

**DURHAM, NORTH CAROLINA  
MONDAY, AUGUST 3, 2015  
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chamber located at 101 City Hall Plaza with the following members 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, City Clerk D. Ann Gray and Deputy City Clerk Dianalynn Schreiber.

Mayor Bell called the meeting to order with a moment of silent meditation followed by the Pledge of Allegiance led by Council Member Brown.

**[CEREMONIAL ITEMS]**

Mayor Bell acknowledged that National Night Out was scheduled for Tuesday, August 4, 2015; read the 2015 National Night Out Proclamation; stated that over one-hundred neighborhoods and community groups had registered to observe the event in partnership with local law enforcement entities; and presented the proclamation to Wil Glenn Durham Police Department’s Public Affairs Manager.

Mr. Glenn accepted the proclamation on behalf of Chief Lopez who could not be in attendance; announced the kickoff event celebrating the 41<sup>st</sup> Academy Police Graduation; spoke to community engagement and the importance of such in crime prevention; and expressed appreciation for the proclamation.

**[ANNOUNCEMENTS BY COUNCIL]**

Mayor Bell asked if there were any announcements by Council.

Council Member Schewel recognized the individuals in the audience who were protesting non-payment of wages by a subcontractor at the Residence Inn; stated the city could not be the negotiator between the parties; however, acknowledged there were construction incentives that could be used as leverage to ensure wages were paid prior to the incentives being awarded.

Council Member Brown added the incentives were scheduled to kick-in in January 2017; suggested to the group, as a strategy, to approach the Durham CAN organization and hire an attorney to represent their cause *pro bono* in order to adjudicate the issue.

City Manager Bonfield stated that OEWD had continued to look into the matter; that an OEWD memorandum had been provided to the Council; stated that the dispute involved the sub-contractor, not the developer; and stated that ultimately a remedy could come through a formalized contract dispute process between the workers and sub-contractor.

City Attorney Baker stated there was little Council could do besides expressing concerns since the City was not contracting with the individuals.

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Mayor Pro-Tempore Cole-McFadden inquired if the Department of Labor could provide resources.

City Attorney Baker responded that the Department of Labor was a possibility; and there was a typical process to resolve labor disputes.

Mayor Bell spoke to having an affordable rental assistance program for Downtown; and stated he would address the topic later in the meeting.

Mayor Bell acknowledged the importance of the sport of baseball in society; spoke to the partnership between the U.S. Conference of Mayors and national baseball teams to promote the value of baseball at the community level; noted the various events in conjunction Durham Bulls and neighborhood games, minor/major league games during the month of August; stated that Friday, August 7<sup>th</sup> at the Durham Bulls game from 6:30-6:50 p.m., the Durham Bull Youth Athletic League's Blue Jays would participate in pre-game activities on the field; and announced that August 2015 was to be considered a *Play Ball Month*, nation-wide.

**[PRIORITY ITEMS]**

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

The City Manager and City Attorney responded that they had no priority items.

City Clerk Gray referenced Item #39, Zoning Map Change, Belgreen Road (Z1400026); and stated that due to the withdrawal of a signature, the protest petition had been ruled invalid.

**MOTION** by Council Member Moffitt, seconded by Mayor Pro-Tempore Cole-McFadden, to accept the priority item by the City Clerk was approved at 7:22 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.

The Consent Agenda was voted upon with one motion. Items pulled are discussed at the end of the agenda. There were no items pulled from the Consent Agenda.

**[CONSENT AGENDA]**

**SUBJECT: APPROVAL OF CITY COUNCIL MINUTES**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to approve City Council minutes for the following meeting dates: April 20, 2015; April 23, 2015; May 4, 2015; May 7, 2015; May 18, 2015; May 21, 2015; and June 1, 2015 was approved at 7:25 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.

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**SUBJECT: HUMAN RELATIONS COMMISSION - APPOINTMENT**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to appoint Franklin D. Hanes to the Human Relations Commission representing a Minority Male with the term to expire on June 30, 2018 was approved at 7:25 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.

**SUBJECT: DURHAM HOUSING AUTHORITY BOARD OF COMMISSIONERS - APPOINTMENT**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to appoint Robert Glenn to the Durham Housing Authority Board of Commissioners with the term to expire on September 28, 2016 was approved at 7:25 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.

**SUBJECT: RECREATION ADVISORY COMMISSION - APPOINTMENTS**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to appoint Kevin Lloyd and Jason Parker to the Recreation Advisory Commission with the terms expiring on August 8, 2018 was approved at 7:25 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.

**SUBJECT: PASSENGER VEHICLE FOR HIRE COMMISSION - APPOINTMENT**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to appoint Victoria Nneji to the Passenger Vehicle For Hire Commission representing the Elderly with the term to expire on January 1, 2018 was approved at 7:25 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.

**SUBJECT: DURHAM PLANNING COMMISSION - APPOINTMENT**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to appoint Calin Riley to the Durham Planning Commission with the term to expire on June 30, 2016 was approved at 7:25 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.

**SUBJECT: EXTENSION OF TERMS FOR CITY COUNCIL APPOINTMENTS TO THE DURHAM WORKFORCE DEVELOPMENT BOARD**

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**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to extend the terms of the following Durham Workforce Development Board Members in order to coincide with the Durham Workforce Development Board Bylaws and Council's action of August 6, 2012: Paul Grantham, Megan Risley, William Ingram, Wade Smedley and Steven Williams (terms to expire on June 30, 2017); Ernest Mills and Ari Medoff (terms to expire on June 30, 2018) was approved at 7:25 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.

**SUBJECT: MAYOR'S NOMINEE FOR REAPPOINTMENT - DURHAM BOARD OF ADJUSTMENT**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to reappoint Randal Moore Rogers to the Durham Board of Adjustment as a Mayor's Appointee - Regular Member with the term to expire on June 30, 2018 was approved at 7:25 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.

**SUBJECT: 2014 DURHAM BOARD OF ADJUSTMENT ANNUAL REPORT**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to accept the 2014 Annual Report of the Board of Adjustment, as required by the Inter-local Agreement was approved at 7:25 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.

**SUBJECT: 2014 DURHAM HISTORIC PRESERVATION COMMISSION ANNUAL REPORT**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to accept the 2014 Annual Report of the Historic Preservation Commission, as required by the Inter-local Agreement was approved at 7:25 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.

**SUBJECT: 2014 PLANNING COMMISSION ANNUAL REPORT**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to accept the 2014 Planning Commission Annual Report was approved at 7:25 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.

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**SUBJECT: RALEIGH-DURHAM INTERNATIONAL AIRPORT - FEDERAL AVIATION ADMINISTRATION GRANT OFFER, FAA AIP GRANT NUMBER 3-37-0056-046-2015**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to accept the Federal Aviation Administration Grant Offer in an amount of \$3,607,958.00 for the Raleigh-Durham International Airport Master Plan, and Aircraft Rescue and Fire Fighting (ARFF) Vehicle Purchase, FAA AIP Grant Number 3-37-0056-046-2015;

To authorize the City Manager to execute the Grant Agreement; and

To authorize the City Attorney to give assurances with respect thereto was approved at 7:25 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.

**SUBJECT: ADDITIONAL ARCHITECTURAL AND ENGINEERING SERVICES FOR SOUTHSIDE HOMEOWNERSHIP PHASE 1- O'BRIEN ARCHITECTURE**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to authorize the City Manager to extend the contract date with O'Brien Architecture to include completed and additional Architectural and Engineering Services for the Southside Phase 1 Homeownership effort; and

To increase the contract amount by \$57,660.00 for a total contract amount of \$228,695.00 was approved at 7:25 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.

**SUBJECT: GRANT AGREEMENT FOR SIDEWALK CONSTRUCTION ON NC 751 AND NC 54 (TIP # U-4726HJ) – NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to adopt an Ordinance Amending the General Capital Improvement Project Ordinance, Fiscal Year 2015-16, as amended, the same being Ordinance # 14778, for the purpose of receiving the federal funds; and

To adopt a Resolution Authorizing the City Manager to execute a grant agreement with North Carolina Department of Transportation (NCDOT) was approved at 7:25 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.

**ORDINANCE #14816  
RESOLUTION #9933**

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**SUBJECT: EXECUTION OF ADDENDUM NO. 1 TO SUPPLEMENTAL ARTICLE NO. 4 FOR JORDAN LAKE PARTNERSHIP REGARDING PHASE II OF THE TRIANGLE REGIONAL WATER SUPPLY PLAN**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to authorize the City Manager to execute Addendum No. 1 to Supplemental Article No. 4 – Regional Water Supply Study, Phase II for Jordan Lake Partnership was approved at 7:25 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.

**SUBJECT: ORDINANCE TO CORRECT FY 2015-2016 WATER AND SEWER FEE SCHEDULE**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to adopt an Ordinance Correcting the 2015-2016 Water and Sewer Fee Schedule was approved at 7:25 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.

**ORDINANCE #14817**

**SUBJECT: AMENDMENT NO. 1 TO CONTRACT FOR COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEM SOFTWARE AND RELATED SERVICES – NEXGEN UTILITY MANAGEMENT, INC.**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to authorize the City Manager to execute a contract amendment with NEXGEN Utility Management Inc. for technology services for implementation of the asset management software to the City's backflow preventer management assets in an amount not to exceed \$139,292.00 for a total revised original contract amount of \$379,692.00 was approved at 7:25 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.

**SUBJECT: CONTRACT SR-61 SANITARY SEWER SYSTEM REPAIRS 2015 PROJECT - CAROLINA CIVILWORKS, INC.**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to authorize the City Manager to execute a contract with Carolina Civilworks Inc. for construction services for the SR-61 Sanitary Sewer System Repairs, 2015 Project in the amount of \$2,144,452.61;

To establish a contingency fund for the contract in the amount not to exceed \$214,547.39; and To authorize the City Manager to negotiate change orders for the contract provided that the cost of all change orders does not exceed \$214,547.39 and the total project cost of \$2,359,000.00 was approved at 7:25 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-

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McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: None.  
Absent: None.

**SUBJECT: BID REPORT MAY 2015**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to receive a report and to record into minutes bids which were acted upon by the City Manager during the month of May 2015 was approved at 7:25 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.



1869  
CITY OF MEDICINE

**City of Durham**

NorthCarolina

Date: June 1, 2015  
To: Thomas J. Bonfield, City Manager  
Through: Wanda S. Page, Deputy City Manager  
From: David Boyd, Finance Director  
Jonathan Hawley, Purchasing Supervisor  
Subject: Bid Report - May 2015

**Recommendation:**

To receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of May 2015.

**Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:**

- 1. Bid: Automobiles - Truck**  
Purpose of Bid: Provides the Fleet Management Department with one (1) replacement truck (Ford F-250) for the Parks and Recreation Department - Park Cleanup Division.  
Comments:  
Opened: 4/8/2015  
Bidders: Piedmont Truck Center, Inc. \* \$23,573.00



# White Females	<u>6</u>	<u>7%</u>
# Other Females	<u>0</u>	<u>0%</u>

- 3. Bid: Pumps and Pump Accessories Maintenance**  
 Purpose of Bid: Provide the Water Management Department with two (2) replacement mixing pump basins at the South Durham Water Reclamation Facility.  
 Comments: Dixie Electro Mechanical Services, Inc. is the only authorized vendor to service this pump.  
 Opened: 4/17/2015  
 Bidders: Dixie Electro Mechanical Services, Inc. \* \$37,332.31  
 Charlotte, NC

\*Awarded based on: \_\_\_\_\_ Low Bid \_\_\_\_\_ x Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>16</u>		# Black Males	<u>2</u>	<u>13%</u>
Total # Females	<u>2</u>	<u>13%</u>	# White Males	<u>12</u>	<u>74%</u>
Total # Males	<u>14</u>	<u>87%</u>	# Other Males	<u>0</u>	<u>0%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>2</u>	<u>13%</u>
			# Other Females	<u>0</u>	<u>0%</u>

- 4. Bid: Water Meter Registers**  
 Purpose of Bid: Provides the Water Management Department with twenty (20) replacement E-Coder R900I Pit Registers for use by the Water and Sewer Operations Division.  
 Comments: 20 units @ \$595.00  
 Opened: 5/1/2015  
 Bidders: HD Supply \* \$11,900.00  
 Durham, NC  
 Neptune Technology Group \$12,775.00  
 Tallassee, AL

\*Awarded based on: \_\_\_\_\_ x Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>16</u>		# Black Males	<u>3</u>	<u>19%</u>
Total # Females	<u>1</u>	<u>6%</u>	# White Males	<u>12</u>	<u>75%</u>
Total # Males	<u>15</u>	<u>94%</u>	# Other Males	<u>0</u>	<u>0%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>1</u>	<u>6%</u>
			# Other Females	<u>0</u>	<u>0%</u>

- 5. Bid: Water Meters**
- Purpose of Bid: Provides the Water Management Department with four hundred (400) replacement water meters for use by the Water and Sewer Operations Division.
- Comments: 400 units @ \$203.00
- Opened: 5/01/2015
- Bidders:
- |   |   |             |
|---|---|-------------|
| HD Supply<br>Durham, NC                   | * | \$81,200.00 |
| Neptune Technology Group<br>Tallassee, AL |   | \$84,000.00 |
- \*Awarded based on:        x        Low Bid        Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>16</u>		# Black Males	<u>3</u>	<u>19%</u>
Total # Females	<u>1</u>	<u>6%</u>	# White Males	<u>12</u>	<u>75%</u>
Total # Males	<u>15</u>	<u>94%</u>	# Other Males	<u>0</u>	<u>0%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>1</u>	<u>6%</u>
			# Other Females	<u>0</u>	<u>0%</u>

- 6. Bid: Electrical Equipment and Supplies**
- Purpose of Bid: Provides the Water Management Department with two (2) replacement Sulzer/ABS stainless steel mixers for use by the Water Management Engineering and Maintenance Division.
- Comments: Pete Duty and Associates is the sole authorized provider of Sulzer/ABS stainless steel mixers.  
2 sets @ \$6,089.00
- Opened: 5/07/2015

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Bidders: Pete Duty and Associates \* \$12,178.00  
Hillsborough, NC

\*Awarded based on: \_\_\_\_\_ Low Bid \_\_\_\_\_ x Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>17</u>		# Black Males	<u>0</u>	<u>0%</u>
Total # Females	<u>4</u>	<u>24%</u>	# White Males	<u>13</u>	<u>76%</u>
Total # Males	<u>13</u>	<u>76%</u>	# Other Males	<u>0</u>	<u>0%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>4</u>	<u>24%</u>
			# Other Females	<u>0</u>	<u>3%</u>

**7. Bid: Police Vehicles Accessories**

Purpose of Bid: Provides the Fleet Management Department with upfitting accessories for twelve (12) replacement police vehicles for the Police Department.

Comments: 12 sets @ \$2,051.67

Opened: 5/08/2015

Bidders: 144th Marketing Group LLC \* \$24,620.04  
Peachtree City, GA  
B&G Electronics \$26,451.96  
Dover, NC  
Newton's Fire and Safety \$28,382.48  
Swepsonville, NC  
Adamson Industries \$32,144.00  
Haverhill, Ma

\*Awarded based on: \_\_\_\_\_ x Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>16</u>		# Black Males	<u>1</u>	<u>6%</u>
Total # Females	<u>2</u>	<u>13%</u>	# White Males	<u>13</u>	<u>81%</u>
Total # Males	<u>14</u>	<u>87%</u>	# Other Males	<u>0</u>	<u>0%</u>

# Black Females	<u>0</u>	<u>0%</u>
# White Females	<u>2</u>	<u>13%</u>
# Other Females	<u>0</u>	<u>0%</u>

- 8. Bid: Automobile**  
 Purpose of Bid: Provides the Fleet Management Department with one (1) replacement vehicle (Ford Escape) for the Neighborhood Improvement Services Department.  
 Comments:  
 Opened: 5/8/2015
- Bidders: University Ford Inc. \* \$20,900.00  
 Durham, NC  
 Precision Ford \$21,000.00  
 Lillington, NC
- \*Awarded based on:      x      Low Bid      Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>140</u>		# Black Males	<u>20</u>	<u>14%</u>
Total # Females	<u>19</u>	<u>14%</u>	# White Males	<u>100</u>	<u>71%</u>
Total # Males	<u>121</u>	<u>86%</u>	# Other Males	<u>1</u>	<u>1%</u>
			# Black Females	<u>1</u>	<u>1%</u>
			# White Females	<u>18</u>	<u>13%</u>
			# Other Females	<u>0</u>	<u>0%</u>

- 9. Bid: Police Vehicles Accessories**  
 Purpose of Bid: Provides the Fleet Management Department with upfitting accessories for twenty-five (25) replacement police vehicles for the Police Department.  
 Comments: 25 sets @ \$2,028.36  
 Opened: 5/08/2015
- Bidders: B&G Electronics \* \$50,709.00  
 Dover, NC  
 Newton's Fire & Safety \$52,519.10  
 Swepsonville,NC
- \*Awarded based on:      x      Low Bid      Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>8</u>		# Black Males	<u>0</u>	<u>0%</u>
Total # Females	<u>2</u>	<u>25%</u>	# White Males	<u>6</u>	<u>75%</u>
Total # Males	<u>6</u>	<u>75%</u>	# Other Males	<u>0</u>	<u>0%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>2</u>	<u>25%</u>
			# Other Females	<u>0</u>	<u>0%</u>

- 10. Bid: Water Meter Registers**  
 Purpose of Bid: Provides the Water Management Department with five hundred (500) replacement E-Coder R900I Pit Registers for use by the Water and Sewer Operations Division.  
 Comments: HD Supply is the sole authorized provider for Neptune E-Coder R9001 Water Meters for the State of North Carolina.  
 500 each @ \$175.00  
 Opened: 5/15/2015  
 Bidders: HD Supply \* \$87,500.00
- \*Awarded based on: \_\_\_\_\_ Low Bid \_\_\_\_\_ x Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>16</u>		# Black Males	<u>3</u>	<u>19%</u>
Total # Females	<u>1</u>	<u>6%</u>	# White Males	<u>12</u>	<u>75%</u>
Total # Males	<u>15</u>	<u>94%</u>	# Other Males	<u>0</u>	<u>0%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>1</u>	<u>6%</u>
			# Other Females	<u>0</u>	<u>0%</u>

- 11. Bid: Radio and Telecommunications Equipment**  
 Purpose of Bid: Provides the Fleet Management Department with three (3) replacement portable radios sets for the Police Department.  
 Comments: Price in accordance with NC State Contract #725G.

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Opened: 3 sets @ \$3,564.30  
5/18/2015

Bidders: Motorola Solutions \* \$10,692.90  
Siler City, NC

\*Awarded based on: \_\_\_\_\_ Low Bid x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>81</u>		# Black Males	<u>4</u>	<u>5%</u>
Total # Females	<u>17</u>	<u>21%</u>	# White Males	<u>57</u>	<u>70%</u>
Total # Males	<u>64</u>	<u>79%</u>	# Other Males	<u>3</u>	<u>4%</u>
			# Black Females	<u>1</u>	<u>1%</u>
			# White Females	<u>15</u>	<u>19%</u>
			# Other Females	<u>1</u>	<u>1%</u>

**12. Bid: Radio and Telecommunications Equipment**  
Purpose of Bid: Provides the Fleet Management Department with three (3) replacement mobile radio sets for the Police Department.  
Comments: Priced in accordance with NC State Contract #725G.  
3 sets @ \$3,564.30  
Opened: 5/18/2015

Bidders: Motorola Solutions \* \$10,692.90  
Siler City, NC

\*Awarded based on: \_\_\_\_\_ Low Bid x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>81</u>		# Black Males	<u>4</u>	<u>5%</u>
Total # Females	<u>17</u>	<u>21%</u>	# White Males	<u>57</u>	<u>70%</u>
Total # Males	<u>64</u>	<u>79%</u>	# Other Males	<u>3</u>	<u>4%</u>
			# Black Females	<u>1</u>	<u>1%</u>
			# White Females	<u>15</u>	<u>19%</u>
			# Other Females	<u>1</u>	<u>1%</u>

- 13. Bid: Fire Protection Clothing**  
 Purpose of Bid: Provides the Fire Department with forty (40) replacement fire protection turnout gear sets.  
 Comments: Priced in accordance with the City of Charlotte Cooperative Purchasing Alliance (CCPA) pricing.  
 40 sets @ \$1,576.20  
 Opened: 5/19/2015  
 Bidders: Municipal Emergency Services \* \$63,048.00  
 Charlotte, NC

\*Awarded based on: \_\_\_\_\_ Low Bid \_\_\_\_\_ x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>294</u>		# Black Males	<u>1</u>	<u>1%</u>
Total # Females	<u>50</u>	<u>17%</u>	# White Males	<u>230</u>	<u>78%</u>
Total # Males	<u>244</u>	<u>83%</u>	# Other Males	<u>13</u>	<u>4%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>47</u>	<u>16%</u>
			# Other Females	<u>3</u>	<u>1%</u>

- 14. Bid: Replacement Cargo Van**  
 Purpose of Bid: Provides the Fleet Maintenance Department with one (1) replacement cargo van (Ford Transit) for the Public Works Department - Water and Sewer Engineering Division.  
 Comments:  
 Opened: 5/21/2015  
 Bidders: University Ford, Inc. \* \$21,452.00  
 Durham, NC  
 Leith Nissan \$23,389.08  
 Cary, NC

\*Awarded based on: \_\_\_\_\_ x \_\_\_\_\_ Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>140</u>		# Black Males	<u>20</u>	<u>14%</u>
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August 3, 2015

Total # Females	<u>19</u>	<u>14%</u>	# White Males	<u>100</u>	<u>71%</u>
Total # Males	<u>121</u>	<u>86%</u>	# Other Males	<u>1</u>	<u>1%</u>
			# Black Females	<u>1</u>	<u>1%</u>
			# White Females	<u>18</u>	<u>13%</u>
			# Other Females	<u>0</u>	<u>0%</u>

- 14. Bid: Replacement Poly Processing Tank**  
 Purpose of Bid: Provides the Water Management Department with one (1) replacement poly processing chemical storage tank for the Brown Water Plant.  
 Comments:  
 Opened: 5/22/2015
- Bidders: Heyward Services \* \$16,055.00  
 Charlotte, NC  
 United States Plastic Corporation \$18,307.80  
 Lima, OH
- \*Awarded based on:   x   Low Bid        Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>37</u>		# Black Males	<u>0</u>	<u>0%</u>
Total # Females	<u>12</u>	<u>33%</u>	# White Males	<u>23</u>	<u>62%</u>
Total # Males	<u>25</u>	<u>67%</u>	# Other Males	<u>2</u>	<u>5%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>11</u>	<u>30%</u>
			# Other Females	<u>1</u>	<u>3%</u>

- 14. Bid: Replacement Computers**  
 Purpose of Bid: Provides the Technology Solutions Department with six (6) replacement Lenovo Thinkstation Desktop computers.  
 Comments: Priced in accordance with NC State Contract 204A.  
 6 units @ \$2,245.00  
 Opened: 5/26/2015
- Bidders: Lenovo United States \* \$13,470.00  
 Tempe, AZ
- \*Awarded based on:        Low Bid   x   Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>3730</u>		# Black Males	<u>190</u>	<u>5%</u>
Total # Females	<u>1013</u>	<u>27%</u>	# White Males	<u>2056</u>	<u>55%</u>
Total # Males	<u>2717</u>	<u>73%</u>	# Other Males	<u>471</u>	<u>13%</u>
			# Black Females	<u>132</u>	<u>4%</u>
			# White Females	<u>699</u>	<u>18%</u>
			# Other Females	<u>182</u>	<u>5%</u>

- 15. Bid: Replacement Computers**  
 Purpose of Bid: Provides the Technology Solutions Department with seventy-three (73) replacement Lenovo Thinkcenter desktop computers.  
 Comments: Priced in accordance with NC State Contract 204A.  
 73 units @ \$540.00  
 Opened: 5/26/2015  
 Bidders: Lenovo United States \* \$39,420.00  
 Tempe, AZ
- \*Awarded based on: \_\_\_\_\_ Low Bid x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>3730</u>		# Black Males	<u>190</u>	<u>5%</u>
Total # Females	<u>1013</u>	<u>27%</u>	# White Males	<u>2056</u>	<u>55%</u>
Total # Males	<u>2717</u>	<u>73%</u>	# Other Males	<u>471</u>	<u>13%</u>
			# Black Females	<u>132</u>	<u>4%</u>
			# White Females	<u>699</u>	<u>18%</u>
			# Other Females	<u>182</u>	<u>5%</u>

- 16. Bid: Replacement Plotter**  
 Purpose of Bid: Provides the Water Management Department with one (1) replacement HP plotter for the Utility Engineering Division.  
 Comments:  
 Opened: 5/27/2015  
 Bidders: Duncan Parnell, Inc. \* \$13,350.00

Morrisville, NC  
 ARC Document Solutions \$13,877.00  
 Morrisville, NC

\*Awarded based on:        x        Low Bid        Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>135</u>		# Black Males	<u>4</u>	<u>3%</u>
Total # Females	<u>38</u>	<u>28%</u>	# White Males	<u>89</u>	<u>66%</u>
Total # Males	<u>97</u>	<u>72%</u>	# Other Males	<u>4</u>	<u>3%</u>
			# Black Females	<u>3</u>	<u>2%</u>
			# White Females	<u>33</u>	<u>24%</u>
			# Other Females	<u>2</u>	<u>2%</u>

**17. Bid: Replacement Hot Water System**  
 Purpose of Bid: Provides the Fire Department with one (1) replacement hot water system at Fire Station #4 (2008 East Club Boulevard).

Comments:  
 Opened: 5/27/2015

Bidders: Comfort Engineers, Inc. \* \$15,527.00  
 Durham, NC  
 Trademasters Services, Inc. \$17,735.00  
 Durham, NC

\*Awarded based on:        x        Low Bid        Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>119</u>		# Black Males	<u>16</u>	<u>13%</u>
Total # Females	<u>10</u>	<u>8%</u>	# White Males	<u>84</u>	<u>72%</u>
Total # Males	<u>109</u>	<u>92%</u>	# Other Males	<u>9</u>	<u>7%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>9</u>	<u>7%</u>
			# Other Females	<u>1</u>	<u>1%</u>

**18. Bid: Replacement HVAC Units**

August 3, 2015

Purpose of Bid: Provides the General Services Department with two (2) 2.5 ton HVAC units for the Parks and Recreation Department (DPR Administration Building).

Comments: Emergency Purchase  
2 units @ \$8,532.50

Opened: 5/29/2015

Bidders: Comfort Engineers, Inc. \* \$17,065.00  
Durham, NC

\*Awarded based on: \_\_\_\_\_ Low Bid x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>119</u>		# Black Males	<u>16</u>	<u>13%</u>
Total # Females	<u>10</u>	<u>8%</u>	# White Males	<u>84</u>	<u>72%</u>
Total # Males	<u>109</u>	<u>92%</u>	# Other Males	<u>9</u>	<u>7%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>9</u>	<u>7%</u>
			# Other Females	<u>1</u>	<u>1%</u>

**SUBJECT: BID REPORT-JUNE 2015**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to receive a report and to record into minutes bids which were acted upon by the City Manager during the month of June 2015 was approved at 7:25 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.



City of Durham | North Carolina

Date: July 6, 2015

To: Thomas J. Bonfield, City Manager

August 3, 2015

Through: Wanda S. Page, Deputy City Manager  
From: David Boyd, Finance Director  
Jonathan Hawley, Purchasing Supervisor  
Subject: Bid Report - June 2015

Recommendation:  
To receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of June 2015.

**Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:**

- 1. **Bid: Replacement Computers**  
 Purpose of Bid: Provides the Technology Solutions Department with thirty-eight (38) replacement Lenovo ThinkStation L450 computers  
 Comments: Priced in accordance with NC State Contract 204A 38 units @ \$688.00  
 Opened: 5/26/2015  
 Bidders: Lenovo United States, Inc. \* \$26,144.00  
 Tempe, AZ

\*Awarded based on: \_\_\_\_\_ Low Bid x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>3730</u>		# Black Males	<u>190</u>	<u>5%</u>
Total # Females	<u>1013</u>	<u>27</u>	# White Males	<u>205</u>	<u>55</u>
		<u>%</u>		<u>6</u>	<u>%</u>
Total # Males	<u>2717</u>	<u>73</u>	# Other Males	<u>471</u>	<u>13</u>
		<u>%</u>			<u>%</u>
			# Black Females	<u>132</u>	<u>4%</u>
			# White Females	<u>699</u>	<u>18</u>
					<u>%</u>
			# Other Females	<u>182</u>	<u>5%</u>

- 2. **Bid: Replacement Computers**

August 3, 2015

Purpose of Bid: Provides the Technology Solutions Department with one (1) replacement Lenovo ThinkStation P500 and thirty-four (34) replacement Lenovo ThinkCentre M73 computers

Comments: Priced in accordance with NC State Contract 204A  
1 ThinkStation @ \$2,245.00  
34 ThinkCentre @ \$540.00

Opened: 5/26/2015

Bidders: Lenovo United States, Inc. \* \$20,605.00  
Tempe, AZ

\*Awarded based on: \_\_\_\_\_ Low Bid \_\_\_\_\_ x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>3730</u>		# Black Males	<u>190</u>	<u>5%</u>
Total # Females	<u>1013</u>	27	# White Males	<u>205</u>	<u>55</u>
		%		<u>6</u>	<u>%</u>
Total # Males	<u>2717</u>	<u>73</u>	# Other Males	<u>471</u>	<u>13</u>
		%			<u>%</u>
			# Black Females	<u>132</u>	<u>4%</u>
			# White Females	<u>699</u>	<u>18</u>
					<u>%</u>
			# Other Females	<u>182</u>	<u>5%</u>

**3. Bid: Water Pit Registers**

Purpose of Bid: Provide the Water Management Department with fifty-six (56) replacement Neptune one (1) inch R900I Pit Registers for use by the Water and Sewer Operations Division.

Comments: HD Supply is the sole authorized distributor of Neptune R900I Pit Registers.  
56 units @ \$269.00

Opened: 6/2/2015

Bidders: HD Supply \* \$15,064.00  
Morrisville, NC

\*Awarded based on: \_\_\_\_\_ Low Bid \_\_\_\_\_ x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	15		# Black Males	3	20 %
Total # Females	<u>1</u>	7%	# White Males	<u>11</u>	<u>73</u> %
Total # Males	<u>14</u>	<u>93</u> %	# Other Males	<u>0</u>	<u>0</u> %
			# Black Females	<u>0</u>	<u>0</u> %
			# White Females	<u>1</u>	<u>7</u> %
			# Other Females	<u>0</u>	<u>0</u> %

- 4. Bid: Water Pit Registers**  
 Purpose of Bid: Provides the Water Management Department with five-hundred (500) replacement E-Coder R900 Pit Registers for use by the Water and Sewer Operations Division.  
 Comments: HD Supply is the sole authorized distributor of Neptune E-Coder R900 Pit Registers.  
 500 units @ \$175.00  
 Opened: 6/2/2015  
 Bidders: HD Supply \* \$87,500.00  
 Morrisville, NC

\*Awarded based on: \_\_\_\_\_ Low Bid x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	15		# Black Males	3	20 %
Total # Females	<u>1</u>	7%	# White Males	<u>11</u>	<u>73</u> %
Total # Males	<u>14</u>	<u>93</u> %	# Other Males	<u>0</u>	<u>0</u> %
			# Black Females	<u>0</u>	<u>0</u> %
			# White Females	<u>1</u>	<u>7</u> %
			# Other Females	<u>0</u>	<u>0</u> %

- 5. Bid: Replacement Water Meters**  
 Purpose of Bid: Provides the Water Management Department with twenty (20) replacement two (2) inch Neptune T-10 Meters with attached R900I Pit Registers for use by the Water and Sewer Operations Division.

August 3, 2015

Comments: HD Supply is the sole authorized distributor of Neptune two (2) inch T-10 Waters Meters and Pit Registers.

20 units @ \$595.00

Opened: 6/2/2015

Bidders: HD Supply \* \$11,900.00  
Durham, NC

\*Awarded based on: \_\_\_\_\_ Low Bid x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	15		# Black Males	3	20%
Total # Females	<u>1</u>	7%	# White Males	<u>11</u>	<u>73</u> %
Total # Males	<u>14</u>	<u>93</u> %	# Other Males	<u>0</u>	<u>0</u> %
			# Black Females	<u>0</u>	<u>0</u> %
			# White Females	<u>1</u>	<u>7</u> %
			# Other Females	<u>0</u>	<u>0</u> %

**6. Bid: Replacement Water Meters**

Purpose of Bid: Provides the Water Management Department with four-hundred (400) replacement Neptune 5/8 x 1/2 inches R900 Water Meters for use by the Water and Sewer Operations Division.

Comments: HD Supply is the sole authorized provider of Neptune 5/8 x 1/2 T-10 Water Meters.

400 units @ \$203.00

Opened: 6/2/2015

Bidders: HD Supply \* \$81,200.00  
Morrisville, NC

\*Awarded based on: \_\_\_\_\_ Low Bid x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	15		# Black Males	3	20%
Total # Females	<u>1</u>	7%	# White Males	<u>11</u>	<u>73</u> %

August 3, 2015

					%
Total # Males	14	93	# Other Males	0	0%
		%			
			# Black Females	0	0%
			# White Females	1	7%
			# Other Females	0	3%

**7. Bid: Lawn Mowers**

Purpose of Bid: Provides the Fleet Management Department with three (3) replacement commercial riding lawnmowers for the Water Management Department-Facilities/Pump Station Maintenance Division.

Comments: 3 units @ \$10,475.22

Opened: 6/5/2014

Bidders:	Revels Turfs & Tractor LLC	*	\$31,425.66
	Fuquay-Varina, NC		
	Barnhill Equipment Company		\$31,506.12
	Durham, NC		

\*Awarded based on:        x        Low Bid        Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	45		# Black Males	3	7%
Total # Females	5	11	# White Males	37	82
		%			%
Total # Males	40	89	# Other Males	0	0%
		%			
			# Black Females	0	0%
			# White Females	5	11
					%
			# Other Females	0	0%

**8. Bid: Printer Accessories**

Purpose of Bid: Provides the Police Department with two-hundred and four (204) replacement HP ink cartridges.

Comments:

Opened: 6/5/2015

Bidders:	Canon Business Solutions	*	\$13,236.63
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Durham, NC  
 Dove Data Products \$13,936.00  
 Florence, SC

\*Awarded based on:            x            Low Bid            Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>5994</u>		# Black Males	<u>529</u>	<u>9%</u>
Total # Females	<u>1472</u>	<u>25%</u>	# White Males	<u>308</u>	<u>51%</u>
Total # Males	<u>4522</u>	<u>75%</u>	# Other Males	<u>909</u>	<u>15%</u>
			# Black Females	<u>266</u>	<u>4%</u>
			# White Females	<u>931</u>	<u>16%</u>
			# Other Females	<u>275</u>	<u>5%</u>

- 9. Bid: Thermoplastic Paint**  
 Purpose of Bid: Provides the Transportation Department with in-stock pre-formed road pavement paint for the Sign Shop Division.  
 Comments: Priced in accordance with NCDOT Contract #550J.  
 Opened: 6/8/2015
- Bidders: Flint Trading Inc. \* \$11,601.30  
 Dover, NC

\*Awarded based on:                            Low Bid            x            Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>202</u>		# Black Males	<u>27</u>	<u>13%</u>
Total # Females	<u>69</u>	<u>34%</u>	# White Males	<u>86</u>	<u>43%</u>
Total # Males	<u>133</u>	<u>66%</u>	# Other Males	<u>20</u>	<u>10%</u>
			# Black Females	<u>12</u>	<u>6%</u>
			# White Females	<u>38</u>	<u>19%</u>

# Other Females 19 9%

- 10. Bid: Radio and Telecommunications Equipment**  
 Purpose of Bid: Provides the Fleet Management Department - Communications Maintenance Division with a network tester for the City of Durham/County of Durham public safety radio system.  
 Comments: Priced in accordance with GSA Contract# 2817388.  
 Opened: 6/8/2015  
 Bidders: Tessco Technologies \* \$13,257.24  
 Timonium, Maryland

\*Awarded based on: \_\_\_\_\_ Low Bid \_\_\_\_\_ x Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	801		# Black Males	107	13%
Total # Females	<u>289</u>	36%	# White Males	<u>354</u>	44%
Total # Males	<u>512</u>	64%	# Other Males	<u>51</u>	7%
			# Black Females	<u>80</u>	10%
			# White Females	<u>170</u>	21%
			# Other Females	<u>39</u>	5%

- 11. Bid: Installation of Playground Recreational Area**  
 Purpose of Bid: Provides the Parks and Recreation Department with installation of nature themed playground equipment as part of the Holt School Road Playground and Trail Improvements  
 Comments: Playcore Wisconsin Inc. dba Gametime is a authorized provider for nature themed playground equipment from the National Recreation and Park Association (NRPA).  
 Opened: 6/8/2015  
 Bidders: Playcore Wisconsin, Inc. dba Gametime \* \$15,341.07  
 Charlotte, NC

\*Awarded based on: \_\_\_\_\_ Low Bid \_\_\_\_\_ x Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	835		# Black Males	14	2%
Total # Females	174	21	# White Males	592	69
		%			%
Total # Males	661	79	# Other Males	55	7%
		%			
			# Black Females	1	1%
			# White Females	158	19
					%
			# Other Females	15	2%

- 12. Bid: Data Point / SharePoint Management System**
- Purpose of Bid: Provides the Technology Solutions Department with a SharePoint policy management software upgrade for document tracking across web browsers.
- Comments: Databank IMX LLC is the sole authorized provider for the City of Durham's SharePoint system.
- Opened: 6/10/2015
- Bidders: Databank IMX, LLC \* \$18,480.00  
Beltsville, MD

\*Awarded based on: \_\_\_\_\_ Low Bid x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	584		# Black Males	20	4%
Total # Females	292	50	# White Males	235	40
		%			%
Total # Males	292	50	# Other Males	37	6%
		%			
			# Black Females	39	7%
			# White Females	167	28
					%
			# Other Females	86	15
					%

**13. Bid: Drinking Water Fountains**

Purpose of Bid: Provides the Parks and Recreation Department with furnishing and installation of six (6) water fountains as part of the Penny Bathroom renovations Project. Water fountains are purchased for the following park renovation projects: Whippoorwill, Burton, Old Farm, Lyon Park, and Red Maple and one (1) additional as inventory.

Comments: 6 units @ \$3,568.33

Opened: 6/10/2015

Bidders:	Most Dependable Fountains, Inc.	*	\$21,409.98
	Arrington, TN		
	Pro Drinking Fountains		\$23,535.16
	Livonia, MI		
	Belson Outdoors		\$35,844.00
	North Aurora, IL		

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	26		# Black Males	2	8%
Total # Females	5	19	# White Males	11	42
		%			%
Total # Males	21	81	# Other Males	8	31
		%			%
			# Black Females	0	0%
			# White Females	5	19
					%
			# Other Females	0	0%

**14. Bid: Fire Rescue Equipment**

Purpose of Bid: Provides the Fire Department with eight (8) rescue equipment air lifting bags for the Fire Department-Training Division.

Comments: 8 each @ \$5,808.28

Opened: 6/12/2015

Bidders:	Atlantic Emergency Solutions, Inc.	*	\$46,466.24
	Manassas, VA		
	Team Equipment, Inc.		\$47,322.24
	New Port Richey, FL		
	Georgia Fire and Rescue Supply		\$48,288.00
	Canton, GA		

\*Awarded based on:          x          Low Bid          Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>218</u>		# Black Males	<u>6</u>	3%
Total # Females	43	20	# White Males	<u>163</u>	74
		%			%
Total # Males	<u>175</u>	<u>80</u>	# Other Males	<u>6</u>	3%
		%			
			# Black Females	<u>1</u>	1%
			# White Females	<u>41</u>	18
					%
			# Other Females	<u>1</u>	1%

- 15. Bid: In-Car Video Camera Systems**  
 Purpose of Bid: Provides the Police Department with ten (10) COBAN In-Car Digital Video Camera systems.  
 Comments: COBAN Technologies, Inc. is the sole authorized distributor of COBAN Digital In-Car Video Camera systems.  
 Direct municipal rate pricing provided by COBAN.  
 COBAN Technologies, Inc. is the sole authorized distributor of COBAN Digital In-Car Video Camera systems.  
 Direct municipal rate pricing provided by COBAN.  
 COBAN Technologies, Inc. is the sole authorized distributor of COBAN Digital In-Car Video Camera systems.  
 Direct municipal rate pricing provided by COBAN.  
 10 sets @ \$6,055.00  
 Opened: 6/15/2015  
 Bidders: COBAN Technologies, Inc. \* \$60,550.00  
 Houston, TX

\*Awarded based on: \_\_\_\_\_ Low Bid x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>74</u>		# Black Males	<u>3</u>	4%
Total # Females	20	27	# White Males	<u>16</u>	22
		%			%
Total # Males	<u>54</u>	<u>73</u>	# Other Males	<u>35</u>	47
		%			%
			# Black Females	<u>2</u>	3%
			# White Females	<u>6</u>	8%
			# Other Females	<u>12</u>	16

\_\_\_\_\_ %

**16. Bid: Advertising Specialty Products**  
 Purpose of Bid: Provides the Police Department with promotional items for the 32nd annual National Night Out crime prevention event.  
 Comments: National Association of Town Watch is a sole authorized distributor of the official National Night Out merchandise and promotional items.  
 Opened: 6/16/2015  
 Bidders: National Association of Town Watch \* \$10,676.02  
 Wynnewood, PA

\*Awarded based on: \_\_\_\_\_ Low Bid \_\_\_\_\_ x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	4		# Black Males	0	0%
Total # Females	1	25	# White Males	3	75
		%			%
Total # Males	3	75	# Other Males	0	0%
		%			
			# Black Females	0	0%
			# White Females	1	25
					%
			# Other Females	0	0%

**17. Bid: Taser and Cartridges**  
 Purpose of Bid: Provides the Police Department with thirty (30) Tasers.  
 Comments: Lawman's Safety Supply Inc. is a sole authorized distributor of Taser brand products.  
 30 units @ \$1,226.67  
 Opened: 6/16/2015  
 Bidders: Lawman's Safety Supply Inc. \* \$36,789.50  
 Raleigh, NC

\*Awarded based on: \_\_\_\_\_ Low Bid \_\_\_\_\_ x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>40</u>		# Black Males	<u>1</u>	3%
Total # Females	13	33	# White Males	<u>24</u>	60
		%			%
Total # Males	<u>27</u>	<u>67</u>	# Other Males	<u>2</u>	4%
		%			
			# Black Females	<u>0</u>	0%
			# White Females	<u>12</u>	30
					%
			# Other Females	<u>1</u>	3%

- 18. Bid: Laboratory Equipment and Accessories**  
 Purpose of Bid: Provides the Water Management Department with three (3) replacement Mine Safety Appliance, Oxygen gas detectors and replacement combustible sensors for the Engineering and Maintenance Division.  
 Comments: Mine Safety Appliance Company is the sole authorized distributor of Mine Safety Appliance products.  
 3 sets @ \$3,427.33  
 Opened: 6/18/2015  
 Bidders: Mine Safety Appliance Company \* \$10,281.99  
 Charlotte, NC
- \*Awarded based on: \_\_\_\_\_ Low Bid x \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>1727</u>		# Black Males	<u>77</u>	4%
Total # Females	687	40	# White Males	<u>834</u>	48
		%			%
Total # Males	<u>1040</u>	<u>60</u>	# Other Males	<u>129</u>	7%
		%			
			# Black Females	<u>9</u>	1%
			# White Females	<u>617</u>	36
					%
			# Other Females	<u>61</u>	4%

- 19. Bid: Police Equipment**

August 3, 2015

Purpose of Bid: Provides the Police Department with twenty (20) tactical armor gear sets.  
 Comments: 20 units @\$801.40  
 Opened: 6/18/2015

Bidders: Lawman's Safety Supply Inc. \* \$16,028.00  
 Raleigh, NC  
 Streicher's \$19,179.00  
 Minneapolis, MN

\*Awarded based on:            x            Low Bid            Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>40</u>		# Black Males	<u>1</u>	<u>3%</u>
Total # Females	<u>13</u>	<u>33</u>	# White Males	<u>24</u>	<u>60</u>
		<u>%</u>			<u>%</u>
Total # Males	<u>27</u>	<u>67</u>	# Other Males	<u>2</u>	<u>4%</u>
		<u>%</u>			
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>12</u>	<u>30</u>
					<u>%</u>
			# Other Females	<u>1</u>	<u>3%</u>

**20. Bid: Office Furniture**  
 Purpose of Bid: Provides the Public Works Department with replacement cubicle furniture and supplies for the Public Works Stormwater Division. The furniture was not included in the City Hall Renovation project.  
 Comments: Priced in accordance with US Communities Contract # 4400003402.  
 Opened: 6/19/2015

Bidders: Price Modern, LLC \* \$40,038.68  
 Morrisville, NC

\*Awarded based on:                       Low Bid            x            Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

August 3, 2015

Total Workforce	81		# Black Males	4	5%
Total # Females	48	59	# White Males	27	33
		%			%
Total # Males	33	41	# Other Males	2	3%
		%			
			# Black Females	0	0%
			# White Females	47	58
					%
			# Other Females	1	1%

**21. Bid: Replacement Computers**

Purpose of Bid: Provides the Public Works -Stormwater Division with the replacement of four (4) Lenovo ThinkPad W541, five (5) Lenovo ThinkStation P500, four (4) Lenovo ThinkPad Ultra Docks and four (4) Monitors.

