designated RAI as its sole distributor for the State of North Carolina.

Opened: 6/10/2021

Bidders:

Vendor	Qty	Price	Total Cost
RAI Products Traffic Control Solutions			
Charlotte, NC	1	\$ 38,141.00	\$ 38,141.00

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	6	5	1
Professional	2	2	0
Technical	0	0	0
Clerical	2	0	2
Labor	2	2	0
Total	12	9	3

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	5	0	0	0	0
Professional	2	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	2	0	0	0	0
Total	9	0	0	0	0

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	2	0	0	0	0
Labor	0	0	0	0	0
Total	3	0	0	0	0

10. Bid: Repair/Replacement of City Hall Revolving Door

Purpose of Bid: Provides the General Services with the removal and reworking of City Hall’s revolving door, including all materials and labor.

Comments: Price solicited by competitive bid in accordance with City of Durham Purchasing Policy.

Opened: 5/4/2021

Bidders:

Vendor	Qty	Price	Total Cost
Jacobs Glass Company			
Durham, NC	1	\$ 44,660.00	\$ 44,660.00
Regional Glass & Aluminum	1	\$ 48,572.00	\$ 48,572.00

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

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	7	7	0
Professional	1	0	1
Technical	0	0	0
Clerical	3	1	2
Labor	11	11	0
Total	22	19	3

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	7	0	0	0	0

Professional	0	0	0	0	0
Technical	0	0	0	0	0
Clerical	1	0	0	0	0
Labor	11	0	0	0	0
Total	19	0	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	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	2	0	0	0	0
Labor	0	0	0	0	0
Total	3	0	0	0	0

11. Bid: Sewage Pump Submersible / Equipment.

Purpose of Bid: Provides the Department of Water, Management Engineering and Maintenance Division with Sewage removal equipment.

Comments: Clearwater is the authorized exclusive distributor of the manufacture Pentair Flow Technologies.

Opened: 6/14/2021

Bidders:

Vendor	Qty	Price	Total Cost
Clearwater Inc.	1	\$ 38,270.00	\$ 38,270.00

Hickory NC			
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Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	12	8	4
Professional	13	12	1
Technical	0	0	0
Clerical	8	0	8
Labor	12	12	0
Total	45	32	13

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	8	0	0	0	0
Professional	11	0	0	0	1
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	11	0	0	0	1
Total	30	0	0	0	2

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	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	8	0	0	0	0
Labor	0	0	0	0	0
Total	13	0	0	0	0

9. Bid: Crime Detection Equipment

Purpose of Bid: Provides the Police Department with a Cyanosafe used for use Cyanoacrylate Fuming while protecting the user from toxins.

Comments: Sole Source - SIRCHIE Acquisition Company is the sole authorized domestic distributor of the **ACEVD96A 96x28x84 Drysave and CAS48 48"** as designated by the manufacturer - Air Clean Systems of Raleigh, NC.

Opened: 6/11/2021

Bidders:

Vendor	Qty	Price	Total Cost
Sirchie Acquisition LLC	1	\$ 20,664.72	\$ 20,664.72

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	13	9	4
Professional	14	12	2
Technical	0	0	0
Clerical	21	2	19
Labor	87	19	68
Total	135	42	93

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	7	2	0	0	0
Professional	11	1	0	0	0
Technical	0	0	0	0	0
Clerical	1	0	1	0	0
Labor	11	8	0	0	0
Total	30	11	1	0	0

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	0	2	0	0	0
Technical	0	0	0	0	0
Clerical	17	1	1	0	0
Labor	15	50	1	0	2
Total	36	53	2	0	2

SUBJECT: LEASE AMENDMENT WITH GREYHOUND LINES, INC. AT DURHAM STATION (ITEM 12/ PR #14810)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to authorize the City Manager to execute a lease amendment entitled "First Amendment to Lease of Non-Residential Property" with Greyhound Lines, Inc, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

SUBJECT: GRANT PROJECT ORDINANCE FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) EMPLOYMENT TRAINING FUNDS FOR PROGRAM YEAR 2021 (ITEM 13/ PR #14820)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to authorize the City Manager to adopt the City of Durham Employment Training 2021-2023 Grant Project Ordinance in the amount of \$1,223,600, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

