

**DURHAM CITY COUNCIL WORK SESSION
Thursday, September 9, 2021 @ 1:00 p.m.
VIRTUAL MEETING**

The Durham City Council held a regular Work 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 and Mark-Anthony Middleton. Excused Absence: Council Member Charlie Reece.

Also present: City Manager Wanda Page, Deputy City Attorney Don O'Toole and City Clerk Diana Schreiber.

[CALL TO ORDER]

Mayor Schewel called the meeting to order at 1:00 p.m.

Mayor Schewel welcomed everyone in attendance and asked if Council had any announcements.

Mayor Schewel stated that Council Member Reece had asked for an excused absence from the meeting.

MOTION by Mayor Pro Tempore Johnson, seconded by Council Member Freelon, to excuse Council Member Reece from the meeting at 1:02 p.m. The motion was approved on the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman and Middleton. Noes: None. Excused Absence: Council Member Charlie Reece.

Mayor Schewel asked his colleagues if they had any announcements.

Council Member Freelon notified his colleagues that he would be present but with his camera off during the virtual meeting.

Mayor Pro Tempore Johnson requested future agenda items:

1. Cultural Advisory Board's Poet Laureate Program Position and Selection Process, requested for the September 23, 2021 Work Session;
2. The Workers' Rights Commission Resolution of Support of the PRO (Protecting the Right to Organize) Act, requested for the October 7, 2021 Work Session; and
3. Office on Youth Proposal – Goal Setting for Youth Representation on boards, committees, commissions and taskforces as a fellowship program of which would be conducted as a one-year pilot, requested for the October 21, 2021 Work Session. Later the item was updated to be placed on the November 4, 2021 Work Session.

It was the consensus of the Council to allow the three items to proceed.

Council Member Freeman spoke to two future agenda items:

1. Safe and Healthy Homes Resolution; and
2. Tenants Bill of Rights.

Additionally, she requested an update or debrief on the 911 Call Center from staff.

Mayor Schewel noted that Council would receive a presentation today on the topic.

Council Member Middleton urged Council to consider restoring travel allowance to normal levels as the country's events were starting back up; and provided example of the NCLM in Utah in May 2022.

It was the consensus of Council to delegate a committee of two: Council Members Middleton (Chair) and Reece (Vice-Chair) to bring back a proposal.

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

City Manager Page announced her priority items:

Item 25, Staff requested Council suspend the rules and vote.

Item 30, Presentation item. Attachments 2 & 3 were added.

Item 35, Citizen's Matter: Angela VickLewis. Attachment 2 was added.

Item 36, Citizen's Matter: Lorisa Seibel. Attachment 2 was added.

MOTION by Council Member Freeman, seconded by Mayor Pro Tempore Johnson, to approve the City Manager's priority items was passed at 1:15 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman and Middleton. Noes: Noes. Excused Absence: Council Member Reece.

Deputy City Attorney Don O'Toole stated the City Attorney's Office had no priority items.

City Clerk Schreiber had no priority items.

Mayor Schewel read the printed agenda and pulled the following items for additional discussion/remarks: Items #8, 10, 25 and 27. Presentation Items were #7, 29, 30 and 31.

[CITIZENS' MATTERS]

Mayor Schewel announced it was time to hear Citizens' Matters.

SUBJECT: CITIZEN'S MATTER: ANGELA VICKLEWIS (ITEM 35/ PR 14900)

Ms. VickLewis addressed concerns about the eviction moratorium.

SUBJECT: CITIZEN'S MATTER: LORISA SEIBEL (ITEM 36/ PR 14901)

Ms. Seibel made comments regarding the eviction prevention funds for Legal Aid and emergency rental assistance.

SUBJECT: CITIZEN'S MATTER: STELLA ADAMS (ITEM 38/ PR 14902)

Ms. Adams addressed the Durham Transit Plan and utilizing COVID-19 relief funds to allow Medicaid patients to use para-transit services for free.

SUBJECT: CITIZEN'S MATTER: VANNESSA EVANS (ITEM 39/ PR 14904)

Ms. Evans made comments regarding Braggtown bus schedules with special mention of Route 9 service.

