

**DURHAM CITY COUNCIL WORK SESSION**  
**Thursday, April 10, 2014 – 1:00 p.m.**  
**2<sup>nd</sup> Floor Committee Room – 101 City Hall Plaza**

**Present: Mayor William V. “Bill” Bell, Mayor Pro Tempore Cora Cole-McFadden and Council Members Eugene Brown, Diane Catotti, Eddie Davis, Don Moffitt and Steve Schewel. Absent: None.**

**Also present: City Manager Thomas J. Bonfield, City Attorney Patrick Baker and City Clerk D. Ann Gray.**

The meeting was called to order by Mayor Bell. The Mayor asked if there were any announcements from the Council.

At the request of Council Member Davis, Deputy City Manager William Ferguson provided an update on the status of city hall renovations.

Mayor Bell asked if there were any priority items by the City Manager, City Attorney and City Clerk.

City Manager Bonfield referenced the following items:

- Agenda Item #10 – Bicycle and Pedestrian Advisory Commission Annual Report (a presentation will be provided)
- Agenda Item #18 – John Tarantino (added as a supplemental item)

The City Manager’s items were accepted by the council.

There were no priority items from the City Attorney and City Clerk.

After the Mayor read each item on the printed agenda, the following items were pulled for comments and/or discussion:

**Subject: Elois Johnson**

To receive comments from Elois Johnson regarding a one cent increase to the tax rate for the Parks and Recreation Department.

Eloise Johnson, a resident of Driver Street, said she was against the proposed one penny increase being asked by the Durham Parks and Recreation Department.

She said the administration is loaded with dead weight, mismanagement of time, with a lot of failures, and no accountability of work they are paid for. The DPR magazine list classes for January-April with all their meetings and you would think these courses would have already

**April 10, 2014**

been approved she said. Ms. Johnson said there are classes in the play more magazine that have not been approved and that is misleading to the citizens and false advertisement. She said DPR needs to find a way to open these centers with classes that the community wants and needs, and said the council needs to look how the Durham Parks and Recreation Department can serve the Durham community better.

**Subject: John Tarantino**

To receive comments from John Tarantino regarding a musical selection by the Eagles Rock Band.

John Tarantino provided a song selection by the Eagles Rock Band.

**Subject: Award of Dedicated Housing Funds and Home Funds to Durham Community Land Trustees, Inc. for the Renovation of Rental Housing Units in the Southside Neighborhood**

The staff reported indicated that on December 17, 2012, the City Council approved Durham Community Land Trustees, Inc. as the tentative developer for the Piedmont Rentals Project. The project will consist of the renovation of nine (9) rental housing units located on E. Piedmont Avenue in the Southside neighborhood. All sources of funding are now in place and DCLT is ready to begin the renovation process.

The Department of Community Development recommends that City Council declare the properties surplus located at 102, 104, 110, 112, 114, 116 and 120 E. Piedmont Avenue; authorize the transfer of the property under the authority of and in compliance with NCGS 160A-267 and 160A-279; accept the proposal from Durham Community Land Trustees, Inc. (DCLT); authorize the City Manager or Mayor to deed, sell and convey the property at no cost by a non-warranty deed which includes relevant covenants that the property be used for affordable housing; authorize the expenditure of \$300,000.00 in Dedicated Housing funds and \$447,806.00 in HOME funds; and authorize the City Manager to execute a Dedicated Housing fund construction/permanent loan agreement and other related legal documents in the amount of \$300,000.00 that is forgiven over a period of 20 years at 0% interest and a HOME construction/permanent loan agreement and other related legal documents in the amount of \$447,806.00 that is forgiven over a period of 20 years at 0% interest with Durham Community Land Trustees, Inc.

Council Member Schewel said he was really pleased with the rental units in the Southside neighborhood referencing the decrease in price per unit, the population and income levels that are going to be served, and said he appreciated the outreach to the veteran's administration.

Assistant Community Development Director Larry Jarvis spoke on the high and low rent numbers, and he also referenced two very old single family units that are not feasible to rehab.

**April 10, 2014**

Council Member Brown asked when will a model unit be available for the public to view.

Assistant Community Development Director Larry Jarvis said the initial occupancy is expected to begin in June and after they get their CO, a leasing office will be on the site with models for the public to view sometime in May or perhaps late April.

Mayor Bell said he felt comfortable that the units will rent. He said he was more concern with not all of the development being complete and construction still ongoing which could attract vandalism. He said his preference would be to have the complete project done then open it up letting people move in.

Mayor Pro Tempore Cole-McFadden asked if the Durham Community Land Trustees would be doing the leasing and not with another agency.

Selena Mack, of Durham Community Land Trustees, said they will own and manage the property.

**Subject: Proposed Economic Development Incentive Agreement with Austin Lawrence Partners East, LLC for Capital Investment and Architectural Elements at 119 West Parrish Street, 113 West Parrish Street, 118 West Main Street, 120 West Main Street, 122 West Main Street and 202 North Corcoran Street**

This item is for the tenants of a proposed economic and community development agreement between the City and Austin Lawrence Partners East, LLC.

