

The City of Durham
Parks & Recreation Department
Recreation Advisory Commission
Wednesday, October 14, 2020
Virtual Zoom Meeting
7:30 a.m. – 9:00 a.m.

Members Present:

David Fellerath, Frank White, Kokou Nayo, Eric Tullis, Karthik Sundaramoorthy, Rebecca Reyes, Leslie Stracks-Mullem, Cedric Burke

Members Excused/Unexcused:

Marcella Scurlock-Jones – did not participate – attendance is marked as present due to the challenges of COVID-19

City Council Liaison:

No council representation at this meeting.

City Staff Present:

Wade Walcutt, Joy Guy, Jason Jones, Tom Dawson, Rich Hahn, Lynda Merritt

Introduction/Call to Order/Welcomes:

David Fellerath called the meeting to order at 7:33 am and provided a welcome. He made a request for members to review the RAC agenda and September 2020 RAC meeting minutes. Quorum present at this meeting.

Attendance - Roll Call:

David Fellerath – present
Frank White – present
Kokou Nayo – present
Eric Tullis – present
Karthik Sundaramoorthy - present
Marcella Scurlock-Jones – not present
Rebecca Reyes – present
Leslie Stracks-Mullem - present
Cedric Burke - present

Approval of Minutes:

Rebecca made a motion to approve the October 14, 2020 meeting minutes; seconded by Cedric; *no further changes, whereupon motion duly made, seconded and unanimously adopted*, the minutes were approved as presented.

Adjustments to the agenda:

A request was made to move **Item III. Director's Report** following RAC Reporting Items – feedback or concerns

Public Comment:

A resident (Ranita Anderson) was present for this meeting; and did not wish to speak.

RAC Reporting Items:

Attendance at community meetings, DPR events, resident concerns or feedback reported.

- Leslie participated in (trying) one of DPR's outdoor exercise programs at the new downtown Park La at OND Park. Excellent! 2 or 3 people in each class.
- Cedric assisted with DPR's Youth Soccer Academy that was held at Herndon Park, there were 5 participants, helping to facilitate them. He was impressed with the way staff facilitated the event.

Director's Report:

Wade Walcutt

- Formal introductions were made to Wade.
- Wade provided an overview of his 20 years of parks and recreation experience. He is excited to be in Durham and understands the impact of the important work the RAC provides to the Durham Community.
- Wade provided some facts on his personal and professional experience.
- Frank White joined the meeting and provided a welcome to Wade.

Q&A:

- Fellerath: Is there any item or big initiative that you'd like to share? Wade: nothing projects specific, just learning more about Durham and the services and programs that we offer. Focusing on the programming needs of our community. I'm interested in instilling a servant leadership culture for the department. Just learning how things are going internally and what I can do to grow and develop relations, including within the community.
- Stracks-Mullem: What impressions do you bring with you from your time in Greensboro about your perception of Durham? Wade: I just recall thinking that Outdoor Adventure programming was well respected.

RAC Action Items – Fee Waiver Requests (Rich Hahn)

- No fee waivers at this meeting.

Old Business / New Business:

New Business: Board Training/Presentation Q&A

Sophia Hernandez, Sr. Assistant City Attorney

Jacob Brannon, Legal Extern, UNC Law Student

- Feel free to contact Jacob, as a resource, should you have questions.
- Formal introductions were made to the RAC.

Presentation: *Public Meetings and Public Record Law - October 14, 2020*

- What are Public Meetings Laws? Why do we have them?
 - A body of statutes that put forth requirements on how to plan, conduct, and regulate governmental meetings and their actions.
 - Why? (1) Gives public access (2) Open government – provides transparency
 - Non-compliance (1) can create legal remedies for people who have been denied access (2) can diminish public trust and generate negative publicity.
- Notice Requirements
 - For Regular Meeting:
 - must have meeting schedule on file with City Clerk

- must be listed on city website
- For Special Meeting:
 - must be posted on the bulletin board or door of the DPR Admin. Office
 - must be mailed or emailed, to all who have requested it; 48 hours before the meeting (news and public)
- For Emergency Meeting:
 - notice must be given to all local news that requested it 48 hours prior to the meeting
 - notice can be given via phone, email, or the same method used to inform members of the board.
- Public Records Law:
 - Provides a right of access to the records of public agencies
 - All records, with minor exceptions, in connection the transaction of public business
 - This can be both documents but also videos, email, texts, chats, etc.
 - Anything that is made or received in connection with the transaction or public business
 - Why? Create transparency and accountability to governmental actions
- Public Records as it relates to you

Meeting Minutes – must include:

 - Actions taken by the board
 - Proof the board had authority to act (examples: meeting quorum, compliance with bylaws, etc.)
 - Other documents reviewed or made at meetings
 - Emails, Photos, or Videos that have connection with public business
- Changes due to COVID

Conducting Meetings:

 - Must identify yourself during: Roll, Voting, Making Motions, Deliberations
 - All votes should be done via roll call

Notice

 - Specify the means by which the public can access the meeting
 - Providing Zoom or Teams links
 - Providing Conference call numbers