Mayor Schewel noted there was an allocation of \$500,000 in the most recent budget in anticipation from the Durham County Transit Plan to improve Bus Routes 9A and 9B with implementation expected; and addressed issues related to the bus driver shortage.

SUBJECT: CITIZEN'S MATTER: JIM SVARA (NO ITEM NUMBER)

Mr. Svara requested that the Long-Time Homeowner Grant program be extended another tax year; requested the program be extended city-wide coverage; and urged the City request the County to expand the current program to up to 60% AMI.

[ITEMS PULLED FROM THE AGENDA]

SUBJECT: AMENDING THE BYLAWS OF COUNCIL-APPOINTED BOARDS, COMMITTEES, COMMISSIONS AND TASKFORCES RELATED TO MEMBER COMPENSATION (ITEM 8/ PR 14885)

Mayor Pro Tempore Johnson summarized the item as a revision to the process of bylaw changes to align with budget allocation for stipends for board, committee, commission and taskforce members. Most bylaws indicate that members serve without compensation. In the first round of bylaw evaluations belonging to the boards under Council's purview, it was determined that Council vote to authorize the City Attorney's Office to unilaterally change the bylaws as a group to eliminate the verbiage 'serve without pay'. Joint boards with Durham County and/or the Durham Public Schools and those who had compensation listed in their bylaws would involve more time for language revisions.

Assistant Attorney Sofia Hernandez stated that Council could vote via a motion to allow the City Attorney's Office to strike the phrase within the listed bylaws that would allow the process to proceed without bringing the individual bylaws back before Council for approval.

Mayor Schewel requested that the City Attorney's Office staff write the motion and then bring it forward for Council's approval at the upcoming Council meeting.

Deputy City Attorney O'Toole requested that Council request the CAO make a motion language more explicit and add to the Consent Agenda for the upcoming regular Council Meeting.

Council inquired about the Mayor's Committee for Persons with Disabilities were not included on the list; explained the basis that members would use to self-identify and related the discussion to equity concerns.

Attorney Hernandez responded that some of the boards had no language prohibiting compensation; the listing presented in the agenda item had limiting language and was being brought forward for revision.

Mayor Pro Tempore noted that the City Clerk's Office would provide a way for members to opt-in by contacting current board members for self-attestation.

The motion would be clarified by the City Attorney's Office for the upcoming regular meeting.

SUBJECT: BOARDS, COMMITTEES, COMMISSIONS AND TASKFORCE 2021 ANNUAL ATTENDANCE REPORTS (ITEM 10/ PR 14871)

Mayor Schewel addressed the attendance of members of Council-appointed volunteer boards, committees, commissions and taskforces. He asked about the process for those persons who less than 50% attendance. Letters would be written to individuals who were remiss in their attendance.

SUBJECT: STORMWATER INFRASTRUCTURE REPAIRS (SD-2021-04) (ITEM 27/ PR 14879)

Greg Smith, Civil Engineer, representing the Water Department, responded to Council's questions.

Mayor Schewel inquired about the contractor not achieving the diversity contracting goals but was awarded the contract; this result was disappointing; and asked if a representative of the company was in attendance.

Bradley Kohn, representing the contractor, responded the company had fulfilled the good faith effort; and noted that documentation had been provided by the contractor via the appeal process. Following the appeal process, the contract was awarded.

Mr. Smith confirmed that a response had been received from Equity and Inclusion.

Mayor Schewel requested an addendum be received from the Equity and Inclusion Department confirming the process.

City Manager Page requested clarification and would add the confirmation to the item.

[PRESENTATIONS]

SUBJECT: MANDATORY WEEKLY COVID-19 TESTING (ITEM 25/ PR 14908)

Regina Youngblood, Director of Human Resources, responded to Council's questions.

Mayor Schewel announced that Director Youngblood had received the David Boyd Superb Presentation Award; inquired about the time commitment related to the CVS Health contract; and asked about the termination of the contract.

Director Youngblood responded the weekly COVID-19 testing would be conducted for 12 weeks at a cost of \$69,000 per week, starting October 18, at city-employment locations.

