The Durham City Council held a Work Session on the above date and time in the City Council Committee Room located at 101 City Hall Plaza with the following members present: Mayor Steve Schewel, Mayor Pro Tempore Jillian Johnson and Council Members Vernetta Alston, Javiera Caballero, DeDreana Freeman, Mark-Anthony Middleton and Charlie Reece. Absent: None.

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

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

Mayor Schewel asked if there were any announcements by Council.

Mayor Pro Tempore Johnson requested that at the next Work Session Council discuss the Community Conversation program.

City Manager Bonfield suggested that the topic be discussed at the upcoming Work Sessions in December.

It was the consensus of Council that the topic be placed on the agenda and discussed at the December 5, 2019 Work Session.

Mayor Schewel announced that Council Members Freeman and Middleton would be attending the National League of Cities meeting and that the meeting conflicted with the November 21 Work Session. Mayor Schewel added that he would require an excused absence along with those of his colleagues for the November 21 Work Session.

**MOTION** by Council Member Middleton, seconded by Mayor Pro Tempore Johnson, to excuse Mayor Schewel from the November 21 Work Session. Motion passed unanimously.

The motion to excuse Council Members Freeman and Middleton from the November 21, Work Session was approved at the November 4, 2019 City Council Meeting.

Council Member Middleton acknowledged the NCCU Eagles and the upcoming Homecoming celebration; congratulated his newly re-elected members and the first, elected Latina, Council-Elect Council Member Caballero; and spoke to the passing of his brother, Michael Middleton.

Mayor Schewel called for a moment of silence in tribute to the late Michael Middleton.
Mayor Schewel requested priority items from the City Manager, City Attorney and City Clerk.

City Manager Bonfield introduced the new Director of Transportation Sean Egan to Council, audience members, and community at-large.

Transportation Director Egan made introductory remarks to Council and looked forward to working with the Council, staff and community members.

City Manager Bonfield deferred to Assistant Water Management Director Vicki Westbrook for a presentation.

Ms. Westbrook, introduced Bobby Wisnett and Darryl Kennedy of the Williams Water Treatment Plant, announced the City of Durham received commendations on its drinking water, receiving the Best Tasting Drinking Water in North Carolina Award.

City Manager Bonfield addressed the following priority items:
- Agenda Item #4: Additional information has been attached
- Agenda Item #31 and 32: Attachments added to the two items
- Agenda Item #33: added as a Supplemental Item to the agenda

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

The City Attorney and City Clerk had no priority items.

Mayor Schewel announced each item on the printed agenda; and the following items were pulled for comments, further discussion and/or action by the Council: Items 3, 6, 13, 15, 27, and 33.

Mayor Schewel taking the prerogative of the Chair, announced that Council related Items 3 and 33 would be discussed at the end of the meeting.

Mayor Schewel announced that it was time for Citizen’s Matters.

SUBJECT:  CHRIS TIFFANY (ITEM 28/ PR 13614)

To receive comments from Chris Tiffany regarding the oath of office, police officers and politicians.

SUBJECT:  JESSICA FLEMMING (ITEM 29/ PR 13615)

To receive comments from Jessica Flemming regarding independent artists who work in Durham.
SUBJECT: HOLLAND GALLAGHER (ITEM 30/ PR 13616)

To receive comments from Holland Gallagher regarding a grant program for local artists. Mr. Gallagher spoke to his film directing career and support for the proposed $1.2 million grant program.

SUBJECT: PUBLIC COMMENT SPEAKER: DR. CHARLES D. CHAZ JOHNSON

Dr. Johnson thanked Council for their outreach efforts; addressed Council regarding the Emorywood Community, its historical contributions and expressed concern about the impact of change on his neighborhood.

SUBJECT: PUBLIC COMMENT SPEAKER: MEREDYTHE HOLMES

Ms. Holmes spoke to Emorywood Estates, traffic patterns from the highway and its impact on crime, accidents and safety; and urged a round-about be installed to slow traffic.

SUBJECT: THELMA WHITE (ITEM 31/ PR 13617)

To receive comments from Thelma White regarding streets of Emorywood Estates’ traffic. Ms. White expressed concerns about construction traffic and addressed the need for turning lanes on both sides of Route 55.

SUBJECT: PUBLIC COMMENT SPEAKER: JOYCE EVANS

Ms. Evans, resident of Emorywood Estates, stated her community was aging and her neighborhood was surrounded by development; and urged developers to limit access and be respectful of the residents.

SUBJECT: FRED WHITE (ITEM 32/ PR 13618)

To receive comments from Fred White regarding streets of Emorywood Estates’ traffic.

Mr. White did not speak at the meeting.