The administration is recommending that a public hearing be held on the proposed economic incentive agreement per G.S. 158-7.1; and authorize the City Manager to execute an economic and community development agreement with Austin Lawrence Partners, LLC for a total incentive payment amount not to exceed \$3,973,095.00 over a 15 year period.

As it relates to the burnout buildings on Parrish Street, OEWD Director Kevin Dick noted the initial construction would include suspending the facades, clearing out all of the debris and excavating the parcels to prepare for underground parking. The initial permits are scheduled to be pulled around October 2014.

Council Member Schewel asked if there could be some sort of contractual agreement with the developer regarding the start date of October 2014.

OEWD Director Kevin Dick said they could go back and have some discussion with the developer and determine a different date if that is the desire of the council.

Council Member Brown said he concurred with the discussion because the buildings have been an eyesore for too long.

**April 10, 2014**

**Subject: Proposed Revision to Economic Development Policy**

This item proposes changes in the Resolution Establishing an Economic Development Financial Assistance and Incentive Policy for Job Creation and Capital Investment (Policy) that was approved by the Durham City Council in April 2011. The Office of Economic and Workforce Development has conducted a review of the City's current policy and recommends changes and edits to the Policy to modify certain existing programs, and to provide greater clarity and consistency among all programs related to economic development incentives and financial assistance.

The staff recommends that a public hearing on the proposed revised resolution and to adopt the revised "Resolution Establishing an Economic Development Financial Assistance and Incentive Policy for the Job Creation and Capital Investment."

Reginald Jones, of OEWD, referenced the designated area for the incentive grants: (Ninth Street and Iredell Street-between Main and Green Streets and Main, Perry, and Green Streets and Markham Avenue-between Ninth and Iredell Streets and Safeway Street.

**Subject: Bicycle and Pedestrian Advisory Commission Annual Report**

To receive the 2013 Annual Report of the Bicycle and Pedestrian Advisory Commission from the Chair of the Commission.

Erik Landfried, Chair of the BPAC, provided a power point presentation on this item commenting on the following:

- BPAC Overview
- BPAC Membership
- 2013 BPAC Year in Numbers
- Major Goals for 2014

In Summary:

- Durham has tremendous positive momentum as a bicycle and pedestrian friendly community
- BPAC appreciates the support of its City/County leaders and Durham Transportation Department

The council thanked the Chair for the report and the work being provided by the commission.

**Subject: 2013 Recreation Advisory Commission Annual Report**

To receive the 2013 Recreation Advisory Commission Annual Report.

**April 10, 2014**

Umar Muhammad, Chair of the Recreation Advisory Commission, gave a power point presentation on this item referencing the following:

- Recreation Advisory Commission 2013 Mission Statement
- Recreation Advisory Commission Facts
- Top 3 RAC Topics
- 2013 Durham Parks and Recreation Challenges
- 2013 Highlights
- 2013 Community Engagement and Involvement
- Accreditation Involvement
- Community Events Involvement
- 2014 Looking Forward

Summary:

- Recreation Advisory Commission community outreach continues and expands
- Park access and safety for diverse interests/groups
- Funding for master plan initiatives especially focused on current facilities
- Accessing sports tourism and events

The council thanked the Recreation Advisory Commission for their work and the report.

**Subject: Report on Failed and Struggling Developments**

Robert Joyner, of the Public Works Department, noted that the Failed and Struggling Development Program was created to assure the completion of all required infrastructure and private storm water facilities at minimal costs to citizens and the City of Durham. The City of Durham's Public Works Department currently oversees the program and is responsible for approximately 83 projects or phases of projects; which span across 23 subdivisions.

Mr. Joyner's update to council summarized the following items:

- Number of projects per category as of March 17, 2014
- List of developments added to program since last update (September 10, 2013)
- Status of current Category 4: Failed developments
- Status of Category 3 Projects in Litigation: Stonehill Estates and Ravenstone I and II
- Developments successfully completed since last update (September 10, 2013)

The Public Works Department recommends that City Council receive the update on the failed and struggling development program.

At this time, City Clerk Gray announced the results of the ballots as follows: Ernie Mills received 7 votes for appointment to the Workforce Development Board.

**April 10, 2014**

**Settling Agenda – April 21, 2014 City Council Meeting**

City Manager Bonfield referenced the following items: Consent Items 1 thru 12 & Item 19, GBA Public Hearings - Items 14 thru 16.

**Motion** by Council Member Catotti seconded by Council Member Schewel to settle the agenda for the April 21, 2014 City Council Meeting as stated by the City Manager.

The motion was approved unanimously at 2:59 p.m.

Mayor Bell reminded his colleagues that the Poverty Reduction Task Force Co-Chairs will be meeting on Friday, April 11, 2014 at 12:30 p.m. in City Hall.

There being no further business to come before the council, the meeting was adjourned at 2:59 p.m.

D. Ann Gray, MMC, NCCMC  
City Clerk