

**DURHAM, NORTH CAROLINA  
MONDAY, MAY 16, 2022  
7:00 P.M.  
VIRTUAL & IN-PERSON  
DRAFT MINUTES**

The Durham City Council met in the Council Chambers at 101 City Hall Plaza and via zoom at the above time and date with the following members present: Mayor Pro Tempore Mark-Anthony Middleton and Council Members, Javiera Caballero, Monique Hyman, Jillian Johnson and Leonardo Williams. Excused Absences: Mayor O' Neal and Council Member Freeman.

Also Present: City Manager Wanda Page, City Attorney Kim Rehberg, City Clerk Diana Schreiber and Deputy City Clerk Ashley Wyatt.

**[CALL TO ORDER]**

Mayor Pro Tempore Middleton called the meeting to order and called for a moment of silent meditation to honor the recent shooting victims in Buffalo, New York.

**[CEREMONIAL ITEMS]**

Council Member Williams read into the record the Memorial Day Proclamation and presented it to Veteran's Services Officer Jonathan Crooms.

Council Member Caballero read into the record the Period Poverty Awareness Week Proclamation and presented it to CEO of the Diaper Bank of North Carolina, Michelle Old.

**[ANNOUNCEMENTS BY COUNCIL]**

Mayor Pro Tempore Middleton thanked all of the residents that applied for the At-Large Vacancy and welcomed Council Member Hyman as a member of the Council on the dais.

Council Member Hyman thanked everyone for the opportunity to serve on Council; noted her attendance at the Affordable Housing Roundtable earlier in the day; and highlighted National Foster Care Month.

Council Member Johnson announced that Election Day was the following day and encouraged all residents to vote in the primaries.

Council Member Williams celebrated Hillside High School's 100th year Anniversary and uplifted students being involved in 'the arts' as way to curb negative activity by the youth in the city.

Mayor Pro Tempore Middleton recognized Fire House 13 for receiving a brand new fire truck.

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

City Manager Page noted that Item 5 had information updated.

City Attorney Rehberg and City Clerk Schreiber had no priority items.

**[CONSENT AGENDA]**

**SUBJECT: MAYOR'S HISPANIC/LATINO COMMITTEE – APPOINTMENT  
(ITEM 2/ PR# 15388)**

**MOTION** by Council Member Williams, seconded by Council Member Caballero, to appoint Italo Medlius to the Mayor's Hispanic/Latino Committee with the term expiring on October 1, 2022 (Due to the resignation of Vicky Muniz-Quinones), was approved at 7:29 p.m. by the following vote: Ayes: Mayor Pro Tempore Middleton and Council Members Caballero, Hyman, Johnson, and Williams. Noes: None. Absent: Mayor O'Neal and Council Member Freeman

**SUBJECT: 2022-2025 TRANSPORTATION ON-CALL CONTRACT #18920  
SUPPLEMENTAL SERVICE AGREEMENT #1 – US 70 ACCESS AND  
CONNECTIVITY STUDY (ITEM 10/ PR# 15385)**

**MOTION** by Council Member Williams, seconded by Council Member Caballero, to authorize the City Manager to execute Master Service Agreement #18920 Supplemental Service Agreement #1 to City of Durham, North Carolina Master Agreement for Transportation Engineering On-Call Services Between the City and STV in the amount of \$290,793.39, was approved at 7:29 p.m. by the following vote: Ayes: Mayor Pro Tempore Middleton and Council Members Caballero, Hyman, Johnson, and Williams. Noes: None. Absent: Mayor O'Neal and Council Member Freeman

**SUBJECT: AWARD OF A SERVICE CONTRACT TO TAYLOR METER  
TECHNOLOGIES FOR THE LARGE METER INSPECTION AND  
TESTING SERVICES PROJECT (ITEM 11/ PR# 15372)**

**MOTION** by Council Member Williams, seconded by Council Member Caballero, to authorize the City Manager to execute a service contract with Taylor Meter

Technologies in an amount not to exceed \$178,500 for the Large Meter Inspection and Testing Services project;

To establish a contingency fund for the service contract with Taylor Meter Technologies, in the amount not to exceed \$17,500; and

To authorize the City Manager to negotiate change orders for the service contract with Taylor Meter Technologies, provided that the total contract cost does not exceed \$196,000, was approved at 7:29 p.m. by the following vote: Ayes: Mayor Pro Tempore Middleton and Council Members Caballero, Hyman, Johnson, and Williams. Noes: None. Absent: Mayor O'Neal and Council Member Freeman

**SUBJECT: PROPOSED WATER AND SEWER RATES FOR FY 2022-2023 (ITEM 12/ PR# 15399)**

**MOTION** by Council Member Williams, seconded by Council Member Caballero, to receive a presentation regarding the proposed Water and Sewer Rates for FY 2022-2023 to adopt an ordinance to change rates for water and sewer service, Section 1, Part 15-104 of the City's fee schedule, effective July 1, 2022. Rates shall be applied to all bills issued after August 1, 2022, was approved at 7:29 p.m. by the following vote: Ayes: Mayor Pro Tempore Middleton and Council Members Caballero, Hyman, Johnson, and Williams. Noes: None. Absent: Mayor O'Neal and Council Member Freeman

**SUBJECT: NATIONAL LEAGUE OF CITIES' HISPANIC ENTREPRENEURS PROGRAM GRANT AWARD AND GRANT PROJECT ORDINANCE (ITEM 15/ PR# 15384)**

**MOTION** by Council Member Williams, seconded by Council Member Caballero, to authorize the City Manager to accept the National League of Cities Institute City Inclusive Entrepreneurship Program grant to implement the Hispanic Entrepreneurs Pilot Program; and To adopt the National League of Cities Institute City Inclusive Entrepreneurship Program Grant Project Ordinance in the amount of \$15,000, was approved at 7:29 p.m. by the following vote: Ayes: Mayor Pro Tempore Middleton and Council Members Caballero, Hyman, Johnson, and Williams. Noes: None. Absent: Mayor O'Neal and Council Member Freeman

**SUBJECT: CONTRACT AMENDMENT FOR ST-317C UTILITY LOCATE SERVICES (ITEM 16/ PR# 15398)**

**MOTION** by Council Member Williams, seconded by Council Member Caballero, to authorize the City Manager to execute an amendment for ST-317C Utility Locate Services with KCI Associates of North Carolina, P.A. in the amount of \$648,000 for a total revised contract amount not to exceed \$1,214,000, was approved at 7:29 p.m. by

the following vote: Ayes: Mayor Pro Tempore Middleton and Council Members Caballero, Hyman, Johnson, and Williams. Noes: None. Absent: Mayor O’Neal and Council Member Freeman

**SUBJECT: CONTRACT SW-86, PUBLIC WORKS STREET MAINTENANCE REPAIRS 2022 (ITEM 17/ PR# 15397)**

**MOTION** by Council Member Williams, seconded by Council Member Caballero, to authorize the City Manager to execute contract SW-86 Public Works Street Maintenance Repairs 2022 with Browe Construction Company in the amount of \$3,592,186; to establish a contingency fund in the amount of \$89,804.65; and to authorize the City Manager to negotiate and execute change orders to the contract provided that the total contract does not exceed \$3,681,990.65, was approved at 7:29 p.m. by the following vote: Ayes: Mayor Pro Tempore Middleton and Council Members Caballero, Hyman, Johnson, and Williams. Noes: None. Absent: Mayor O’Neal and Council Member Freeman

**[GENERAL BUSINESS AGENDA]**

**SUBJECT: FISCAL YEAR 2022-23 PROPOSED BUDGET AND FISCAL YEAR 2023-28 CAPITAL IMPROVEMENT PLAN (CIP) (ITEM 20/ PR# 15382)**

City Manager Page gave a presentation on the proposed Fiscal Year 2022-23 Budget and Fiscal Year 2023-28 Capital Improvement Plan (CIP) and provided the following remarks:

“As your City Manager, I am honored this evening to present to you my proposed budget for Fiscal Year 22-23 for the City of Durham.

As you know, when I became City Manager with more than 30 years of experience in local government, I was not a novice.

And this evening, I am proud to say serving as your City Manager for more than a year, has deepened my appreciation and my love for local government and for Durham.

Over the past two years faced with so many challenges, we as a city have risen to these challenges. Our community and employees have responded to every high and low.

During the darkest days of the global pandemic, our business community pivoted to keep their businesses alive, especially restaurants, as they struggled to keep their businesses afloat and employees working, while continuing to feed their customers and food insecure residents in our community.

When restaurants were closed or had limited hours, we learned to order our dinners online, pick up and go, and even eat curbside while waiting for COVID to reduce its grip – and thanks to our good hygiene practices, wearing masks, and vaccines and boosters, we can now be seated again in restaurants as we fellowship in person with family, friends, and business associates.

There have been other challenges in addition to the pandemic, but through it all, we dealt with them, responded to them appropriately, and learned from them, all while doing what we needed to do to provide services our residents expect.

As with past budgets, I appreciate the guidance and support of our City’s elected leaders, Mayor Elaine O’Neal, Mayor Pro Tem Mark-Anthony Middleton and city council members. I also want to welcome new city council member Dr. Monique Holsey-Hyman to her first City budget presentation.

During this budget cycle, City Council and staff spent time working together, discussing and setting priorities at two retreats. We also heard from many residents who have made clear their needs and priorities for this budget.

As I begin this evening with a reflection on the past year, I have to celebrate and say “thank you” to our more than 2,500 City employees.

Each and every one of them has been the driving force in keeping high quality services for our City’s residents.

You’ve probably heard it said, “show me your budget, and I’ll show you what you value.”

This year, I want to make it very clear that I value our City employees, not just for their input in helping shape this budget proposal, but for what they do every day in service to the residents of Durham.

Here are just a few of the faces who provide City services. Just take a look at them – many of whom worked on the front lines during COVID 19 – sworn police and fire personnel providing essential public safety services; street maintenance employees keeping our streets repaired; water management employees ensuring the high quality of our drinking water; and Durham Parks and Recreation employees who always remind us to play more.

Many have been working behind desks, tethered to a phone or computer, or even sitting behind steering wheels for most of their work day or work night, as they performed their City jobs. I could go on and on, but you get the picture.

Throughout this presentation, you will see how City employees make a difference every day. At the same time, I will show how my proposed fiscal year 22-23 budget supports many vital needs of our community, from addressing public safety including police, fire, emergency communications, and community safety; to improving and maintaining our City property like streets, recreation centers, green spaces, and infrastructure to continue to provide good and safe drinking water.

This budget also supports other important efforts, including helping to provide affordable housing and services for Durham residents who need it most, supporting Durham's youth through paid career exploration opportunities and positive recreation and social experiences and activities as well as creating equitable opportunities for shared prosperity for Durham businesses and residents.

Let's take a look at the Fiscal Year 22-23 budget, by the numbers.

The total proposed budget for FY2022-23 is \$568.9 million compared to \$529.7 million for FY21-22, an increase of \$39.2 million (7.4%), and includes the City's general fund and the other funds, highlighted here, that you will hear more about during this presentation.

The proposed General Fund budget, which funds core City services, is \$255.5 million and represents a \$14.9 million (6.17%) increase compared to the FY21-22 budget of \$240.7 million. The general fund supports many of the services that the City provides, such as maintaining City streets, public safety—including police, fire, community safety, emergency communications, and parks and recreation.

The proposed property tax rate is 55.77 cents per \$100 of assessed value, which is 0.6 cent above the FY21-22 rate of 55.17 cents.

The tax rate increase of 0.6 cent is a \$2.4 million increase to the General Fund to help support pay increases for General Employees. Other funds remain the same as last year.

This tax increase means that the owner of a house valued at \$235,133, which is the median home taxable value in Durham, will receive a City tax bill of about \$1,311 next year, or the equivalent of about \$109 per month.

Let's talk about the City's primary sources of revenue, which are property and sales taxes. As you can see here, a penny on the tax rate generates \$4 million dollars. And you can see that real property value has also grown in Durham. While unstable economic conditions persist, Durham has continued to experience revenue growth throughout the global pandemic and instability in the economy overall. Driven by this growth, Durham's economy over the past year has been strong, resulting in a better-than-projected rise in revenue.

Sales tax revenue is projected to increase more than 13% for FY22-23 compared to the previous year's budget. We have budgeted \$83.5 million, which is projected to generate an additional \$10.2 million as compared to last year's budget, reflecting a strong and sustained economic recovery. Other sources of revenue are projected to increase as well such as Occupancy tax and State shared revenues.

While we remain cautiously optimistic about the city's economy and its impact on City finances, we do recognize that the positive financial indicators in our economy do not mean every resident in Durham is benefiting from these positive indicators. We see and hear from residents who continue to need housing they can afford, and jobs earning family-sustaining wages, and we will continue to hear these voices and see these faces as we lead in the creation of a more equitable city for all who call Durham home.

To cover increasing operational costs, improve aging waterlines, and support other capital needs, we are proposing modest increases to water and stormwater rates. These rate changes were discussed at City Council's last work session and are on tonight's agenda for consideration. These new rates include an average rate increase of 3.9% for Water, and 0.93 cent increase per month for stormwater, effective July 1.

Also, you'll see here that increases, which were delayed during the pandemic, are now updated and proposed for implementation to support the City's parking fund. The parking fund continues to operate at a loss, and these rate increases are proposed to help cover debt service on parking structures and equipment.

Proposed general fund expenditures include increases for personnel costs, including new positions, restoration of merit pay increases, and the cost of providing excellent and competitive employee benefits. Operating expenditures are projected to increase by a little over 6%, which amounts to about \$2.6 million.

Due to consistent, effective management of the City's resources and the City Council's policy on the use of fund balance, or savings, the City has access to a strong Fund Balance. I am proposing a 7.5 million appropriation from fund balance for the following one-time costs listed here.

In addition to allocating \$4 million for street maintenance, and \$2.1 million for departmental projects, I'd like to note that I am proposing transferring \$900,000 to complete the City's \$1 million commitment to fund the Safety & Wellness Task Force and finally, \$500,000 to acquire land to expand existing open space and trails.

This is a good time to let you know that the City of Durham, your City government, is only one of 35 cities in the country that have received a Triple A rating from all three rating agencies - Moody's, Standard & Poors, and Fitch. What this means is that the

City can borrow money or issue bonds for major projects at lower interest rates, saving taxpayer dollars.

Our complete budget document covers every detail of our revenue and spending for the coming fiscal year.

This includes our core municipal services – such as solid waste, roads, water, parks, and public safety – as well as other projects and initiatives that further our strategic goals.

We have used a strategic plan developed with input from our employees, residents, elected officials and other key stakeholders to guide our budget priorities.

In tonight's presentation, I will focus on several key priority areas for our organization and community.

Here are the City's top priorities that are featured in this year's budget. They are: Employee Compensation, Public Safety, Shared Prosperity, and our Capital Improvement Plan.

Because we can't cover every aspect of the budget tonight, I encourage you to review the complete proposed budget that is now available on our website at [DurhamNC.gov/Budget](http://DurhamNC.gov/Budget).

Our employees are essential if we are to implement the vision set forth in this budget, and we want to show these dedicated employees that we value their work and contributions to our organization and community.

These employees have worked tirelessly throughout the pandemic doing the critical work that keeps our city running –from emergency response to water and sewer management to solid waste collection and more.

First let's talk about Employee Compensation: Durham has not been immune to what has been called "the great resignation." Like many cities across the country, we've seen our vacancy rate increase considerably as employees decide to retire, pursue other interests, or remove themselves completely from the job market, either temporarily or permanently, for various reasons. To move forward as a city, taking care of City employees must be a high priority.

Public as well as private sector employers are having to improve employee compensation to focus on the three "R's": Recruitment; Retaining and Rewarding employees.

Last year, due to the unknowns resulting from the impact of COVID, City employees



received minimal market adjustments and one-time bonuses. This year, to reward and fairly compensate City employees, I am proposing a market adjustment of 3% for employees. Additionally, I am proposing restoring the pay-for-performance merit system, which amounts to an additional 4-6% for general employees.

If you'll recall earlier this year, adjustments were made for the City's Police and Fire employees who are sworn. In January, Sworn Police received a 15% market pay increase, while Sworn Fire personnel received a 14.7% market pay increase. While their market increases have already taken place, the FY22-23 budget accounts for a full-year cost of these market adjustments and a return to pay-for-performance merit budgeted at 5%.

All proposed pay increases are supported by the proposed tax increase amounting to \$2.4 million.

The Durham Minimum Livable Wage will also be adjusted from \$16.92 to \$17.60 effective July 1.

To meet the growing needs of our organization and community, this proposed budget also includes the addition of 60 new full-time employee positions in several areas.

Some of the departments that must grow to continue to adequately support the needs of the community and support other programs include the ones listed on this slide.

Of note are:

- 3 new trainers and 2 firefighters in the Fire Department
- 6 additional Transportation employees, which will be covered later.
- 5 Community Development positions supported by the Dedicated Housing Fund to support program activities and project delivery, including the Homeless Services team, to manage their growing workload as the city's lead agency for the Durham County Continuum of Care Program.
- 2 additional Planning positions are proposed
- 7 Community Safety employees to support their pilot programs that are scheduled to get under way this year, and
- 14 water management operational positions are included in this budget proposal.

First, I want to recognize and thank all of our essential public safety employees who work around the clock to keep us safe every day, including throughout the pandemic – the Police Department, Fire Department, and Emergency Communications 911 Center. This is not a small task: it takes great strength and courage to step up day in and day out to protect and serve our community, and I commend all of you for rising to this challenge during these difficult times.

One of the highest priority areas we think about and work on daily is how best to keep all of the residents of this city safe and well. It is no secret that there is great concern about violent crime in Durham, like many other cities in America. At the same time, there are concerns about the history of policing in our country and the impact on people of color.

Durham has been a leader in finding new, equitable, and innovative ways to keep our community safe and well.

We continue to lead in public safety reform. We work collaboratively across multiple public safety agencies daily to do this work and improve outcomes for all of our residents in Durham.

The Community Safety Department continues to make progress to deploy alternative response teams to select calls for service in our community.

Three of the pilots - Crisis Call Diversion, the Community Response Teams, and Care Navigation - are set to launch in late June. Our crisis call diversion pilot will embed clinicians in the 911 center to assess the needs of callers who might have behavioral health concerns; the community response teams will respond to calls for behavioral health needs and other quality of life issues; while, the care navigators will follow up with persons who've been assisted to connect them to the community-based services they need.

Currently, 9 of the department's 13 full-time positions are filled, and my budget proposes adding seven new positions to support more robust pilots of these programs over the next year, along with funding for vehicles and equipment needed to transport those in crisis to the appropriate care facility or organization, as needed.

Funding for three fire trainers and two firefighters are included in this budget.

And in the Police Department, I am including funding for a one-year pilot of the ShotSpotter program to locate and address gunfire in the city.

Also, the Police Department will be reclassifying two positions to create two new latent print examiner positions to enhance their investigative capabilities.

Creating and promoting strategies and programs to ensure that all of the city's residents share in Durham's prosperity continues to be a top priority for the City.

The City continues to make progress in our efforts to provide affordable housing.

My proposed budget of \$13.6 million is a 6.77% (\$862,000) increase over the FY21-22 budget of \$12.7 million.

Funded with a tax rate appropriation of 3.38 cents of the property tax, 2 cents totaling \$ 8 million, is included for affordable housing projects and services, and 1.38 cents, generating \$5.4 million will be used to pay the debt service for the \$95 million affordable housing bond.

This year's budget also includes \$500,000 for the Durham County long-time homeowner tax grant program.

Forever Home, Durham is our \$160 million program creating affordable opportunities for renters and homeowners. Through new construction, property repairs, and essential housing services, we are building a more inclusive and livable community.

Over the next several years, the \$95 million Affordable Housing Bond, combined with local and federal funding, will be used to invest a total of \$160 million to reach affordable housing goals established for the program.

On the slide you can see our progress through the numbers.

The last two years opened everyone's eyes to the necessity of having access to the internet. It is absolutely vital that equitable access is available. Let me give you some idea of how important it is at every level. First globally, the United Nations passed a resolution that declared that access to the internet should be considered a human right. If you don't believe me, just google it!

At the national level, just last week, President Biden took a major historic step to provide internet access to millions by covering the cost of the service. Now, some 20 leading internet providers will offer eligible households high-speed internet for no more than \$30 per month. You can find out if you qualify by visiting [acpbenefit.org](http://acpbenefit.org).

Also, Governor Roy Cooper joined U.S. Commerce Secretary Gina Raimondo at the Kramden Institute right here in Durham last week to announce the Biden-Harris \$45 billion investment in affordable, reliable high-speed internet, with significant amounts going to states, including North Carolina.

While this will make a huge dent in providing access to so many, I want you to know that providing internet service to all Durham residents is a priority for the City. Over the past two years, the City of Durham, in partnership with Duke University have been hard at work to provide free high-speed internet to 8 Durham Housing Authority Communities. I am proud to let you know that this project is almost complete. Now, residents of those communities, particularly Durham Public School students, will be able to attend school and work remotely when needed. CARES Act funded much of this project.

To continue to address needs right here in Durham, the City, along with many other local organizations participated in a multi-year initiative aimed at ensuring all Durham residents have access to and understand how to use technology, namely the internet. To help put that plan into action, I am proposing funding for a digital inclusion program manager.

Two other important ways the City is creating opportunities for shared prosperity are through our Durham YouthWorks Program and by supporting local businesses. Our Durham YouthWorks Program continues to be a way to engage youth to give them skills they'll need to enter the job market. I want to make sure that every teenager who wants a summer job experience can have one. I am proposing an additional \$400,000 to support this possibly life-changing program.

Local businesses and entrepreneurs continue to look to the City for advice as they get started and as they recover from the impact of COVID-19. Funding is provided for three programs:

The Momentum 360 Financial Academy Training Program to provide coaching, mentoring, and training that will advise businesses as they recover from the impact of COVID-19 shutdowns. This program will provide multi-modal coaching, mentoring, and education/training targeted toward entrepreneurial support.

The Hispanic Ecosystem and Outreach Program, partially supported by a National League of Cities grant, is aimed at developing a marketing, outreach, and technical assistance program that specifically targets Hispanic entrepreneurs.

And, to help continue Durham's legacy businesses, I am funding a program to retain, expand, and transition Durham's long-standing small, women- and minority-owned businesses. The program includes succession planning and targeted technical assistance.

We know that being able to travel is important, whether it is to your job, doctor appointments, or to get groceries. I am pleased to share that GoDurham will continue fare-free service through June 30, 2023. Continued federal support of about \$12 million through the American Rescue Plan has provided gap funding throughout the pandemic for transit operations and this support, along with State funding of \$3.6 million is expected to continue this upcoming fiscal year.

Additionally, the City has already received federal awards this year, including awards to improve Durham Station and for the Rails to Trails project, totaling about \$20 million. The City is continuing to prepare to apply for more grants to improve transit in Durham.

As you saw earlier, 3.75 cents of the tax rate, combined with grant and other funding, all totaling nearly \$41 million will support core transit services in the coming year. This

includes expanding service, and improving on-time arrival and route frequencies, which are all part of the short-term transit plan. I am proposing 6 additional FTEs, primarily to work on and manage capital infrastructure projects and programs.

In addition to adopting the proposed budget, City Council will also soon adopt our updated Capital Improvement Plan, which guides our long-term capital projects such as infrastructure and facilities.

While the proposed CIP update will be presented during the upcoming Budget Work Sessions, some of the new proposed capital projects are noted on the next three slides.

The capital improvement budget includes a little over \$145 million for new projects and to complete existing ones.

This funding includes \$28.7 million for important general government capital needs.

These projects were prioritized using an equity lens, or screening questions, to determine who would benefit from the improvement and who may be burdened. The assessment also looks at unintended outcomes of the proposed projects.

Here's is a short summary of our Enterprise Capital Projects including Water and Sewer, Stormwater, and Solid Waste projects.

I am also proposing that we continue our capital commitments for our fleet replacement program, for street maintenance, and repaving.

In addition to these projects, the City is continuing our commitment to Green and Equitable Infrastructure. A half cent tax, generating \$2 million, is included in this budget for projects important to neighborhoods that have historically received fewer resources, or investment, to make them better.

This money will be added to funding already set aside from last year's budget to allow the City to borrow more money for these important projects after we get ideas and input from those communities.

We will present more information about our Green and Equitable Infrastructure plan to City Council during our budget briefing on May 25.

Now that I've presented highlights from the proposed budget, it's time for our elected leadership and community members to take a closer look.

City Council and staff will review the details at next week's budget work sessions on May 25 and May 26 beginning at 9 a.m. each day right here in Council Chambers.

In addition to being open to the public to attend in person, they will also be live streamed to Durham Television Network and to our YouTube channel to enable as many people as possible to watch our departmental budget presentations.

Our residents are encouraged to share their thoughts at our Budget Public Hearing, which will take place during the June 6 City Council meeting beginning at 7 p.m.

We remain committed to transparency in the budget as well as in total operations. Therefore, the complete proposed budget is now available for your review on the City's website at [DurhamNC.gov/Budget](http://DurhamNC.gov/Budget).

We continue to be a destination of choice for new residents. While we acknowledge our challenges as a community, Durham is still a dynamic city.

In fact, tomorrow, U.S. News & World Report will release its *Best Places to Live 2022-2023* rankings. And, I was told that the Durham/Raleigh metro area has earned a top placement among the country's 150 largest metro areas based on how well we meet resident's expectations for where to live, based on affordability, the quality of life, and desirability.

I am not surprised that so many consider Durham a best place to live. There are many reasons that we all love living here. We know we are nowhere near perfect, but by working together, government, large and small businesses, non-profits, educational institutions, and faith-based organizations, legacy residents and those brand new to our community, we can continue to make this city the best it can be.

You can learn more about my proposed budget and City operations by following the City on our social media channels. We work hard to communicate what we're doing on these pages, and want to keep you informed on our work and our progress on these channels.

I'd like to thank City departments for their contributions to the FY 22-23 proposed budget. It could not be done without you and your heart for public service. Thanks to the Budget and Management Services Department, under the leadership of Director John Allore, for not missing a step, despite operating with fewer staff than normal.

Finally, thank you to the Mayor and City Council for your leadership, on behalf of the residents of our great city."

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

**SUBJECT: CONSOLIDATED ANNEXATION- ANGIER AVENUE APARTMENTS**

**(ITEM 21/ PR# 15391)**

Michael Stock, Senior Planner, stated for the record that the Planning Department public hearing item had been properly noticed and advertised per state and local law and affidavits to that effect were on file with the Planning Department and provided the following staff report:

A request for a utility extension agreement, voluntary annexation and initial zoning map change has been received from Thomas Johnson for four parcel(s) of land totaling 36.67 acres located 3723, 3729, and 3685 Angier Avenue, and a portion of 3801 Angier Avenue. Of the four parcels, the annexation petition applied to parcel 163009 (3729 Angier Avenue) and a portion of parcel 163008 (3801 Angier Avenue). The two other parcels (PID 163003, 3723 Angier Avenue; and PID 163019, 3685 Angier Avenue) were already within the city limits. The request was for an expansion of an existing satellite of the corporate city limits, thus expanding a noncontiguous area of the corporate city limits (see Annexation Overview Map, Attachment D). The intent of the contiguous annexation petition was to connect to City utilities, and facilitate the construction of the development proposed with associated zoning map change request Z2100005.

The current zoning of the overall site consisted of two zoning districts: the parcels under consideration for annexation were zoned Residential Suburban- Multifamily with a development plan (RS-M(D)), and the two parcels already within the city limits were zoned Residential Suburban-20 (RS-20) and RS-M(D). All parcels were within the Falls/Jordan Watershed Overlay District-B (F/J-B). For the initial zoning of the site if annexation was approved, and for the parcels within the city limits, the applicant proposed to change the designation to RS-M(D) to allow for the construction of 521 apartment units. The watershed overlay would remain unchanged. The request, Case Z2100005, failed to receive a recommendation of approval from the Planning Commission on February 8, 2022, with a vote of 1-10.

The properties were designated Low Medium Density Residential and Commercial on the Future Land Use Map (FLUM) (Attachment C). The proposed RS-M(D) zoning was inconsistent with the designated Future Land Use of Industrial. If the proposed zoning was approved, staff recommended a change to the FLUM to designate the property as Medium-High Density Residential.

Mayor Pro Tempore Middleton opened the public hearing and called for any speakers to the item.

Mayor Pro Tempore Middleton asked if the item was a direct translation. Mr. Stock stated that it was not a direct translation.

Tom Johnson, a representative for the applicant, spoke to design features, affordable

housing units, unit types, and letters of support as they pertained to the item and asked council for their support.

Council Member Hyman advocated for more than one bedroom units and asked for more information on the donations to parks and recreation and DPS.

Mr. Johnson stated that the applicant was to donate \$4,600 to be used at their discretion.

Council Member Hyman asked if it was a single donation.

Mr. Johnson advised that it was a single donation.

Council Member Hyman stated that she wanted to see more from the developer in the future.

Mr. Johnson stated that the applicant was going to have more opportunities to contribute to the community over time.

Council Member Williams appreciated the applicant for doing their part on making a development that addressed the affordability crisis in the city.

Mayor Pro Tempore Middleton asked how many units were being proposed.

Mr. Johnson stated that 521 units were being proposed and 10% were to be affordable units.

Mayor Pro Tempore Middleton asked that price range on the units.

Mr. Johnson stated that generally one bedrooms would start at \$1300.

Mayor Pro Tempore Middleton asked if the affordable and market rate units would be integrated.

Mr. Johnson stated that the units would be indistinguishable from one another.

Council Member Caballero commended the proffers made by the applicant and that two neighborhood meetings were held.

Council Member Johnson echoed the comments made by Council Member Caballero and expressed her support for the item.

Seeing no additional speakers, Mayor Pro Tempore Middleton declared the public hearing closed.



**MOTION** by Council Member Caballero, seconded by Council Member Williams, to adopt an ordinance annexing Angier Avenue Apartments into the City of Durham effective June 30, 2022; and to authorize the City Manager to enter into a utility extension agreement with Kelley Development Company, LLC, was approved at 8:47 p.m. by the following vote: Ayes: Mayor Pro Tempore Middleton and Council Members Caballero, Hyman, Johnson, and Williams. Noes: None. Absent: Mayor O’Neal and Council Member Freeman.

**ORDINANCE #15935**

**MOTION** by Council Member Williams, seconded by Council Member Caballero, to adopt an ordinance amending the Unified Development Ordinance by taking property out of the Residential Suburban- Multifamily with a development plan (RS-M(D)); Falls/Jordan Watershed Overlay District-B (F/J-B) (County Jurisdiction) and Residential Suburban-20 (RS-20), Residential Suburban- Multifamily with a development plan (RS-M(D)), Falls/Jordan Watershed Overlay District-B (F/J-B) and establishing the same as Residential Suburban- Multifamily with a development plan (RS-M(D)), Falls/Jordan Watershed Overlay District-B (F/J-B) (City jurisdiction), was approved at 8:48 p.m. by the following vote: Ayes: Mayor Pro Tempore Middleton and Council Members Caballero, Hyman, Johnson, and Williams. Noes: None. Absent: Mayor O’Neal and Council Member Freeman.

**ORDINANCE #15936**

**MOTION** by Council Member Williams, seconded by Council Member Caballero, to adopt a Consistency Statement as required by NCGS 160D-605, was approved at 8:48 p.m. by the following vote: Ayes: Mayor Pro Tempore Middleton and Council Members Caballero, Hyman, Johnson, and Williams. Noes: None. Absent: Mayor O’Neal and Council Member Freeman.

UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP CHANGE CONSISTENCY STATEMENT  
BY THE DURHAM CITY COUNCIL  
REGARDING Z2100005, Angier Avenue Apartments

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160D-605, 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 160D-605, 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 Z2100005, Angier Avenue Apartments, is based upon review of consistency with the Durham Comprehensive Plan and any other officially adopted plan that is applicable, as provided in the 'Consistency with Adopted Plans' and 'Reasonable and in the Public Interest' sections of the staff report and Attachment L, Community Goals and Objectives, along with additional agenda information provided to the City Council and information provided at the public hearing, and

Although the proposed zoning map change designation is inconsistent with the Future Land Use designation as provided on the Future Land Use Map (FLUM) of the Comprehensive Plan in Attachment 3, the zoning change will amend the FLUM to a designation consistent with the proposed zoning change.

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. This request promotes this by offering fair and reasonable development regulations supported by the 'Consistency with Adopted Plans' and 'Reasonable and in the Public Interest' sections of the staff report, and Attachment L, Community Goals and Objectives, along with additional agenda information provided to the City Council and information provided at the public hearing. Therefore, the request is reasonable and in the public interest.

**[ADJOURNMENT]**

Seeing no additional business to come before Council, the meeting was adjourned at 8:53 p.m.

Ashley Wyatt, CMC  
Deputy City Clerk

Diana Schreiber, CMC  
City Clerk