

DURHAM CITY COUNCIL WORK SESSION
Thursday, February 10, 2022 @ 1:00 p.m.
VIRTUAL MEETING
DRAFT MINUTES

The Durham City Council held a regular Work Session on the above date and time virtually via Zoom with the following members present: Mayor Elaine O'Neal, Mayor Pro Tempore Mark-Anthony Middleton and Council Members Javiera Caballero, DeDreana Freeman, Charlie Reece and Leonardo Williams. Absent: None.

Also present: City Manager Wanda Page, City Attorney Kim Rehberg and City Clerk Diana Schreiber.

[CALL TO ORDER]

Mayor O'Neal called the meeting to order and welcomed everyone to the Work Session.

[ANNOUNCEMENTS BY COUNCIL]

Mayor O'Neal asked her colleagues if they had any announcements.

Council Member Caballero announced that she had been accepted to a Fellowship Program for Latino Elected Officials and would require excused absences for approximately four meetings of Council: Feb 21, 2022 Regular Meeting & Feb 24, 2022 Work Session and March 3 and 4, 2022 Budget Meetings.

Council Member Caballero reflected on her conversations with Mayor O'Neal regarding ARPA Funds around prioritizing the first half of the money and using staff guidance to-date and then setting aside the second half of the money to go along with the facilitative process with the County and that she would reach out to her colleagues to discuss the proposed plan; and requested a follow up conversation on ARPA Funding at the March 10, 2022 Work Session. She also requested CurAmericas make a presentation to the Council on COVID-19 Equity Work, including an update from their community partners at an upcoming Work Session.

It was the consensus of Council to support Council Member Caballero's requests.

MOTION by Council Member Johnson, seconded by Council Member Freeman, to excuse Council Member Caballero from the Feb 21, 24 and March 3, 4 meetings of Council at 1:04 p.m. by the following vote: Ayes: Mayor O'Neal,

Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Johnson and Reece. Noes: None. Absent: Council Member Williams.

Mayor O'Neal spoke to her conversations with Council Member Caballero and appreciated her support as Mayor O'Neal acclimates to her position as Mayor and in moving the ARPA funds along.

Council Member Johnson requested a Resolution in honor of Women's History Month to go on the Feb 24 WS and March 7 CM agendas. It was the consensus of Council to support Council Member Johnson's request.

Council Member Freeman acknowledged Black History Month and asked for a proclamation for the February 21, 2022 agenda; and acknowledged that she would like to bring forward a resolution related to Works of Art being stolen from African Countries with no date specified.

[PRIORITY ITEMS OF THE CITY MANAGER, ATTORNEY AND CLERK]

City Manager Page requested the following priority items:

- 22) Durham Youth Works; presentation item.
- 28) Citizen's Matter: Robert Desmarais, Attachment 3 updated with revised presentation
- 29) Citizen's Matter: Thelma White; Attachment 3 added.

MOTION by Council Member Freeman, seconded by Council Member Caballero, to accept the City Manager's Priority Items was approved at 1:23 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Johnson and Reece. Noes: None. Absent: Council Member Williams.

City Attorney Rehberg requested that the City Council hold a closed session pursuant to N.C. General Statute 143-318.11(a)(3) for attorney-client consultation concerning the handling or settlement in the following cases:

- COD v. J. E. Booth Farms, LLC, et al., 21 CVS 1339 (Durham County Superior Court)
- Oak Charter Academy, Inc., et al. v. City of Durham, 21 CVS 2129 (Durham County Superior Court)
- Darryl Howard v. City of Durham et al., 1:17-cv-477 (M.D.N.C.)

MOTION by Council Member Freeman, seconded by Council Member Caballero, to go into Closed Session at the end of the meeting was approved at 1:13 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Johnson and Reece. Noes: None. Absent: Council Member Williams.

City Clerk Schreiber had no priority items.

Council Member Williams arrived in the virtual meeting at 1:15 p.m.

[CONSENT AGENDA]

Mayor O'Neal read the agenda items printed on the agenda and asked if Council wanted to pull any items for additional discussion.

The following items were pulled for additional discussion: Agenda Items 24 and 25 were pulled for additional discussion. Item 22 was a presentation item.

Council Member Freeman asked about federal House and Senate members being left off the Agenda Item 11) Resolution Calling Upon the Federal Government to Urgently Address the Student Loan Crisis and Enact a Plan to Cancel Student Loan Debt and Begin the Transition to Education as a Public Good.