Maureen Hildebrand, representing CVS Health, noted the cost of service depending on scaling up/down the testing services. She confirmed that there was a two week notice for cancellation of the contract, and would follow-up with Council.

Mayor Schewel noted the city was self-insured; stated that taxpayers and premium-paying employees who were vaccinated should not be paying for weekly testing of the unvaccinated and emphasized the unvaccinated should pay for their own testing; and asked if insurance premiums could be raised on the un-vaccinated who required testing.

Council Member Middleton expressed support for the City Manager's policies.

City Manager Page explained that ARPA Funds would pay for COVID/safety-type activities as they were eligible expenses and testing would be paid for by city funds and recommended that a phased approach be continued prior to moving toward a mandate.

It was stated that 58% of the staff was vaccinated; incentives included \$250 and a wellness day; and it was explained how were exceptions considered.

Council discussed the October 18 date that required either employees needed to be vaccinated or to begin weekly testing, if un-vaccinated. It was asked what happened following the 12 weeks.

City Manager Page addressed testing at the lowest possible cost, the numbers of un-vaccinated, and possible reduction of testing costs.

Council Member Caballero inquired about correspondence from UAE 150 that contained recommendations; urged all employees to get vaccinated; and inquired about additional incentives.

Council Member Freelon inquired about individuals with medical issues being un-vaccinated; and asked about employee input on the document.

Director Youngblood spoke to the reasonable accommodation requests and policy review. She noted that policy was currently being driven by circumstances.

Mayor Schewel stated there were speakers to the item.

Donald Hughes, resident of Durham, addressed equal business opportunities and recovery from the pandemic amongst persons of color.

Additional discussion ensued.

Mayor Pro Tempore Johnson inquired about more detail about requiring employees paying for their own testing; asked about re-cooping costs by increasing premiums; and

encouraged staff to be vaccinated and asked for further research of companies requiring vaccination mandates compared to employee departures.

Council Member Middleton inquired that under the policy, if an employee refuses, will termination be an option.

City Manager Page noted that not following the policy could result in termination; safety policies were taken very seriously and this policy was considered a part of health and safety.

Director Youngblood responded that if sites were being set up on site, that the employer would be paying the costs in a trackable manner. It was noted that premiums could be increased in the next cycle.

Council Member Freeman urged equity within the process as the employer; and urged staff to come up with a solution.

Anna Davis, Assistant City Attorney, addressed attrition rates and vaccine mandates; not much data was available; however, there was information from hospitals and schools. She spoke to the Houston Methodist Hospital mandate that resulted in a vaccination rate of 97% and 3% attrition rate. She estimated that there would be more data in 12 weeks and would share it accordingly.

Deputy City Attorney Don O'Toole spoke to the termination for convenience provision within the CVS Health contract; and that the provision would include a thirty-day notice.

City Manager Page spoke to possible further evaluation of health plan rates, having them incorporate testing and how rates would be impacted.

Mayor Schewel stated he wanted a vaccine mandate due to its effectiveness even though there would be some attrition; and that those being tested, needed to pay for their testing.

Mayor Schewel read an email from Council Member Reece regarding the refusal of employees to get vaccinated without valid medical or religious exemptions should bear the costs of weekly COVID testing.

Council Member Middleton favored a vaccine mandate by a date certain.

Council Member Freeman supported the body in their decision making.

City Manager Page urged Council consider the current vaccination rate of 58%, expressed concerns about the potential attrition rate; staff was willing to remove the item from the agenda and to create another recommendation that was more aligned with Council; and that staff would re-communicate with employees of the now pushed out October 18th testing date (to be changed), another date would be announced; and that a mandate would require either the vaccine or an employee's resignation. The timing would be changed around this discussion. It was concluded that vaccinations saved lives and that they made the community safer. Staff could come back with additional information after communicating and looking more at the un-vaccinated employees were and what that would mean to the operational departments.

It was consensus of Council to delay the discussion until more information could be brought back from staff.