Mayor Schewel recognized the special quality of Emorywoods and read staff’s response to their concerns.

City Manager Bonfield deferred to Transportation staff for response.

Bill Judge, Deputy Director of Transportation, addressed construction traffic through the neighborhood and stated that contractors were alerted to not use neighborhood streets for construction traffic to access the construction site and if it were to continue, ultimately, tickets would be issued by the Police Department. He continued that residents were concerned about the administrative site plan process and noted the
development was developed ‘by right’; and spoke to the possibility that the developer would add traffic calming methods at the connection of the new street.

Council Member Alston notified all that her father resided in the neighborhood; and asked staff about site plan requirements.

Mr. Judge addressed a buffer that had been requested by the residents and deferred for comment by Mr. Young.

City-County Planning Director Pat Young responded that a portion of the site to the east of Emorywood Estates was being developed as RS-10 (Single Family), the same zoning that existed in Emorywood, and the portion on the south-east side of the development did not have a buffer because it was the same density and scale; however, the proposed townhouse portion on the north-east side would have a buffer because it was a different type of development.

Council encouraged the developer to be more receptive to the comments by the residents.

Council Member Alston appreciated Mr. Judge attending a community meeting and fielding residents’ concerns.

Mayor Schewel remarked that he appreciated Mr. Judge’ role as Interim Transportation Director and his dedication to the city.

Les Haywood, speaker from the floor, spoke to buffers between the two communities off Kirby and Emorywood Orchards.

Residents were encouraged to speak with Planning Director Young about their concerns. Director Young stated he would facilitate a meeting between the developer and the residents.

SUBJECT:  PUBLIC COMMENT SPEAKER:  DAWN RENO LANGLEY

Ms. Langley addressed Council about her support for $1.2 million direct grants to local artists and spoke to her career as a writer.

SUBJECT:  APPROVAL OF DEDICATED HOUSING AND COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO REINVESTMENT PARTNERS, INC FOR THE REHABILITATION OF 2816 ROSS ROAD (ITEM 6/ PR 13602)

Reginald Johnson, Director of the Department of Community Development, availed himself to Council’s questions and deferred to Tanya Wolfram of Reinvestment Partners to discuss the loan terms.
Mayor Schewel had a number of questions about financing.

Ms. Wolfram explained the NC Housing Finance Agency loan details for $600,000 and explained the loan had been approved; confirmed the $1.4 million consisted of a conventional bank loan from BB&T closed; explained the construction estimates and how the project and carry-costs would be managed.

Karen Lado, Community Development, updated Council on the three loan projects funded with the Durham Affordable Housing Loan Fund.

Mayor Pro Tempore Johnson inquired about the plan after the 30-year affordability period expired.

Ms. Wolfram responded that as a non-profit, their goal was to maintain affordable housing in perpetuity at that location and by that point, the properties would be in need of capital improvements.

Mayor Schewel expressed gratitude to the staff persons of the Department of Community Development for their support in devising and explaining the complex affordable housing plan to voters.

Director Johnson thanked the Council and the Housing Authority for their efforts.

**SUBJECT:** COOPERATIVE PURCHASE GROUP – POLICE MOBILE COMMAND CENTER CONTRACT (ITEM 15/ PR 13600)

Assistant Chief Kevin Cates responded to Council’s questions.

Council Member Middleton inquired about the mobile command center: how many were in the fleet, the number of times had it been deployed in 2019 and what had occurred to the former center.

Assistant Chief Cates confirmed that the Department had one such unit; estimated that the unit had been deployed between 10-20 incidents and to 40-50 community events; and stated the former 35-foot unit would be re-purposed as a hostage negotiation center and the new unit would be 45-feet.

City Manager Bonfield noted that the re-purposing proposal had not yet reached the City Manager’s Office.

**SUBJECT:** FIRST AMENDMENT TO CONTRACT WITH CEDAR GROVE INSTITUTE FOR SUSTAINABLE COMMUNITIES TO DEVELOP A STRATEGIC PLAN FOR SHARED ECONOMIC PROSPERITY FOR THE RESIDENTS OF THE CITY OF DURHAM (ITEM 13/ PR 13520)
Andre Pettigrew, Director of the Office of Economic Workforce Development, explained milestones since the contracting with Cedar Grove in the Spring 2019 and presented a PowerPoint on Built2Last: A Road Map for Inclusive and Equitable Development in Durham.

Council Member Freeman arrived at the meeting at 2:11 pm.

