

**DURHAM CITY COUNCIL WORK SESSION
THURSDAY, AUGUST 4, 2022 @ 1 PM
IN-PERSON & VIRTUAL
MEETING**

The Durham City Council held a Work Session on the above date and time in the City Hall Council Chamber, 101 City Hall Plaza, and virtually via Zoom with the following members present: Mayor Pro Tempore Mark-Anthony Middleton and Council Members Javiera Caballero, DeDreana Freeman, Monique Holsey-Hyman and Leonardo Williams. Excused Absences: Mayor Elaine O'Neal and Council Member Jillian Johnson.

Also present: Deputy City Manager Keith Chadwell, Deputy City Attorney Fred Lamar and City Clerk Diana Schreiber.

[CALL TO ORDER]

Mayor Pro Tempore Middleton called the meeting to order, welcomed everyone to the Work Session and presided over the Work Session due to the absence of Mayor O'Neal.

[ANNOUNCEMENTS BY COUNCIL]

Mayor Pro Tempore Middleton asked his colleagues if they had any announcements.

Council Member Freeman lifted up Council Member Holsey-Hyman as she routes her first resolution through the agenda process focused on school safety.

Council Member Williams echoed the remarks of his colleague and recognized members of the small business community in the audience.

Council Member Holsey-Hyman stated she enjoyed National Night Out with residents and police officers and looked forward to next year.

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

Deputy City Manager Chadwell stated that City Manager's Office had no priority items.

Deputy City Attorney Fred Lamar remarked that the City Attorney's Office, likewise, had no priority items.

City Clerk Schreiber requested a point of personal privilege by introducing the City Clerk's Office newest employee Katrina Wood, Administrative Technician, who would be handling record management.

Ms. Wood took a few moments to introduce herself.

Mayor Pro Tempore Middleton read the items off the printed agenda; no items were pulled for additional discussion.

**SUBJECT: PUBLIC COMMENT SPEAKER: AYINDE SIMON
(NO ITEM NUMBER)**

Mr. Simon spoke to the HBCU Smart City Challenge and opportunity zones.

**SUBJECT: PUBLIC COMMENT SPEAKER: CASEY OSTER
(NO ITEM NUMBER)**

Ms. Oster addressed the increasing aggressiveness of the homeless population in Downtown Durham over the past couple years; noted that some staff members and visitors were being threatened; and urged Council's support in addressing the issue.

**SUBJECT: CITIZENS' MATTERS: ELIZABETH RAINWATER (ITEM 24/
PR 15626)**

Ms. Rainwater, General Manager at Bull McCabe's Pub, provided examples of how panhandlers were relating with customers and staff; and mentioned in retrospect the issue was not as problematic when there were bike officers monitoring the streets; and noted these incidents were impacting her customer base.

SUBJECT: CITIZENS' MATTERS: SETH GROSS (ITEM 26/ PR 15623)

Mr. Gross, representing Bull City Burger and Pompieri Pizza, spoke to the evolution of panhandling over the past ten years; and indicated that these incidents were impacting businesses in Downtown Durham and were getting out of control.

**SUBJECT: PUBLIC COMMENT SPEAKER: LANGSTON ALEXANDER
(NO ITEM NUMBER)**

Mr. Alexander spoke to bike safety in Durham and noted the streets were constructed for cars only; spoke to the death of Matt Simpson at the intersection of Ellerbe Creek Trail and Guess Road; mentioned the road diet slated by NCDOT at one time for Guess Road. He requested a plan to protect bikers.

**SUBJECT: PUBLIC COMMENT SPEAKER: DAVID BRADWAY
(NO ITEM NUMBER)**

Mr. Bradway encouraged Council to create a vision for bike transport in Durham; and supported a safe network of paths and streets, ensuring bike safety.

**SUBJECT: PUBLIC COMMENT SPEAKER: NICOLE THOMPSON
(NO ITEM NUMBER)**

Ms. Thompson, President and CEO of Downtown Durham Incorporated, addressed the topic of aggressive panhandlers in the Downtown business area; and urged Council to take proactive initiatives preventing the problem from growing.