SUBJECT: AMERICAN RESCUE PLAN ACT (ARPA) (ITEM 7/ PR 14872)

Bertha Johnson, Deputy City Manager, updated Council on the proposed process for allocating the ARPA funds; and made a PowerPoint presentation, titled, *American Rescue Plan Act, Durham’s Down Payment toward Transformational Change*.

Leila Pedersen, FUSE Fellow and Jeff Hart, MPA Intern, contributed to the presentation.

NCCU and Durham County were engagement partners along with Budget & Management Services, Equity and Inclusion and NIS Departments.

Local Relief Allocations: Durham County: \$62,445,275; Durham City: \$51,881,733

May 2021, \$25 Million received; in May 2022, the second distribution of \$26 Million will arrive. Funds must be allocated by December 31, 2024 and spent by December 31, 2026.

For more ARP information: bit.ly/ARPDurham

Employee Hazard Pay approved: \$7.3 Million- only internal commitment to-date

Full-Time	\$5,919,526
Part-Time	57,415
Benefits	1,340,353
Total	7,317,295

Leila Pedersen presented the Engagement Process portion of the presentation; and sought to express how the city could engage residents and identify community priorities. Recovery plans were being devised in how to spend the funding. The funding represented a once in a generation funding. She explained the timeline for engagement, review of community ideas, allocation and evaluation of the equitable impact of investments.

To submit funding proposals: ARP@durhamnc.gov

Equity Impact Assessment Tool based on a draft Scorecard
Displayed the Qualified Census Tracts – prioritize equity in these tracts

Jeff Hart categorized the proposals: Health, Housing, Education, Employment.

Mayor Schewel called for Council’s comments.

Mayor Schewel supported the criteria used on the Scorecard; asked about the qualified Census tracts and how would the populations spread across the city be included.

Mayor Pro Tempore Johnson asked about how much funding were to go toward community projects versus what the city staff themselves would be proposing.

The funding was being considered in two tranches. Hiring more staff would be required for engagement work of the FUSE fellows to manage process.

Council Member Freeman requested the updated scorecard be distributed to Council; and requested more information and definition of the communities being impacted. She appreciated the equity tool being used in determining who to target.

Evaluation and Data Analysis- how to track the impact of these investments.

Proposal of two full-time positions; one in BME and one in Finance.

Moving forward: ongoing rounds of engagement, review, allocation, evaluation.

Top Recommendations:

- Hire 2 FTEs
- Establish a review committee
- Eligible proposals with most positive reviews
- Plan for ongoing rounds of engagement, proposal development, review, allocation and evaluation

Mayor Schewel inquired about the coordination with Durham County, to what degree was this happening; and related to education, this sector was housed in the County.

Deputy City Manager Johnson noted that the County staff would be presenting to the County Commissioners and collaboration would be determined by the review teams with potential for joint city-county proposals.

Council Member Freelon spoke to the one-time opportunity to make investments into equity and supported the community engagement process that was on-going. He spoke in support of budget healing events and favored engaging the community regarding the regular budget process; supported the scorecard criteria in that it enveloped the working class. He spoke to engaging the communities to determine in what ways public policy had impacted black wealth building and that this could be a restorative opportunity within the black community in Durham.

Council Member Freeman encouraged the focus on racial equity.

SUBJECT: FY2020-21 QUARTERLY REPORT (ITEM 29/ PR 14890)

John Allore, Director of the Budget and Management Department, provide the staff report titled *FY2020-21 4th Quarter Year-End Financial Report*; and summarized that overall there was good news.

The presentation included the following:

Summary Results of the General Fund

- Expenditures were under budget by \$8.4 million
- All departments projected to end within budget
- Expected revenue surplus were approximately \$18.2 million
- Positive variance existed of \$26.6 million

General Fund Major Revenue sources

- Sales & Property taxes

 - Stronger collections than expected

- Sales Tax – Multi Year estimates

- Utility Taxes, Permits, Occupancy Taxes, Powell Bill, Charges for Services

General Fund (GF) Revenue Summary

General Fund – Expenditures, summarized by departments and categories

General Fund Balance as of 6/30/20 was \$51.8 M; projected Fund balance as of 6/30/21 was estimated at \$67.8 M, a 32.6% increase; policy level FB is 16.7% of \$34.7 M

Figures will be confirmed when the audit is certified

Compared budget to actual revenue collections

Enterprise Funds –

- Water & Sewer Fund; close to budget; revenues and expenses.