Comments: Priced in accordance with NC State Contract 204A.  
 5 Thinkstations P500 @ \$1,879.00  
 4 Thinkpads @ \$1896.00  
 4 ThinkPad Ultra Dock @ \$225.00  
 4 Monitors @ \$449.99

Opened: 6/23/2015

Bidders: Lenovo United States, Inc. \* \$18,328.99  
 Temple, AZ

\*Awarded based on: \_\_\_\_\_ Low Bid \_\_\_\_\_ x Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	3730		# Black Males	190	5%
Total # Females	1013	27	# White Males	205	55
		%		6	%
Total # Males	2717	73	# Other Males	471	13
		%			%
			# Black Females	132	4%
			# White Females	699	18
					%
			# Other Females	182	5%

**22. Bid: Scales and Weighing Apparatus**

August 3, 2015

Purpose of Bid: Provides the Solid Waste Department with two (2) replacement weight scales for the Waste Disposal and Recycling Center (Transfer Station).  
 Comments: Priced in accordance with US Communities Contract # 4400003402.  
 Opened: 6/19/2015

Bidders: Price Modern, LLC \* \$40,038.68  
 Morrisville, NC

\*Awarded based on: \_\_\_\_\_ Low Bid \_\_\_\_\_ x Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>81</u>		# Black Males	<u>4</u>	<u>5%</u>
Total # Females	<u>48</u>	<u>59</u>	# White Males	<u>27</u>	<u>33</u>
		<u>%</u>			<u>%</u>
Total # Males	<u>33</u>	<u>41</u>	# Other Males	<u>2</u>	<u>3%</u>
		<u>%</u>			
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>47</u>	<u>58</u>
					<u>%</u>
			# Other Females	<u>1</u>	<u>1%</u>

**23. Bid: In-Car Video Camera Systems**

Purpose of Bid: Provides the Police Department with ten (10) COBAN In-Car Digital Video Camera systems.

Comments: COBAN Technologies, Inc. is the sole authorized distributor of COBAN Digital In-Car Video Camera systems.  
 Lower unit pricing provided by COBAN via Co-Op contract agreement (Texas DIR-SDD-1361) after department pricing research.  
 10 sets @ \$5,799.50

Opened: 6/26/2015

Bidders: COBAN Technologies, Inc. \* \$57,997.50  
 Houston, TX

\*Awarded based on: \_\_\_\_\_ Low Bid \_\_\_\_\_ x Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>74</u>		# Black Males	<u>3</u>	<u>4%</u>
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August 3, 2015

Total # Females	<u>20</u>	27 %	# White Males	<u>16</u>	<u>22</u> %
Total # Males	<u>54</u>	<u>73</u> %	# Other Males	<u>35</u>	<u>47</u> %
			# Black Females	<u>2</u>	<u>3</u> %
			# White Females	<u>6</u>	<u>8</u> %
			# Other Females	<u>12</u>	<u>16</u> %

- 24. Bid: Sewer Lift Station Parts and Repair**  
 Purpose of Bid: Provides the Water Management Department with replacement parts and labor for the Eno River Lift Station.  
 Comments: Opened: 6/26/2015
- Bidders: Electrical Equipment Company \* \$17,073.00  
 Raleigh, NC  
 Via Electric Company (non-responsive) \$45,545.00  
 Madison, NC

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>271</u>		# Black Males	<u>23</u>	8%
Total # Females	<u>64</u>	24 %	# White Males	<u>179</u>	<u>66</u> %
Total # Males	<u>207</u>	<u>76</u> %	# Other Males	<u>5</u>	2%
			# Black Females	<u>7</u>	<u>4</u> %
			# White Females	<u>57</u>	<u>20</u> %
			# Other Females	<u>0</u>	<u>0</u> %

- 25. Bid: Radio and Telecommunications Equipment**  
 Purpose of Bid: To Provide the Fleet Management with twelve (12) portable radios for the Communications Maintenance Division.  
 Comments: Priced in Accordance with NC State Contract 725G.  
 12 units @ \$3,222.67  
 Opened: 6/28/2015
- Bidders: Motorola Solutions, Inc. \* \$38,672.00  
 Siler City, NC

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	6230		# Black Males	224	4%
Total # Females	1576	25	# White Males	337	54
		%		5	%
Total # Males	4654	75	# Other Males	105	17
		%		5	%
			# Black Females	123	2%
			# White Females	100	16
				5	%
			# Other Females	448	7%

- 26. Bid: Digital Video Recording Systems for Vehicles**  
 Purpose of Bid: Provides the Transportation Department with forty (40) digital video recording systems for paratransit vehicles.  
 Comments: Priced in accordance with NC State Contract 880E.  
 40 units @ \$3,203.78  
 Opened: 6/29/2015  
 Bidders: Seon Systems Sales Inc. \* \$128,151.20  
 Coquitlam, BC

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	93		# Black Males	0	0%
Total # Females	32	34	# White Males	37	40
		%			%
Total # Males	61	66	# Other Males	24	26
		%			%

**SUBJECT: INSTALLMENT FINANCING CONTRACT - SERIES 2015 (FLEET)**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to adopt a Resolution Authorizing the Installment Financing Contract with Bank of America Public Capital Corporation and other related items for a financing not to exceed \$9,500,000.00 was approved at 7:25 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.

**RESOLUTION #9932**

August 3, 2015

**SUBJECT: CELL TOWER LEASE AND LICENSE AGREEMENT WITH SPRINTCOM, INC.**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to authorize the City Manager to execute a Cell Tower Lease and License Agreement with SprintCom, Inc. for a ten (10) year term to attach antenna to the City-owned water tank located at 1318 E. Pettigrew Street, Durham, NC, Parcel ID 119085; and

To authorize the City Manager to execute a Memorandum of Lease and License Agreement was approved at 7:25 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.

**SUBJECT: LEASE TO THE MUSEUM OF DURHAM HISTORY AT 521 W. MORGAN STREET, DURHAM, NC (PARCEL #103112)**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to authorize the City Manager to execute the Lease with the Museum of Durham History located at 521 W. Morgan Street was approved at 7:25 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.

**SUBJECT: TEMPORARY STAFFING SERVICES**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to approve the temporary staffing agencies/companies recommended by staff was approved at 7:25 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.

**SUBJECT: CONTRACT FOR ATHLETICS BOOKING AGENT – DAN DUNBAR AND LYNN DUNBAR dba FUN2REF**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to authorize the City Manager to execute a booking agent contract with Dan Dunbar and Lynn Dunbar dba as Fun2Ref for \$80,319.00 in 2015/16 and \$80,319.00 in 2016/17; and

To negotiate minor changes to this agreement provided that the total agreement does not exceed \$160,438.00 was approved at 7:25 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.

**SUBJECT: CONTRACT FOR RENTAL EQUIPMENT FOR PAVING OPERATIONS – GREGORY POOLE CATERPILLAR**

August 3, 2015

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to authorize the City Manager to execute a contract with Gregory Poole Caterpillar for Rental Equipment in the amount of \$157,000.00; and

To authorize the City Manager to negotiate change orders provided that the total project cost does not exceed \$207,000.00 was approved at 7:25 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.

**SUBJECT: PRIVATE DRIVEWAY PIPE ORDINANCE REVISIONS (SECTION 62-92)**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to adopt an Ordinance Amending the Durham City Code Provision Regulating the Installation of Private Driveway Pipes by City Forces was approved at 7:25 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.

**ORDINANCE #14818**

**SUBJECT: BRINE ORDINANCE REVISIONS (SECTION 62-16)**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to adopt an Ordinance Amending the Durham City Code Provision Regulating the Application of Substances on Streets and Sidewalks within the City was approved at 7:25 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.

**ORDINANCE #14819**

**SUBJECT: MICROSOFT ENTERPRISE SOFTWARE LICENSING AGREEMENT WITH DELL MARKETING L.P.**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to authorize the City Manager to execute an agreement with Dell Marketing L.P. in the amount of \$1,100,599.08 for a three-year period to furnish the City of Durham with a Microsoft Enterprise Licensing Agreement to cover the licensing of desktops, servers, and training software was approved at 7:25 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.

**SUBJECT: MUNIS SOFTWARE ANNUAL SUPPORT AND LICENSE AGREEMENT FOR 2016 – TYLER TECHNOLOGIES, INC.**

August 3, 2015

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to authorize the City Manager to execute the Annual Support and License Agreement with Tyler Technologies, Inc. in the amount of \$346,107.83 for the use and support of the MUNIS ERP software for a period of one year was approved at 7:25 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.

**SUBJECT: FRONTIER COMMUNICATIONS ANALOG LINES AGREEMENT**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to authorize the City Manager to execute a service agreement with Frontier Communications in the amount of \$53,982.00 for the term of three years for providing analog communication lines was approved at 7:25 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.

The City Council disposed of the following agenda items at the July 23, 2015 Work Session:

32. **GoDurham 2015 On-Board Passenger Survey**  
*(A presentation was received at the 07-23-15 Work Session)*
33. **Proposed Development at 400 Hunt Street (Parkside at Morris Ridge)**  
*(A presentation was received at the 07-23-15 Work Session)*
34. **2014 Traffic Stop Data Review**  
*(A presentation was received at the 07-23-15 Work Session)*
35. **Report on Underground Private Utility Installation Cost Recovery**  
*(A presentation was received at the 07-23-15 Work Session)*
44. **Scott Barndt**  
*(Citizen did not appear at the 07-23-15 Work Session)*
45. **John Tarantino**  
*(Comments were received at the 07-23-15 Work Session)*

**[GENERAL BUSINESS AGENDA - PUBLIC HEARINGS]**

**SUBJECT: COMPREHENSIVE PLAN AMENDMENT - 2512 VESSON AVENUE  
(A1500005)**

All public hearings before the Council were certified by Assistant City/County Planning Director Patrick Young with documentation on file in the Planning Department.

