

**DURHAM, NORTH CAROLINA  
MONDAY, MAY 2, 2016  
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers, First Floor at 101 City Hall Plaza with the following members present: Mayor William V. "Bill" Bell, Mayor Pro Tempore Cora Cole-McFadden and Council Members Eddie Davis, Jillian Johnson, Don Moffitt, Charlie Reece 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 to the Flag lead by Council Member Davis.

**[CEREMONIAL ITEMS]**

Mayor Bell read into the record the Children's Mental Health Awareness Day Proclamation and presented the proclamation to Teka Dempson, Lead Family Partner Coordinator of BECOMING Alliance Behavioral Heathcare.

Ms. Dempson expressed appreciation for the proclamation and Council's support of the mental health of youth; stated CIT officers were phenomenal; and assured the audience that great things were indeed happening in Durham.

Mayor Bell read into the record the National Drinking Water Day Proclamation and presented the document to Lee Lamm, Certified Operator at the Williams Water Treatment Plant.

Mr. Lamm expressed appreciation for the honor; noted that clean, safe and an adequate supply of drinking water in Durham; and appreciated Council's attention to the vital role of water management

James Lim, Water Management, presented certificates to the youth winners of the poster contest for National Drinking Water Week; and the department's mascot, Wayne Drop, joined Mayor Bell in honoring the children.

Winning entries in the grades K-2 division were:

- First Place – Grace Pressinger (Creekside Elementary)
- Second Place – Avery Perkins (Creekside Elementary)
- Third Place – Lea Clark (Kestrel Heights Elementary)

Winning entries in the grades 3-5 division were:

- First Place – Ama Mensah-Boone (Durham Academy)
- Second Place – Xiomara Rivera-Soria (Bethesda Elementary)
- Third Place – Allison Hall (Durham Academy)

Winning entries in the grades 6-8 division were:

- First Place – Amy "Rosie" Scott-Benson (Voyager Academy)
- Second Place – Lauren Steiner (Voyager Academy)
- Third Place – Makenzie Harvey (Voyager Academy)

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The winning entries represented Durham in a statewide contest sponsored by the North Carolina Chapter of the American Water Works Association/Water Environment Association. Competing with student-artists from across the state, the City announced that the following student-artists won at the State Level:

State Level K-2 division winner were:

- First Place – Grace Pressinger (Creekside Elementary)
- Second Place – Avery Perkins (Creekside Elementary)

State Level 3-5 division winners were:

- First Place – Ama Mensah-Boone (Durham Academy)
- Second Place – Xiomara Rivera-Soria (Bethesda Elementary)
- Third Place – Allison Hall (Durham Academy)

State Level 6-8 division winners were:

- First Place – Amy “Rosie” Scott-Benson (Voyager Academy)
- Second Place – Lauren Steiner (Voyager Academy)
- Third Place – Makenzie Harvey (Voyager Academy)

Mayor Bell read into the record the Older American’s Month Proclamation; a Powerpoint was shared which included photographs of older adult participants in the wide range of programs for physical health and welfare; and presented the proclamation to Dietra Spellman, Special Programs, Inclusion and Mature Adults Recreation Manager with Durham Parks and Recreation.

Ms. Spellman explained the Durham Senior Games conducted in the past week consisting of 208 participants in variety of sports and locations; acknowledged the Mature Adults Program staff coordinators; and welcomed all to Closing Ceremony on May 5<sup>th</sup> at Durham Center for Senior Life.

Mayor Bell read into the record the Police Week and Peace Officers’ Memorial Day Proclamation; and presented the document to Interim Police Chief Larry Smith and Captain Robert Gaddy, Vice-President of the Fraternal Order of Police.

Interim Chief Smith thanked Council members for attending the Peace Officers’ event to honor the officers who were killed in the line of duty; and expressed appreciation to former Council Member Howard Clement; who attended every Peace Officers’ Recognition service during his tenure on Council.

