

**DURHAM, NORTH CAROLINA
MONDAY, JUNE 6, 2022
7:00 P.M.**

The Durham City Council met in the Council Chambers at 101 City Hall Plaza and virtually via Zoom at the above time and date with the following members present: Mayor O’Neal, Mayor Pro Tempore Mark-Anthony Middleton, and Council Members, Javiera Caballero, DeDreana Freeman, Monique Holsey- Hyman, Jillian Johnson and Leonardo Williams. Absent: None

Also Present: City Manager Wanda Page, City Attorney Kim Rehberg, City Clerk Diana Schreiber and Assistant City Clerk Ashlee Adams.

[CALL TO ORDER]

Mayor O’Neal called the meeting to order and welcomed all in attendance.

[CEREMONIAL ITEMS]

Council Member Johnson read into the record the Pauli Murray Center Day Proclamation and presented it to Barbra Lau, Executive Director of the Pauli Murray Center.

Mayor Pro Tempore Middleton read into the record the Men's Health Month Proclamation and presented it to Elvert Dorsey, Chair of Durham County Men’s Health Council.

Taking prerogative as Chair, Mayor O’Neal asked Rodney Jenkins, Director of the Durham County Health Department to provide a brief update on COVID-19 since he was in the audience. He stated that the COVID-19 cases were fluctuating; COVID-19 booster shots were available for children 5 and up; encouraged residents to stay prepared; and also recommended following the CDC for more information.

Council Member Holsey- Hyman read into the record the Tourette Syndrome Awareness Day Proclamation and presented it to the Greater Carolinas Tourettes Group.

Mayor O’Neal declared the months of June and July as Kindness Months and encouraged all to be kind to one another.

[ANNOUNCEMENTS BY COUNCIL]

Mayor O’Neal recognized LGBTQ Pride Month for the City of Durham and across the nation.

Council Member Johnson recited recommendations from the CDC and encouraged all to wear masks indoors in public settings.

Council Member Holsey- Hyman recognized the Durham City Youth that are working to create change for various issues.

Council Member Freeman expressed concern for the amount of women that have been forced to leave the work force due to daycare closures caused by COVID-19 and echoed the need for kindness.

Council Member Williams thanked the Covenant Church for inviting him to speak on gun violence.

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

City Manager Page stated that additional information had been added.

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

[CONSENT AGENDA]

SUBJECT: APPROVAL OF CITY COUNCIL MINUTES (ITEM 1/ PR# 15457)

MOTION by Council Member Williams, seconded by Council Member Johnson, to approve the City Council minutes for the following meetings: April 4, 2022 Regular Meeting, April 7, 2022 Work Session, April 11, 2022 Special Meeting, April 18, 2022 Regular Meeting and April 21, 2022 Work Session, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: AUDIT SERVICES OVERSIGHT COMMITTEE – APPOINTMENT (ITEM 2/ PR# 15432)

MOTION by Council Member Williams, seconded by Council Member Johnson, to appoint Nicholas W. Long to the Audit Services Oversight Committee representing Business Community (Finance) with the term to expire on June 30, 2026 (Due to the term expiration of Nicholas W. Long) was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: BOARD OF ADJUSTMENT – APPOINTMENTS (ITEM 3/ PR# 15427)

MOTION by Council Member Williams, seconded by Council Member Johnson, to appoint Jessica Major representing Alternate Member and Michael C. Retchless representing Regular Member to the Durham Board of Adjustment and one Alternate

Member with the terms expiring on June 30, 2025 (Due to the term expirations of Jessica Major and Michael C. Retchless), was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: CITIZENS ADVISORY COMMITTEE – APPOINTMENTS (ITEM 4/ PR# 15431)

MOTION by Council Member Williams, seconded by Council Member Johnson, to appoint Ahmed Ali, Robert M. Brown, Reshockie R. Furnace and to reappoint Amy Jones to the Citizens Advisory Committee with the terms to expire on June 30, 2025. (Due to the term expirations of Amy Jones, Adam A. Sadda, Alicia P. Smith-Freshwater, and Ebony N. West), was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey- Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: DURHAM CITY-COUNTY ENVIRONMENTAL AFFAIRS BOARD – APPOINTMENTS (ITEM 5/ PR# 15433)

MOTION by Council Member Williams, seconded by Council Member Johnson, to appoint Quynh-Chi Vo representing At-Large Resident and Michael Burrows representing Equity/Environmental Justice to the Durham City-County Environmental Affairs Board with the terms to expire on June 30, 2025 (Due to the term expirations of Cristian Valle Kinloch and Quynh-Chi Vo), was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey- Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: DURHAM CULTURAL ADVISORY BOARD – APPOINTMENTS (ITEM 6/ PR# 15435)

MOTION by Council Member Williams, seconded by Council Member Johnson, to appoint Caroline Dwyer, Mitchell E. Sava, Aya Shabu and to reappoint Angelique Stallings to the Durham Cultural Advisory Board with the terms to expire on June 30, 2025 (Due to the term expirations of Mitchell E. Sava and Angelique Stallings, and the resignations of Marcus Hawley and Katy Clune), was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: DURHAM PERFORMING ARTS CENTER OVERSIGHT COMMITTEE – APPOINTMENT (ITEM 8/ PR# 15434)