The presentation follows:

Built2Last: Three Pronged Approach/Strategic Plan for Shared Economic Prosperity
- Built2Last Innovation Lab
- Durham Compact
- Stakeholder Engagement
Within the Built2last Innovation Lab (non-profit status, staff is filing for 501(c)(3))
- Bull City Equitable Development Fund
- Bull City Enterprise Training Center
Organizational Structure of Durham Compact, located in OEWD
- Durham Compact Manager
- Strategic Alliance Membership
- Corporate Board, Educational Board, Philanthropic Board, Community Stakeholder Board
Engagement of Stakeholders
- Internal & External

Mayor Schewel requested clarification on the structure of the Compact Office.

Dr. Joyce Johnson, staffed as a consultant to lead as the Compact Office Manager, located in OEWD with the objective to conduct corporate outreach.

Mr. Pettigrew described the secured space with two staffers, to deliver training – Provident 1898. Trainings would consist of certificate-awarded seminars in project finance, marketing and management in partnership with Kenan Flagler Business School.

A detailed list of courses would be forwarded to Council.

Mr. Pettigrew announced a two-part launch consisting of a soft launch with corporate partners’ breakfast and evening event with a panel discussion/roll-out; estimated in mid-December 2019.

Mayor Schewel inquired about the timetable for the training center and fund manager.

Mr. Pettigrew spoke to issuing a RFP to identify a fund manager in Feb/Mar 2020 and assisted by Cedar Grove and other national partners and referenced the San Francisco Bay Area Manager, that in Louisville, KY and spoke to Invest Atlanta’s program. It was expected that the infrastructure would be in place by the end of FY19-20.
Mayor Schewel asked about the role of the fund manager.

Mr. Pettigrew responded that the fund manager was expected to raise funds in partnership with the 501(c)(3) and determine how/when the fund would be self-sustaining, and estimated within 2.5 years.

Council Member Middleton inquired about the relationship between Durham Compact and Built2Last.

Mr. Pettigrew explained the connection with educational institutions engaging with them in a coordinated strategy around jobs, business and wealth-creation, attraction and deployment of capital.

Council Member Middleton asked for clarification about the Statement of Work with Cedar Grove – #2, Providing Strategic Guidance to OEWD on Implementation for Built2Last, Bullet Point #4, Collective Ambition for Public/Private Entities; and asked how the boards would be populated.

Mr. Pettigrew explained collective ambition and urged Council to work as influencers to fill the boards.

Mayor Pro Tempore Johnson inquired about the Equitable Development Scorecard, supported collaboration in devising a scorecard for Durham and was willing to facilitate a meeting with interested stakeholders in the community and staff of OEWD.

Mr. Pettigrew was supportive of this venture.

Council Member Caballero questioned if the Durham Compact would eventually go away.

It was confirmed that as the non-profit got built up, there would be a temporary structure supporting it.

Council Member Middleton asked if the framework was for perpetuity and impressed upon staff the relevance of the topic within the community.

It depended on the staffing of the Durham Compact. Currently, Mr. Pettigrew explained he was lending two of his staffers to the non-profit in the initial phase. Eventually, the positions would be returned to OEWD after 2.5 years for deployment in OEWD.

Mayor Schewel admitted he would like additional information on the continuing relationship between OEWD and the Built2Last Innovation Lab.

Council Member Freeman inquired about the two positions in OEWD being shifted out.
City Manager Bonfield responded that the two positions were re-directed/re-prioritized staff.

SUBJECT: URBAN AVENUE STREET CLOSING AND DEVELOPMENT AGREEMENT (ITEM 27/ PR 13605)

Stacey Poston, General Services, presented the staff report and availed herself to Council’s questions; explained there were two components to the project a street closing (led by Planning) and a development agreement/real estate component (led by General Services), crafted an engagement blueprint process to ensure equity and bilingual inclusion with community outreach, presented a map of the designated area and explained the data gleaned from the study area.

Ms. Poston summarized that the map indicated the degree of cost burdening of renters versus the number of building permits pulled in the prescribed area, and spoke to outreach to vulnerable populations. She spoke to the $38,000 cash proffer by the developer that the neighborhood residents supported the funding be dedicated back into the Beltline Project.

Council Member Caballero appreciated the bilingual outreach by staff.

Mayor Schewel referenced that the item was a public hearing item but wanted to ensure that staff was accommodating Council’s desired level of equitable engagement.

City Manager Bonfield admitted staff was learning as they progressed related to equitable engagement and that this was a check-in discussion.

Council Member Freeman focused the equitable engagement discussion on the fact that persons who reside there, remain there.

City Manager Bonfield emphasized the need to assess a larger project.

Nia Rodgers, General Services, clarified the project was a smaller project as part of a larger project. The larger project would have a larger engagement scope and then the questions of displacement would be addressed.