ORDINANCE #15862

SUBJECT: EMERGENCY WATERSHED PROTECTION (EWP) STREAM BANK STABILIZATION (EWP-2021-01) (ITEM 14/ PR #14834)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to authorize the City Manager to execute Contract EWP-2021-01, Emergency Watershed Protection Stream Bank Stabilization, with KBS Earthworks, Inc. in the amount of \$786,589.76; to establish a contingency fund in the amount of \$117,063.07; and To authorize the City Manager to negotiate change orders for Contract EWP-2021-01 provided that the total contract cost does not exceed \$903,652.83, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

SUBJECT: MICROSOFT ENTERPRISE SOFTWARE LICENSING AGREEMENT (ITEM 15/ PR #14804)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to authorize the City Manager to accept the quotes for the Microsoft Enterprise Licensing Agreement renewal from Software House International Corporation; and To execute the Microsoft Enterprise Licensing Agreement with Microsoft in the amount of \$2,127,699.93 for a three-year period, \$709,233.31 annually to furnish the City of Durham with a Microsoft Enterprise Licensing Agreement to cover the licensing to utilize the Microsoft 365 platform and utilize Microsoft products in the City's data center, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

SUBJECT: DURHAM GUARANTEED INCOME PILOT (ITEM 22/ PR #14848)

MOTION by Council Member Freelon, seconded by Mayor Pro Tempore Johnson, to authorize the City Manager to enter into a contract with StepUp Durham to administer Durham's Guaranteed Income Pilot in an amount not to exceed \$110,000; and to authorize the City Manager to negotiate and execute amendments to the contract so long as such amendments comply with the terms of the RFP and do not increase the projected pilot budget, was approved at 7:13 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

[GENERAL BUSINESS AGENDA- PUBLIC HEARINGS]

SUBJECT: CONSOLIDATED ANNEXATION - COURTYARDS AT SOUTHPOINT II (ITEM 18/ PR #14817)

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

First I would like to state 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 are on file in the Planning Department.

The request for voluntary annexation, utility extension agreement, future land use map (FLUM) change, and zoning map change was received from Nil Ghosh, of Morningstar Law Firm on behalf of Jason Coffee with EPCON Communities, for two parcels of land totaling 42.83 acres located at 7852 Herndon Road and 1404 Fenwick Parkway.

The site was presently zoned Residential Rural (RR), Falls/Jordan Watershed Overlay District B (F/J-B), and was located within the Suburban Development Tier. The applicant was proposing to rezone the property to Planned Development Residential 1.682 (PDR 1.682) for a maximum of 72 single-family dwelling units.

The property was currently designated Very Low Density Residential, and Open Space and Recreation on the Future Land Use Map (FLUM). The proposed PDR 1.682 zoning was consistent with the current future land uses and no change to the FLUM was being proposed.

The Planning Commission, by a vote of 7-5 at their April 25, 2021 meeting, recommended approval of the request. Since the time of Planning Commission meeting, it was Planning staff's understanding that Epcon's representatives had engaged in talks with community members about construction of another access to the American Tobacco Trail for users within the Southampton Subdivision which was located to the south and east of the site off of Fenwick Parkway. The understanding was that the developer was committed to the additional trail access on the southern portion of the site but had not yet indicated it or proffered a commitment on the development plan. Staff recommended that the City Council approve the annexation petition, utility extension agreement, zoning map change, and consistency statement based on the consistency with the policies of the Comprehensive Plan, the additional connection to the American Tobacco Trail (ATT), the contiguous nature of the annexation that also serves as infill in closing a City limits gap, and all proffered commitments on the development plan.

There were three motions required for the application. The first was to adopt an ordinance annexing 'Courtyards at Southpoint II' into the City of Durham effective September 30, 2021; and to authorize the City Manager to enter into a utility extension agreement with EPCON Southpoint, LLC; The second was to adopt an ordinance for the rezoning and the third was to adopt a Consistency Statement.

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

Nil Ghosh, the representative of the applicant spoke in favor of the item and highlighted the following aspects: the project would be on 43 acres of; however, over half of the property was undevelopable; the project would be single family homes; and spoke to environmental and road commitments.

Gerard Masante, a resident of Durham spoke in support of the item, claimed that a significant amount of his neighbors were supportive of the project, and spoke highly of Epcon.