Captain Robert Gaddy thanked Council and staff for the continued support of law enforcement; and stated that the event was the 30<sup>th</sup> annual recognition ceremony to honor fallen officers, allowing the families to know that their loved ones’ sacrifices were not forgotten.

**[ANNOUNCEMENTS BY MEMBERS OF COUNCIL]**

Mayor Pro Tempore Cole-McFadden spoke to the funeral of the late Angela Langley; and requested that a Resolution be prepared memorializing the late Ms. Langley.

**MOTION** by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Reece, to direct the City Clerk to prepare a Resolution Memorializing the late Angela Langley was approved at

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7:22 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

Mayor Pro Tempore Cole-McFadden referenced the April 28<sup>th</sup> meeting of Durham Public School's Board that passed a resolution in support of black boys and young men; stated she was in receipt of the resolution; and recommended that the City Council pass a resolution in support of black boys and young men, as well.

Council Member Moffitt asked if a copy of the resolution could be provided at the work session; and asked if Mayor Pro Tem Cole-McFadden would prefer a general motion in support of the Durham Public Schools' resolution.

Mayor Pro Tempore stated that a copy would be provided to Council at the work session and was supportive of a motion referenced by Council Member Moffitt.

**MOTION** by Council Member Moffitt, seconded by Mayor Pro Tempore Col-McFadden to support the Durham Public School Resolution in Support of Black Boys and Young Men was approved at 7:23 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**[PRIORITY ITEMS BY THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK]**

City Manager Bonfield stated he had no priority items, but took a moment of personal privilege to recognize the newly appointed Durham Chief of Police, Cerelyn J. Davis, who was in attendance.

Mayor Bell welcomed Ms. Davis to Durham.

City Attorney Baker and City Clerk Gray indicated they had no priority items.

Mayor Bell recognized Council Member Moffitt.

Council Member Moffitt stated that he appreciated Chief Davis' openness, lack of defensiveness, straight forward manner in addressing difficult issues and acknowledged that it boded well for future community relations.

The Mayor explained the Consent Agenda was passed with one motion; and asked if there were any items that needed to be pulled from the Consent Agenda for discussion later in the meeting. No items were pulled from the Consent Agenda.

**MOTION** by Council Member Moffitt, seconded by Council Member Reece, to approve the Consent Agenda as printed was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**[CONSENT AGENDA]**

**SUBJECT: APPROVAL OF CITY COUNCIL MINUTES**

**MOTION** by Council Member Moffitt, seconded by Council Member Reece, to approve the City Council minutes for the following meeting dates: March 7, 2016 and March 10, 2016 was

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approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**SUBJECT: DURHAM PLANNING COMMISSION APPOINTMENTS**

**MOTION** by Council Member Moffitt, seconded by Council Member Reece, to reappoint Brian Buzby and to appoint Akram Al-Turk and Cedric Johnson to the Durham Planning Commission with the terms to expire on June 30, 2019 was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**SUBJECT: MAYOR'S NOMINEE FOR APPOINTMENT - RECREATION ADVISORY COMMISSION**

**MOTION** by Council Member Moffitt, seconded by Council Member Reece, to appoint Rebecca Reyes to the Recreation Advisory Commission as a Mayor's Appointee with the term to expire on August 8, 2018 was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**SUBJECT: BOARDS, COMMITTEES AND COMMISSIONS ATTENDANCE REPORTS FOR THE PERIOD JANUARY 1, 2015 - DECEMBER 31, 2015**

**MOTION** by Council Member Moffitt, seconded by Council Member Reece, to receive attendance reports for Boards, Committees and Commissions for the period January 1, 2015 - December 31, 2015 was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**SUBJECT: HALF PENNY TAX FOR PARKS AND TRAILS PERFORMANCE AUDIT MARCH 2016**

**MOTION** by Council Member Moffitt, seconded by Council Member Reece, to receive and accept the Half Penny Tax for Parks and Trails Performance Audit dated March 2016 as presented and approved at the March 28, 2016 Audit Services Oversight Committee meeting was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**SUBJECT: FY 2016-17 WATER AND SEWER RATES**

**MOTION** by Council Member Moffitt, seconded by Council Member Reece, to receive a presentation on the Proposed Water and Sewer Rates and Capital Facility Fees for FY 2016-17; and

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To adopt an Ordinance to change rates for water and sewer services, amending Section 1, Part 15-104 of the City's fee schedule, effective July 1, 2016 was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**ORDINANCE #14923**

**SUBJECT: FY 2016-17 WATER AND SEWER CAPITAL FACILITY FEES**

**MOTION** by Council Member Moffitt, seconded by Council Member Reece, to adopt an Ordinance Amending Chapter 15, Part 15-103 (Capital facilities fees) to the City's Fee Schedule with an effective date of October 1, 2016 was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**ORDINANCE #14924**

**SUBJECT: BID REPORT - MARCH 2016**

**MOTION** by Council Member Moffitt, seconded by Council Member Reece, to receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of March 2016 was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.



**City of Durham | North Carolina**

**Date:** April 5, 2016  
**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 - March 2016

**Recommendation:**  
To receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of March 2016.

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

**1. Bid: Replacement Excavator**

Purpose of Bid: Provides the Fleet Management Department with one (1) replacement CAT Model 314E LCR Hydraulic Excavator for the Water Management Department - Water and Sewer Operations Division.

Comments: Priced in accordance with the National Joint Powers Alliance (NJPA) Contract #032515.

Opened: 3/2/16

Bidders: Gregory Poole Equipment Co. \* \$229,010.00  
Raleigh, NC

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

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	1,241		# Black Males	68	6%
Total # Females	174	14%	# White Males	958	77%
Total # Males	1,067	86%	# Other Males	41	3%
			# Black Females	15	1%
			# White Females	150	12%
			# Other Females	9	1%

**2. Bid: Fire Protective Clothing**

Purpose of Bid: Provides the Fire Department with thirty-eight (38) sets of replacement fire protection turnout gear.

Comments: Priced in accordance with the City of Charlotte Cooperative Purchasing Alliance Agreement.

38 sets @ \$1,577.68

Opened:

Bidders: Municipal Emergency Services, Inc. \* \$59,951.84  
Charlotte, NC

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

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	39		# Black Males	0	0%
Total # Females	10	26%	# White Males	28	72%

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Total # Males	<u>29</u>	<u>74%</u>	# Other Males	<u>1</u>	<u>2%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>10</u>	<u>26%</u>
			# Other Females	<u>0</u>	<u>0%</u>

**3. Bid: Replacement Tasers**

Purpose of Bid: Provides the Durham Police Department with twenty-nine (29) Black Handle Class III X2 Tasers for the Training Division.

Comments: Taser International, Inc. is the sole authorized distributor of Taser Brand police grade products.

39 Units @ \$1,347.75

Opened: 3/10/16

Bidders: Taser International, Inc. \* \$39,084.75

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

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>505</u>		# Black Males	<u>6</u>	<u>2%</u>
Total # Females	<u>213</u>	<u>42%</u>	# White Males	<u>232</u>	<u>45%</u>
Total # Males	<u>291</u>	<u>58%</u>	# Other Males	<u>53</u>	<u>11%</u>
			# Black Females	<u>1</u>	<u>1%</u>
			# White Females	<u>138</u>	<u>26%</u>
			# Other Females	<u>75</u>	<u>15%</u>

**4. Bid: Replacement Truck**

Purpose of Bid: Provides the Fleet Management Department with one (1) replacement 2016 Ford F250 regular cab truck for the Public Works Department - Street Maintenance Division.

Comments:

Opened: 3/10/16

Bidders: University Ford \* \$24,387.00  
Durham, NC  
Piedmont Truck Center \$24,459.00  
Greensboro, NC

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



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

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>261</u>		# Black Males	<u>15</u>	<u>6%</u>
Total # Females	<u>33</u>	<u>13%</u>	# White Males	<u>207</u>	<u>79%</u>
Total # Males	<u>228</u>	<u>87%</u>	# Other Males	<u>6</u>	<u>2%</u>
			# Black Females	<u>1</u>	<u>1%</u>
			# White Females	<u>12</u>	<u>12%</u>
			# Other Females	<u>0</u>	<u>0%</u>

7. **Bid: Replacement Hydraulic Swivel System**

Purpose of Bid: Provides the Fleet Management Department with one (1) replacement Sutphen hydraulic swivel system for use by the Fire Department - Facilities Maintenance Division.

Comments: Sutphen Corporation is the sole authorized distributor of Sutphen hydraulic system products.

Opened: 3/29/16

Bidders: Sutphen Corporation \* \$11,576.67  
Dublin, OH

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

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>228</u>		# Black Males	<u>4</u>	<u>2%</u>
Total # Females	<u>24</u>	<u>11%</u>	# White Males	<u>200</u>	<u>87%</u>
Total # Males	<u>204</u>	<u>89%</u>	# Other Males	<u>0</u>	<u>0%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>23</u>	<u>10%</u>
			# Other Females	<u>1</u>	<u>1%</u>

8. **Bid: Truck Utility Service Bodies**

Purpose of Bid: Provides the Fleet Management Department with two (2) replacement utility service bodies for the Transportation Department; units to be installed on two (2) 2016 Ford F250 regular cab 4x4 trucks.

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Comments: 2 Units @ \$9631.50

Opened: 3/29/16

Bidders: General Truck Body \* \$19,263.00  
 Roanoke, VA  
 Quality Truck Bodies and Repair, Inc. \$19,712.00  
 Wilson, NC  
 W&M Truck Clinic, Inc. \$20,682.00  
 Charlotte, NC

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

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>138</u>		# Black Males	<u>7</u>	<u>5%</u>
Total # Females	<u>12</u>	<u>8%</u>	# White Males	<u>114</u>	<u>84%</u>
Total # Males	<u>126</u>	<u>92%</u>	# Other Males	<u>4</u>	<u>3%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>12</u>	<u>7%</u>
			# Other Females	<u>1</u>	<u>1%</u>

**9. Bid: Replacement Trucks**

Purpose of Bid: Provides the Fleet Management Department with three (3) replacement 2016 Ford F250 regular cab 4x2 trucks.

One (1) purchased for the Public Works Department - Stormwater Maintenance Division.

Two (2) purchased for the Public Works Department - Street Cleaning Division.

Comments: 3 Units @ \$24,387.00

Opened: 3/29/16

Bidders: University Ford \* \$73,161.00  
 Durham, NC  
 Piedmont Truck Center \$73,377.00  
 Greensboro, NC

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

WORKFORCE STATISTICS  
CORPORATION STATISTICS

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Total Workforce	145		# Black Males	14	10%
Total # Females	10	7%	# White Males	120	82%
Total # Males	135	93%	# Other Males	1	1%
			# Black Females	2	2%
			# White Females	8	5%
			# Other Females	0	0%

**SUBJECT: DESIGN AND CONSTRUCTION CONTRACT WITH BOBBITT DESIGN-BUILD FOR THE FIRE STATION #17 PROJECT**

**MOTION** by Council Member Moffitt, seconded by Council Member Reece, to adopt a Resolution finding that the use of a Design-Build project delivery method for the Fire Station #17 project is in the best interest of the City;

To authorize the City Manager to negotiate and execute a Design-Build contract with Bobbitt Design-Build, Inc. for preliminary design and preconstruction services for the Fire Station #17 Project not to exceed a maximum cost of \$300,000.00;

To authorize the City Manager to negotiate and execute a Guaranteed Maximum Price (GMP) Amendment to the Design-Build contract for final design and construction services not to exceed \$2,868,600.00;

To establish a project contingency for of \$316,800.00; and

To authorize the City Manager to negotiate and execute change orders on the Fire Station #17 Design-Build contract, including the GMP Amendment, provided the total project cost does not exceed \$3,185,400.00 the total amount budgeted for Design-Build services, including design, preconstruction and construction services was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**SUBJECT: OMNISOURCE SOUTHEAST, LLC HAULER FOR WHITE GOODS FOR THE CITY OF DURHAM**