Council Member Johnson confirmed that the federal law makers would be added to Agenda Item 11) Resolution Calling Upon the Federal Government to Urgently Address the Student Loan Crisis and Enact a Plan to Cancel Student Loan Debt and Begin the Transition to Education as a Public Good.

[CITIZEN'S MATTERS]

SUBJECT: BRENDA DESMARAIS (ITEM 27/ PR 15235)

To receive comment from Brenda Desmarais regarding the impact of Townes at Courtney Creek on Emorywood Estates.

A PowerPoint presentation was made regarding the matter. The speaker noted that city staff had been very responsive; displayed photos of logging, road conditions and debris along Brandon Extension and Emorywood roads; noted Kirby Road needed curb and gutter; indicated the road name "Helms" was offensive.

SUBJECT: ROBERT DESMARAIS (ITEM 28/ PR 15236)

To receive comment from Robert Desmarais regarding the impact of Townes at Courtney Creek on Emorywood Estates.

Mr. Desmarais encouraged the city to rename Helms Street; do not allow developer to open any additional streets into Emorywood Estates and to keep Kirby Road and surrounding streets and properties clear of construction and road debris. He also asked when the roads would be resurfaced.

SUBJECT: THELMA WHITE (ITEM 29/ PR 15237)

To receive comment from Thelma White regarding Emorywood Estates.

Ms. White indicated that she had sent communications to Council; and asked questions about Courtney Creek development. She also spoke to local crime involving a murder and vandalism of mailboxes; and encouraged sidewalks be installed into Courtney Creek neighborhood.

SUBJECT: CHRISTINE SMITH (NO AGENDA ITEM NUMBER)

Ms. Smith, representing the *Green New Deal for Durham Coalition*, a diverse tapestry advocating against climate change; urged building resilience against climate change risks and support for the Green and Equitable Infrastructure Bond and to consider these issues during policy making.

[ITEMS PULLED FROM THE AGENDA]

SUBJECT: CONTRACT SW-76, SIDEWALK REPAIRS 2020 AMENDMENT NO. 1 (ITEM 24/ PR 15198)

Mayor Pro Tem Middleton requested additional information on the item regarding public right of way accessibility guidelines and were there statutory requirements to do them. He asked if the various road improvement locations were reflective in the CIP (Capital Improvement Plan).

Tasha Johnson, Assistant Director of Public Works, responded affirmatively that this was a federal highway administration guideline that had been adopted by the city for years. Due to the road improvement projects being lengthy, generally, staff looked at customer service complaints, assessed needs, point repairs by street maintenance crews and could provide a list.

Mayor Pro Tem Middleton inquired about the locations being impacted by viewing the projects with an equity lens and would follow up after the meeting. He also inquired about the market conditions related to FTEs and recruitment of engineers.

Marvin Williams, Director of the Department of Public Works, admitted that recruitment was a struggle along with retention. Additional staff was not being sought but may in the future. He also clarified that locations were determined through an equity lens; and spoke to heat maps evaluating clustering of sidewalk projects.

SUBJECT: CONTRACT SW-87C, REQUEST FOR QUALIFICATIONS FOR INSPECTIONS AND OMBUDSMAN SERVICES FOR SIDEWALK PROJECTS (ITEM 25/ PR 15201)

Mayor Pro Tem Middleton stated the item was reflective of the previous item; was pleased that Braggtown was getting sidewalks, residents had successfully petitioned their government and asked if the project was complaint driven, or the result of equity efforts or result of Braggtown residents' advocacy.

Director Williams had met with members of the Braggtown community last year, was informed about locations needing repairs staff identified road repair locations and that contracts were coming to Council for those repairs.

Mayor Pro Tem Middleton congratulated the advocates of Braggtown and noted that their efforts represented a way for other Black legacy neighborhoods, who had experienced historical disinvestment, to obtain the needed repairs. He also inquired about Bree and Associates and the actual location of their corporate headquarters.

Eric Miller, Public Works, acknowledged that Bree and Associates was headquartered in Raleigh but had offices in other locations. Depending on the service, it dictated the location in the staff report.

Council Member Reece complimented and expressed gratitude to Assistant Director Tasha Johnson for her expertise and guidance over the years during his tenure.