Record:

 - Minutes should indicate how the meeting was conducted
 - Should note when people left or joined (member who leave early or join late)
 - All chats, texts, instant messages, and other written communication become public record, if they address “the transaction of public business”
- Key Takeaways
 - No Email meetings or voting
 - Be careful what is messaged in chat via Teams and Zoom
 - Make sure you are noting everything needed in the minutes
 - Be careful to not conduct meetings without giving proper notice and/or without protecting/archiving public record
- Questions:
 - Members asked for clarification on voting and roll call requirements.
 - Teams has a polling option; would that meet the Open Public Records Laws? It’s important for the public to be able see how each member votes and that we have a record, of what that vote is, for each member present.
 - Fellerath: would you make the presentation available for RAC members?

- White: what are the types of meetings? (regular, special, and emergency meetings)
- Sofia provided additional understanding on what constitutes an emergency meeting.
- Sundaramoorthy: when meetings return to normal, post COVID, will the zoom option be available for members to participate. The General Assembly dictates the laws we have for open meetings which is set to expire on December 31st. It will be left up to local municipalities to dictate what is ok moving forward. What is acceptable. To create more accessibilities, and make it easier for residents to participate in their local government.
- White: are all meetings recorded via video and audio or just written? A. yes, to all three.
- Our RAC retreat meeting would be considered a regular meeting if scheduled in advance.
- Merritt: We have two members who serve as liaison's for other committees (DOST & BPAC) and they have voting rights. Is this a violation of the City Clerk's requirements that states a member may "not serve on two boards" at the same time? Sofia is working on this question and will report back on her findings.
- Fellerath: What is required to call a special meeting? A. you would need notice to the public, check your by-laws, as they may have a special requirement. Law wise, there is no vote required. You would need to check with your bylaws. Also, you would need a quorum.
- White: Are quorums required for subcommittee meetings? A. yes, they are required. When a quorum is not met, does the meeting move forward, and if it does, what would that look like? A. the meeting could move forward, but no action items or votes could be taken.

Committee Reports:

DOST Report (Karthik Sundaramoorthy)

- Karthik attended his first DOST meeting which was held virtually.
- Beltline project updates were provided.
- Elections were held for chair and vice chair.

Park Safety Committee (Frank White)

- A special guest from the Dallas Park Ranger program was invited to speak at the next Park Safety meeting.
- Frank invited members to attend if interested.

Bicycle and Pedestrian Advisory Commission (BPAC) (David Fellerath)

- A presentation was provided by a group of activist from the Braggtown community. Major development plans are being proposed for this area and they were in attendance to raise concerns about the infrastructure and mobility challenges they experience.
- A program planning master student at UNC is writing a paper on the proposal to close the Durham Freeway. This issue is somewhat controversial.
- The city is working on plans to implement bicycle boulevards. They are designed as a way to make streets more pedestrian and bike friendly. With low motorized traffic volumes and speeds, designed to give bicycle traffic a priority. Additional information is available on the city's website. The overall goal is to create pedestrian friendly streets.

Hillandale Advisory Committee - Rebecca Reyes/ Leslie Stracks-Mullem (backup)

- No report at this meeting.

Open Discussion:

- Karthik: inquired about a survey requesting feedback on proposed pickleball courts at Northgate Park. Do you have the results? Tom: yes, the results will be used for planning purposes as we redo the courts in FY22. We are looking at possibly adding pickleball courts at that park. The survey results will be provided at a later date. Tom added: public input is important and we plan to work closely with the tennis and pickleball community on this project.
- Karthik: inquired about the status of the Duke Park tennis courts? Tom: there are pickleball lines there. Northgate Park was in the sequence of our renovation plan. We do have lines that are suitable for small pickup games at Duke Park.
- Reyes: The perception that she's hearing from the community is; that DPR is resisting Pickleball. The community is perceiving that Pickleball is not high on the list and there's a lot of resistance and they're being ignored. We need to look for ways on how we can support them.
 - Fellerath: what was the outcome of the meeting with DPR staff and the Pickleball players?
 - Joy: we did have follow-up conversations with Toby Berla and have worked extensively to foster an open dialogue with their group and to let them know, this is a priority for us. They have designated ambassadors who speak on their behalf.
 - Tom added: We're in the process of educating them on the timing of our funding and our development process. Tom is comfortable with our approach on working with the pickleball community. Staff has been in meetings with them to discuss funding and look at ways we can grow this sport, while navigating the planning process. The problem is: timing and having to wait for funding. Bethesda is the preferred area of play because the courts are covered. Staff are working with both groups, trying to balance the time allowed for both tennis and pickleball play.
- Karthik: Do we work closely with the Ellerbee Creek Watershed Association? Tom – yes we do.
- Frank made a motion to adjourn, it was seconded by Karthik, roll call was taken, all in favor.

Next RAC Meeting:

Thursday, November 12, 2020
7:30 a.m. – 9:00 a.m.
Virtual Meeting

Minutes respectfully submitted by Lynda Merritt: