

**DURHAM, NORTH CAROLINA  
THURSDAY, SEPTEMBER 20, 2018  
9:03 A.M.**

The Durham City Council met in a Special Meeting on the above date and time in the Council Conference Room at 101 City Hall Plaza with the following members present: Mayor Steve Schewel, Mayor Pro Tempore Jillian Johnson and Council Members Vernetta Alston, Javiera Caballero, DeDreana Freeman, Mark-Anthony Middleton and Charlie Reece. Absent: None.

Also present: City Attorney Patrick Baker, City Clerk Diana Schreiber and Deputy Clerk Ashley Wyatt.

Mayor Schewel called the meeting to order and announced the purpose of the meeting was to conduct the evaluations of the City Attorney and City Clerk in closed session.

**MOTION** by Council Member Reece, seconded by Council Member Freeman, to go into closed session to consider the performance of individual public officers pursuant to NCGS 143-318.11(a)(6) and any other matters that may come before the City Council. Motion was unanimously approved at 9:03 a.m.

Deputy Clerk Ashley Wyatt was excused from the meeting.

Council, the City Attorney and City Clerk returned to open session at 12:15 p.m. No action was taken.

The meeting was adjourned at 12:15 p.m.

Ashley Wyatt  
Deputy City Clerk

**DURHAM CITY COUNCIL WORK SESSION  
Thursday, September 20, 2018 @ 1:00 p.m.  
2<sup>nd</sup> Floor Committee Room- 101 City Hall Plaza**

Present: Mayor Steve Schewel, Mayor Pro Tempore Jillian Johnson, and Council Members Vernetta Alston, Javiera Caballero, DeDreana Freeman, Mark-Anthony Middleton and Charlie Reece. Absent: None.

Also Present: City Manager Tom Bonfield, City Attorney Patrick Baker and City Clerk Diana Schreiber.

Mayor Schewel called the meeting to order welcoming all in attendance.

Mayor Schewel asked if there were any announcements by Council.

Council Member Reece stated that he would be departing at 4 p.m. and wanted his colleagues to be aware; and announced the Procedures Committee meeting would be scheduled for mid-October.

The Mayor asked if there were any priority items from the City Manager, City Attorney and City Clerk.

City Manager Bonfield announced that Item #16, Scott Barndt's Citizen's Matter, would not be heard today.

There were no priority items from the City Attorney and City Clerk.

Mayor Schewel announced each item on the printed agenda and the following items were pulled for comments, further discussion and/or action by the Council:

**[CITIZEN'S MATTERS – TO BE HEARD AT 1 P.M.]**

**SUBJECT: SCOTT BARNDT (ITEM 16/ PR 12651))**

Mr. Barndt was not in attendance at the meeting. The item was not heard.

**SUBJECT: CITIZEN'S MATTER- MIKE FLISS (ITEM 17/ PR 12737)**

To receive comments from Mike Fliss regarding re-analysis of the Durham Police Satisfaction Survey and to provide recommendations for future analysis.

Mike Fliss, a resident of Durham, Epidemiology candidate at UNC, state employee with the Department of Health and Human Services in Epidemiology and part of the Orange County Bias Free Policing Coalition, advocated for fair policing policies; stated his dissertation focused on racial disparities and traffic stops; was involved in the re-analysis of the 2016 Durham Police Satisfaction Survey; and suggested future reports be representative of race, ethnicity and income.

Mr. Fliss continued stating that Durham's survey was representative of race but not necessarily by income and encouraged the next survey to include the demographics of those surveyed and compare those with the larger demographics of Durham. He said that most questions about police satisfaction were very different by race, ethnicity and income and stated black and Hispanic residents were more concerned about safety around police officers and experienced more incidents of police discrimination than did white residents. Mr. Fliss summarized his remarks saying that these aspects should be considered in future police satisfaction surveys.

Mayor Schewel stated that Council had similar concerns about the police satisfaction surveys of the past.

**SUBJECT: CITIZEN'S MATTER – TEMEKA CHAMBERS (ITEM 18/ PR 12740)**

To receive comments from Temeka Chambers regarding prostitution, neglected landscaping and illegal trash dumping.