Council responded to the speakers regarding bike lanes and panhandling.

[PRESENTATIONS]

**SUBJECT: COMPREHENSIVE LANDUSE PLAN UPDATE
(ITEM 18/ PR 15606)**

Lisa Miller, Principal Planner with Durham City-County Planning Department, presented the staff report of a PowerPoint, titled *Durham Comprehensive Plan Project Update*, consisting of the following:

Overview

Staff Recommendation – seeking direction from Council

What is the Comprehensive Plan? Plan for how land is used in Durham; vision; guide on development decision making

Components of the Comprehensive Plan

Project Timeline- Nov 2019 with adoption Winter 2022-23

Listening & Learning Engagement Nov 2019-February 2020

Engagement during COVID-19

Engagement Approach

Guiding Values, Community Goals and Objectives- adopted by City/County June 2021 including equity, accountability, accessibility and resident well-being

Place Type Map & Guide- showed types of each parcel, replacing the future land use map

Implementation Framework/Report Card

Key Ideas in the Place Type Map/Guide & Policies

What's Next: revise draft policies based on community input; couple policies with action items; develop implementation framework; prepare full draft plan; community engagement on full draft plan; begin public hearing and adoption process for new plan.

Staff Recommendations: Council receive this information; no formal action requested. Recommended Council ask questions and provide feedback on direction of plan before the full draft plan is compiled.

Mayor Pro Tempore Middleton requested Council's comments:

Council Member Caballero spoke to Joint City-County Planning's discussion of boundaries of urban growth; mentioned the work was vitally important and that the presentation was designed to be understood by the public. She also urged Transportation to address the bus line dead zone from Roxboro/Carver Street area to Downtown.

Council Member Freeman echoed her colleague's remarks that if the preserved areas were only around waterways, that was a concern because there were other areas that required preservation; and acknowledged the storm water system areas required re-development and needed to work together with the Comprehensive Plan.

Council Member Williams appreciated staff's explanations; explained how he defined 'residents' in Durham; encouraged small business input in the Plan and referenced using the term district, tied into the city's vision for housing and economic growth; and asked how transit was defined in Durham.

Ms. Miller responded to how the transit plan was being considered with its multi-modal aspects.

Council Member Williams spoke to adjusting policies to reflect more density and urged bi-partisan cooperation at the State level; and thanked staff for their work.

Council Member Holsey-Hyman appreciated the outreach to youth, Spanish speakers and rural residents via focus groups and other inclusive methods.

Ms. Miller addressed the plans for outreach related to the final draft plan.

Council Member Freeman inquired about the ranked order related to place goals and what was the ranking based on.

Ms. Miller stated that the list was not yet prioritized.

Mayor Pro Tempore Middleton spoke to future confidence in the developing Plan; and mentioned that the history of land use across the US.

SUBJECT: ST-314C PAVEMENT CONDITION STUDY (ITEM 19/ PR 15535)

Tasha Johnson, Deputy Public Works Director, deferred to Clint Blackburn, Supervisor over the contracting group, for presentation; and she spoke to the

city's groundbreaking work on pavement preservation and maintenance, based on equitable distribution of funds.

Mr. Blackburn introduced himself and Scott Gordon with RAS (Roadway Asset Services) who assisted in developing the pavement study and the city's 5-year plan; and stated the city had 770 linear miles of roadway.

Mr. Gordon explained the evaluation and its terminology; diagramed the state-of-the-art laser crack measuring system; spoke to validation of roadway conditions over the past few years; displayed maps to assist in envisioning pavement condition index, condition description, percent of network in 2018 and 2021. He also explained maintenance treatments: micro-surfacing, cape seal, crack seal and rejuvenation along with the per unit charge and budget development. Trends indicate the city has been focused on maintaining roads in a manner to avoid large expenses in refurbishing future failed roadways.

The presentation continued with the following:

Defining selection criteria commonly used:

- Prioritization

- Optimization

- Financial Optimization- max benefit of improvement while spending the least dollars.