[PRESENTATION]

SUBJECT: DURHAM YOUTHWORKS 2021 PROGRAM EVALUATION REPORT (ITEM 22/ PR 15228)

Adria Graham Scott, Manager in the Office of Economic & Workforce Development, highlighted the Durham Youthworks Program; referenced a summary by RTI assessing the program's effectiveness and shared a PowerPoint presentation titled *Durham Youthworks, 2021 Overview*.

The presentation included the following:

Testimonial from student participant in a shark tank process

Affordable Community Garden & cooking classes

Remarks by Consultant to Youthworks

Converted in person process to virtual

Employers' perspective: Opportunity to establish a talent pipeline

Remarks from Sergeant Butler, Youth Athletic League Unit

Law Enforcement outreach/transferable skills

Community Engagement with Youth in positive way & up close

Ms. Graham Scott spoke to the partnership with Durham Police Department (first time) and wanted in-person opportunity and hoped to continue the work moving forward. In terms of content, she underscored the curriculum was age

appropriate with same and mixed-aged groups. Youth feedback would be incorporated into the next cycle. Related to program structure, there were wellness checks, flexibility with employer engagement, program hour compatibility and virtual delivery flexibility. Program support encompassed 4 program interns consisting of 2 Durham Tech students and two NCCU students. There was special mention of wellness checks that were essential for creating a safe place for youth. Pain points were detailed: on-boarding issues, stipend payments, various virtual platforms and extended employer engagement. Tasks and anticipated completion timeline was shared.

Council Member Williams expressed appreciation for the program, spoke to the education to employment pipeline and urged expansion of the program.

Andre Pettigrew, Director of the Office of Economic and Workforce Development, commended Adria and her team for the work accomplished.

Council Member Freeman expressed gratitude for the partner push in the community, as a parent and Council Member, for engagement of youth into the program. She urged scaling up the program by increasing the number of supporting interns and wanted many more high school students to be able to participate.

Council Member Johnson appreciated staff for expanding the Youthworks Program and its viability during the pandemic's constraints and supported future engagement between students and employers.

Council Member Caballero agreed with her colleagues and looked forward to expanding the summer youth program.

Ms. Graham Scott appreciated every member of her team.

Mayor O'Neal spoke to her background as a youth working with the city of Durham and expressed gratitude for the efforts of staff in employing Durham's youth in the Youthworks program.

City Clerk Schreiber announced Council's board, committee, commission nominations:

Citizen's Advisory Committee – Appointment: Amy Jones;
Durham Convention Center & Visitors Bureau for the category representing Lodging – Limited Services: Prerna Desai;
Durham Cultural Advisory Board – Appointment: Angelique Stallings;
Human Relations Commission – Appointment for category of Other Person: readvertise;
Human Relations Commission – Appointment for category Hispanic/Latino Person: Javier Alvarez-Jaimes;

Mayor's Council for Women – Appointment-for category of Cultural, Recreation & Fine Arts Sector: Wahiba Kartaoui; At Large Resident: Akeeya Umstead; and Public Safety Sector: Jill E Sergison;
Recreation Advisory Commission- Appointment: Jill S Thomas; and Participatory Budgeting Steering Committee – Appointment for category of At-Large Resident: Andrew George.

[SETTLING THE AGENDA FOR THE FEBRUARY 21, 2022 CITY COUNCIL MEETING]

City Manager Page requested the following items be included in settling the agenda for the Monday, February 21, 2022 City Council Meeting by announcing the items for the Consent Agenda as Items 1 through 25; and General Business Agenda – Public Hearing Item 26.

MOTION by Mayor Pro Tempore Middleton, seconded by Council Member Freeman, to approve the settling of the City Manager's agenda of the Monday, February 21, 2022 regular Council Meeting at 2:20 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Johnson, Reece and Williams. Noes: None.

ENTER CLOSED SESSION – 1:21 PM

MOTION by Council Member Freeman, seconded by Council Member Caballero to enter Closed Session at 1:21 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Johnson, Reece and Williams. Noes: None.

Council Member Reece departed the Closed Session at 3:45 p.m.

RETURN TO OPEN SESSION – 4:27 PM

MOTION by Mayor Pro Tempore Middleton, seconded by Council Member Caballero, to return to Open Session at 4:27 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Johnson and Williams. Noes: None. Absent: Council Member Reece.

No vote was taken in open session.

Being no additional business to transact, Mayor O'Neal adjourned the Work Session at 4:28 p.m.

Diana Schreiber, MPA, NCCMC, CMC
City Clerk