**MOTION** by Council Member Moffitt, seconded by Council Member Reece, to authorize the City Manager to execute a contract between the City of Durham and OmniSource Southeast, LLC for the purpose of collecting, transporting, processing and recycling scrap metal materials collected at the City of Durham's Convenience Center was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**The City Council disposed of the following agenda items at the April 21, 2016 Work Session:**

- 11. Compact Neighborhood Future Land Use Map Update**  
*(A presentation was received at the 04-21-16 Work Session)*
- 12. Durham Workforce Development Board Annual Report Presentation**  
*(A presentation was received at the 04-21-16 Work Session)*

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**14. Marie Martin**

*(Comments were received at the 04-21-16 Work Session)*

**15. Jade Brooks**

*(Comments were received at the 04-21-16 Work Session)*

**16. John Haywood**

*(Comments were received at the 04-21-16 Work Session)*

**17. Mary Haywood**

*(Comments were received at the 04-21-16 Work Session)*

**18. Jeffrey Tucker**

*(Comments were received at the 04-21-16 Work Session)*

**[GENERAL BUSINESS AGENDA]**

**SUBJECT: 2016 FIRST QUARTER CRIME REPORT PRESENTATION**

To receive a presentation on the 2016 First Quarter Crime Report.

Interim Police Chief Larry Smith presented the 2016 First Quarter Crime Report as follows:

Part 1 Index Crime

- Total of property and violent crime
- Part 1 index crime down 12 percent in 1<sup>st</sup> quarter 2016
- Driven by decreases in larcenies, burglaries and aggravated assaults

Part 1 Violent Crime

- Reported homicides, rapes, robberies and motor vehicle thefts were up by 7% in 1<sup>st</sup> quarter, driven by increase in robberies.
- Focused on 19 individuals; resulting in decreases in aggravated assaults.

1<sup>st</sup> Quarter Part 1 Violent Crime statistics

- Demographics of violent crime victims and suspects by race and sex

Part 1 Property Crime statistics-

- burglary, larceny and motor vehicle theft was down 15% in 1<sup>st</sup> quarter; lowest in 16 years; burglaries (home break-ins) lowest in 1<sup>st</sup> quarter in 16 years.

Clearance Rates- meeting targets in property but not violent crime in 1<sup>st</sup> quarter.

Priority 1 Call Response Times

- 6.25 minute average response time in 1<sup>st</sup> quarter – Target is 5.8 minutes
- 51.3% of Priority 1 calls answered in under 5 minutes – Does not meet target of 57%

Staffing Levels- Additional officers offset officer attrition rates; staffing from Thursdays through Sundays; spoke to roster levels that indicate on average high 60% staffing levels. Attrition caused by retirements, career changes, departures for other agencies. Recruiting challenges in law enforcement.

- Sworn – Fully staffed
- Non-Sworn – 90 percent (113/125)

Mayor Bell inquired about the ages of suspects and victims.

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Chief Smith responded he would obtain that information; and spoke to the typical distribution of ages starting at 16, rising to peak at 22 and coming back down and levels back out in the mid-30s.

Mayor Pro Tempore Cole-McFadden asked about the causes of violent crime.

Chief Smith responded that various factors involving fatherlessness, lack of education and poverty were some of the root causes of violent crime; stated that police officers dealt with the symptoms, not the causes; and added that suspects had very typical backgrounds with special mention of fatherlessness.

Mayor Pro Tempore Cole-McFadden inquired about the competitiveness of the officers' salaries.

Chief Smith stated that the salaries were competitive; indicated that he inquired with departing officers of their concerns which varied; noted a pay study was in progress; and spoke to the HEAT Team special operations.

Council Member Moffitt inquired about the increase in response times, staffing of foot patrols and the potential trade-off in response times.

Chief Smith spoke to tracking response times; explained the foot patrol squad operations; and emphasized the need for additional staffing of foot patrols.