Temeka Chambers, a resident of 211 Stokes Street, addressed a portion of her roadway where the pavement ended and where there was evidence of prostitution and illegal trash dumping and explained she had called the Police regarding prostitution and alerted Council to the issues. She added that she wanted the road blocked off at the end of the pavement.

Photographs were passed as evidence.

Faith Gardner, Neighborhood Improvement Services, explained the area had been cleaned by the Impact Team of General Services and put the area on a regular maintenance schedule. Ms. Gardner was currently investigating the process of blocking off the roadway.

Mayor Pro Tempore Johnson asked about the owner of the property; and inquired about diversion programs for persons conducting sex-work.

Ms. Gardner responded that it was a city street with a public right-of-way and that she would forward the inquiry about diversion programs for sex-workers on to the Police Department.

**SUBJECT: RACIAL EQUITY TASKFORCE – APPOINTMENTS (ITEM 3/ PR 12686)**

Council Member Middleton requested the item be returned to the administration because there were no African-American men appointed to the taskforce; recommended that the number of seats be expanded from a total of 13 (12 plus the chairperson) to a total of 17 (16 plus the chairperson); and expounded on racial equity tools consisting of apportionments.

Mayor Schewel suggested Council to unofficially vote on Judge Elaine O’Neal as the taskforce’ chair.

**MOTION** by Council Member Reece, seconded by Mayor Pro Tempore Johnson, to support the nomination of Judge Elaine O’Neal to Chair the Racial Equity Taskforce. Motion passed unanimously.

Mayor Schewel stated it was the sense of Council to nominate Judge O’Neal as Chair.

Council Member Reece requested clarification regarding the number of individuals to be nominated.

Mayor Schewel clarified that there were to be twelve members on the taskforce in addition to the chair, for a total of 13; and recommended amending the bylaws to reflect the increase to 17 total members.

**MOTION** by Mayor Pro Tempore Johnson, seconded by Council Member Alston, to amend the bylaws to reflect membership of 17 persons (16 members plus the chair).

Since the rules had not been suspended, Council revised its motion to include the suspension of the rules and re-voted on the amendment.

**MOTION** by Council Member Middleton, seconded by Council Member Caballero, to suspend the rules and vote on the bylaw amendment. Motion passed unanimously.

**MOTION** by Mayor Pro Tempore Johnson, seconded by Council Member Middleton, to expand the taskforce membership to 17 members on the committee inclusive of the chair being nominated by the Mayor. Motion passed unanimously.

Council Member Alston read the previous nominees' names.

Mayor Schewel requested Council mark their ballots to nominate 16 persons plus the Mayor's nominee for chair.

Mayor Schewel stated there was a speaker to the item.

Chris Tiffany, resident of Durham, encouraged Council to open up the application process again to allow more individuals to apply with special mention of young African-American and Latino men; and read from his prepared notes regarding concerns about targeted areas.

For the clarity of the audio, Council Member Reece encouraged his colleagues and those persons addressing Council at the podium to speak directly into the microphones.

**SUBJECT: SESQUICENTENNIAL HONORS COMMISSION – APPOINTMENTS  
(ITEM 4/ PR 12739)**

Mayor Schewel explained he was tasked with nominating two co-chairs for the commission; nominated Joseph Blocher and Michelle Gonzalez-Green; and asked for the sense of Council to support the nominations.

**MOTION** by Council Member Alston, seconded by Mayor Pro Tempore Johnson, to express the sense of Council to support the nominations of Joseph Blocher and Michelle Gonzalez-Green as co-chairs of the Sesquicentennial Honors Commission; motion passed unanimously.

Mayor Schewel requested Council mark their ballots to nominate five persons plus the Mayor's two nominees as co-chairs.

**SUBJECT: HOUSING FOR NEW HOPE RAPID RE-HOUSING PERFORMANCE AUDIT –  
JUNE 2018 (ITEM 7/ PR 12727)**

Germaine Brewington, Director of Audit Services, was available to respond to Council's questions and remarks.

Council Member Reece stated he appreciated the audit and its concept of rapid re-housing; asked about the underlying plan the administration had to address concerns raised in the audit about the need for more carefully tailored solutions to any of the performance measures that the program did not achieve.