MOTION by Council Member Williams, seconded by Council Member Johnson, to appoint Craig Spitzer to the Durham Performing Arts Center Oversight Committee

representing Business with the term to expire on March 1, 2025 (Due to the term expiration of Keelan Brown), was approved at 7:45 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: DURHAM PLANNING COMMISSION – APPOINTMENTS (ITEM 9/ PR# 15424)

MOTION by Council Member Williams, seconded by Council Member Johnson, to appoint Kimberly Cameron, Garry Cutright, Shaunda L. Luther, and Anthony M. Sease to the Durham Planning Commission with the terms to expire on June 30, 2025. (Due to the term expirations of Brian Buzby, Kimberly Cameron, Garry Cutright, and Anthony M. Sease), was approved at 7:45 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: MAYOR'S COUNCIL FOR WOMEN – REAPPOINTMENTS (ITEM 10/ PR# 15426)

MOTION by Council Member Williams, seconded by Council Member Johnson, to reappoint Wahiba Kartaoui representing Cultural, Recreation, Fine Arts Sector, Sheena Mathews representing Fair Housing/Economic Development Sector, and Akeeya Umstead representing At-Large Resident to the Mayor's Council for Women with the terms to begin on July 1, 2022 and expire on June 30, 2026 (Due to the term expirations of Wahiba Kartaoui, Sheena Mathews, and Akeeya Umstead), was approved at 7:45 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: PARTICIPATORY BUDGETING STEERING COMMITTEE – REAPPOINTMENT (ITEM 11/ PR# 15421)

MOTION by Council Member Williams, seconded by Council Member Johnson, to reappoint Axel Herrera Ramos representing an At-Large Resident to the Participatory Budgeting Steering Committee with the term to begin July 1, 2022 and expire June 30, 2024 (Due to the term expiration of Axel Herrera Ramos), was approved at 7:45 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: FY2022-23 THIRD QUARTER FINANCIAL REPORT (ITEM 13/ PR# 15414)

MOTION by Council Member Williams, seconded by Council Member Johnson, to receive a presentation on the FY2022-23 Third Quarter Financial Report and to receive the FY2022-23 Third Quarter Financial Report, was approved at 7:45 p.m. by the

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

SUBJECT: INTERLOCAL AGREEMENT FOR THE DISTRIBUTION OF SALES TAX BETWEEN THE CITY OF DURHAM AND DURHAM COUNTY (ITEM 14/ PR# 15445)

MOTION by Council Member Williams, seconded by Council Member Johnson, to ratify by resolution, the one-year Interlocal Agreement (ILA) with Durham County for the sharing of sales tax revenue and to authorize the City Manager to execute the ILA on behalf of the City, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: NC RECORDS RETENTION AND DISPOSITION SCHEDULES 2021- SUBSTANTIVE CHANGES (ITEM 15/ PR# 15451)

MOTION by Council Member Williams, seconded by Council Member Johnson, to adopt the 2021 General Records Schedule: Local Government Agencies; the 2021 Program Records Schedule: Local Government Agencies; and corresponding Resolution, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

RESOLUTION #10259

SUBJECT: CONTRACT WITH FULCHER ELECTRIC FOR THE CONSTRUCTION OF NCDOT OWNED TRAFFIC SIGNALS IN DURHAM (ITEM 17/ PR# 15455)

MOTION by Council Member Williams, seconded by Council Member Johnson, to authorize the City Manager to execute a contract with Fulcher Electric of Fayetteville, Inc. in the amount of \$362,529.00 for the installation of three traffic signal improvements; to establish a project contingency fund in the amount of \$54,379.35; and to authorize the City Manager to negotiate change orders to the project provided the cost of the contract, including all change orders, does not exceed the total project cost of \$416,908.35, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: ORDINANCE TO CHANGE CIVIL PENALTIES FOR PARKING VIOLATIONS (ITEM 18/ PR# 15448)

MOTION by Council Member Williams, seconded by Council Member Johnson, to

adopt an Ordinance to Change Civil Penalties for Parking Violations effective July 1, 2022, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

ORDINANCE #15940

SUBJECT: ORDINANCE TO CHANGE PARKING FEES (ITEM 19/ PR# 15449)

MOTION by Council Member Williams, seconded by Council Member Johnson, to adopt the Ordinance to Revise Parking Fees to be effective July 1, 2022, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

ORDINANCE #15941

SUBJECT: AWARD OF A SERVICES CONTRACT TO HYDROMAX USA, LLC FOR THE SEWER OUTFALL INSPECTION PROGRAM - NORTH PROJECT (ITEM 20/ PR# # 15407)

MOTION by Council Member Williams, seconded by Council Member Johnson, to authorize the City Manager to execute a contract with Hydromax USA, Limited Liability Company, in an amount not to exceed \$3,626,422 for the Sewer Outfall Inspection Program - North project; to establish a contingency fund for the contract with Hydromax USA, Limited Liability Company, in the amount not to exceed \$360,000; and to authorize the City Manager to negotiate change orders for the contract with Hydromax USA, Limited Liability Company, provided that the total contract cost does not exceed \$3,986,422, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: ORDINANCE AMENDING CHAPTER 70, ARTICLE VII OF THE CITY OF DURHAM CODE OF ORDINANCES, WHICH REGULATES CROSS CONNECTION CONTROL (ITEM22/ PR# 15371)

MOTION by Council Member Williams, seconded by Council Member Johnson, to adopt replacement of the entire City of Durham Code of Ordinance, Chapter 70, Article VII - Cross Connection Control, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None