Council Member Moffitt appreciated the alertness of Sergeant Mole in the apprehension of a suspect; and highlighted vehicular assistance provided by a bilingual officer.

Council Member Schewel expressed appreciation to the Durham law enforcement officers, their courage and willingness to assist; in terms of staffing, he expected a budget recommendation that included funding for additional officers; inquired about the Chief's retirement date; and stated he appreciated the Chief's efforts during his role as Interim Chief.

Chief Smith responded that his impending retirement was scheduled for July 1, 2016.

Council Member Davis appreciated the Chief's service and openness to the issues of concern and demands placed on him and staff; and spoke to policing levels in neighborhoods.

Council Member Reece echoed the comments made by Council regarding the Chief's outstanding service; inquired about the proportion of armed versus common law robberies; asked if there was a correlation between the increase in robberies and decrease in burglaries and was there an influx of firearms; and appreciated the violent gun crime initiative statistics through mid-month and urged additional programs for confiscation.

Chief Smith responded he could provide the statistics of armed versus common law robberies; indicated that many firearms emerged from robberies; and could not correlate the two statistics.

Mayor Pro Tempore Cole-McFadden inquired about gunshots fired in the city.

Chief Smith responded that he could provide statistics on gunshots fired in the city at a later date.

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Mayor Bell spoke to recent shootings and homicides in the city; and asked the Chief if he saw things getting any better.

Chief Smith spoke to drug turf disputes, retaliation, and shootings; which he felt was contributing to the spike in violence; responded that District 2 staff conducted a successful community meeting in Old Oxford recently; stated that issues continue to persist in McDougal Terrace; responded that district commanders determined the time/locations of foot patrols in residential and commercial areas and HEAT Teams were conducting many foot patrols; responded that the majority of violence related to street level drug dealing; noted the underlying factors driving the violence were getting worse, but nevertheless he was hopeful things would improve; encouraged people to get involved with improving the lives of young black men; and spoke to the tapping out of social services and ministries; and the difficulty the police officers were having trying keep up due to crime after crime, and stated these issues represented challenges across the entire nation.

Chief Smith recognized the police officers in attendance. The officers were applauded by the audience.

Chief Smith thanked Council and its predecessors for managing the City well; stated he loved his position and Durham and that it had been an honor for him to serve in the police ranks; and that he would always feel a part of the profession and would miss active service.

No action was taken on the report by the Council.

**SUBJECT: PROPOSED NEW DOWNTOWN PARKING GARAGE**

To authorize the administration to continue with the current project approach for the proposed new Downtown Mixed-Use Parking Garage to ensure delivery date of summer 2018.

Thomas Leathers, of the Transportation Department, introduced the item seeking approval for the Administration to continue with the current approach and timeline to deliver the proposed new Downtown Mixed-Use Parking Garage; and stated he was available for questions.

Mayor Bell recognized the following speakers for comments:

Robert Chapman, a resident of Durham, noted his experience with developing real estate; addressed the Kimley-Horn study in the RFQ referencing unused space located above street level-retail that could be utilized for affordable housing units adjacent to a proposed parking deck along the Downtown Loop; referenced his submitted proposal for the deck that included up to 30 units of affordable housing; he provided renderings of parking decks in various cities; provided cost analysis for cast-in-place deck vs. precast; which he stated precast would cost less; with money left to build 30 units of housing; and funds left for amenities and streetscape. Mr. Chapman stated when he found out about the RFQ he was motivated to think, "we could more"; and stated he organized this simply out of civic duty.

Lew Myers, Interim President & CEO for Downtown Durham Inc.; stated the lack of parking availability in Downtown had reached a critical level; noted the parking had not kept up with the explosive growth; noted DDI has always supported affordable housing and will continue to do so; but stated there were too many questions and too few answers pertaining to affordable housing at the location; and urged Council to move forward with the proposal to award a contract for the design of the parking deck on surface parking lot 14.

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Bill Kalkhof, Chair of Durham Convention Center Authority Board of Directors; referenced the growth of hotels in Downtown and the associated need for parking; stated economic growth was in jeopardy due to limited, convenient parking; and urged Council's approval of the parking deck project without delay.

