

**DURHAM CITY COUNCIL WORK SESSION
THURSDAY, AUGUST 18, 2022 @ 1 PM
IN-PERSON & VIRTUAL
MEETING**

The Durham City Council held an in-person and virtual Work Session on the above date and time in the City Hall Council Chamber, 101 City Hall Plaza in Durham, North Carolina with the following members present: Mayor Elaine O'Neal and Council Members Javiera Caballero, DeDreana Freeman, Monique Holsey-Hyman and Leonardo Williams. Excused Absence: Mayor Pro Tempore Mark-Anthony Middleton.

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

[CALL TO ORDER]

Mayor O'Neal called the meeting to order, welcomed everyone to the Work Session. Mayor Pro Tempore Middleton received an excused absence at the August 15, 2022 City Council Meeting.

[ANNOUNCEMENTS BY COUNCIL]

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

Council Member Williams highlighted the fact it was Black Business Month and addressed the topic of Social District in Downtown Durham and alerted the public of it being a work in progress.

Mayor O'Neal reinforced the values for the month were patience and kindness; and reiterated that social districts were being considered but required additional work by staff, incorporating due diligence and she spoke to her meeting with Downtown Durham Incorporated.

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

City Manager Page stated that City Manager's Office had the following priority items:

- 15) Amendment to Contract #16283, Contract Amendment No. 2 with VHB NC PC. The motion and attachments were updated.
- 18) 2022 Second Quarter Crime Report. Presentation, 20 minutes
- 23) Citizen's Matter: Clif Heindel. Item withdrawn by resident.

24) Grant Project Ordinance for Workforce Innovation and Opportunity Act (WIOA) Employment Training Funds for Program Year 2022. Supplemental Item.

MOTION by Council Member Freeman, seconded by Council Member Caballero, to accept the City Manager's Priority Items was approved at 1:05 p.m. by the following vote: Ayes: Mayor O'Neal and Council Members Caballero, Freeman, Holsey-Hyman, Johnson and Williams. Noes: None. Excused Absence: Mayor Pro Tempore Middleton.

City Attorney Rehberg requested that the City Attorney's Office would like to address the Council's volunteer boards, committees, commissions and taskforces and their ability to meet remotely now that Governor Cooper had lifted the State of Emergency.

MOTION by Council Member Williams, seconded by Council Member Holsey-Hyman, to accept the City Attorney's Priority Item and discuss at the end of the meeting was approved at 1:09 p.m. by the following vote: Ayes: Mayor O'Neal and Council Members Caballero, Freeman, Holsey-Hyman, Johnson and Williams. Noes: None. Excused Absence: Mayor Pro Tempore Middleton.

City Clerk Schreiber stated there were no priority items from the City Clerk's Office.

Mayor O'Neal proceeded to read the items off the printed agenda, starting with administrative consent items. The following items were pulled for additional discussion: Items 7, 8 and 9.

**SUBJECT: PUBLIC COMMENT SPEAKER: VOLKER BLUM
(NO ITEM NUMBER)**

Mr. Blum addressed the lack of cycling infrastructure along Erwin Road; and encouraged Council to add a bike lane along the thoroughfare.

**SUBJECT: PUBLIC COMMENT SPEAKER: JAMES CHAVIS
(NO ITEM NUMBER)**

Mr. Chavis addressed concerns about Wheels Recreation Center remaining closed and urged Council to reconsider opening the facility immediately.

**SUBJECT: BULL CITY TENANTS' UNITED RECOMMENDATIONS (ITEM 7/
PR 15647)**

Council Member Johnson reported back from a sub-committee meeting to either implement or refer the item back to the administration for further study.

Council discussed each recommendation.

1. Proposal to improve inspections process to make more accessible to tenants. NIS to track after-hours requests to determine if additional capacity was needed.
2. Reserve funding for an additional inspector in the budget. Need an update from staff clarifying allocations in the new budget.
3. Encouraged staff to make requests for additional capacity, if needed, and related to a bilingual code enforcement officer.

There was consensus from Council on the recommendation to request the tracking of after-hours service for six months to determine if after-hours support was needed in NIS. If such requests were being made, reserve funding to allocate to NIS for this purpose.

There was no consensus on expanding the Housing Code related to increasing proactive code enforcement involved in pursuing non-compliant owners for infractions. It was the consensus of Council to request the City Attorney's Office to follow-up.