ORDINANCE #15942

SUBJECT: WATER DISTRIBUTION SYSTEM STUDY, HYDRAULIC MODEL UPDATE, AND WESTERN INTAKE PARTNERS DISCHARGE ANALYSIS – AWARD TO MCKIM AND CREED, INC. (ITEM 23/ PR# 15416)

MOTION by Council Member Williams, seconded by Council Member Johnson, to authorize the City Manager to execute a contract with McKim and Creed, Inc. for Professional Engineering Services in an amount not to exceed \$1,717,000 for the Water Distribution System Study, Hydraulic Model Update, and Western Intake Partners Discharge Analysis contract;

to establish a contingency fund for the contract in the amount not to exceed \$183,000; and

to authorize the City Manager to negotiate change orders for the contract provided that the total project cost does not exceed \$1,900,000, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: ANNUAL INSURANCE PLAN FY23 (ITEM 24/ PR# 15444)

MOTION by Council Member Williams, seconded by Council Member Johnson, to authorize the City Manager or her designee to maintain the general insurance plan and modify it as needed, provided the modifications are consistent with the City’s overall risk management and financial objectives;

to authorize the City Manager or her designee to purchase additional insurance throughout the year, as needed, for endorsements, lease/contract requirements, new programs, and builder’s risk insurance;

to authorize the City Manager or her designee to expend an amount for all insurance premiums not to exceed \$3,000,000 to maintain the annual insurance plan and make additional insurance purchases as needed beginning July 1, 2022;

to authorize the City Manager or her designee to submit an application to Trust to amend the letter of credit to Travelers Indemnity Company not to exceed \$950,000; to authorize the City Manager or her designee to issue the amended Letter of Credit to Travelers Indemnity Company;

to authorize the City Manager or her designee to enter into the Guaranty Agreement for Durham City Transit Company’s liability insurance coverage; and

to authorize the City Manager or her designee to execute any renewals, amendments, and other associated legal documents as necessary to meet Travelers Indemnity Company’s Letter of Credit and Guaranty Agreement requirements, and to make changes to any of the legal documents prior to execution, so long as the changes are

consistent with the intent of the agenda item memo and the existing versions of the documents, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: APRIL 2022 BID REPORT (ITEM 25/ PR# 15446)

MOTION by Council Member Williams, seconded by Council Member Johnson, to receive a report on the bids that were acted upon by the City Manager in April 2022, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

- 1. **Bid:** Police Vehicles

Purpose of Bid: Provides the Department of Fleet Maintenance with one (2) Mustang MACH-4DR AWD GT (K4S) Electric Sedan Vehicle.

Comments: Priced in accordance with NCSA Contract #22-08-0913, Spec-#90.

Opened: 4/27/22

Bidders:

Vendor	Qty	Price	Total Cost
Parks Ford HV LLC Hendersonville, NC	2	\$ 62,035.00	\$ 124,070.00

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	8	7	1
Professional	9	7	2
Technical	20	20	0
Clerical	6	0	6
Labor	9	9	0
Total	52	43	9

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	7	0	0	0	0
Professional	6	1	0	0	0
Technical	18	1	1	0	0
Clerical	0	0	0	0	0
Labor	4	2	3	0	0
Total	35	4	4	0	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	1	0	0	0	0
Professional	2	0	0	0	0
Technical	0	0	0	0	0
Clerical	6	0	0	0	0
Labor	0	0	0	0	0
Total	9	0	0	0	0

2. **Bid:** Police Vehicles

Purpose of Bid: Provides the Department of Fleet Maintenance with one (1) Maverick AWD Super crew 4.5' Bed Vehicle.

Comments: Priced in accordance with NCSA Contract #22-08-0913, Spec-#90.

Opened: 4/14/22

Bidders:

Vendor	Qty	Price	Total Cost
Parks Ford HV LLC Hendersonville, NC	1	\$ 22,908.40	\$ 22,908.40

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	8	7	1
Professional	9	7	2
Technical	20	20	0
Clerical	6	0	6
Labor	9	9	0
Total	52	43	9

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	7	0	0	0	0
Professional	6	1	0	0	0
Technical	18	1	1	0	0
Clerical	0	0	0	0	0
Labor	4	2	3	0	0
Total	35	4	4	0	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	1	0	0	0	0
Professional	2	0	0	0	0
Technical	0	0	0	0	0
Clerical	6	0	0	0	0
Labor	0	0	0	0	0
Total	9	0	0	0	0

3. **Bid:** Computer Equipment

Purpose of Bid: Provides the Information Technology Department with nine (9) Dell CTO 5430 I5-1135G7 256 16 W11P.

Comments: Priced in accordance with National IPA Technical Solutions (2018011-01) -IT Infrastructure Solutions and Related Services.

Opened: 4/14/22

Bidders:

Vendor	Qty	Price	Total Cost
CDW Government Inc. Vernon Hills, IL	9	\$ 2,155.37	\$ 19,398.33

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	2	1	1
Professional	37	22	15
Technical	0	0	0
Clerical	165	128	37
Labor	0	0	0
Total	204	151	53

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	1	0	0	0	0
Professional	20	0	0	2	0
Technical	0	0	0	0	0
Clerical	121	3	0	4	0
Labor	0	0	0	0	0
Total	142	3	0	6	0

UBE/SLBE REQUIREMENTS – FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	1	0	0	0	0
Professional	10	5	0	0	0
Technical	0	0	0	0	0
Clerical	23	10	0	4	0
Labor	0	0	0	0	0
Total	34	15	0	4	0

4. Bid: Sewer Maintenance

Purpose of Bid: Provides the Water Department with the purchase of specialized meter reading equipment – Easy Link Device.

Comments: Priced in accordance with Authorized Distributor and Sole Source provider of Sensus / Xylem Brand Products.

Opened: 4/14/2022

Bidders:

Vendor	Qty	Price	Total Cost
Ferguson Waterworks Durham, NC	3	\$ 11,287.50	\$ 33,862.50

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	1	0	1
Professional	3	3	1
Technical	0	0	0
Clerical	2	2	0
Labor	3	3	0

Total	9	7	2
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UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	0	0	0
Professional	2	0	0	0	0
Technical	0	0	0	0	0
Clerical	2	0	0	0	0
Labor	3	0	0	0	0
Total	7	0	0	0	0

UBE/SLBE REQUIREMENTS – FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	1	0	0	0	0
Professional	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	2	0	0	0	0

5. Bid: Sewer Maintenance

Purpose of Bid: Provides the Water Department with annual maintenance service support for EasyLink specialized meter reading equipment.

Comments: Priced in accordance with Authorized Distributor and Sole Source provider of Sensus / Xylem Brand Products.

Opened: 4/14/2022

Bidders:

Vendor	Qty	Price	Total Cost
Ferguson Waterworks Durham NC	2	\$ 13,706.25	\$ 27,412.50

Award Based on:

Low Bid

Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE					
Employment Category	Employees	Males	Females		
Project Mgr.	1	0	1		
Professional	3	2	1		
Technical	0	0	0		
Clerical	2	2	0		
Labor	3	3	0		
Total	9	7	2		

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	0	0	0	0	0
Professional	2	0	0	0	0
Technical	0	0	0	0	0
Clerical	2	0	0	0	0
Labor	3	0	0	0	0
Total	7	0	0	0	0

UBE/SLBE REQUIREMENTS – FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	1	0	0	0	0
Professional	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	2	0	0	0	0

6. Bid: Vehicle Repair

Purpose of Bid: Provides the Fleet Maintenance Department with Auto - Body Repair Service for 2019 Dodge Charge Police RWD (FLEET) 4D SED 6-3 6L Gasoline Sequential.

Comments: Fleet Department keep cost down on this repair by doing most of the work in house. The subject Frame Repair work/replacement has been contract out by the subject vendor.

Opened: 4/11/2022

Bidders:

Vendor	Qty	Price	Total Cost
Triangle Motors Durham, NC	1	\$ 10,600.56	\$ 10,600.56

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	22	17	5
Professional	31	26	5
Technical	0	0	0
Clerical	22	11	11
Labor	127	99	28
Total	202	153	49

UBE/SLBE REQUIREMENTS – MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	15	1	1	0	0
Professional	9	11	4	2	0
Technical	0	0	0	0	0
Clerical	7	0	3	1	0
Labor	52	19	22	6	0

Total	83	31	30	9	0
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UBE/SLBE REQUIREMENTS – FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	3	2	0	0	0
Professional	2	3	0	0	0
Technical	0	0	0	0	0
Clerical	11	0	0	0	0
Labor	5	14	7	1	1
Total	21	19	7	1	1

7. **Bid:** Police Vehicles

Purpose of Bid: Provides the Department of Fleet Maintenance with one (1) 2022 Escape PGEV 4Dr FWD SE (U0E)

Comments: Priced in accordance with NCSA Contract #22-08-0913, Spec-#90.

Opened: 4/11/22

Bidders:

Vendor	Qty	Price	Total Cost
Parks Ford HV LLC Hendersonville, NC	1	\$ 31,070.00	\$ 31,070.00
University Ford Durham, NC	1	\$ 35,935.00	\$ 35,935.00

Award Based on: Low Bid Other (See Comments)

Workforce Statistics

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr.	8	7	1
Professional	9	7	2

Technical	20	20	0
Clerical	6	0	6
Labor	9	9	0
Total	52	43	9

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	7	0	0	0	0
Professional	6	1	0	0	0
Technical	18	1	1	0	0
Clerical	0	0	0	0	0
Labor	4	2	3	0	0
Total	35	4	4	0	0
UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr.	1	0	0	0	0
Professional	2	0	0	0	0
Technical	0	0	0	0	0
Clerical	6	0	0	0	0
Labor	0	0	0	0	0
Total	9	0	0	0	0

SUBJECT: RESOLUTION FOR LIMITED OBLIGATION BOND, SERIES 2022 (ITEM 27/ PR# 15452)

MOTION by Council Member Williams, seconded by Council Member Johnson, to adopt a Resolution approving an amendment to an Installment Financing Contract not to exceed \$132,000,000 and associated documents, and providing for certain other related matters, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

RESOLUTION #10260

SUBJECT: COOPERATIVE GROUP PURCHASE CONTRACT - ONE (1) FIRE RESCUE TRUCK (ITEM 28/ PR# 15437)

MOTION by Council Member Williams, seconded by Council Member Johnson, to authorize the City Manager to execute a contract with Sutphen Corporation of Amlin, Ohio for the purchase of one (1) fire rescue truck in the amount of \$1,204,108.84, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: COOPERATIVE GROUP PURCHASE CONTRACT– ONE (1) MID-MOUNT AERIAL PLATFORM FIRE TRUCK (ITEM 29/ PR# 15439)

MOTION by Council Member Williams, seconded by Council Member Johnson, to authorize the City Manager to execute a contract with Sutphen Corporation of Amlin, Ohio for the purchase of one (1) Sutphen SPH100 mid-mount aerial platform fire truck in the amount of \$1,543,336.20, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: 2022 DURHAM ENVIRONMENTAL AFFAIRS BOARD INTERLOCAL COOPERATION AGREEMENT (ITEM 30/ PR# 15389)

MOTION by Council Member Williams, seconded by Council Member Johnson, to resolve to authorize the City Manager to execute an Interlocal Cooperation Agreement with Durham County governing the Durham Environmental Affairs Board, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: CONTRACT AMENDMENT NO. #1 FOR FY2022-23 CITY SERVICES AND PROGRAMS FOR THE DOWNTOWN DURHAM MUNICIPAL SERVICE DISTRICT BETWEEN THE CITY OF DURHAM AND DOWNTOWN DURHAM, INC. (ITEM 32/ PR# 15463)

MOTION by Council Member Williams, seconded by Council Member Johnson, to authorize the City Manager to execute a contract amendment with Downtown Durham, Inc. (DDI) to provide services and programs within the Downtown Durham Municipal Service District in an amount not to exceed \$1,697,000 for 2022-23 subject to City Council budget authorization, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

SUBJECT: RETAIN CRIMINAL PENALTY FOR VIOLATION OF DURHAM CITY CODE SECTION 26-23 (NOISE) (ITEM 38/ PR# 15473)

MOTION by Council Member Williams, seconded by Council Member Johnson, to amend the City's Noise Ordinance to specify that a violation of the Ordinance shall constitute a misdemeanor, was approved at 7:45 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

ORDINANCE #15946

[GENERAL BUSINESS AGENDA]

SUBJECT: AWARD OF CONSTRUCTION CONTRACT TO OWENS ROOFING, INC. FOR ROOF REPAIR AND REPLACEMENTS AT VARIOUS DEPARTMENT OF WATER MANAGEMENT BUILDINGS (ITEM 21/ PR# 15459)

Don Greeley, Director of Water Management, advised the owner of Owens Roofing, Burt Owens was available to answer any questions.

Mayor Pro Tempore Middleton asked how old the company was and if the company had any African American employees.

Mr. Owens stated that they currently did not; however, that was not always the case and that they did have a lot of Latino employees.

Mayor Pro Tempore Middleton asked what type of recruitment measures the company did.

Mr. Owens advised that they predominantly received applicants by word of mouth.

MOTION by Council Member Freeman, seconded by Council Member Caballero, to authorize the City Manager to execute a contract with Owens Roofing, Inc. for the Roof Repair and Replacements at Various Department of Water Management Buildings in the amount of \$2,104,751;

to establish a contingency fund for the contract in the amount of \$210,475; and to authorize the City Manager to negotiate change orders for the contract provided that the cost of all change orders, together with the total contract cost, does not exceed \$2,315,226; was approved at 7:54 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

[GENERAL BUSINESS AGENDA - PUBLIC HEARINGS]

SUBJECT: PUBLIC HEARING FOR THE CITY MANAGER'S PROPOSED FISCAL YEAR 2022-23 BUDGET AND FISCAL YEAR 2023-28 CAPITAL IMPROVEMENT PLAN (CIP) (ITEM 34/ PR# 15413)

Mayor O'Neal deferred to Mayor Pro Tempore Middleton to conduct the public hearing.

Mayor Pro Tempore Middleton opened the public hearing on the City Manager's proposed Fiscal Year 2022-23 Budget and Fiscal Year 2023-28 Capital Improvement Plan (CIP) and called for any speakers to the item.

Lorisa Seibel requested \$6 million for rental assistance for approximately 4,000 families stay in their homes.

Jennifer Goss advocated for the rental assistance program funding.

Bree Davis spoke to the importance of voting in the community.

Marie Hill Faison advocated for rental assistance funding and requested additional funding for that cause.

Rita McDaniel, a resident of Durham, spoke to the increased need for there to be affordable housing in the City.

Jen Eisenmann requested \$6 million for rental assistance for approximately 4,000 families stay in their homes.

DeWarren Langley, a resident of Durham, requested that Council allocate \$1 million to programming geared toward training programs for African American young men in the City.

John Tallmadge, a resident of Durham, applauded the proposed budget and called attention to the Transportation Department's need for additional positions.

Meredith Wilkinson, a resident of Durham, spoke in opposition of the ShotSpotter technology and called for a different use for the funds.

Quade Gallagher, a resident of Durham spoke in opposition of ShotSpotter.

Gwyn Silver, a resident of Durham, spoke to the funding allocated to the Hoover Road Athletic Park and requested that funding be distributed to all sides of the park.

James Chavis, a resident of Durham, spoke to the funding allocated to the Hoover Road Athletic Park and requested that funding be distributed to all sides of the park.

Waldo Fenner, a resident of Durham, spoke in opposition of how the funding in the budget was being allocated.

Erin Bueno, a resident of Durham, spoke on behalf of the Bull City Roller Derby and requested funding for the establishment known as “Wheels”. She also spoke to the mental health benefits as well.

Shelia Huggins, a resident of Durham, spoke in support of ShotSpotter and asked Council to fund the pilot program.

Robert Oler, a resident of Durham, spoke in support of Wheels Skatepark and requested funding for the establishment.

Libby Weimer, a resident of Durham, spoke in support of Wheels Skatepark and requested funding for the establishment.

Emma Roshan, a resident of Durham, spoke in support of Wheels Skatepark and requested funding for the establishment.

Kaylin Tsakayama, a resident of Durham, spoke in support of Wheels Skatepark and requested funding for the establishment.

Jessie Gibson, a resident of Durham, spoke in support of Wheels Skatepark and requested funding for the establishment and recommended metal detectors and covid vaccines be required.

Victoria Petersen, a resident of Durham, asked for more information on various expenditures in the budget and where the money was being allocated.

Donald Quick, a resident of Durham, spoke in opposition of the ShotSpotter technology and asked for funding be directed toward protected front-line workers of the city.

Michael Reynolds a resident of Durham, spoke on behalf of the frontline workers of the City and encouraged a larger pay increase for staff and spoke in opposition of ShotSpotter.

Williams Speed Jr., a resident of Durham, spoke on behalf of City frontline workers who had been penalized for not being vaccinated and providing proof of vaccination.

Keisha Barnette, a resident of Durham, spoke on behalf of the frontline workers of the City and encouraged a larger pay increase for staff of 8%.

Naria Ewool, a resident of Durham, spoke in opposition of the ShotSpotter technology and called to reallocate the funding toward the Community Safety Department.

Stella Adams, a resident of Durham, spoke to the need for increased public

transportation.

Aspen Unwin, a resident of Carborro, spoke in support of Wheels Skatepark and requested funding for the establishment.

Melanie Unwin, a resident of Carborro, spoke in support of Wheels Skatepark and requested funding for the establishment.

Danett Wilkins, a resident of Durham, spoke in opposition of the ShotSpotter technology and called to reallocate the funding toward the Community Safety Department.

Jahnmaud Lane, a resident of Durham, spoke to ongoing gun violence in the City and its impact.

Hugh McSherry, a resident of Durham, spoke in support of the Language Incentive Program for staff.

Dina Avila, a resident of Durham, spoke in support of the Language Incentive Program for staff.

Manju Rajendran, a resident of Durham, spoke in opposition of ShotSpotter.

Allison Swain, a resident of Durham, spoke in support of Wheels Skatepark and requested funding for the establishment.

Paul Wynkoop, attempted to speak virtually, but had technical difficulties. He was encouraged to submit written comments to the Council.

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

**SUBJECT: 509 SHERRON ROAD - CONSOLIDATED ANNEXATION (ITEM 35/
PR#15453)**

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 was received from Jarrod Edens for one parcel of land totaling 5.794 acres located at 509 Sherron Road (PID 165285). The request was a noncontiguous area of the corporate city limits. The intent of the annexation petition was to connect to City utilities, and facilitate the construction of the development proposed with associated zoning map change request Z2100002.

The current zoning of the site was Residential Rural (RR) and Residential Suburban – 20 (RS-20). The Falls/Jordan Watershed Overlay District-B (F/J-B) also applied. For the initial zoning of the site if the annexation was approved, the applicant proposed to change the designation to Planned Development Residential 6.904 (PDR 6.904) to allow for the construction of 40 townhome units. The watershed overlay would remain unchanged. The request, Case Z2100002, received a recommendation of approval from the Planning Commission on March 8, 2022, with a vote of 7-6.

The properties were designated Low Density Residential and Commercial on the Future Land Use Map. The proposed 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 Low Medium Density Residential.

Jarrod Edens, a representative for the applicant, spoke to the specifics of the item and highlighted the following: having community meetings with residents; storm detention; road widening; and the home types.

Mayor O'Neal opened the public hearing and called for any speakers to the item.

Pamela Andrews, a resident of Durham attempted to provide comments, but was having technical issues.

Mayor Pro Tempore Middleton asked what the sentiment was of the residents that attended the community meetings.

Mr. Edens stated that there was not a lot of push back regarding the item.

Mayor Pro Tempore Middleton asked what the proposed price points would be for the townhomes.

Mr. Edens stated that they projected the mid \$300,000's.

Mayor Pro Tempore Middleton asked if the Habitat for Humanity proffer was new.

Mr. Edens stated that it was; within the last week.

Mayor Pro Tempore Middleton asked if Mr. Edens could determine the amount of the proffer.

Mr. Edens explained that that it was not an exact number, but it was a significant number.

Seeing no additional speakers, Mayor O'Neal declared the public hearing closed.

MOTION by Mayor Pro Tempore Middleton, seconded by Council Member Williams, to adopt an ordinance annexing 509 Sherron Road into the City of Durham effective June 30, 2022; and to authorize the City Manager to enter into a utility extension agreement with Edens Land Corp, was approved at 9:42 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Holsey-Hyman, Johnson, and Williams. Noes: Council Member Freeman. Absent: None.

ORDINANCE #15947

MOTION by Mayor Pro Tempore Middleton, seconded by Council Member Williams, to adopt an ordinance amending the Unified Development Ordinance by taking property out of the Residential Rural (RR) and Residential Suburban 20 (RS-20); Falls/Jordan Watershed Overlay District-B (F/J-B) (County Jurisdiction) and establishing the same as Planned Development Residential 6.904 (PDR 6.904), Falls/Jordan Watershed Overlay District-B (F/J-B) (City Jurisdiction), was approved at 9:42 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Holsey-Hyman, Johnson, and Williams. Noes: Council Member Freeman. Absent: None.

ORDINANCE #15948

MOTION by Mayor Pro Tempore Middleton, seconded by Council Member Williams, to adopt a Consistency Statement as required by NCGS 160D-605, was approved at 9:43 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Holsey-Hyman, Johnson, and Williams. Noes: Council Member Freeman. Absent: None.

**UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP CHANGE CONSISTENCY STATEMENT
BY THE DURHAM CITY COUNCIL
REGARDING Z2100002, 509 Sherron Road**

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 Z2100002, 509 Sherron Road, 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 C, the zoning change will amend the FLUM to a designation consistent with the proposed zoning change and other land use designations in the vicinity of the subject area.

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, the applicant's responses to the Public Interest Statements in 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 was reasonable and in the public interest.

SUBJECT: HIGHGATE COMMERCIAL - ZONING MAP CHANGE (ITEM 36/ PR# 15454)

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:

Jennifer Stull and James Stine of RRPIV Homestead Durham LLC proposed to change the zoning designation of one parcel of land totaling 0.95 acres, and located at 5588 Highgate Drive. The current zoning was Office and Institutional with a development plan (OI(D)). The applicants proposed to change the designation to Commercial General with a text-only development plan (CG(D)). The property was currently designated Office and Commercial on the Future Land Use Map (FLUM). The proposed zoning was inconsistent with the Office designation. If the proposed zoning was approved staff recommended a change to the FLUM to designate the entire property as Commercial.

Mayor O'Neal opened the public hearing and called for any speakers to the item.

Patrick Byker, Attorney and representative for the applicant, spoke to the following regarding the item: the location of the proposed development; the timeline of the item; and the proposed uses.

Mayor Pro Tempore Middleton asked if the restricted uses were because of the community meeting that was had.

Mr. Byker stated that the proposed list of restrictive uses was because of the community meeting.

Mayor Pro Tempore Middleton asked if anybody had specifically asked the development team to restrict the use of pay day lending and electronic gaming institutions.

Mr. Byker stated that those two uses were not in the plans.

Seeing no additional speakers, Mayor O'Neal declared the public hearing closed.

MOTION by Mayor Pro Tempore Middleton, seconded by Council Member Williams, to adopt an ordinance amending the Unified Development Ordinance by taking property out of the Office and Institutional with a development plan (OI(D)); Falls/Jordan Watershed Overlay District-B (F/J-B); Major Transportation Corridor (MTC) districts, and establishing the same as Commercial General with a text-only development plan (CG(D)); Falls/Jordan Watershed Overlay District-B (F/J-B); Major Transportation Corridor (MTC) districts, was approved at 9:52 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

ORDINANCE #15949

MOTION by Mayor Pro Tempore Middleton, seconded by Council Member Williams, to adopt a Consistency and Reasonableness Statement as required by NCGS 160D-605, was approved at 9:52 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP CHANGE CONSISTENCY STATEMENT
BY THE DURHAM CITY COUNCIL
REGARDING Z2100024, Highgate Commercial

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 Z2100024, Highgate Commercial, 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 F, Community Goals and Objectives; regarding the subject Z2100024, Highgate Commercial, 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 C, 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 F, Community Goals and Objectives; along with additional agenda information provided to the City Council and information provided at the public hearing. Therefore, the request was reasonable and in the public interest.

SUBJECT: PUBLIC HEARING AND PROPOSED ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT WITH GREENE SOLUTIONS, LLC (ITEM 37/ PR# 15406)

Chris Dickey, representing the Office of Economic and Workforce Development, stated for the record that the public hearing item had been properly noticed and advertised per state and local law and affidavits to that effect were on file with the Office of Economic and Workforce Development and introduced the item. He stated that the company was owned by an African American couple that had been in business since 2008 and the location in question was in a prime area for revitalization. Staff recommend approval of the item.

Mayor O'Neal opened the public hearing and called for any speakers to the item.

Marc and Tracy Green, applicants, stated that they chose the Fayetteville corridor in order to grow their business and requested the support from council.

Stella Adams, a resident of Durham, spoke in support of the item. She stated that the item was able to create job opportunities and asked Council to support the approval of the item.

Victoria Petersen, a resident of Durham, spoke in support of the item and asked how many people were going to be employed by the company and where exactly the company was going to be located.

Mr. Green responded that 1211 Fayetteville Street was where the executive building was going to be located and that there were about 25 contractors.

Seeing no additional speakers, Mayor O'Neal declared the public hearing closed.

Mayor Pro Tempore Middleton thanked staff for bringing the item before Council and expressed his support for the item.

Council Member Williams thanked staff for bringing the item before Council and encouraged people of color to search careers in the tech industry.

Council Member Holsey-Hyman expressed her support for the item and asked that the applicants not only recruit from HBCU's, but also should target high school students.

Mayor O'Neal thanked staff and the applicant for the item.

MOTION by Council Member Williams, seconded by Council Member Holsey-Hyman, to authorize the proposed economic development incentive agreement per G.S. 158-7.1; and

to authorize the City Manager to execute an economic development incentive agreement with Greene Solutions, LLC in an amount not to exceed \$206,000 for building renovation projects at 508 Simmons Street and 1211 Fayetteville Street, Durham NC, was approved at 10:13 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

Mayor O'Neal took a moment of personal privilege to recognize D- Day and honor U.S. veterans.

[ITEMS PULLED FROM THE AGENDA]

SUBJECT: APPROVAL OF AMENDMENT # 1 TO CONTRACT 18597 FOR LEGAL AID OF NORTH CAROLINA (LANC) TO ADMINISTER THE EMERGENCY RENTAL ASSISTANCE 2 PROGRAM (ITEM 16/ PR# 15412)

Stella Adams, a resident of Durham, spoke in support of the item and called for faster processing to keep people in their homes.

MOTION by Council Member Williams, seconded by Council Member Caballero, to authorize the City Manager to amend Contract #18597 to administer the Durham Rent Relief Program, to increase the total budget by \$121,678, from \$6,461,893 to \$6,583,571, funded with federal Emergency Rental Assistance 2 funds, was approved at 10:18 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton

and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams.
Noes: None. Absent: None.

**SUBJECT: FY2021-22 CAPITAL IMPROVEMENTS PROJECT (CIP) BUDGET
AMENDMENT – PROJECT CLOSEOUT (ITEM 26/ PR# 15456)**

Council Member Freeman expressed concerns with the Parks and Recreation decision to not keep the Wheels Fun Park opened and stated that decisions needed to be communicated to the public.

Mayor Pro Tempore Middleton agreed that a conversation regarding the Wheels Fun Park could be had, and stated that the original acquisition of the property was to for an aquatic facility.

Council Member Caballero echoed the concerns made by Council Member Freeman pertaining to what was going to happen with the skate park.

Mayor O'Neal asked City Manager Page to provide clarification.

City Manager Page stated that final decisions had not been made, but long-term projections for funding needed to happen from a budgetary standpoint.

Council Member Freeman stated that if funding to reopen the park was not going to be included in the item, then she was not going to support it.

City Manager Page advised that the item before council was not going to include funding for operations in the next fiscal cycle.

MOTION by Mayor Pro Tempore Middleton, seconded by Council Member Johnson, to adopt an Ordinance amending the General Capital Improvements Project Ordinance, Fiscal Year 2021-22, as amended, the same being Ordinance number 15820; was approved at 10:31 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Johnson, and Williams. Noes: Council Members Freeman and Holsey-Hyman. Absent: None.

ORDINANCE #15943

MOTION by Mayor Pro Tempore Middleton, seconded by Council Member Johnson, to adopt an Ordinance, amending the Stormwater Capital Improvements Ordinance, Fiscal Year 2021-2022, as amended, the same being Ordinance number 15822, was approved at 10:31 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman and Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

ORDINANCE #15944

MOTION by Mayor Pro Tempore Middleton, seconded by Council Member Johnson, to adopt an Ordinance, amending the Transit Fund Capital Improvements Project Ordinance, Fiscal Year 2021-2022, as amended, the same being Ordinance number 15825, was approved at 10:32 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman and Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

ORDINANCE #15945

SUBJECT: RESOLUTION SUPPORTING THE INSTALLATION OF PUBLIC ART AT SELECT BUS SHELTERS AND ASSOCIATED ENCROACHMENT AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (ITEM 31/ PR# 15443)

Stella Adams, a resident of Durham, spoke in opposition of the item and suggested allocating the funding toward building bus shelters in under privileged areas.

Council Member Willaims appreciated the comments made by Ms. Adams. He stated that transportation upgrades were being discussed at all levels regarding various areas of the city.

Mayor O’Neal echoed the comments made by Council Member Williams.

MOTION by Mayor Pro Tempore Middleton, seconded by Council Member Johnson, to adopt the Resolution Supporting the Installation of Public Art for Select Bus Shelters located within the North Carolina Department of Transportation Right of Way, was approved at 10:41 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Johnson, and Williams. Noes: Council Member Holsey-Hyman. Absent: None.

RESOLUTION #10261

MOTION by Mayor Pro Tempore Middleton, seconded by Council Member Johnson, to authorize the City Manager to enter into associated encroachment agreement(s) with the North Carolina Department of Transportation as required to install and maintain the public art, was approved at 10:42 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Johnson, and Williams. Noes: Council Member Holsey-Hyman. Absent: None.

SUBJECT: 2022 FIRST QUARTER CRIME REPORT (ITEM 33/ PR# 15436)

Victoria Petersen, a resident of Durham, stated that she was expecting a presentation from the Police Chief on crime and asked why the North Carolina State Attorney General was not helping to address crime within the city.

MOTION by Council Member Williams, seconded by Mayor Pro Tempore Middleton, to receive a presentation on the 2022 First Quarter Crime Report and to receive the 2022 First Quarter Crime Report, was approved at 10:47 p.m. by the following vote: Ayes: Mayor O’Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Holsey-Hyman, Johnson, and Williams. Noes: None. Absent: None.

[OTHER MATTERS]

Council Member Williams expressed concern with problems in the community and implored residents to be solution oriented.

Mayor O’Neal reiterated that it was kindness month and encouraged all residents to participate.

[ADJOURNMENT]

Seeing no additional business to come before Council, the meeting was adjourned at 10:42 p.m.

Ashley Wyatt, CMC
Deputy City Clerk

Diana Schreiber, CMC
City Clerk