Lorisa Seibel, representing Coalition for Affordable Housing and Transit, spoke in support of affordable housing and housing for the workforce in Downtown; stated she did not think it should require a subsidy from the city or any special policy; and asked the council to allow staff to look at adding affordable housing a part of the proposal.

Melissa Mills, resident of North Driver Street, expressed her interests in affordable housing and parking; expressed concerns about making decisions in haste, driven by fear; urged creative solutions for parking issues such as shuttle buses, remote parking or free valet parking; and asked what the city could do to add density of affordable housing at no cost to the city at the attractive location.

Mayor Pro Tempore Cole-McFadden asked Attorney Baker about Robert Chapman's company's submittal that included affordable housing units; and asked how the proposal could be included after the RFP bids for the parking deck project had already been received by staff.

City Attorney Baker stated the council would not just accept Mr. Chapman's proposal, they would essentially have to restart the RFP process; being more inclusive.

Council Member Reece asked for clarity on the RFP process; and requested Mr. Leathers to speak to the content of the proposals.

Mr. Leathers stated a team of 7 independent reviewers reviewed all the proposals against the established criteria as outlined in the scope of work; noted some of the criteria dealt with qualifications of the firms to build a cast-in-place post tensioned parking garage with mixed-use; which was very specific; stated the RFP team was not bias with affordable housing; and stated affordable housing was not one of the requested elements by which they were scoring the proposals; it was not in the original scope of work for the deck.

Council Member Reece inquired about Mr. Chapman's proposal not meeting the criteria.

Mr. Leathers indicated Mr. Chapman's proposal was qualified but not the *most* qualified proposal; and stated more detail for criteria rankings of the proposals could be provided to Council.

Council Member Schewel inquired about the difference between the types of parking garages that comprised of post tensioned, cast-in-place versus pre-cast garage.

Mr. Leathers explained the construction longevity/durability of parking garages; compared pre-cast garages with durability of 25 to 20 years requiring massive prevention maintenance, as opposed to post-tension, cast-in-place garages with durability of 70 to 75 years and requiring less preventive maintenance; stated with a cast-in-place garage would consist of fewer expansion joints; better aesthetics which would result in less lighting costs; and the visual aesthetics would be a more open canvass; and stated Mr. Chapman's proposal consisted of the less expensive, less durable, pre-cast version.

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Council Member Schewel was appreciative of Mr. Chapman's proposal; however, he stated he would be voting to move forward as recommended by the administration; noted that subsidizing units at \$144,000 each for 80% of the AMI was not the city's target; stated the city had to be vigilant regarding affordable housing priorities; referenced multiple large projects for renovation by the Durham Housing Authority that would need tax credits; and stated something needed to be done at Fayette Place consisting of 19 acres; referenced the proposed 25 units was too small for a tax credit and all the subsidy would have to come from the city's general fund; stated the staff capacity between the Housing Authority and the city's Community Development Department was in a crunch trying to address the needs occurring in the future; and noted he did not see affordable housing in the deck as a priority for the staff.

Not to delay construction of the project, Council Member Johnson agreed to move forward with the parking garage plan as recommended by staff; favored the opportunity to build housing on the location at a future time; and inquired if that could be relayed to the design firm.

Mr. Leathers stated they could explore that option; adding additional levels at a later time; referenced discussions with a private developer about a development opportunity in the garage; and depending on the timing; or the possibility of a zoning code occurrence; he stated they would include adding Ms. Johnson's suggestion with the selected design firm.

Council Member Davis agreed with Council Member Johnson's concept, if it was possible; favored moving ahead in order not to lose any future businesses based on a lack of parking; and encouraged Council's support to move ahead with the item.