- Transit Operations Fund- overall projections were over budget

- Solid Waste Fund- overall operating at slight deficit

- Stormwater Fund- self supported fund, positive variance

- Parking Fund- overall shortfall due to lack of parking demand

 - Staff is monitoring Transit and Parking Funds' deficits.

- Debt Service Fund- performing well

Mayor Schewel appreciated the Budget Department staff; and inquired about the Fund Balance and was the actual balance higher than the estimates provided at the Feb. 2021 Budget Retreats.

The actual GF Balance was higher than expected; providing no need for revenue recovery in the GF.

City Manager Page spoke to vacancies in the operating departments; acknowledged the employees working in the departments with the multiple vacancies and their increased workload; explained that the city was working to fill vacancies and appreciated the city employees for their steadfast support.

SUBJECT: DURHAM MASTER AGING PRESENTATION (ITEM 30/ PR 14875)

Gina Upchurch, representing Aging Well Durham, made a presentation titled, *Aging Well Durham (AWD)- Presentation to City Council*. Shelisa Howard-Martinez, Facilitator of the Durham Master Aging Plan, contributed, with Joi Gardner.

The presentation included the following:

Aging Well Durham Representatives- introduced

Two Coalitions Becoming One- Aging Well Durham consists of Durham Partnership for Seniors aka Keeping in Step and HIP (Healthy in Place Seniors); and Durham's Partnership for Seniors and More- COVID Response.

- Asking for support to help implement the Master Aging Plan

Chart compared Durham Demographics from 2018 to 2038; in seniors over 60, there will be a 64% increase in the persons within the 60+ age bracket.

Goals of Livability:

- Feel safe in the community

- Participate in community activities

- Be treated with respect

- Have access to safe, appropriate, affordable housing and transport
- Have access to recreational opportunities and health service
- Know what services and activities are available and have access to information by means they prefer (online, print, in person)
- Be active, vital contributors to economic, civic, social life
- Receive appropriate support if seniors can no longer safely maintain independence in their homes

Chart: Durham MAP timelines from 2019 thru 2020

Listed Livability Working Groups & Domains

MAP Design Process

MAP Strategic Plan and aligning it with the City's Strategic Plan

Durham Partnership for Seniors COVID-19 Response Project explained

Listed Academic Partners to improve quality of life across lifespans

MAP Implementation by developing a backbone organization, Aging Well Durham.

Purpose

Requesting \$300,000 of \$150,000 per year for Aging Well Durham.

Funding from City will match that from Durham County

County funding is contingent on AWD receiving funding from the City of Durham

Mayor Schewel spoke to the financing plan; noted the county was asking the city to join the process being a two-year commitment amounting to \$300,000 total.

Council appreciated the presentation.

Council Member Middleton inquired about what happened after two years.

Ms. Upchurch responded that the funding would assist in building infrastructure to jump start the program.

Mayor Pro Tempore Johnson inquired about the funding source and when would the allocation of resources be requested. She also looked forward to getting the County on board with some of the city's initiatives.

City Manager Page addressed the process of awarding new funding after the budget was passed.

Council Member Freeman encouraged Durham to devise a Council for Aging considering the demographics in Durham; and encouraged the Aging Plan to partner with other city entities.

It was the unanimous consensus of Council to support the two-year \$300,000 allocation and that the administration would bring a motion to Council so that the funding could be allocated.

SUBJECT: EMERGENCY COMMUNICATIONS STAFFING AND CALL PROCESSING UPDATE (ITEM 31/ PR 14905)

Randy Beeman, Director of Emergency 911 Services, made a presentation titled, *Durham Emergency Communications, City Council Presentation, September 9, 2021*; and began the presentation with expressing gratitude to the 911 Call Takers and appreciated their service.