There was also no consensus on Expanding the Minimum Housing Code related to requiring property owners to provide working appliances (refrigerators & stoves only) in leases. Currently, property owners were not required to do so.

Council Member Caballero noted the standard NC lease did not protect tenants in this manner.

City Manager Page discussed the topic of appliances and noted that ordinance amendments would come back before Council for decision-making prior to implementation.

A request to include source of income and protective class was made.

Council encouraged staff to research programs that existed in other cities to help landlords pay for repairs in exchange for affordability agreements.

City Manager Page spoke to interns to fulfill research opportunities.

City Attorney Rehberg stated that once the legal issues were clearly defined, there was capacity for the City Attorney's Office staff to provide white papers and guidance on the Housing Code.

Council Member Freeman encouraged that source of income and protected class be included in the conversation.

After discussion, it was the consensus of Council to refer the item related to appliances back to the administration for follow-up and to determine how the stipulation would be enforced.

**SUBJECT: PRESCRIPTIONS FOR REPAIR PILOT PROGRAM
(ITEM 8/ PR 15645)**

Mayor O'Neal stated there were speakers to the item.

Brenda James, Durham resident born and raised in Hayti, explained there were unmet healing needs of gun violence survivors and felt the pilot program would address their needs.

Dr. Henry Rice, pediatric surgeon, representing Duke Medical Center, addressed three items:

1. Administrative structure of the program
2. Budget as an equitable partner between Duke and the City of Durham
3. Research component- integrate the Social Work faculty at NCCU; learn lessons while healing and increase diversity

Council inquired about the portion of funding being offered by Duke. It was detailed that Duke would provide \$75,000 combined with the City's allocation of \$72,000 for the one-year pilot.

Council Member Holsey-Hyman expressed concerns about re-traumatizing victims of gun violence; and was comfortable with the mental health supportive services that were going to be in place with the pilot. She voiced her support for the evidence-based pilot.

Council Member Williams inquired about program quality and asked if funds would be allocated to operational costs. He also asked about Duke housing the program down the road and spoke to formalizing anecdotal evidence. He supported the pilot.

Dr. Rice referred Council to the budget located in the packet and spoke to creating a long standing program for victims of gun violence.

Marcia Owen and Xavier Cason, co-chairs of the Safety and Wellness Taskforce, appreciated Council's leadership.

Mayor O'Neal appreciated the speakers addressing Council's concerns and looked forward to a pilot program of innovation and partnership.

SUBJECT: RESOLUTION TO DESIGNATE A PORTION OF FAYETTEVILLE STREET AS DR DOCK J JORDAN AND CARRIE THOMAS JORDAN HIGHWAY (ITEM 9/ PR 15646)

Mayor O'Neal stated there were four speakers to the item.

Delaitre Hollinger, Professor of History at North Carolina Central University (NCCU), noted the honorees were civil rights crusaders.

Jerry Gershenhorn, Professor of History at NCCU, addressed the background of the honorees and their work during Reconstruction, providing African-Americans educational opportunities during this time.

Joanne Abel, resident, spoke to fundraising efforts by the honorees in the 1920s and their work to join the NC Teachers Association.

Jacqueline Perkins, resident, explained both individuals were civil rights pioneers who impacted NC and the USA and they were change agents who focused African-American education opportunities toward reading and mathematics.

Mayor O'Neal appreciated the speakers and their remarks.

[PRESENTATION]

SUBJECT: 2022 SECOND QUARTER CRIME REPORT (ITEM 18/ PR 15638)

Chief Patrice Andrews gave the staff report on the 2022 Second Quarter Crime Report and read from a PowerPoint presentation, titled *DPD 2022 2nd Quarter Report*.

Second Quarter Crime Report – January 2022 – June 2022

Part 1 Violent Crime (compared 2Q22 to 2Q21 percent change)

Homicide- 0% change

Rape – down 9%

Robbery – up 32%

Aggravated Assault – down 19%

Overall Violent Crime – down 6%

Shooting Incidents YTD thru 6/30 (2Q21 v 2Q22)