Council Member Reece stated he was disappointed and it was very disturbing that the city would build a parking deck Downtown to last 75 years; noted the city was in the midst of transforming public transit; and he hoped that within 25 to 30 years the way that people get to work in Downtown Durham would be completely different; inquired if the city had come up with other options to offer businesses ways to get their employees to work Downtown; noted he heard the comments by Council Member Schewel focusing efforts to obtain the most bang for the bucks; where the city staff could be best focused on the goals; and stated he would support the staff recommendation to move forward.

Council Member Moffitt expressed concerns about building a structure that would accommodate additional building in the future unless it would not add substantial costs to the project today and building residential in the future; and spoke to major disappointments he had concerning the proposed deck. First he stated the Council has been clear in its desire for affordable housing, especially in Downtown, but he had yet to see that really have an impact on things being brought to council; stated there has been no cross silo work between departments on projects that would have impact on the community; stated tonight they did not have information on which to make a decision; stated the Council first heard about the plans in February; even though it's been in process since July 2015; and stated now because we are in what is called a crisis, their hands were more or less tied; and noted because of the situation, there was not the ability to bring in input from the council and have a thoughtful process.

Mayor Bell stated he had been a strong proponent for Downtown parking garages and was a strong proponent for affordable housing Downtown in terms of mixed-use; and stated when he heard there was an opportunity for affordable housing he did pause and wanted to explore; until last week or so, stated he had not heard about the specifics on the critical needs of parking in Downtown; was not totally convinced of the consequences of delaying the project and exploring the concept of affordable housing with the parking garage; stated there were still unanswered

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questions relevant to the percentage of income levels, who would own the apartments, and what would be the funding source for the affordable housing element; and stated that was the level of detail he would like to have answers to prior to committing to the project. The Mayor stated he was not convinced that a month delay would impact the garage moving forward.

Mayor Bell recognized Bob Chapman for comments.

Mr. Chapman addressed the timeline of the parking deck construction/operation being possible in 2017 rather than 2018; was supportive of the council waiting to address questions raised; referenced cast-in-place deck issues at West Chapel Hill Street; relevant to income limits, stated that based on savings projected, the city could build units at no additional costs above the \$23 million and was supportive of 30%; relevant to management, the Durham Community Land Trust, could assume that role he said; referenced an apartment developer who had constructed a cast-in-place deck in a shorter timeframe; and stated that it could very well be a very simply solution to utilize airspace over flat roof of the first floor retail space to see what the costs would be; stated he felt it could be brought in substantially way below budget to include housing units; which would be a real asset.

Mayor Bell inquired with the staff on the timeframe it would take to reissue the RFP to include parking spaces; retail and affordable housing units; at very specific incomes.

Mr. Leathers responded that after discussion with staff, to develop the scope and perform all the research, they probably would not be able to release the RFQ until early 2017 due to their current projects and existing staff resources; stated the staff would have to work with the attorney's office regarding the legality pertaining to ownership of the residential units; how they would have to vet the management company; noted there would be a lot of diverse issues needing to be resolved.

City Manager Bonfield concurred there were many issues and valid points raised by all parties; requested two weeks to consider the comments and to return to Council in order to better articulate the items that needed to be addressed; and stated a report to present findings could be available at the work session on May 19<sup>th</sup>.

Council Member Schewel asked the manager during the deliberations, to take into consideration that when staff performed its work on the 24 units, what work would not be done on larger projects such as Liberty and Oldam, transit-oriented development; a zoning plan; what work would not be done on 1200 units coming out of affordability keeping them affordable; and the resources the staff needed for those things, not just the parking aspect.

Mayor Bell stated he had additional questions and agreed with Council Member Schewel's comments; and stated that Council owed it to themselves to investigate the possibilities; and requested the City Manager provide additional information if the parking garage was not done, which specific developments would get delayed or harmed by it.

**MOTION** by Council Member Reece, seconded by Council Member Moffitt, to refer the item back to the Administration to provide additional information at the May 19, 2016 Work Session was approved at 8:55 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

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There being no further business to come before Council, the meeting was adjourned at 8:55 p.m.

Dianalynn Schreiber, CMC, NCCMC  
Deputy City Clerk

D. Ann Gray, MMC, NCCMC  
City Clerk