

DURHAM CITY COUNCIL WORK SESSION
Thursday, November 6, 2014 @ 1:00 p.m.
2nd 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 and he welcomed all in attendance.

Mayor Bell asked if there were announcement from the Council. There were no announcements.

Mayor Bell asked for priority items from the City Manager, City Attorney and City Clerk.

City Manager Bonfield referenced Item #5 “Guidelines for Dedicated Funding Source Funded Small Project Development and Neighborhood Revitalization” that was continued from the November 3rd meeting. He asked the Council to suspend the rules and take action on the item. In addition, he stated at the request of Council Member Moffitt, an item is being added regarding “West Club Boulevard Traffic Calming.”

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

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

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

SUBJECT: JAMES WILLIAMS (STONEHILL ESTATES SUBDIVISION)

To receive comments from James Williams regarding the condition of streets in the Stonehill Estates Subdivision.

James Williams, a resident of Stonehill Estates, provided a Powerpoint presentation regarding the condition of streets in Stonehill Estates. He noted the following:

- City staff non-respondent to calls
- Infrastructure steadily deteriorating
- Two Years Later – Hugh pothole at base of driveway; flooding and drainage problems; crumbling pavement.

November 6, 2014

Mr. Hill stated the Stonehill Estates residents had been waiting 10 years and they are disenfranchised; discouraged and paying the cost for those who dropped the ball. Mr. Hill stated he would greatly appreciate if the Council would help get this matter resolved.

Mayor Bell informed Mr. Hill that the Council was very sensitive to what had occurred in Stonehill Estates and they were working as fast as they could to bring a resolution to the matter.

City Attorney Baker stated they had received an order from the magistrate court judge regarding the bond and stated the City had been in constant contact with the attorneys for the Surety and the Public Works Department to reconvene the mediation with the hope of making a settlement. He stated they would need to come back before the council for the settlement to be approved with funding decisions to be made at that stage. Attorney Baker stated at the present, they are trying to conclude the litigation keeping in mind the City is only one part of the litigation.

Due to the condition of the streets and no city services in Stonehill Estates, Mr. Hill referenced the residents that had left and the houses currently up for sale.

Mayor Pro Tempore Cole-McFadden asked Attorney Baker what was the timeframe.

City Attorney Baker stated he would love to say by the end of the year being able to come to Council in closed session with a settlement; however, the matter was not completely in their guidance.

Council Member Moffitt referenced earlier conversations/meetings he was aware of regarding the matter and stated the City had been working to resolve the issue; referenced maximizing the funds coming to the City and once known - figuring out what the City was going to pay and what would be expected for the residents to pay. Council Member Moffitt stated it would be unfair today for the residents to leave the meeting thinking that 100% of the difference would be paid by the taxpayers of Durham. He noted it was a big burden and the City would like to assist with some of that burden upon knowing what would be received from the settlement.

James Hill stated the two largest purchases one would make in life - a home and automobile and questioned the comment about homeowners having to pay funds, which he stated was not fair.

Before any recommendations were made, Mayor Bell interjected the Council needed to wait until information is received from the City Attorney.

City Attorney Baker clarified the immediate next steps in the process.

SUBJECT: GWYN SILVER (STONEHILL ESTATES SUBDIVISION)

To receive comments from Gwyn Silver regarding deteriorating streets and infrastructure conditions in Stonehill Estates Subdivision.

November 6, 2014

Gwyn Silver, a resident of Stonehill Estates, stated the process had been unfair; unjust; inequitable; and a disservice to the people who purchased homes in the Stonehill Estates community. She stated there had been no responsibility; no accountability and sometimes communications had dropped through the cracks. Ms. Silver stated they did have someone come from the City and give them an offer which was the City would assess a fee; stated they were told residents could get a city loan to pay for the streets with interest; the City would place a lien on the property; and the property would not be able to be sold until the lien was paid. Ms. Silver said the residents did not sign any agreements with the City nor the developers for streets – they purchased a home and with that purchase came infrastructure; streets; and all of the services one would get with a home. She referenced taxpayers paying a lot for increased water bills; increased property taxes; penny for housing; ½ cent for parks; increases in stormwater fees; the adding of the garbage fee; \$15 for vehicle registration; funds for data and light rail; and referenced in 2005 bonds that were passed by the citizens. In addition, Ms. Silver commented on city waste in funds and services. She stated they felt that city damages needed to be paid in city streets; infrastructure; and the deterioration of Stonehill Estates corrected immediately.