Karen Francola, a resident of Durham, spoke in opposition of the item and cited environmental concerns, climate change, and construction theft as the basis of her position.

Dr. Eugene Granger, a resident of Durham, spoke in opposition of the item and cited drainage, flooding, erosion, and lack of preparation by Epcon as the basis of his position.

Barbra Taylor, a resident of Durham, spoke in opposition of the item and cited environmental concerns, concerns expressed by the Planning Commission, and construction traffic as the basis of her position.

Bunsari Patel, a resident of Durham, spoke in opposition of the item and cited construction crime and increased traffic as the basis of her position.

Trisha Smar, a resident of Durham, expressed concerns regarding limited connections between neighborhoods, increased traffic, speeding, and lack of communication with Epcon.

Mr. Ghosh acknowledged the comments by residents; referenced the Traffic Impact Analysis and reiterated the commitment to road improvements; and also committed to 2 connections to the American Tobacco Trail.

Council Member Middleton asked if developers were required to repair any damage to streets that they caused.

Bill Judge, Assistant Director of Transportation stated that the Public Works Department handled that with developers and that they documented damage before and after construction.

Council Member Middleton asked if the developer was going to actually build 72 homes.

Mr. Ghosh advised that the amount of homes was likely going to be 68 homes.

Council Member Middleton asked what the proposed square footage was going to be.

Jason Coffey, a representative of the applicant stated that EPCON intended the square

footage to be between 1400 sq ft to 2000+ sq ft.

Council Member Middleton asked if the applicant contemplated a donation to the affordable housing fund.

Mr. Ghosh stated that the applicant was donating 40,000 dollars to the affordable housing fund.

Council Member Freeman asked if the applicant had considered developing multi units and if tree types had been considered in regards to tree preservation.

Mr. Ghosh advised that the applicant would be taking a more in depth look at other tree preservation options, but not for the current project and noted that changing the development to multifamily units would require the application to start from the beginning.

Ryan Akers, a representative of the applicant, spoke to tree preservation and how it related to storm water controls. It was his opinion that if there were any stormwater issues, he did not think that there was a direct link to the trees on site, but likely as a result of construction that was not yet completed.

Mayor Schewel asked what was to happen to the trees that were next to the American Tobacco Trail.

Mr. Ghosh responded that there was going to be a 20 foot buffer next to the American Tobacco Trail, some of the area was not going to see any disturbance at all and other portions were to be mass graded.

Mr. Cultra agreed that a 20 foot buffer was required with the project and that the applicant could remove and then replant trees after the mass grading.

Mayor Schewel asked for Mr. Ghosh to clarify if they intended to replant trees after mass grading and what the exact length was going to be for replanting trees.

Mr. Ghosh asked for Mayor Schewel to proceed with any additional questions while he looked for the estimate. However he did state that it was going to be very minimal.

Mayor Schewel asked if the proposed streets were going to have sidewalks.

Mr. Judge responded that sidewalks were required.

Mr. Ghosh responded to the previous question regarding replanting. He advised that they were estimating 100ft of replanting.

Mayor Schewel asked if there were any stormwater concerns by staff.

Mr. Cultra advised that the stormwater department did review the siteplan and did not express any concerns.

Mayor Schewel asked the applicant how stormwater was going to be addressed on the property.

Mr. Akers stated that they had not yet gotten into that level of detail since they were only in the rezoning stage.

Mayor Schewel asked if the 2 trail commitment language was sufficient.

Mr. Cultra stated that he wanted to work with the applicant to craft the language.

Council Member Freeman asked if the pocket parks were going to be near the wetlands or wet ponds.

Mr. Coffee stated that they would not be in any of the stormwater/ wetland facilities.

Mayor Pro Tempore Johnson asked why the developer chose such a low density when smaller houses on smaller lots would have been better for the city.

Mr. Ghosh stated that while the property was over 40 acres, some of the land could not be developed, so they chose the density that best suited the space that could be developed.

Council Member Reece asked if there was a way to open Fenwick Parkway to create 2 access points during active construction.

Mr. Ghosh said that it was possible, however phase 1 was deemed more appropriate.

Mayor Schewel asked that clarification be made regarding where grading would take place in proximity to the American Tobacco Trail.

Mr. Coffee clarified that the grading would take place near the two connections to the trail.