The presentation included the following:

What is the current state of the department?

- Comments from the Director

- Staffing Updates

- Call Volume Data

Call Volume & Answer Time

What are the immediate steps being taken to improve call answer time performance?

- Streamlining of Processes

- Adding Capacity

- Policy Review

What is the long-term plan for success and what progress have we made?

- Retention/Support

- Training

- Recruitment

- Contingency Planning

Mayor Schewel asked his colleagues for their questions and comments.

Council Member Middleton appreciated the Director's forthrightness and appreciated the crisis occurring at the Emergency Communications Center and acknowledged the pressure on the call takers. He inquired about the immediate steps being taken to improve caller response time and performance and what did streamlining mean related to employing industry standards/best practices, and asked if the standards were not being employed previously. He continued his line of inquiry asking about contingency plans with routing calls to Raleigh and possible mutual aid agreements with other municipalities.

Director Beeman clarified stream-lining under the industry standard, noted there was an emergency rule, if the call volumes were reaching a certain level, then short-cuts were allowed in the processing of calls. He noted that when short-cuts were instituted, that the quality of response not be lost, allowing for scripted dispatch. Emergency rule allowed for quick disconnect. However, certain types of calls that required life-saving supports, did not allow for quick disconnects.

Director Beeman addressed contingency planning with Raleigh. He explained that more staff had been planned to be brought on while expecting to disconnect from Raleigh; with the additional staff, the alternate routing would no longer be needed. However, the scheduling and timing of Raleigh stopping their routing of calls was different from what staff had expected.

Council Member Middleton asked Director Beeman to address the time required to contact 911 and to let residents know what to do when not able to connect with 911- what would be the process.

Director Beeman urged 911 callers to stay on the line, to remain in the call queue.

Council Member Freeman asked for Director Beeman's introductory statement in writing; explained her experience with calling 911 and spoke to the related wait time of 4 minutes; asked if there was partnering with Durham County Sheriff's Department call dispatch system; had there been discussions of merging the two systems. She

continued her line of inquiry about call dispatchers being recognized as first responders and offered to bring forward a resolution recognizing call dispatchers as such.

Director Beeman agreed to share his statement; noted that Durham County had a different dispatch system and that the County was not at the level to dispatch or take city calls; and explained there was currently dialogue with the supervisor of the County communications center and that there was open dialogue.

Mayor Pro Tempore Johnson requested data from August 2021 and for the next few months.

Director Beeman referred Council to the 911 webpage; stated the August data from ECATS was being processed and as soon as it was available it would be posted on the website.

Deputy City Manager Bo Ferguson referenced the August data and expressed that the August data could look similar to July's data; and that there was potential for improvement in September.

Council Member Middleton expressed concern about the situation; affirmed that adding capacity and expanding training to increase personnel and fill vacancies was helpful while routing calls to Raleigh. All of these efforts should have been going on while the mutual aid from Raleigh was underway. He stated that he wanted more capacity injected into the process while the efforts to get the city to industry standards were going on, and that emergency action needed to be taken right away from other jurisdictions; and summarized that the current situation was unacceptable.

Deputy Manager Ferguson assured Council that there had been no stone left unturned; addressed community concerns about alternate routing; and emphasized that the conversations were ongoing but no announcements could be made. He added that there were long term measures underway and expected gradual improvement.

Council Member Caballero referenced her discussion with the City Manager and appreciated the steps taken to get the city to a better place.

Council Member Freeman inquired if there would be re-classification of dispatchers and call takers as first responders.

Director Beeman noted that employees would be eligible for pay incentive bonuses dependent upon their work experience. Once staff attained certifications, then there would be promotions and bonuses awarded.

Mayor Schewel inquired about the 4-minute call duration, was there a review of the call.

Director Beeman explained the call review process and noted that the telephone number would need to be sourced along with a review of the call activity at the time of the call placement.

Mayor Schewel stated that many folks were confident calling 911 but that lately there had been an erosion of confidence; appreciated the measures being taken and asked

Director Beeman that if there were additional needed resources required by 911, that staff needed to ask.