SUBJECT: JOHN “GIOVANNI” TARANTINO

To receive comments from John “Giovanni” Tarantino regarding the one year anniversary of the passage of Deer-Bow Hunting Ordinance.

Mr. Tarantino provided a song selection on the Deer Bow Hunting Ordinance which was approved in 2013 by the City Council.

SUBJECT: WEST CLUB BOULEVARD TRAFFIC CALMING PROJECT

Council Member Moffitt reminded Council that he had asked City Manager Bonfield to delay for a month the work on West Club Boulevard in order for the neighborhood to work together with the Durham Bicycle & Pedestrian Advisory Commission and the advocacy group Bike Durham. He stated residents were present today to address the Council on the topic.

Mayor Bell recognized Jamie Gruener for comments.

Jamie Gruener, President of Watts Hospital-Hillandale Neighborhood Association, stated over the past two months, their association, Durham’s Bicycle & Pedestrian Advisory Commission and Bike Durham had engaged in several conversations regarding the proposed Club Boulevard Traffic Calming project asking that the City put a pause on the current project and re-evaluate the goals of the project. He stated any design of Club Boulevard should incorporate the following goals: 1) make Club Boulevard safe and inviting for all users of the street, including pedestrians, bicyclists, and motorists; 2) the design speed of Club Boulevard should be lowered to 25 miles per hour; and 3) meet the parking needs of the neighborhood.

November 6, 2014

Mr. Gruener noted they did not believe the design currently proposed for Club Boulevard meets all of the above goals. In particular, he stated they did not believe it met the City's adopted goals for bicyclist safety and access along the corridor and that the design speed for motorists would still be too high. He asked that the City develop a plan that clearly lays out a timeline for each step of a re-designed project including, but not exclusive to, public involvement, data collection, draft and final design, historic preservation approval, bidding and construction.

Council Member Schewel complimented Mr. Gruener on doing a great job in negotiating with all involved. He voiced support of the proposal by the neighborhood association and bike advocates and asked the city administration for their thoughts on the proposal.

City Manager Bonfield stated he had referred the communication from the neighborhood which was received earlier this week to the staff and stated he did not know of any objections if that was the council's desire. He stated the project had been built into the work plan/design plans; etc. and said they could have some facilitated discussions with the groups and stated whatever arrived from those discussions, he did not want to leave the impression that the project would go automatically to the top of the list since it had been delayed. He stated the current design had been scheduled into a work plan/incorporated into the budget process and with the new proposal there could be unknown financial implications which could not be predicted.

Jamie Gruener recognized they were approaching this with a new proposal late in the process and referenced specific challenges the two groups faced in trying to schedule meetings. Also, he mentioned the primary focus of the project had been the proposed issue with the neckdowns at intersections which had become the focus of all the conversations between the various groups; and stated one group had been focused on slowing traffic and one group had been focused on the bike lanes; and stated both group wanted a combination of both – slower traffic and bike lanes. He acknowledged the timeline of the project would change and asked that the City honor the commitment providing traffic calming for West Club and not to be placed at the back of the line due to their coming to the City late with a new proposal.

Director of Transportation Mark Ahrendsen stated they could collect data; update the data; engage and work with stakeholders to redefine what the goals of the project were; however, he said he felt it would be premature to lay out a timeline of January 2015 due to the unknown factors/outcomes at the presence.

Council Member Brown stated the neighborhood wanted to see changes in the plan and noted it would be helpful if they submitted the changes.

Jamie Gruener stated that was a very reasonable expectation, but they were asking the City administration to look at the problem from their prospective to improve the safety for pedestrians and bicyclists on the street. He stated they did have ideas about how they could be done; however, they were not traffic engineers.

November 6, 2014

Council Member Brown stated it might be beneficial for the neighborhood association to provide their ideas to the City to help move this project along.

Erik Landfried, Chair of BPAC, stated there are multiple stakeholders that needed to be engaged in the process. He stated this is a city project which needed to be led by the City; and said there had never been a meeting with the City, BPAC, Bike Durham, nor the neighborhood board to discuss the matter.

Mayor Pro Tempore Cole-McFadden stated she was under the impression that the City Manager and the Director of Transportation had a plan for the item and it seemed like the best approach; and asked the manager to proceed with his plan/guidance and then come back to the Council sharing what needs to be shared.