Mayor Schewel asked for the applicant and staff to work out language consistent to that effect before taking a vote on the item.

Mr. Ghosh presented language that clarified that no more than 100 linear ft would be disturbed for grading.

Mr. Cultra agreed and asked to include more specifications that indicated the timing of which access point was to be constructed first.

Mr. Coffee agreed to the inclusion of more information to be worked out with the Planning staff and committed to future meetings with residents.

Council Member Freeman asked about traffic calming measures and construction noise.

Mr. Judge advised that construction noise was regulated by the city's noise ordinance and monitored by the public works department and stated that he was not aware of any traffic calming measures proffered by the applicant.

Robert Joyner of the Public Works Department also responded and stated that his department worked with developers to select a construction route that they had to adhere to and that bonds were kept on file in the event of damages.

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

Council Member Freelon thanked his council colleagues for their rigorous questioning of the item.

Council Member Middleton echoed the comments by Council Member Freelon; thanked Planning Department Sara Young for the input from the Planning Department; and expressed his support for the item.

Council Member Caballero expressed her support for the item and appreciated the conversation regarding the American Tobacco Trail.

Mayor Pro Tempore Johnson stated that the single family housing type was not her preference, since it was a lower density; however, she expressed that she would be supporting the item.

Council Member Freeman asked if the applicant could make any proffers regarding traffic calming measures.

Mr. Ghosh asked for Mr. Judge to advise what the applicant could or could not commit to.

Mr. Judge stated that internal medians, traffic circles, and gateway access were some traffic calming measures that were available.

Mr. Coffee asked if the request for commitments to traffic calming measures happened during rezoning or during site plan approvals, but did agree to work with staff in the future on possible measures.

Mayor Schewel expressed his support for the item; however, he understood the concerns expressed by residents regarding the construction phase.

Mr. Cultra advised that staff and the applicant had agreed to one internal traffic measure that was subject to review during the site plan process.

MOTION by Council Member Middleton, seconded by Council Member Freelon, to adopt an ordinance annexing 'Courtyards at Southpoint II' into the City of Durham effective

September 30, 2021; and to authorize the City Manager to enter into a utility extension agreement with EPCON Southpoint, LLC, was approved at 9:06 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

ORDINANCE #15863

MOTION by Council Member Middleton, seconded by Council Member Freelon, to adopt an ordinance amending the Unified Development Ordinance by taking property out of the Residential Rural (RR)/Falls/Jordan Lake Watershed Protection District-B (F/J-B) and establishing the same as Planned Development Residential 1.682 (PDR 1.682)/ Falls/Jordan Lake Watershed Protection District-B (F/J-B), was approved at 9:07 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

ORDINANCE #15864

MOTION by Council Member Middleton, seconded by Council Member Freelon, to adopt a Consistency Statement as required by NCGS 160D-605, was approved at 9:07 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, Middleton and Reece. Noes: None. Absent: None

**UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP CHANGE CONSISTENCY STATEMENT
BY THE DURHAM CITY COUNCIL
REGARDING Z2000014, Courtyards at Southpoint II**

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160D-605, is required to approve a statement describing how the action is consistent with the Durham Comprehensive Plan; and

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160D-605, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

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

That final action regarding zoning map change ‘Z2000014, Courtyards at Southpoint II’ is based upon review of consistency with the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable, as provided in the ‘Consistency with Adopted Plans’ and ‘Reasonable and in the Public Interest’ sections of the staff report and Attachment 13, ‘Comprehensive Plan Consistency Analysis’; regarding the subject ‘Z2000014, Courtyards

at Southpoint II' along with additional agenda information provided to the City Council and information provided at the public hearing; and

That the proposed zoning map change designation is consistent with the Future Land Use Designation as provided on the Future Land Use Map of the Comprehensive Plan in Attachment 5

It is the objective of the Durham City Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. This request promotes this by offering fair and reasonable development regulations supported by the 'Consistency with Adopted Plans' and 'Reasonable and in the Public Interest' sections of the staff report, the applicant's responses to the Public Interest Statements in Attachment 18, and Attachment 13, 'Comprehensive Plan Consistency Analysis'; regarding the subject 'Z2000014, Courtyards at Southpoint II' along with additional agenda information provided to the City Council and information provided at the public hearing. Therefore, the request is reasonable and in the public interest.

Council Member Reece exited the meeting following this vote. City Attorney Rehberg advised that due to the virtual nature of the meeting, his vote would not be counted for future items during the meeting.

SUBJECT: CONSOLIDATED ANNEXATION - JUNCTION AND FERRELL (ITEM 19/ PR #14825)

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

A request for a utility extension agreement, voluntary annexation and initial zoning map change had been received from Kelsey Westwood of Kimley-Horn for 11 parcels of land totaling 221.579 acres located at the Junction Road and Ferrell Road intersection. The annexation petition was for a contiguous expansion of the existing corporate city limits. The annexation petition was to accommodate the development of over 1,000,000 square feet of industrial facilities, with associated parking and loading areas. A level-4 site plan had been received for the site and was currently under administrative review.

The annexation did not have a concurrent zoning map change request. Instead, this was a request for an ordinance approving a direct translation in which the existing zoning in the County translated to the same zoning to the City upon the effective date of the annexation. The site was presently zoned Industrial Light. The translational zoning did not include a development plan, therefore any future development may proceed according to what the underlying zoning district permits. Future development under the existing zoning of Industrial Light allows for industrial light activities including light manufacturing, warehousing, and wholesaling activities as well as offices and some support services.

Staff recommended that the City Council approve the utility extension agreement, voluntary annexation petition, and zoning ordinance for the proposed consolidated annexation. Staff recommended approval based on key findings including the minimal impacts to city services, and the revenue positive result of the cost-benefit analysis. The recommendation was also based on the geographic nature of the annexation as the proposed annexation was contiguous to the primary City limits and expands the corporate City boundary.

Two 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 approve the zoning ordinance.

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

Council Member Middleton noted that his organization was in the notification of the item and he wanted to include that in the record.

Mayor Schewel asked about the donut hole on the project.

Mr. Cahill stated that staff asked for additional right of ways and that is what created the donut hole.

Mayor Schewel asked for further information on the changes to the utilities.

Robert Joyner of the Public Works Department advised that the applicant would be paying for those features.

Patrick Byker and Ana Moore spoke as representatives on behalf of the applicant. They highlighted aspects of the project and asked council for their support.

Ryan Regan of the Greater Durham Chamber of Commerce, spoke in support of the item and cited quality job opportunities as the basis for his support.

Bonita Green, a resident of Durham, spoke in opposition of the item due to ongoing traffic concerns. She stated that the area was located in a rural part of the city with no sidewalks and that it was already unsafe for pedestrians.

Jason Bezdula, a resident of Durham echoed the concerns for traffic and questioned the lack of transparency regarding what type of business was actually coming to the area.

Council Member Middleton asked if a site plan had been submitted.

Mr. Byker advised that a site plan was submitted.

Council Member Caballero asked if there were going to be any improvements at the intersection of Ferrel and Junction Roads.

Mr. Byker responded that the developer was looking at possible improvements; however, since the roads were maintained by NCDOT, any improvements would be in conjunction with that agency.

Mayor Schewel asked how far the bus shelter was from the development.

Mr. Byker stated that it took him 8 minutes and 43 seconds to walk from the development to the nearest bus shelter.

Amanda Henry, a representative of the applicant stated there was a site plan submitted for one building on the property. She anticipated that there would be traffic improvements after other buildings on the property were developed.

Mayor Schewel stressed the need to have a sidewalk added to extend to the existing bus shelter.

Council Member Freeman suggested that many residents in the area were wary of future tax increases due to ongoing gentrification and development. She also thought that the applicant could consider a contribution to the long term homeowners grant to help offset those anticipated costs to residents.

Mr. Byker questioned the correlation between industrial developments and residential homeowners.

Council Member Middleton echoed the call by Mayor Schewel for a sidewalk to be developed and asked how many community meetings were had.

Mr. Byker stated that the applicant team had 1 community meeting.

Council Member Middleton asked Ms. Green if any of the conversation that evening mitigated any of her concerns.

Ms. Green stated that she appreciated the push for more sidewalks in the area.

Council Member Middleton reiterated the need for sidewalks so that locals who may not have cars could get to the job opportunities being brought to the area.

Mr. Cahill added that the community meeting was held on January 11th and that there were 21 people in attendance.