Shooting Incidents – 399 down to 387

Persons Shot- 120 up to 122

Fatal –20 holding stable at 20

Non-fatal – 100 up to 102

Part 1 Property Crime

Burglary – down 21%

Larceny – down 4%

Vehicle Theft – up 10%

Overall Property Crime - down 5%

Part 1 Clearance Rates

Violent Crime up 33.7%

Property Crime up 13.3%

Clearance Rates

Both clearance rates were above the FBI 2020 rates

Provided more information on homicide investigations/clearances

Persons of interest, not considered arrests

Many cases required witness corroboration to bring resolution

Priority 1 Calls for Service- response times Jan-June 2022

Target Response Time 5.48 minutes

Average Response Time 6.20 minutes

Target Under 5 min response 50.9%

Less than 5 min response 57%

Visual – Chart Average Response Time 2022 Year to Date

Staffing at end of 2Q 2022

Sworn- 81% staffing

Authorized – 537

Actual – 434

Non-Sworn – 86% staffing

Authorized – 125

Actual – 107

Tracking reasons for attrition – new slide Staff Departures:

 Resignation/Retirement/Termination

 2Q Applicant Testing

Cadets changing professions

Tracking reason for staying

Serving Durham community

New pay plan

Increased signing bonuses

Robust health benefits at COD

U-Visas

U-Visa Request by Quarter – 58 approved

No backlog exists

Crime Area Target Team – 8 persons (CATT)

 Temporary Unit to address violent crime, started in April and continuing

 Seizures of firearms in various incidents involving stolen firearms, money and Narcotics.

DPD – on Facebook, Instagram, Twitter

Mayor opened the discussion to Council's questions.

Council Member Holsey-Hyman inquired about refusals to stop in response to traffic stops.

Chief responded there were a myriad of reasons, from minor to major.

Council Member Williams appreciated officer behavior during incidents around the city and gave kudos to the Community Safety Department. He also inquired about the data regarding failed written testing by African-American males, he asked about preparation programs for recruits and the rationale related to resignations. He also appreciated the CATT Team and their outcomes.

Chief Andrews noted that staff provided preparation in advance, such as a boot camp that provided in person preparation. The resignation was based on higher salary and take-home car benefits.

Council Member Caballero appreciated the report and additional slides; and spoke to the impact of guns in the community and supported gun reform across the community and state.

Council Member Williams inquired about response times and highlighted that there had been a recent homicide, the first in over a month.

Mayor O'Neal addressed the Chief and appreciated her leadership and staff commitment to safety; offered condolences to the family of the victim and to the community members at-large; highlighted the CATT Team referrals and that increased interactions enhanced trust in the community; and expressed gratitude for the DPD officers and leadership. She emphasized the fact that the streets had been silent for one month and called for a moment of silence for Wake County Sheriff's Deputy Ned Byrd who was shot and killed while on duty August 11, 2022.

City Clerk Schreiber announced the summary are Council's nominations to boards, committees, commissions and taskforces:

Affordable Housing Implementation Committee – Appointment: Prince R Rivers;
Durham City-County Environmental Affairs Board – Appointments:

At-Large Appointment: Cooper T Norris; and

EAB Youth Seat: Miran Bhima;

Durham Cultural Advisory Board – Appointment: Jose G Medrano;

Durham Planning Commission – Appointment: Kimberly V Williams; and

Recreation Advisory Commission – Appointment for category of Person with a Disability: Marcella Scurlock-Jones.

City Attorney Rehberg spoke to the Governor's Order to allow public bodies to conduct remote meetings had been lifted. There were statutory requirements affecting elected officials related to quorum and

It was Council's decision in how to direct Council appointed boards, committees, commissions and taskforces related to virtual meetings.

City Attorney's Office recommended that the Board of Adjustment, Historic Preservation Commission, Planning Commission, Housing Appeals Board who often addressed quasi-judicial cases were to continue meeting in-person.

It was the consensus of Council for the boards, committees, commissions and taskforces who were not statutory required to meet in-person, they could continue meeting remotely.

Related to attendance, it was the consensus of Council for BCCTs to revert back to their attendance policies as written in each set of bylaws.

Council Member Caballero encouraged standardization between the boards related to attendance percentages.

[SETTLING THE AGENDA FOR THE SEPTEMBER 6, 2022 CITY COUNCIL MEETING]

City Manager Page announced the settling of the agenda for the Tuesday, September 6, 2022 Regular City Council Meeting consisting of Consent Agenda Items 1 through 17 and Item 24; and General Business Agenda – Public Hearings consisting of Items 19 through 22.

MOTION by Council Member Williams, seconded by Council Member Freeman, to approve the City Manager's Agenda for the September 6, 2022 City Council Meeting was approved at 3:14 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 O'Neal adjourned the Work Session at 3:15 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