Assistant City/County Planning Director Patrick Young introduced Case A1500005, 2512 Vesson Avenue; stated the item was a proposal to amend the Future Land Use Map of the Comprehensive Plan for .65 acres of land at Vesson Avenue immediately to the east of Lakewood Elementary

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School from its current designation of Low-Medium Density Residential (4-8 DU/Ac.) to Medium Density Residential (6-12 DU) and to change the applicable development tier from Suburban to Urban; if approved, the change would allow for the companion zoning map change request – which followed the item - to be considered and favorably recommended by staff; stated that staff recommended approval, based on finding of compliance with the four criteria for plan amendments identified in the Durham Unified Development Ordinance (UDO) and that the Planning Commission recommended approval of the item at their May 12, 2015 meeting by a vote of 11-0.

Mayor Bell opened the public hearing and stated there were speakers to the item.

The developer, Jonathan Dayan, stated he was present to answer questions.

Molly Renda, resident of Huron Street, inquired if there were plans in place for the development of the parcels.

The developer, Jonathan Dayan, spoke to a neighborhood meeting held; responded that the development consisted of replacing two non-conforming duplexes into one conforming duplex.

Mayor Bell asked if there were additional speakers. Being none, Mayor Bell declared the public hearing closed.

**MOTION** by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Brown, to adopt a Resolution to change the Future Land Use from Low-Medium Density Residential to Medium Density Residential and change the Development Tier from Suburban to Urban was approved at 7:29 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.

#### **RESOLUTION #9934**

#### **SUBJECT: ZONING MAP CHANGE - 2512 VESSON AVENUE (Z1500012)**

Assistant City/County Planning Director Patrick Young stated the zoning map change was the companion zoning case to the previous item; stated the item was a request to change the zoning designation of 0.294-acre parcel located at 2512 Vesson Avenue, located immediately to the east of Lakewood Elementary from its current zoning map designation of Residential Suburban - 10 to Residential Urban – 5(2) to allow for development of a duplex; stated the request was consistent with the *Comprehensive Plan*; added that staff determined the request was consistent with the *Comprehensive Plan* and other adopted policies and ordinances; and indicated that the Planning Commission recommended approval on May 12, 2015 by a vote of 11-0.

Mayor Bell opened the public hearing and stated there was a speaker to the item.

Queen Esther Walker, resident of Vesson Avenue, stated she lived in the neighborhood and had concerns about the zoning.

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The developer, Jonathan Dayan, clarified the project; stated the zoning map change converted a low medium density parcel to medium density; and stated the zoning map change would allow the project to proceed in accordance to zoning requirements.

Mr. Young stated there were no additional pending projects for re-zonings or use permits along the street.

Being no additional speakers, Mayor Bell declared the public hearing closed.

**MOTION** by Mayor Pro-Tempore Cole-McFadden, seconded by Council Member Brown, to adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1500012 out of Residential Suburban - 10 (RS-10) and placing same in and establishing same as Residential Urban – 5(2) (RU-5(2)) was approved at 7:34 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.

**ORDINANCE #14820**

**MOTION** by Mayor Pro-Tempore Cole-McFadden, seconded by Council Member Catotti, to adopt a consistency statement as required by GS 160A-383 was approved at 7:34 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.

Unified Development Ordinance  
Zoning Map Change Consistency Statement  
By The Durham City Council  
Regarding Z1500012, 2512 Vesson Avenue

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to approve a statement describing how the action is consistent with the Durham Comprehensive Plan; and

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

That final action regarding zoning map change Z1500012, 2512 Vesson Avenue, is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable; and

That the proposed zoning map change is reasonable and in the public interest based upon the information provided within the report and associated documents submitted to the City Council, and the information provided through the public hearing.

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**SUBJECT: ZONING MAP CHANGE - GARRETT RIDGE MULTIFAMILY COMMUNITY (Z1400022)**

Assistant City/County Planning Director Patrick Young stated that Zoning Case Z1400022, Garrett Ridge Multifamily Community, was a request to change the zoning designation of 10.18 acres located at 4904 and 5010 Garrett Road, west side of Garrett Road, just north of Old Chapel Hill Road, from Residential Suburban - Multifamily with a development plan to Residential Suburban – Multifamily with a development plan to allow cross access between two properties under common ownership; currently, each of these parcels was separately zoned Residential Suburban-Multifamily with each having a separate development plan which does not allow cross access; the development plan associated with the request included all commitments from the 2001 and 2007 development plans associated with the subject properties; staff determined that the request was consistent with the *Comprehensive Plan* and other adopted policies and ordinances; and that the Planning Commission recommended approval on May 12, 2015 by a vote of 10-1.

Mayor Bell opened the public hearing and stated there were speakers to the item.

The applicant, Ron Horvath, stated that the purpose of the item was to bring two projects, approved separately by different developers that are now under one developer, to be connected with driveways; which was the only purpose.

Council Member Schewel inquired about the reference of a rezoning request in process which would allow the construction of 132 units on the property and asked for clarification.

Mr. Young responded that both properties were developed or under development; and that the future rezoning would ensure the future land use map designation be consistent with the number of units being developed.

Mr. Horvath clarified the number of units were in the current two parcels that were being joined together by a driveway; and spoke to a future third parcel they wanted to connect to; which was another case coming forward later. He stated the future rezoning was additional multi-family units on the third parcel.

Council Member Schewel inquired about the developer dedicating 15 feet of public right-of-way along Garrett Road; and not putting in a sidewalk.

Mr. Horvath stated the sidewalk was going in and the roadway was being widened three lanes across their entire frontage; including the future parcel. Also, Mr. Horvath spoke to the bikes lanes they would be providing in their section; and clarified that the mulched walking trail would connect with the 40 foot sewer easement; which would be a future trail.

Doug Daffron, resident of Garrett Road, inquired about the location of the walking path; and asked if the units were similar to those at a pre-existing development by Ticon.

Mr. Horvath confirmed the location of the walking path; and the unit design stating Ticon was the developer.

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Being no additional speakers, Mayor Bell declared the public hearing closed.

**MOTION** by Council Member Catotti, seconded by Council Member Moffitt, to adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1400022 out of Residential Suburban - Multifamily (RS-M(D)) and placing same in and establishing same as Residential Suburban – Multifamily with a development plan (RS-M(D)) was approved at 7:41 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.

**ORDINANCE #14821**

**MOTION** by Council Member Moffitt, seconded by Council Member Catotti, to adopt a consistency statement as required by GS 160A-383 was approved at 7:41 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.

Unified Development Ordinance  
Zoning Map Change Consistency Statement  
By The Durham City Council  
Regarding Z1400022, Garrett Ridge Multi-Family Community

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to approve a statement describing how the action is consistent with the Durham Comprehensive Plan; and

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

That final action regarding zoning map change Z1400022, Garrett Ridge Multi-family Community, is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable; and

That the proposed zoning map change is reasonable and in the public interest based upon the information provided within the report and associated documents submitted to the City Council, and the information provided through the public hearing.

**SUBJECT: ZONING MAP CHANGE - BELGREEN ROAD (Z1400026)**

Assistant City/County Planning Director Patrick Young stated the Zoning Case Z1400026, Belgreen Road, was a request to change the zoning designation of 23.80 acres located at 823 Belgreen Road, at the eastern terminus of Belgreen Road at Silver Star Drive, from Residential

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Suburban – 20 to Planned Development Residential 4.010 to allow for 95 single-family lots. The request was consistent with the future land use map of the *Comprehensive Plan* which designates the site as Low-Medium Density Residential (4-8 DU/Ac.); the development plan associated with the request included a commitment to limit the housing type to single-family and graphically commits to the general location of site access points and tree preservation areas; staff determined that the request was consistent with the *Comprehensive Plan* and other adopted policies and ordinances; the Planning Commission recommended denial of the item at its June 9, 2015 meeting by a vote of 8-3.

Council Member Davis mentioned that at the Planning Commission that the project was considered not reasonable and not in the public interest; and inquired about the reasons for those concerns.

Mr. Young responded that concerns reflected transportation impact and density of the development being out of character for adjoining area which were expressed at the Planning Commission; and by neighboring citizens; and stated the commission took those considerations into account.

The public hearing was opened by the Mayor.

Attorney Floyd McKissick, spoke on behalf of the applicant, presented aerial photos; and made the following remarks regarding pertinent information relating to the application to rezone the 23.80 acre tract of land on Belgreen Road to PDR – 4.010:

- Proposed development is situated upon a 23.80 acre vacant tract of land on Belgreen Road.
- Proposed use of the site for 95 lots, for single family detached homes is in conformance with the *Comprehensive Plan* which proposed that the site be used for low-medium density residential development of 4-8 dwellings per acre; the proposed use of the site is on the low end of the density range; the project represents an urban infill project.
- Developer has proffered to limit development on the site to single-family homes and accessory uses.
- Developer has proffered the general locations for access points as well as tree preservation areas.
- Developer has agreed to provide 20% tree coverage on the site or approximately 4.75 acres.
- Proposed development will be compatible with existing uses in the area.
- Due to the location of the site and probable lot sizes, the site will be able to offer affordable private sector single-family detached homes to the public.
- Proposed use would only generate an additional 19 students (44 total) to Durham Public Schools.
- Developer has agreed to donate \$10,000.00 to Durham County Public Schools to offset the additional students that could be potentially generated if the site is used as proposed; in excess of \$500.00 per student.
- Developer has proposed off-site sidewalks; has agreed to design and construct a sidewalk from the site along the road right-of-way to Fayetteville Road. The sidewalk would be constructed before the 40<sup>th</sup> lot was platted.
- Proposed site would increase traffic by approximately 529 trips per day which would result in a nominal impact on Belgreen Road since the road was only lightly travelled, even though the design of Belgreen Road would allow it to accommodate substantially high

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traffic volume. The City's Department of Transportation has indicated that a contract should be awarded to four lane Fayetteville Road between Riddle Road and Barbee Road within the next year. When Fayetteville Road is four-laned, there will only be a right-turn out or in for traffic on Belgreen Road.

1. Prior to the approval of the first final plat, the applicant shall make a contribution of \$10,000.00 to the Durham Public School System.
2. Prior to platting the 40<sup>th</sup> lot, the applicant shall build a sidewalk to City of Durham standards along the North side of Belgreen Road from the southwest corner of PIN 0729-04-85-7176 to the east side of the American Tobacco Trail/Sidewalk as it runs along the eastern side of Fayetteville Road.

Tony Tate, Architect for the project, stated his firm presented plans to staff; noted that the project was bound on the north side by an industrial park and multi-family apartments; spoke to density applications and transitional zoning; and stated that community meetings were conducted to address concerns. He stated the proposal met all UDO requirements and the *Comprehensive Plan*; and stated they felt their proposal was what the City had envisioned for the site.

[Opponents]

Pam Oxendine, resident on Robinwood Road, stated they met with developer inquiring about the types of homes to be constructed; and the value of the homes. She stated their concerns were public safety due to the number of children in the area; the impact on property values and traffic; stated that she had asked the developer about another way to have another street for egress; and stated if you double the density you would be placing more people in a smaller area. Ms. Oxendine requested the Council to deny the zoning request.