Mayor Bell stated somewhere along the lines someone identified this as a problem and asked if the problem still existed.

Mr. Gruener replied that was a reasonable question and they were asking that the traffic study be done in late January or early February which would mirror the traffic study which was done in 2001 and stated that would help explain if the problem still existed.

Mayor Bell stated if the problem did not exist there was no need to discuss it and if it did exist the question becomes who has the solution for it; and noted first there needed to be an agreement about what the problem is. The Mayor stated the item is being referred to the City Manager.

SUBJECT: SELECTION OF URBAN DESIGN VENTURES, LLC FOR THE PREPARATION OF A FIVE-YEAR CONSOLIDATED PLAN, ANNUAL ACTION PLAN AND ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

The staff report indicated that on August 6, 2014, the City of Durham issued a Request for Qualifications soliciting qualifications for the preparation of a Five-Year Consolidated Plan (Con Plan), Annual Action Plan (AAP), and Analysis of Impediments to Fair Housing Choice (AI). The submission deadline for the RFQ was September 10, 2014. Four proposals were received and evaluated by a six-person review panel. The proposals were received from Urban Design Ventures, LL, W. Frank Newton, Inc., Ask Development, Inc., and Community Planning Partners and Housing Opportunities Made Equal of VA, Inc. Of the four proposals, Urban Design Ventures, LLC (UDV) received the highest total score of 543 points, and submitted the lowest cost of \$42,500.00. The panel decided unanimously to recommend UDV as the Consultant to prepare a Five-Year (Con Plan), (AAP), and AI for a fixed cost of \$42,500.00.

In addition to the Con Plan, AAP, and AI, the RFQ also included a request for additional services to be performed after the selection of the Consultant. The additional work includes a detailed housing needs analysis and resource analysis for the development of affordable housing in future rail access. The final scope of services associated with that task would be developed after the selection of the Consultant with input from stakeholders. Once the final scope of work for the

November 6, 2014

additional services had been developed, the Department will request Council approval for an amendment to the Contract. The total amount for all services to be performed by the Consultant shall not exceed \$70,000.00 in General Funds.

The Department of Community Development recommended that City Council:

- Approve the selection of Urban Design Ventures, LLC as the Consultant to prepare a Five-Year Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice, and a detailed housing needs analysis and resource analysis for the development of affordable housing in future rail access;
- Authorize the City Manager to execute a Contract with Urban Design Ventures, LLC in the amount of \$42,500.00 for a Five-Year Consolidated Plan (Con Plan), Annual Action Plan (AAP), and Analysis of Impediments to Fair Housing Choice (AI); and,
- Approve an amount up to \$27,500.00 for the additional services to be performed by the Consultant, which includes a detailed housing needs analysis and resource analysis for the development of affordable housing in future rail access.

Regarding the planning around affordability for housing around the rail station, Council Member Schewel asked how did the item relate to what the Planning Department was doing; he asked is it the same study.

Community Development Director Reginald Johnson stated they would be working with the Planning Department on the design.

Council Member Catotti referenced the \$30,000 set-aside for the rail study and asked if this would be the best place for it or would it be better to have it coordinated out of the Planning Department.

Mr. Johnson stated this related to the consolidated plan and they are working with the Planning Department as a coordinated effort.

City Manager Bonfield stated the \$30,000 was much broader than affordable housing around transit stops.

Mr. Johnson also spoke on the vendor selected for the project and stated he would provide the location of the other companies that submitted proposals.

**SUBJECT: CIVILIAN POLICE REVIEW BOARD PROCEDURE MANUAL
AMENDMENT**

The staff report noted the Human Relations Commission presented recommendations to the City Council to address concerns of racial profiling in Durham. The Civilian Police Review Board

November 6, 2014

presented recommendations to the City Manager to address concerns about the City's complaint process and community-police relations. The administration responded to each recommendation during a presentation to the City Council. Some recommendations can, and have been, implemented administratively; while others require City Council action.

The administration recommended that the City Council approve the proposed revisions to the Civilian Police Review Board Procedure Manual.

Mayor Bell recognized Chris Tiffany for comments.

Chris Tiffany commented on the revised changes to the Civilian Police Review Board Procedure Manual and raised concern that the public was not provided ample time to speak at certain times on the recommendations submitted by the City Manager.

Council Member Moffitt replied there had been ample opportunity for citizens to speak and noted public hearings were held and citizens had an opportunity to come and address the council.

Council Member Catotti requested a revision to the time limit for persons to file a complaint. She stated 30 business days seemed quite confusing.

The administration replied they would review her concern and suggested 45 calendar days vs. 30 business days.

SUBJECT: GUIDELINES FOR DEDICATED FUNDING SOURCE FUNDED SMALL PROJECT DEVELOPMENT AND NEIGHBORHOOD REVITALIZATION

In the Comprehensive Housing Strategy Status Report and updated Five-Year Funding Plan presented to Council in April, two new programs supported by Dedicated Housing Funds were proposed – Small Project Development and Neighborhood Revitalization. At that time, the Department of Community Development stated that fully articulated program descriptions and guidelines would be prepared for Council consideration and approval prior to making program funding available through the annual competitive application process.

The City Council discussed the proposed Small Projects and Neighborhood guidelines at the October 6, 2014 City Council Meeting. After the discussion, Council asked the Department to extend the opportunity for residents to comment on the proposed guidelines. The Community Development Department shared the proposed guidelines with their listserv composed of community development stakeholders – nonprofits, organizations and interested residents; and five individuals responded with comments.

Earlier in the meeting, the City Manager requested that the Council suspend the rules and take action on the item at the work session.

November 6, 2014

Motion by Council Member Moffitt seconded by Council Member Catotti to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 2:01 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: None. Absent: None.

Motion by Council Member Moffitt seconded by Council Member Schewel to approve the application requirements and evaluation criteria for Small Project Development and Neighborhood Revitalization as set forth below was approved at 2:01 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti Davis, Moffitt and Schewel. Noes: None. Absent: None.

Program Requirements –Small Project Development

Required Outcome: Requested funding must have the outcome of increasing the supply of affordable rental or homeownership units through new construction or the rehabilitation of existing, vacant and deteriorated property during the contract period. All homeownership units must be sold to and occupied by households with incomes at or below 80% of the area median income (AMI). For rental projects, eligible tenants are households with incomes at or below 60% AMI.

Geographic Eligibility: Projects must be located in Southwest Central Durham (SWCD), Northeast Central Durham (NECD) or Southeast Central Durham (SECD).

Eligible Uses: Funds may be used for acquisition, demolition, construction costs write-downs for new construction or rehabilitation or second mortgage loans. For homeownership development, write-downs may not be used to subsidize the sales price of units below that of comparable properties. Instead, units should be listed for sale at full market value with assistance or incentives offered to the homebuyer.

Funding Commitments: Projects that propose other funding not firmly committed at the time of application may receive a conditional award providing for a twelve month window for obtaining firm commitments. In the absence of such commitments after the twelve month period, conditionally awarded funds will be released to the fund balance.

Requirements for Market Study: Except for applications requesting second mortgage loans only, documentation of market demand for the proposed rental or homeownership units within the specific geographic location must be submitted at the time of application. Market study requirements are imposed by the now effective rules governing the Home Investments Partnerships (HOME) Program and the Department is extending those requirements to locally-funded affordable housing efforts. All market studies must submit current, verifiable documentation of demand for each tenant population to be served.

A prospective developer/sub recipient is expected to submit the following information as part of a bona fide market study:

1. Identify the market area for new rental units;

November 6, 2014

2. Provide any waiting lists or client lists, to determine needs for additional units, they may have themselves or other organizations as well;
3. Current occupancy and rent levels of developers own projects and those in the market area;
4. A comparable analysis of the occupancy and rent levels, including projected absorption rate of new units; and
5. Their plan for marketing these new units.

For rental projects, acceptable documentation would include occupancy levels in existing comparable rental projects, waiting lists, etc. An applicant may choose, but is not required to obtain an independent, third party market study.

The market study requirements for homeownership projects are more stringent. Applicants may satisfy the market study requirement by documenting a waiting list of buyers qualified for a loan and prepared to execute a purchase contract. Otherwise applicants must submit an independent, third party market study documenting demand for the proposed unit(s), at the proposed sales price and in the specific geographic location proposed. The market study must find it reasonable to believe that a speculatively constructed homeownership unit will be sold to an income eligible buyer within six months of being completed.

Minimum Leverage: Each one dollar (\$1.00) in local funds requested must leverage not less than two dollars (\$2.00) in other investment.

Economic Sustainability: Applications requesting funding for a rental project must include a complete sources and uses summary and a pro forma which demonstrates a debt coverage ratio of not less than 1.15. The pro forma must show the funding of replacement reserves at not less than \$250 per unit annually for new construction and not less than \$350 per unit annually for rehabilitation.

Other Threshold Requirements

1. Evidence of site control, i.e., deed, contract of sale, option to purchase, lease with option to purchase or other form acceptable to the Department of Community Development.
2. Evidence of Zoning, i.e., letter from City/County Planning indicating that the subject property is properly zoned for the proposed use. If a variance, special use permit or exception is required, a letter from City/County Planning describing the required approval process and providing a detailed schedule for obtaining approval must be submitted.

All applications will be scored and ranked based on three factors: 1) Capacity, 2) Leveraging and 3) Project Design.

1. Applicant's demonstrated **capacity. (Maximum of 40 points)**

*Scoring Criteria for **Rental Projects***

- a. Staff qualifications and experience in completing similar rental projects on time and within budget (0 to 20 points).
- b. Overall capacity in successfully managing comparable rental projects as evidenced by occupancy levels, maintenance and repair of existing rental units, compliance with federal requirements and record keeping and reporting (0 to 20 points).

*Scoring Criteria for **Homeownership Projects***

- a. Staff qualifications and experience in completing home construction on time and within budget (0 to 20 points).
- b. Overall capacity and track record in successfully marketing homeownership units as demonstrated by the length of time between obtaining a certificate of occupancy and homebuyer closing (0 to 20 points).

2. Project leveraging (Maximum of 30 points)

Scoring Criteria

- a. Leverage exceeds 2:1, but less than 3:1 (10 points).
- b. Leverage is at least 3:1 but less than 4:1 (20 points).
- c. Leverage is 4:1 or greater (30 points).

3. Project Design (Maximum of 30 points)

Scoring Criteria

- a. Extent to which project costs on a per unit or per square foot basis are reasonable and competitive compared to similar projects funded by the City (0 to 6 points).
- b. Extent to which developer fees and soft costs are reasonable and competitive compared to comparable or similar projects funded by the City (0 to 8 points).
- c. The use or incorporation of aesthetically pleasing architectural design, quality and durable building materials, energy efficiency and green elements (0 to 8 points).
- d. Compatibility with adjacent land uses and proximity to commercial facilities and transportation (0 to 4 points).
- e. Bonus (4 points): Project is located within a one-half mile radius of a proposed rail transit station.

Scoring Summary

Capacity	40 Points
Leveraging	30 Points
Project Design	30 Points

Program Requirements –Neighborhood Revitalization

Required Outcome: Requested funding must have the outcome of increasing the supply of affordable rental or homeownership units through new construction or the rehabilitation of existing, vacant and deteriorated property during the contract period. “Stand alone” activities that are not a part of a larger approved and funded plan which creates affordable housing will not be considered. Homeownership units must predominantly be sold to and occupied by households with incomes at or below 80% of the area median income (AMI). For rental projects, at least two-thirds of the units must be occupied by households with incomes at or below 60% AMI.

Geographic Eligibility: Projects must be located in Northeast Central Durham (NECD) or Southeast Central Durham (SECD).

Eligible Uses: Funds may be used for acquisition, demolition, site preparation, infrastructure improvements, construction costs write-downs for new construction or rehabilitation or second mortgage loans. For homeownership development, write-downs may not be used to subsidize the sales price of units below that of comparable properties. Instead, units should be listed for sale at full market value with assistance or incentives offered to the homebuyer.

Funding Commitments: Projects that propose other funding not firmly committed at the time of application may receive a conditional award providing for a twelve month window for obtaining firm commitments. In the absence of such commitments after the twelve month period, conditionally awarded funds will be released to the fund balance.

Requirements for Market Study: Except for applications requesting second mortgage loans only, documentation of market demand for the proposed rental or homeownership units within the specific geographic location must be submitted at the time of application. For rental projects having 12 or more units, market studies do not have to be submitted with the application. However, a market study substantiating the demand for the rental units must be submitted before funds can be committed. Market study requirements are imposed by the now effective rules governing the Home Investments Partnerships (HOME) Program and the Department is extending those requirements to locally-funded affordable housing efforts.

For rental projects of fewer than 12 units, acceptable documentation would include occupancy levels in existing comparable rental projects, waiting lists, etc. An applicant may choose, but is not required to obtain an independent, third party market study. For proposed projects of 12 units or more, a third party market study is required. As noted above, the market study is not required at the time of application but must be submitted to and accepted by the City of Durham prior to commitment of funds by way of loan or other agreements.

The market study requirements for homeownership projects are more stringent. Habitat for Humanity may satisfy the market study requirement by documenting a waiting list of buyers. All other applicants must submit an independent, third party market study documenting demand for the proposed unit(s), at the proposed sales price and in the specific geographic location proposed. The market study must find it reasonable to believe that a speculatively constructed

November 6, 2014

homeownership unit will be sold to an income eligible buyer within six months of being completed.

Minimum Leverage: Each one dollar (\$1.00) in local funds requested must leverage not less than two dollars (\$2.00) in other investment.

Economic Sustainability: Applications requesting funding for a rental project must include a complete sources and uses summary and a pro forma which demonstrates a debt coverage ratio of not less than 1.15. The pro forma must show the funding of replacement reserves at not less than \$250 per unit annually for new construction and not less than \$350 per unit annually for rehabilitation.

Other Threshold Requirements

1. Evidence of site control, i.e., deed, contract of sale, option to purchase, lease with option to purchase or other form acceptable to the Department of Community Development.
2. Evidence of Zoning, i.e., letter from City/County Planning indicating that the subject property is properly zoned for the proposed use. If a variance, special use permit or exception is required, a letter from City/County Planning describing the required approval process and providing a detailed schedule for obtaining approval must be submitted.

All applications will be scored and ranked based on four factors: 1) Capacity, 2) Leveraging 3) Project Design and 4) Impact.

1. Applicant's demonstrated **capacity. (Maximum of 25 points)**

*Scoring Criteria for **Rental Projects***

- a. Staff qualifications and experience in completing similar rental projects on time and within budget (0 to 10 points).
- b. Overall capacity in successfully managing comparable rental projects as evidenced by occupancy levels, maintenance and repair of existing rental units, compliance with federal requirements and record keeping and reporting (0 to 15 points).

*Scoring Criteria for **Homeownership Projects***

- a. Staff qualifications and experience in completing home construction on time and within budget (0 to 10 points).
- b. Overall capacity and track record in successfully marketing homeownership units as demonstrated by the length of time between obtaining a certificate of occupancy and homebuyer closing (0 to 15 points).

2. Project **leveraging** (Maximum of 25 points)

Scoring Criteria

- a. Leverage exceeds 2:1, but less than 3:1 (10 points).
- b. Leverage is at least 3:1 but less than 4:1 (20 points).
- c. Leverage is 4:1 or greater (25 points).

3. Project **Design** (Maximum of 20 points)

Scoring Criteria

- a. Extent to which project costs on a per unit or per square foot basis are reasonable and competitive compared to similar projects funded by the City (0 to 4 points).
- b. Extent to which developer fees and soft costs are reasonable and competitive compared to comparable or similar projects funded by the City (0 to 4 points).
- c. The use or incorporation of aesthetically pleasing architectural design, quality and durable building materials, energy efficiency and green elements (0 to 4 points).
- d. Compatibility with adjacent land uses and proximity to commercial facilities and transportation (0 to 4 points).
- e. Bonus (4 points): Project is located within a one-half mile radius of a proposed rail transit station.

4. **Impact** (Maximum of 30 points)

Scoring Criteria

- a. Project builds upon other neighborhood revitalization efforts as opposed to being a “stand-alone” project (0 to 5 points).
- b. Project results in the creation of at least 10 but fewer than 20 units which are visible from a major thoroughfare or collector street (10 points).
- c. Project results in the creation of more than 20 units which are visible from a major thoroughfare or collector street (15 points).
- d. Project results in the elimination of blighting influences (0 to 10 points).

Scoring Summary

Capacity	25 Points
Leveraging	25 Points
Project Design	20 Points
Impact	30 Points

November 6, 2014

**SUBJECT: ENVIRONMENTAL WORKFORCE AND JOB TRAINING BETWEEN
THE CITY OF DURHAM AND DURHAM TECHNICAL COMMUNITY
COLLEGE FOUNDATION**

The staff recommended approval of a sub-award contract between the City of Durham and Durham Technical Community College in the amount of \$150,000.00. The purpose of the contract is to provide the curriculum development and training in environmental technology for approximately 80 residents from Northeast Central Durham and the surrounding area to acquire the skills and training needed to competitively seek and gain employment in environmental job markets.

Council Member Schewel asked why did the City contract with the Foundation as opposed to Durham Tech.

Kevin Dick, OEWD Director, stated in the past when the program was operated, Durham Tech preferred that the Foundation be the contracting entity as opposed to the community college.

City Manager Bonfield replied that he thought by contracting with the Foundation removes it from the governmental budget cycle and provides free authorization if contract extends beyond fiscal years.

Kevin Dick stated he would check with Durham Tech and confirm why the contracting is with the Foundation.

**SUBJECT: POLICE DEPARTMENT'S THIRD QUARTERLY REPORT ON CRIME
AND COMMUNITY RELATIONS**

The staff report indicated that beginning with this reporting cycle, the Police Department's quarterly report on crime and related activities would be expanded. The report would also include other periodic reports and information identified as important communications as a result of the administration's response to the recommendations received from the Durham Human Relations Commission and the Civilian Police Review Board. The report contained the following information:

- Durham Police Department's quarterly crime report and presentation
- Traffic stop data report and analysis (January 1, 2014 thru June 30, 2014)
- Community Relations Tracker Report
- Civilian Police Review Board Annual Report
- DPD-CMOSR Quarterly Report
- Internal Affairs Complaint Report
- PAC Attendance Report

It was noted that Chief Lopez would continue to make the quarterly crime report presentation at the City Council meeting with the department and administration answering other questions regarding the other reports at the work session.

November 6, 2014

Mayor Bell recognized the following citizen for comments:

Chris Tiffany addressed the council commenting on racial profiling; traffic stops and face planting.

Mayor Bell requested clarification on the Durham Police compliance rate for traffic stop reporting percentages as referenced in the 2014 bias-based police traffic report.

Deputy Chief Larry Smith stated for a random routine traffic stop, the officer must complete a traffic stop form; he commented on sworn members who had at least 25 traffic stops with a minimum of 75% disparity toward minority stops; and noted face planting was not an official police tactic as referenced by the earlier speaker.

City Manager Bonfield stated he would be receiving the body camera report by February 1st.

Deputy Chief Anthony Marsh stated they had two body cameras they would be testing and evaluating with a final decision on the recommended camera around March or April 2015.

Going forward, Deputy Chief Smith stated he did not anticipate there would be much change in the disparity numbers regarding traffic stops. He stated they had the consent forms in place and anticipated they would see some drops in searches; noted they would have the consent forms showing where people denied consent; but as far as the numbers, he did feel there would be much of a change. He stated one thing they had said and was reiterated in the training they attended – “disparity and a number did not equal bias.” In addition, he referenced the executive analysis in the report showing how heavily they were involved in communities or a higher minority population due to the demographics of the area; and because of the crime that is in the area.

Deputy Chief Marsh commented on the bias-based training; its purpose and their expectations from the training. He stated the ultimate goal of the training is fair; impartial delivery of police services to the citizens.

Mayor Pro Tempore Cole-McFadden raised concern regarding numerous complaints about gunshots in communities.

Deputy Chief Marsh commented on the process for reporting gunshots heard in communities.

At this time, City Clerk Gray announced the ballot results for the Human Relations Commission appointment.

November 6, 2014

Settling the Agenda – November 17, 2014 City Council Meeting

City Manager Bonfield referenced the following items for the November 17, 2014 City Council meeting agenda: Consent Items 1 thru 4; 6 thru 8; GBA Item 9; and Public Hearings Item 10.

Motion by Council Member Catotti seconded by Council Member Moffitt to settle the agenda for the November 17, 2014 City Council meeting as stated by City Manager Bonfield.

The motion was approved unanimously.

Closed Session – 2:24 p.m.

Motion by Council Member Schewel seconded by Council Member Davis to hold a closed session to discuss matters relating to the location or expansion of industries or other businesses in the City of Durham, pursuant to G.S. 143-318.11(a)(4).

The motion was approved unanimously.

Open Session – 3:30 p.m.

Motion by Council Member Moffitt seconded by Council Member Catotti to return to open session.

The motion was approved unanimously. No action was taken by the Council in open session.

There being no further business to come before the Council, the meeting was adjourned at 3:30 p.m.

D. Ann Gray, MMC, NCCMC
City Clerk