Laura Biediger, Neighborhood Improvement Services, responded that this project represented a ‘first attempt’ for staff, admittedly there were many constraints; noted the community was not able to co-create the plan; and spoke to the communication methods between staff and residents that did not focus on the potential of the project to induce gentrification but rather focused on the aesthetics of the new build; and explained General Services used open-ended questions within the survey. She said that the residents favored a community space i.e. café, in the building, security along the trail and stated the information had not been reported back to the community for clarification.
Mayor Pro Tempore Johnson was supportive of the engagement process; and requested the demographics of the respondents versus the neighborhood. She stated the proffer was too low and staff could negotiate for more financial compensation. Council Member Alston was very satisfied with staff’s effort.

Council Member Reece appreciated the work/methodology and analysis; and spoke to the conundrum of engaging the neighborhood about a finished negotiation.

Council Member Middleton mentioned that Council approved a whole trail project before having the equity plan in place; and emphasized that going forward, what would Council be willing to accept/reject in decision making related to promoting equity.

Mayor Schewel indicated the area was gentrifying and the only response was to build subsidized affordable housing as a mitigating intervention in the area where there had been naturally occurring affordable housing.

Council Member Freeman spoke to intentional engagement in order to impact gentrification; and emphasized ways to legislate that supported allowing residents the ability to remain in their homes.

**SUBJECT: REVIEW AND DISCUSS COUNCIL INTERN HIRING AND ONBOARDING (ITEM 3/ PR 13612)**

City Clerk Schreiber introduced the item.

Mayor Schewel inquired about the process with the City Manager.

City Manager Bonfield spoke to the process and legal requirements for the status of the individuals to be hired as Council interns.

Jim O’Donnell, Human Resources, explained the hiring process, legalities and recommendations.

Wanda Page, Deputy City Manager, spoke to the terms of classification of interns as part-time employee who would be paid an hourly rate.

Council addressed staff about the drug testing policy, screening process of part-time employees, hiring officers would conduct the process and notify HR of the selection and HR would conduct drug testing and background checks.

Deputy City Manager Page addressed the stipend option versus hourly rate and number of hours set, develop workplan with intern once the funds were expended the intern would become inactive.

Council confirmed that the individual Council Members would be the hiring officers. Ms. Page confirmed this fact and stated the HR Team would serve as a resource to ensure
the legal bases were covered, whether the hiring took place individually or in teams. HR would provide training to the Council Members in terms of the interviewing process.

It was confirmed that volunteer internships aka unpaid internships continued to be possible.

Ms. Page stated that there remained flexibility in the hiring process for part-time employees.

Mayor Schewel and Council Member Freeman explained the processes utilized for former interns.

Council addressed the objective of creating opportunities for students from NC Central University and targeting.

Deputy City Manager Page addressed the tax obligations associated with self-employed contract workers versus part-time employees;

Mayor Pro Tempore Johnson explained her rationale for not supporting drug testing for paid interns.

Council Member Freeman spoke to the equity issue surrounding students of color and unpaid internship opportunities.

Mayor Schewel summarized that the choices would be for either unpaid interns or interns working for the city under the city’s employment practices.

**SUBJECT: SUPPLEMENTAL ITEM: HISPANIC/LATINO COMMITTEE COMPOSITION (ITEM 33)**

LaVerne Brooks, Assistant Clerk, addressed the concern raised about balloting at the previous Work Session on October 24, 2019.

Council Member Middleton amended his ballot in support of Suquey-Amparo Castiilo-Lopez, that resulted in one less vote for Vicky Munizquiñones. The final ballot was reviewed to confirm the nominations. It was noted that Ms. Castiilo-Lopez and Ms. Munizquiñones were now tied.

A vote was conducted between the two applicants.

Ms. Munizquiñones received four votes from Mayor Pro Tempore Johnson and Council Members Alston, Caballero and Reece. Ms. Castiilo-Lopez received three votes from Mayor Schewel and Council Members Freeman and Middleton. The nomination for Ms. Munizquiñones was accepted.

The final list of nominations to the Mayor’s Hispanic/Latino Committee follow:
Settling the Agenda – November 18, 2019 City Council Meeting

City Manager Bonfield referenced the following agenda items for the November 18th City Council Meeting agenda: Consent Items 1 through 18 and Item 33 with an amended recommendation; General Business Agenda Item 19 and General Business Agenda-Public Hearings, Items 20 through 27; and to add an agenda item to the December 5th Work Session to discuss Community Conversations.

MOTION by Council Member Alston, seconded by Mayor Pro Tempore Johnson, to settle the agenda as per the City Manager’s recommendations for the November 18, 2019 City Council Meeting. Motion passed unanimously.

Being no further business to address, the Work Session was adjourned at 4:07 p.m.