Prioritization is based on:

- PCI/Condition

- Traffic/Classification

- Pavement Type

- High Commerce/ Geography

- Equity Lens

Optimization= maximum benefit

- Financial Efficacy – 70%

- Traffic/Classification – 15%

- Equity Lens – 15%

Cost of Deferral Explained – deferring roads to lower categories & costs associated with the dropping into a lower category. Attend to the critical deferrals first to repair at the lower levels.

Mr. Gordon explained budget scenario activity coverage from \$6M to \$20M; estimated annual expenses of \$12.5M to maintain the PCI of roads and \$19M to see an improvement.

Mayor Pro Tempore Middleton requested Council's comments.

Council Member Freeman thanked staff and appreciated the presentation; and asked if during the study, were the roads broken out by city versus NCDOT.

The study only included city maintained roadways.

Council Member Williams asked questions regarding education and asked about striping; what was the construction time for one mile of roadway; was there an alternative to asphalt; who decided on which roads were repaved; and asked about PCI conditions being worse in certain geographic areas.

Mr. Blackburn explained the striping plan as received by Transportation Department. The time of construction depended on the type of maintenance. He estimated between one and two weeks. The Department of Public Works determined maintenance schedules; and spoke to the debate between the attributes of concrete versus asphalt.

Council Member Freeman spoke for residents who struggled with ill-maintained roadways.

Council Member Caballero appreciated the memo regarding the increase in funding for roadways/sidewalks.

Mayor Pro Tempore Middleton reference the slide that focused on network average condition results and treatments; and referenced historical narratives and trends regarding roadways and equity.

Mr. Gordon explained how built-in distresses impacted roads that were 'covered up' with asphalt while the stressors remained underneath the new layer thus causing quicker deterioration. He explained the content of the \$179M price tag.

**SUBJECT: SW-77 SIDEWALK ASSET MANAGEMENT PLAN (ITEM 20/
PR 15534)**

Clint Blackburn, Supervisor of Public Works, introduced Aaron Hester of Precision Safe Sidewalks; and presented the results of the sidewalk study; and presented a PowerPoint titled, *Sidewalk Condition Study and Sidewalk Asset Management Plan, August 2022*. He noted that historically, sidewalk repairs were repaired in response to service requests and that those service requests came from higher income neighborhoods and equity was not being applied. He stated that equity was being applied reactively.

Mr. Hester, Senior VP, presented the results that included the following:

Introduction: 639 miles of sidewalk for 285,527 in population; included a metric of 1.6% increase per year

Plan Goals- identify deficiencies based on risk and data and weighted equity lens
Discussed the engagement process by ethnicity, income and geography

Results: Overall there is a high level of dissatisfaction with sidewalks; all groups were very dissatisfied with sidewalks conditions

Community Engagement Summary: 80% of residents use sidewalks weekly with 57% reporting some level of dissatisfaction; more than 85% of total respondents reported frequently walking the street to avoid sidewalk issues; and dissatisfaction levels were fairly consistent across population groups and income levels.

ROW Sidewalk Condition Assessment

Curb Ramps- 79% of ramps are non-compliant with PROWAG

There were 64,000 deficiencies in sidewalk conditions with a cost of \$21M to bring into compliance

Non-sidewalk conditions numbered to 17,300 and are incorporated into implementation plan

A new Risk-Based Approach was developed with factors of proactivity, risk-based, equity group risk; the risk determined the prioritization of repairs; the darker the zone the more deficiencies and overall risk; the lighter, the fewer deficiencies and risk. Equity lens was layered over model and weighted the response.

SAMP Prioritization Enhanced mapping ex.) Old East Durham

Ranking changed from 16th place to 11th place

Data + History = Action

Plan Implementation: Compared risk based analysis with equity based analysis

Repair Costs: Total \$76.8M; Sidewalks \$20.95M; Curb: \$55.89M;

10YR Plan \$9.65M; 5YR Plan \$18.13M; figures assume no growth, new defects or increasing cost of construction.

Mayor Pro Tempore Middleton asked if Council had comments.

Council Member Freeman appreciated the equity aspects included in the modeling; acknowledged the partners who have community driven focus; and thanked staff for addressing historic disparities.

Council Member Holsey-Hyman asked about growth projections and extended costs and appreciated the equity lens incorporated into the modeling.

Mr. Hester spoke to the variables affecting sidewalks and added that extended costs and growth projections could be added to the model.

Council Member Williams expressed concern about the condition of sidewalks and the costs associated with their maintenance.

Mr. Blackburn addressed how concrete could be installed over clay soil and the resulting complications (cracks).

Council Member Caballero addressed the possibility of an infrastructure bond to fund sidewalks and streets.

Council Member Freeman inquired about trip hazards caused by tree roots.

Mr. Blackburn responded that the City Arborist/General Services made determinations about the health of trees impacting sidewalks and whether the trees should be removed or not.

Council Member Holsey-Hyman inquired about new types of materials being used for sidewalks.

Mr. Blackburn confirmed that there were alternate materials for sidewalks but that so far, they were inherently unstable; and summarized that so far, concrete was the best choice.

Mayor Pro Tempore Middleton appreciated the presentation; stated that this was a working example of how values become policy and it was gratifying; and noted that NCLM (North Carolina League of Municipalities) colleagues inquired how Durham was leading by incorporating equity into policy and the League recognized Durham for its efforts.

SUBJECT: RESOLUTION SUPPORTING SAFE AND PROTECTIVE MEASURES FOR FOSTER HEALTHY LEARNING ENVIRONMENTS IN DURHAM SCHOOLS (ITEM 27/ PR 15629)

Council Member Holsey-Hyman spoke to the resolution for which she was advocating; and highlighted the importance for updated policies and procedures related to student safety and doing so in a proactive manner.

City Clerk Schreiber announced the nominations to Council-appointed boards, committees, commissions and taskforces:

Durham Bicycle and Pedestrian Advisory Commission – Appointments for the category of Transportation/Planning Policy: Deniz Ayedemir; and for the category of At-Large: Landon C Baucom, Brian T Hawkins, Ryan Phillips.
Durham Historic Preservation Commission – Appointments for the category of At-Large Member/Historian: April M Johnson; and for Re-Appointment on the Durham Historic Preservation Commission for the category of Regular Member/Real Estate Agent: Rakeem U Chambers.

[SETTLING THE AGENDA FOR THE AUGUST 18, 2022 CITY COUNCIL MEETING]

Deputy City Manager Chadwell announced the settling of the agenda for the Monday, August 18, 2022 Regular City Council Meeting consisting of Consent Agenda Items 1 through 17 and Item 27; and General Business Agenda – Public Hearings consisted of Items 21 through 23.

MOTION by Council Member Williams, seconded by Council Member Holsey-Hyman, to approve the City Manager's Agenda for the August 18, 2022 City Council Meeting was approved at 3:28 p.m. by the following vote: Ayes: Mayor Pro Tempore Middleton and Council Members Caballero, Freeman and Williams. Noes: None. Excused Absences: Mayor O'Neal and Council Member Johnson.

Being no additional business to transact, Mayor Pro Tempore Middleton adjourned the Work Session at 3:29 p.m.

Diana Schreiber, MPA, NCCMC, CMC
City Clerk

Clerk Schreiber announced the nominations to Council-appointed boards, committees, commissions and taskforces:

[SETTLING THE AGENDA – AUGUST 18, 2022 REGULAR CITY COUNCIL MEETING]

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MOTION by Council Member Freeman, seconded by Council Member Williams, to approve the City Manager's Agenda was approved at 6:10 p.m. by the following vote: Ayes: Mayor O'Neal, Mayor Pro Tempore Middleton and Council Members Caballero, Freeman, Johnson and Williams. Noes: None. Absent: None.

Being no additional business to transact, Mayor Pro Tempore Middleton adjourned the Work Session at 3:29 p.m.

Diana Schreiber, MPA, NCCMC, CMC
City Clerk