SUBJECT: OTHER MATTER: ARPA FUNDS DISCUSSION RELATED TO EVICTION DIVERSION

Reginald Johnson, Director of Community Development, was requested to provide an update on emergency rental assistance and to respond to Council’s questions with emphasis on how eviction diversion funding was getting out the door. He made a presentation titled, *Program Updates, Rental Assistance and Eviction Diversion, 9/9/21*

The presentation included the following:

Durham Emergency Rental Assistance Program (DERAP)- US Treasury Dept
Funding assists low income households that are unable to pay rent or utilities
COD – initial allocation \$8.4 M; second allocation \$6.6
County – initial allocation \$1.2 M; second allocation \$984,919.90

Summary of LANC Eviction Diversion Activities; January 1 to August 31, 2021.

Number of Cases closed as of 8/2021	650
Number of pending cases	751
Number of closed cases with no eviction judgment	562
Percentage of cases closed that preserved tenancy	76%

Applications and Disbursement

As of 9/7/21, 6403 applications received; \$6 M fund disbursed
1200 applications paid out for utility and rental assistance
3600 live applications being worked by DSS
27 applications determined as ineligible – unresponsive

Eviction Diversion Resources

5 attorneys, 2 paralegals, 1 community resource coordinator at ¾ salary
FY21 = \$500,000; FY22 = \$515,000; FY23 = \$530,450
Project budget increases by 3% annually

The program guidance fluctuates often and DSS had adjusted their processes regularly and as quickly as possible; social workers have been placed at the Courthouse; County resources were being spent to hire employees to distribute funding.

Mayor Schewel asked about the tranches of funds. A portion of the second tranche had been received and would be disbursed by May 1, 2022.

Council Member Caballero acknowledged the initial rules had been changed since its inception; and she emphasized that these rental assistance funds were all some residents had to hold onto and needed to be disbursed as quickly as possible; asked if more Legal Aid attorneys could be dispatched to the Courthouse for support.

Mayor Pro Tempore Johnson stated that nation-wide less than 20% of the ERAP dollars had gotten into the hands of tenants; and that the rate in Durham had been much better. She requested an emergency allocation to Legal Aid for additional eviction diversion in the amount of \$500,000 this year and \$500,000 next year. She asked her colleagues and the administration for evaluation to do this.

Mayor Pro Tempore Johnson inquired about the second tranche, was it under the auspices of DSS or a different entity.

Director Johnson spoke to the administering of the program; short on program description but high on accountability. He emphasized that infrastructure was a primary consideration.

Council appreciated the support by Durham County DSS and Legal Aid in getting the funding out to the community.

Mayor Schewel did not want to discuss the additional funds for eviction diversion, instead asked Mayor Pro Tempore Johnson to distribute the emailed Legal Aid proposal to all of the Council Members and that the proposal would be discussed; and asked Director Johnson to provide guidance.

Assistant Clerk Roland made the following report of Council's nominations to boards, committees, commissions and taskforces:

Durham Housing Authority Board of Commissioners: re-appoint Robert B. Glenn, Jr;
Durham Housing Appeals Board: Teresa Ray Chicarelli for the seat of At-Large Alternate Member;

Durham Workforce Development Board: Susan Amey and Mark E. Atkinson for the two vacancies for private sector;

Mayor's Hispanic/Latino Committee: Mario Giscome and Anabel Rosa; it was consensus of Council to re-advertise the third vacancy.

SETTLING THE AGENDA – SEPTEMBER 20, 2021 CITY COUNCIL MEETING

City Manager Page announced the items for the September 20, 2021 City Council Meeting Agenda. Consent Items 1- 24 and Items 26 through 28; General Business Agenda - Public Hearing Items 32 through 34.

MOTION by Council Member Freelon, seconded by Council Member Middleton, to settle the City Manager's Agenda was approved at 6:05 p.m. Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freelon, Freeman and Middleton. Noes: None. Excused Absence: Council Member Charlie Reece.

Being no additional items to address at the Work Session, the meeting adjourned at 6:07 p.m.

Diana Schreiber, NCCMC, CMC
City Clerk