City Manager Bonfield inquired with Director Brewington if she had spoken with Community Development regarding this topic; to which, Director Brewington responded, she had not.

Council Member Reece stated he would reach out to Community Development with his questions.

**SUBJECT: SOUTH DURHAM PHASE III HYDRAULIC MODEL – PROFESSIONAL SERVICES CONTRACT AWARD TO FREESE AND NICHOLS, INC. (ITEM 9/ PR 12700)**

Don Greeley, Director of Water Management, addressed Council's concerns about the vendor's minority hiring practices.

Charles Archer, Vice President of Freese and Nichols, Raleigh office, addressed the Council; stated that one African American male was on staff; explained his staff worked hard to recruit minority employees by attending job fairs at engineering-oriented universities in NC (NC A&T University in Greensboro) and surrounding states (Virginia Tech).

Mayor Schewel asked Mr. Archer to address his company's minority hiring practices; explained that there was a city program, *Summer YouthWorks*, that placed high school students into internship positions with area companies and contractors and asked if Freese and Nichols would be interested in participating.

Mr. Archer responded with interest in participating and referenced his company's 'Insights and Hindsight's' blog.

Council Member Freeman inquired about Freese and Nichols being in business for 124 years since the business' inception, and having one African-American employee and encouraged a deeper look at the company's culture.

Mr. Archer responded that the company began in Fort Worth, Texas, 124 years ago and began in NC five years ago; and explained that 21% of the company's full staff was comprised of minorities.

Council Member Freeman explained it was important to acknowledge that considering the history of this country that she was trying to take an intentional effort towards being municipally responsible and asking the questions so that folks were thinking about it more often.

**SUBJECT: AUGUST 2018 BID REPORT (ITEM 10/ PR 12735)**

Mayor Pro Tempore Johnson inquired about two larger items: cybersecurity monitoring application/tool and a forensic microscope; and asked about their applications.

Deputy City Manager Wanda Page responded to the question of cybersecurity as a standard software tool utilized by the city to prevent hackers from attacking the city's system; added that a new cyber security analyst position had been approved and this tool would assist that individual; and added that there were periodic audits of the city's data.

Related to the microscope, Purchasing Director Jonathan Hawley explained the equipment was used by Police Forensics.

City Manager Bonfield stated the equipment was either stationary or mobile and was to be used for specimen analysis.

Mayor Schewel inquired about chairs each costing \$1400. Director Hawley responded the chairs were for the 911 Center and were 24/7 chairs equipped with specialized ergonomics.

**SUBJECT: CONTRACT WITH HORACE G. IIDERTON, LLC FOR DURHAM POLICE DEPARTMENT VEHICLES (ITEM 12/ PR 12728)**

Joe Clark, Fleet Management, was available to answer Council's questions.

Mayor Schewel requested more information on the take-home patrol cars being more expensive than the non-take home cars.

Mr. Clark explained that the take-home cars cost the same as the non-take home cars but that the city was adding additional equipment to the cars at the factory to get the vehicles into service in a more expeditious manner.

**SUBJECT: UTILITY CONSTRUCTION AGREEMENT FOR U-5745 HOPE VALLEY ROAD ROUNDABOUT (NC 751) AT UNIVERSITY DRIVE (SR1183) (ITEM 15/ PR 12729)**

Mayor Pro Tempore Johnson inquired about the need for the city's payment for the project.

Tasha Johnson, Assistant Director of Public Works, responded that the city's payment was required since the contractor was moving the city's utilities located within the NCDOT right-of-way.

City Manager Bonfield stated that the city did not have easements for its own utilities that were located within the NCDOT right-of-way, the city's utilities were there by right; this meant, that if NCDOT wanted the city's utilities moved, the city would have to move them.

**Settling the Agenda – October 1, 2018 Council Meeting**

City Manager Bonfield announced the items for the October 1, 2018 City Council Meeting agenda: Consent Items 1-15.

**MOTION** by Council Member Freeman, seconded by Council Member Reece, to settle the agenda for the October 1, 2018 City Council Meeting as stated by City Manager Bonfield was approved at 2:02 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

There being no further business to come before the Council, the meeting was adjourned at 2:03 p.m.

Diana Schreiber, CMC, NCCMC  
City Clerk