Deborah Morgan, resident of Ranbir Drive, displayed an unofficial protest petition containing 118 signatures of homeowners in opposition to the rezoning; summarized concerns regarding the rezoning request; and stated they preferred the parcel be developed under the current RS-20 zoning; and noted the reasons why; and referenced the negative impacts and unknowns of the proposed zoning.

Australia Clay, resident of Robinwood Road, concurred with the previous two speakers; and stated her primary concern was the children's safety along Belgreen Road; noted during the peak time you cannot exit Belgreen; and in the afternoon you cannot get into Belgreen; stated an additional 95 homes would add more traffic; referenced her concern with the property values; and destroying the trees.

Mayor Pro-Tempore Cole-McFadden requested the developers to speak to the quality of the proposed development; safety; price range for the homes; inquired about the location of sidewalk construction; directed questions to Transportation regarding traffic concerns and Fayetteville Street improvements; and inquired about the project's completion.

Bill Ripley, 5011 Southpark Drive, acknowledged during the neighborhood meetings that they did not discuss a particular type of product other than they would be building single family homes only; noted the homes would be similar to the ones in Lochside; in general the floorplan would be

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three to four bedrooms, 2 ½ to 3 baths with two car garage; two-story homes; energy efficient; with partial stone siding; addressed traffic egress on various routes in the area; and specified the location of the future sidewalk to be constructed; which they would be proffering.

Transportation Engineer Bill Judge referenced vehicular traffic with the additional 95 homes to be about 1,002 trips per day; noted the existing Belgreen Road had a capacity of 10,000 vehicles per day; stated traffic would not generate a capacity problem; stated that the Fayetteville Street improvements from Barbee Road north to Belgreen were expected to be let in the Spring or Summer of 2016.

Attorney Floyd McKissick addressed the anticipated project's timeline and expected completion dates; and elaborated on the price range of the homes starting at \$160,000 - \$175,000; which he considered to be market rate housing that was affordable.

Council Member Brown spoke in support of the proposal and the affordable housing aspect of the project. He stated this would be a very good target for first time buyers.

Council Member Catotti asked staff if they had the committed elements.

Mr. Young stated that the applicant had provided a written version which seemed to be legal and enforceable; acknowledged there had been a question on the timing of the sidewalk with the 40<sup>th</sup> plat or 40<sup>th</sup> certificate of occupancy; which needed clarity.

Regarding the sidewalk, Attorney McKissick clarified that it would be with the 40<sup>th</sup> plat.

Planning Director Steve Medlin confirmed that the proffers were acceptable and enforceable.

Attorney McKissick addressed the connection with the Martin Luther King Parkway; stated it was not anticipated at this point there would be a connection to MLK; and stated once things moved forward and if there was an opportunity to come up with something that would work logistically and approved by staff; he felt the applicant would be open to it. Attorney McKissick proceeded to clarify their lack of not committing to the connection to MLK and referenced it would be a challenging task.

Bill Ripley provided further clarification on the MLK connection and challenges.

Council Member Catotti expressed support for the project; and stated the higher density allowed for more opportunities for affordable housing.

At the request of Council Member Schewel, Bill Judge explained the traffic flow in/out of Belgreen off of Fayetteville Road once the improvements had been completed.

Council Member Catotti appreciated the neighbors' concerns and that the proffer of the sidewalk would help address the safety issue.

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Mayor Bell stated much had been stated about doubling the density; and inquired about the number of homes presently there.

Bill Ripley referenced the number of existing homes in Lochside being 185; Cornwallis Village had 77; on the west side of Yorktowne 115; and 50 just south of the intersection of Yorktowne.

Attorney McKissick stated he did not feel that 95 homes doubled the density; addressed the concerns about growth and associated traffic; and stated the *Comprehensive Plan* supported the density.

Deborah Morgan, of Ranbir Drive, explained why they felt the proposal would be doubling the density; referencing under the current zoning you could build 48 units; and with the proposed zoning the developer was proposing 95. Also regarding vehicular traffic, she stated you cannot travel south on MLK because there was no access.

Attorney McKissick elaborated on the zoning classification being requested vs. the current zoning of RS-20; spoke to infrastructure costs for the development that would not be financially viable/feasible to construct the type of development particularly to offer affordable housing having a RS-20 zoning; stated there would not be the ability to proffer the sidewalk; the money for Durham Public Schools or to be able to accomplish the goals of developing in conformance with the *Comprehensive Plan*.

Mayor Bell stated he had experiences with the traffic issues in the area; wanted to be sensitive to the persons that had invested in the neighborhood; stated he was concerned about changing the complexity of the neighborhood due to what was currently there; he valued the offer of sidewalks being included in the development; and referenced the safety of the children.

Being no additional speakers, the public hearing was closed by Mayor Bell.

**MOTION** by Council Member Brown, seconded by Council Member Catotti, to adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1400026 out of Residential Suburban - 20 (RS-20) and placing same in and establishing same as Planned Development Residential – 4.010 (PDR 4.010) was approved at 8:23 p.m. by the following vote: Ayes: Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Mayor Bell and Mayor Pro-Tempore Cole-McFadden. Absent: None.

#### **ORDINANCE #14822**

**MOTION** by Council Member Catotti, seconded by Council Member Moffitt, to adopt a consistency statement as required by GS 160A-383 was approved at 8:23 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.

Unified Development Ordinance  
Zoning Map Change Consistency Statement  
By The Durham City Council  
Regarding Z1400026, Belgreen Road

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WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to approve a statement describing how the action is consistent with the Durham Comprehensive Plan; and

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

That final action regarding zoning map change Z1400026, Belgreen Road, is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable; and

That the proposed zoning map change is reasonable and in the public interest based upon the information provided within the report and associated documents submitted to the City Council, and the information provided through the public hearing.

**SUBJECT: UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT,  
AFFORDABLE HOUSING PARKING AND DENSITY BONUS (TC1500003)**

Aaron Cain, of the City/County Planning Department, stated the text amendment came from the four-part strategy for addressing affordable housing in future rail transit areas; indicated that the text amendment had two parts: parking and the density bonus. Parking removed the requirement for off-street parking for Affordable Housing Dwelling Units, which were newly defined as part of the text amendment; Parking may still be provided, but would no longer be required; maximum parking rates had not changed; stated the purpose was to remove a significant financial constraint from the provision of affordable housing. Mr. Cain stated that the Density Bonus increased the affordable housing density bonus from 1:1 to 3:1 in the Compact Neighborhood Tier, leaving the density bonus at 1:1 for the rest of the City, added a height bonus to accommodate the increased number of units. A special use permit was no longer required, removed the additional density bonus for having 500' of frontage on a thoroughfare, reorganized and clarified the affordable housing bonus section of the UDO; and stated the purpose was to improve the effectiveness of the affordable housing density bonus, which had not been utilized since its inception in 2003. Staff recommended approval and the Planning Commission recommended approval on a 10-1 vote at its June 9, 2015 meeting.

Mayor Bell declared the public hearing open and stated there were speakers to the item.

Becky Winders, resident of Seaton Road, speaking on behalf of the Coalition for Affordable Housing and Transit, stated the Coalition supported approval of the density bonus and the parking reduction text amendment as proposed. Secondly, Ms. Winders asked the Council to also amend the conceptual framework of the UDO, to clarify the concepts of downtown and compact neighborhoods by adding the community's vision of equity, socioeconomic diversity, and

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affordability in Durham's densely urban areas; she provided the Coalition's suggested language for the amendment; and in closing, Ms. Winders stated work needed to continue to strengthen regulatory incentives for affordable housing; searching for additional ways to create voluntary zoning incentives by adding affordability provisions to the current standards and provisions related to intensity, design, storm water, etc.

Spencer Bradford, Executive Director Durham Congregations in Action (CAN) and member of the Affordable Housing and Transit Coalition, supported the changes to the UDO as proposed by the Planning Department; expressed support for the recommendations by the Affordable Housing and Transit Coalition to engage the goals of equity and development in the ordinance decisions; stated the tools of the bonuses that are addressed in the revisions were important to maintain the affordable housing stock in the community; and stated they would like to see additional tools come into play to help make the very challenging goals more attainable.

Council Member Brown thanked Ms. Winders for attending and appreciated her admittance that the revisions were presented late in the process; and inquired if Mr. Medlin had seen the Coalition's recent revisions.

City/County Planning Director Steve Medlin responded that he had seen the Coalition's requested changes late last week and had not evaluated what was being proposed; explained the text amendment process which involved public advertising; stated the changes being offered this evening could not be revised at the meeting; and stated if Council wanted staff to evaluate the information, Council could refer the revisions back to staff to be placed in the queue with an opportunity to be added to the departmental work program.

Council Member Brown asked the City Attorney if he had reviewed the revisions; and if so, were they legally enforceable.

City Attorney Baker concurred with Mr. Medlin's comments regarding the legal process for text amendments; stated the Council had opportunities to incentivize and promote affordable housing; stated the issue of mandating some form of affordable housing through some form of inclusionary zoning lacked legal authority. Also, the City Attorney stated he had not seen the revisions in question.

Council Member Brown suggested sending the revisions back to key departments for further review.

Council Member Catotti stated she appreciated the suggested revised language which had merit; stated the revisions could not be acted upon tonight by the Council; stated she wanted to move the UDO proposed text change forward as written and presented by the administration; noted the staff and Joint City/County Planning Committee could take the revisions into consideration; possibly placing in the queue and work program for this year; referenced the re-definition of the compact neighborhood being well underway; commented on the housing consultant item on the upcoming work session agenda; and stated a UDO overhaul was needed since the document was ten years old.

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Council Member Moffitt echoed Council Member Catotti's comments; stated that the staff's recommendation should move forward and requested the proposed revisions be referred to staff for further consideration.

Council Member Schewel directed questions to staff regarding parking bonuses for Charlotte; Asheville and Raleigh inquiring about their effectiveness; he asked would the density bonus work in the City with a residential market like Durham's; and inquired how a density bonus might interact with zoning around future transit station.

Mr. Cain responded that it was possible the bonuses could make a difference but could not say definitively that approving the item would mean there would be an increase in affordable housing developments in the areas; stated they have seen density bonus work in other places which tend to be areas that were much more expensive than Durham in terms of residential development; added that the bonuses could be a tool in a viable future program; and noted the need to balance the policy goals.

Mayor Pro-Tempore Cole-McFadden requested staff to explore, under the caption of Downtown Design, the definition of preserving equity; stated that they did not want to preserve equity, but wanted to enhance racial equity; and requested more specificity.

Mayor Bell appreciated the efforts of staff in developing the tool; mentioned questions regarding the example relative to the Compact Neighborhood Tier, asked about the intent of paragraph 2, referencing density and number of units.

Mr. Cain responded that the information was to provide an example for clarity purposes.

Mayor Bell stated if a developer took advantage of this, the net effect would be less than 15% at approximately 10%; spoke to the missing elements of the proposal; and requested clarification regarding density, the definition of affordable units and the bonus program.

Mr. Cain referred the Mayor to the proposed amendment, page 11, Attachment A, 16.3 Defined Terms, affordable housing dwelling unit; and clarified the income allowances.