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

Council Member Freeman noted that infrastructure in the area still needed to be addressed.

MOTION by Council Member Freelon, seconded by Council Member Freeman, to adopt an ordinance annexing 'Junction and Ferrell' into the City of Durham effective September 30, 2021; and to authorize the City Manager to enter into a utility extension agreement with Scannell Properties #515, LLC, was approved at 10:08 p.m. by the following vote: Ayes:

Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, and Middleton. Noes: Council Member Freeman. Absent: Council Member Reece

ORDINANCE #15865

MOTION by Council Member Middleton, seconded by Council Member Freelon, to adopt an ordinance amending the Unified Development Ordinance by taking property out of the Industrial Light (IL), Falls/Jordan Lake Watershed Protection District-B (F/J-B), County Jurisdiction and establishing the same as Industrial Light (IL), Falls/Jordan Lake Watershed Protection District-B (F/J-B), City Jurisdiction, was approved at 10:08 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, and Middleton. Noes: None. Absent: Council Member Reece

ORDINANCE #15866

SUBJECT: ECONOMIC DEVELOPMENT INCENTIVE WITH NUVOTRONICS, INC. (ITEM 20/ PR #14836)

Adria Graham Scott from the Office of Economic and Workforce Development and I am here this evening to request that the Durham City Council conduct a Public Hearing to receive comments on the proposed allocation of \$150,000 in Economic Development funds to NUVOTRONICS, INC. and to authorize the City Manager to enter into negotiations and execute an agreement with the Company.

Nuvotronics, Inc. is an advanced technology manufacturer of microelectronic components and subsystems, that will invest \$50 million and add 150 new jobs over five years to increase their manufacturing footprint and production capabilities in Durham, North Carolina. Specifically, within the City of Durham’s 3-year policy timeline, the company will make a \$39 million capital investment and 113 positions will be created, including approximately 60 fabrication line technician and operator positions requiring a high school diploma or two year degree with an average wage of \$50,000. Also included are 23 jobs that require a two or four-year degree with wages ranging from \$50,000 – 75,000. Additionally, the company is willing to substitute relevant work experience for degree requirements.

Nuvotronics was founded in 2008 with a vision to revolutionize microfabricated radio frequency (RF) products. Based in Durham, they developed and accelerated innovative initiatives across the company’s technology portfolio with its award-winning PolyStrata® Technology, an innovative 3D microcoax architecture. Nuvotronics’ success is what is driving their need for additional manufacturing capacity to meet the growing demands of its customers.

This Nuvotronics expansion is being facilitated, in part, by the County of Durham which approved a \$200,000 incentive; as well as a Job Development Investment Grant (JDIG)

approved by the state's Economic Investment Committee in October 2020 for up to over \$1.1 Million (\$1,173,750). Payments for all JDIG and local awards only occur following performance verification that the company has met its incremental job creation and investment targets. JDIG projects result in positive net tax revenue, even after taking into consideration the grant's reimbursement payments to a given company. It is estimated that over the course of the 12-year term of the JDIG grant, the project will grow the state's economy by more than \$299 million.

This matter was brought before you previously on January 4, 2021 and comes before you again at this time to ensure an accurate representation of the capital and workforce development investment consistent with the City of Durham policy (Resolution #9890, April 24, 2014) which states that investment occur within 3 years of the Council approval of the agreement. As you can see, based upon the following tables, the expected capital investment is \$39 Million, with the creation of 113 qualified jobs.

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

Council Member Freeman noted that the company did not need the funding from the City.

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

MOTION by Council Member Middleton, seconded by Mayor Pro Tempore Johnson, to conduct a public hearing on Monday, August 16, 2021 to receive comments on the proposed expenditure for economic development incentive in the amount of \$150,000 to Nuvotronics, Inc. over a three (3) year period to create a minimum of 113 new jobs and make approximately \$39 million in capital investment; and To authorize the City Manager to negotiate and execute an economic development agreement in the amount of \$150,000 with Nuvotronics, Inc, was approved at 10:18 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman, and Middleton. Noes: None. Absent: Council Member Reece.

[ADJOURNMENT- 10:19pm]

Ashley Wyatt, CMC
Deputy City Clerk

Diana Schreiber, CMC
City Clerk