Council Member Moffitt referenced his work on the Joint City-County Planning Committee on the matter for several months; stated the City gave away so much density by right; expressed support for the density bonus but was not certain how effective it would be; noted the change in the parking requirements offered cost savings to the developer; and indicated the height bonus had the possibility of increasing profits on a particular piece of property that allowed the closing of the gap between market rate and what was being called affordable housing; and added that the item represented additional tools in the toolbox.

Mr. Cain stated that the Community Development Department was expected to bring forward proposals for financial strategies for affordable housing in specific areas.

Mayor Bell referenced a missing element; rental income allowance such as rent being no more than 30%; and stated the information needed to be added to the text.

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Mr. Medlin responded that the information could be added into the upcoming text amendments coming before Council in the next few months.

Council Member Moffitt referenced the text and the definition of affordability by HUD; and asked for clarification if HUD used the 30% in its definition.

Mr. Cain responded that HUD defined family incomes at various percentages and defined median income for the county by household size; and noted staff would take the monthly 30% of that number which would be the maximum rent in order to be classified as affordable.

Being no additional speakers, Mayor Bell declared the public hearing closed.

**MOTION** by Council Member Catotti, seconded by Council Member Brown, to adopt an Ordinance Amending the Unified Development Ordinance, incorporating revisions to Article 6, District Intensity Standards; Article 10, Parking and Loading; and Article 16, Definitions was approved at 8:56 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.

**ORDINANCE #14823**

**MOTION** by Council Member Moffitt, seconded by Mayor Pro-Tempore Cole-McFadden, to refer the citizens' recommended UDO changes to staff was approved at 8:57 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 Catotti, to adopt the appropriate consistency statement as required per NCGS § 160A-383 was approved at 8:57 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.

Unified Development Ordinance  
Text Amendment Consistency Statement  
By The Durham City Council  
Regarding TC1500003, Affordable Housing Parking And Density Bonus

WHEREAS the Durham City Council, upon acting on a text amendment to the *Unified Development Ordinance* and pursuant to NCGS § 160A-383, is required to approve a statement describing how the action is consistent with the *Durham Comprehensive Plan*; and

WHEREAS the Durham City Council, upon acting on a text amendment to the *Unified Development Ordinance* and pursuant to NCGS § 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

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That final action regarding text amendment TC1500003, Affordable Housing Parking and Density Bonus, is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable, as provided in the “Issues” section of the memo to the City Manager, dated August 3, 2015, regarding the subject “*Unified Development Ordinance Text Amendment, Affordable Housing Parking and Density Bonus (TC1500003)*,” along with additional agenda information provided to the City Council and information provided at the public hearing; and

It is the objective of the Durham City Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The text amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the City of Durham as supported in the “Issues” section of the memo to the City Manager, dated August 3, 2015, regarding the subject “*Unified Development Ordinance Text Amendment, Affordable Housing Parking and Density Bonus (TC1500003)*,” along with additional agenda information provided to the City Council and information provided at the public hearing. Therefore, the amendment is reasonable and in the public interest.

**SUBJECT: UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT,  
RIPARIAN BUFFER SETBACK AND LOT OF RECORD (TC1500004)**

City/County Planning Director Steve Medlin stated that the *Unified Development Ordinance* (UDO) text amendment TC1500004 was a City and County initiated text amendment which proposed two minor changes to the Ordinance; the encroachments would be allowed within the 10-foot no-build setback associated with riparian buffers in certain limited circumstances which are encroachments are already permitted within the stream buffer consistent with both State law and UDO provisions; and the definition for “Lot of Record” would be amended to apply to every lot recorded at the appropriate register of deeds office; the ordinance currently referenced only the Durham County Register of Deeds; the Planning Commission recommended approval of the item on June 9<sup>th</sup> by a vote of 11-1.

Mayor Bell opened the public hearing.

Being no speakers to the item, Mayor Bell declared the public hearing closed.

**MOTION** by Mayor Pro-Tempore Cole-McFadden, seconded by Council Member Schewel, to adopt an Ordinance Amending the Unified Development Ordinance, incorporating revisions Article 8, Environmental Protection; and Article 16, Definitions was approved at 9:00 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.

**ORDINANCE #14824**

**MOTION** by Mayor Pro-Tempore Cole-McFadden, seconded by Council Member Catotti, to adopt the appropriate consistency statement as required per NCGS § 160A-383 was approved at 9:00 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.

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Unified Development Ordinance  
Text Amendment Consistency Statement  
By The Durham City Council Regarding  
TC1500004, Riparian Buffer Setback And  
Definitions Associated With “Lot Of Record”

WHEREAS the Durham City Council, upon acting on a text amendment to the *Unified Development Ordinance* and pursuant to NCGS § 160A-383, is required to approve a statement describing how the action is consistent with the *Durham Comprehensive Plan*; and

WHEREAS the Durham City Council, upon acting on a text amendment to the *Unified Development Ordinance* and pursuant to NCGS § 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

That final action regarding text amendment TC1500004, Riparian Buffer Setback and Definitions Associated with “Lot of Record”, is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable, as provided in the “Issues” section of the memo to the City Manager, dated August 3, 2015, regarding the subject “*Unified Development Ordinance* Text Amendment, Riparian Buffer Setback and Lot of Record (TC1500004),” along with additional agenda information provided to the City Council and information provided at the public hearing; and

It is the objective of the Durham City Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The text amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the City of Durham as supported in the “Issues” section of the memo to the City Manager, dated August 3, 2015, regarding the subject “*Unified Development Ordinance* Text Amendment, Riparian Buffer Setback and Lot of Record (TC1500004),” along with additional agenda information provided to the City Council and information provided at the public hearing. Therefore, the amendment is reasonable and in the public interest.

**SUBJECT: PRIVATE DRAINAGE ASSISTANCE COST SHARE AND INTEREST RATE (SECTIONS 70-687 AND 70-688)**

Dana Hornkohl, Public Works Civil Engineer, stated the public hearing was being held to receive comments on two proposed revisions to the Durham Code of Ordinances related to the private drainage assistance program. He stated the program was created at the request of City Council to assist property owners with failing drainage systems affecting their home and/or their primary means of ingress or egress; stated the first revision to Section 70-687 of the code would raise the limit on the City’s contribution towards the typical project from \$20,000 to \$25,000 to reflect increases in construction costs as well as the size and complexity of the typical project. This would meet Council’s goal to cover 80% of the cost of these typical projects.

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The second revision to Section 70-688 would set the interest rate for installment payments annually for property owners who chose to pay their portion of the cost share via installment payments.

Mayor Bell opened the public hearing.

Being no speakers to the item, Mayor Bell declared the public hearing closed.

**MOTION** by Mayor Pro-Tempore Cole-McFadden, seconded by Council Member Schewel, to adopt an Ordinance Amending the Durham City Code Provision Regulating the Funding of Drainage Assistance Projects on Private Property; and

To adopt an Ordinance Amending the Fee Schedule to Allow Annual Changes of the Interest Rate Charged for Making Installment Payments Allowed by City Code Section 70-688 for Storm Water Drainage Work was approved at 9:01 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.

**ORDINANCE #14825 & #14831**

Mayor Bell acknowledged the individuals in the audience who were present to protest a sub-contractor's non-payment of wages at the Residence Inn located on West Main Street.

Mayor Bell recognized Mr. Perez for comments.

Isaac Perez addressed the Council asking them to block city incentives that the city promised for the project. He stated it was unfair that a subcontractor was making money now; the job was done; they are waiting to be paid; stated the solution was in the Council's hand; and they pay taxes. He asked the Council to act soon.

For clarification, Mayor Bell stated the solution was not entirely in Council's hands; verified that the City had not given any incentives to the contractor; and requested the City Attorney to address the City's position.

City Attorney Baker stated the dispute resolution existed between the contracting parties which were not paying the workers; and encouraged the individuals to pursue a legal remedy by going to court or involving the Department of Labor.

City Manager Bonfield stated that he spoke with a representative from Durham CAN (Congregations in Action) and asked him if he would have his organization review the matter to see what resources they might have; and stated the Durham CAN representative had agreed to see if they could find someone to help. In addition, the City Manager stated the city staff would continue to work through the situation if it allows; encouraging all the parties involved to sit down to try and reach an understanding of the facts and what could be agreed to.

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Council Member Schewel appreciated the efforts of the City Manager regarding Durham CAN; reiterated that municipal incentives were still pending and had not been paid; and stated the City should not incentivize a development that did not pay its workers as it should.

**SUBJECT: CITY RENTAL ASSISTANCE PROGRAM FOR DOWNTOWN AND PROPOSED TRANSIT STOPS**

Mayor Bell shared the following proposal on how the City could facilitate below median income families (i.e. 60% - 80% below the median income) having the opportunity to secure housing in the Downtown area and within a ½ mile radius of the potential Durham-Orange Light Rail Transit stops. The Mayor stated he appreciated the tools proposed by the staff; referenced the upcoming discussion that would take place at the August 6<sup>th</sup> work session regarding affordable housing; and stated he felt the Council had the means to move on the matter now asking the consultant to also make this one of their priorities to be reviewed.

The proposal was based on the following assumptions:

1. Durham City is committed to having below median income families living in downtown and within a certain radius of the proposed GoTriangle DO-LRT stops in Durham.
2. The targeted areas for the program would be confined to the Downtown section of the city and within 1/2 mile radius of proposed D-O LRT Transit stops (per adopted city resolution on the subject).
3. The city would cover the rental gap difference between the market rate rental price of the apartment/condo unit and what the below median income families could pay for rent based on guidelines to be developed by the city.
4. The designated affordable housing 1 cent property tax revenue can be used to pay rent supplements to designated "below median income working families".
5. Apartment owners and/or condo developers in downtown and within the designated radius of the proposed transit stops in Durham would support the program.
6. A pool of eligible "below median income working families" can be developed working with DHA\*\* and our city staff and others.
7. Families meeting the criteria would also have had to have a permanent continued residency within the Durham city limits for a designated period of time, that time to be determined by the City Council.
8. City can still accept developers support and/or provide incentives to developers for funding the program.
9. This does not preclude using any of the incentives to be developed by the city staff to encourage access to housing for by below median income families.
10. Assumes the 1% property tax revenue stream (\$2.4 million or greater) will continue throughout.
11. Target program to begin no later than the end of 2015.

The Mayor's proposal also provided an example of rental funding cost.

Mayor Pro-Tempore Cole-McFadden spoke in support of being proactive in addressing affordable housing in Durham.

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Council Member Schewel referenced items in the Mayor's proposal he agreed with; inquired about the population the proposal was aimed at; asking if the city wanted to use the scarce penny for housing money to subsidize people who were able to pay the market rate; and suggested subsidizing at a lower income scale to assist more needy families. He recommended that the penny for housing be used wisely to leverage as many affordable units as possible.

Mayor Bell reminded his colleagues that the Council chose 60 to 80 percent below the median income around transit stops when the resolution was adopted.

The Council will have further discussion on proposal submitted by the Mayor at the upcoming August 6<sup>th</sup> Work Session.

There being no further business to come before Council, the meeting was adjourned at 9:30 p.m.

Dianalynn Schreiber, CMC, NCCMC  
Deputy City Clerk

D. Ann Gray, MMC, NCCMC  
City Clerk